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# A BILL FOR AN ACT

RELATING TO PUBLIC UTILITIES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. In December of 2007, the State was struck by a  
2 storm that included torrential rains and high winds. Resulting  
3 storm damage on the leeward coast of Oahu was substantial with  
4 numerous utility poles falling and damaged. In one case, a  
5 utility pole snapped and landed on a house. High winds toppled  
6 a total of approximately nineteen poles in Nanakuli and  
7 approximately eighteen additional poles fell or were damaged in  
8 Maili. For at least three days following the initial storm,  
9 pockets of residents in Maili and Nanakuli continued to be  
10 without electric utility service.

11           As a result of the downed utility poles, businesses and  
12 schools were closed due to a lack of electric utility service.  
13 Nearly one hundred public schools throughout the State were shut  
14 down, including nine schools located in leeward Oahu. In  
15 addition, Farrington highway, the primary transportation route  
16 through the Maili to Nanakuli corridor in leeward Oahu was  
17 adversely impacted by the damaged utility poles, with repairs



1 taking several days to complete. This occurrence mirrors a  
2 March 2006, storm that downed more than a dozen utility poles in  
3 the same general area.

4 The purpose of this Act is to:

- 5 (1) Require the public utilities commission to conduct a  
6 statewide study to focus on one priority region per  
7 county and develop a plan, with consultation and input  
8 from the utility service providers and community  
9 engagement, for the undergrounding of overhead utility  
10 lines for health and safety purposes; and  
11 (2) Provide funding for the study by appropriating funds  
12 into the public utilities commission special fund  
13 under section 269-33, Hawaii Revised Statutes.

14 SECTION 2. (a) The public utilities commission shall  
15 conduct a statewide study to focus on one priority region per  
16 county, and it shall develop a plan, with consultation and input  
17 from the utility service providers and communities, for the  
18 undergrounding of overhead utility lines for health and safety  
19 purposes.

20 (b) The study shall include but not be limited to the  
21 identification and designation of one priority region for each  
22 county in the State that the public utilities commission



1 determines is prone to repeated falling or damage of overhead  
2 utility lines due to severe weather and other conditions or  
3 occurrences that can be addressed with the undergrounding of  
4 overhead utility lines.

5 (c) For each designated priority region, the public  
6 utilities commission, with consultation and input from the  
7 appropriate utility service providers and the affected  
8 community, shall develop a plan that includes but is not limited  
9 to the following:

- 10 (1) An examination of the existing issues and problems  
11 that each priority region faces with respect to  
12 overhead utility lines;
- 13 (2) A cost-benefit analysis of converting overhead utility  
14 lines to underground utility lines, including funding  
15 options and cost-sharing programs;
- 16 (3) An examination of alternative options other than the  
17 undergrounding of the overhead utility lines and a  
18 determination of the appropriateness of each  
19 alternative option to address the problems and issues  
20 facing the priority region;
- 21 (4) An implementation plan for the undergrounding of the  
22 overhead utility lines in each priority region; and



1           (5) Any other components in which the public utilities  
2                   commission deems pertinent to complete a comprehensive  
3                   study.

4           (d) The public utilities commission shall submit an  
5 interim report to the legislature no later than twenty days  
6 prior to the convening of the 2009 regular session, and shall  
7 submit a final written report of its findings and  
8 recommendations, including any proposed legislation, no later  
9 than twenty days prior to the convening of the 2010 regular  
10 session.

11           SECTION 3. There is appropriated out of the public  
12 utilities commission special fund under section 269-33, Hawaii  
13 Revised Statutes, the sum of \$                   or so much thereof as  
14 may be necessary for fiscal year 2008-2009 for the purposes of  
15 section 2 of this Act.

16           The sum appropriated shall be expended by the public  
17 utilities commission for the purposes of this Act.

18           SECTION 4. This Act shall take effect on July 1, 2008.



**Report Title:**

Undergrounding; Public Utilities Commission; Study; Funding

**Description:**

Requires the public utilities commission to study one priority region for each county statewide to develop with input from the utilities a plan for the undergrounding of overhead utility lines for health and safety purposes. Funds for the study shall be appropriated out of the public utilities commission special fund. (SB2191 SD2)

