

**TESTIMONY OF CHAIRMAN CARLITO P. CALIBOSO
AND COMMISSIONER JOHN E. COLE
PUBLIC UTILITIES COMMISSION
DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE
SENATE COMMITTEE ON
COMMERCE, CONSUMER PROTECTION, AND AFFORDABLE HOUSING
MARCH 31, 2008**

**MEASURE: Governor's Message No. 322
TITLE: Submitting for Consideration and Confirmation to the Public Utilities
Commission Gubernatorial Nominee, Leslie Haruo Kondo, for a Term
to Expire 6-30-2014.**

Chair Kokubun, Vice Chair Ige and Members of the Committee:

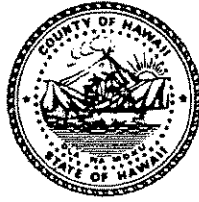
We strongly support the nomination of Mr. Leslie H. Kondo to the Public Utilities Commission ("Commission"). Based on his sound character and distinguished background, Mr. Kondo is well-qualified for reappointment to the Commission. We will be honored to continue to serve alongside him as fellow commissioners.

Since joining the Commission in July 2007, Mr. Kondo has worked tirelessly to understand and analyze the regulatory issues that currently face the Commission, closely reviewing docket records, clarifying issues with staff and parties, and attending training programs, meetings and briefings. In the span of less than a year, Mr. Kondo has already made an appreciable difference at the Commission, through active participation in our deliberations, offering advice and assistance to staff on various matters, and overall professionalism in his approach to his work. He has proven that he possesses qualities that serve him well as commissioner. In addition, Mr. Kondo's ability to draw from his past experience as director of the Office of Information Practices and as an attorney, and from his educational background in industrial engineering, is an asset to the Commission and to the public that we serve.

As the Commission stands poised to address many significant issues that will impact public utilities and their consumers today and in the future, we look forward to continuing to work with Mr. Kondo to establish sound, well-reasoned policies and rulings. We are confident that Mr. Kondo will dedicate himself to this effort with the highest degree of integrity and fairness. Therefore, we respectfully request the Committee to act favorably upon his nomination to the Commission for a term to expire on June 30, 2014.

Thank you for this opportunity to testify.

Harry Kim
Mayor



Lincoln S.T. Ashida
Corporation Counsel

Gerald Takase
Assistant Corporation
Counsel

COUNTY OF HAWAII
OFFICE OF THE CORPORATION COUNSEL

101 Aupuni Street, Suite 325 • Hilo, Hawaii 96720-4262 • (808) 961-8251 • Fax (808) 961-8622

March 28, 2008

Honorable Russell S. Kokubun
Chair, Committee on Commerce, Consumer Protection, and
Affordable Housing
Hawaii State Legislature
415 S. Beretania St.
Honolulu, HI 96813

Dear Senator Kokubun and Committee Members:

RE: Leslie H. Kondo, nominee to Public Utilities Commission

Please accept this letter in strong support of the nomination of Leslie H. Kondo, Esq., to the State of Hawaii Public Utilities Commission.

I first met Mr. Kondo through his work as the former Director of the Office of Information Practices, and thereafter worked extensively with him. Mr. Kondo took his job and responsibilities very seriously. He was always available for consultation with the attorneys from our office on legal matters relating to the Sunshine Law and Uniform Information Practices Act. His legal work and responses to our inquiries were prompt, thorough, and most importantly fair. Although we at times disagreed with his legal conclusions on the interpretation of the Sunshine Law, we always respected and appreciated his professionalism.

As a member of the Public Utilities Commission, Mr. Kondo will bring this same professional unbiased fairness to the board charged with the regulation of franchised public service companies that operate in our State. As an attorney, he will no doubt have the legal and analytical skills to execute his duties for the benefit of our community.

Thank you for allowing me to provide input concerning Mr. Kondo. We respectfully encourage the Committee on Commerce, Consumer Protection and Affordable Housing to act favorably on Mr. Kondo's nomination.

Very truly yours,

LINCOLN S. T. ASHIDA
Corporation Counsel

S: Depts/CC/LSA Corresp./Letter re L Kondo 3-28-08/LSAmr

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Letter of Testimony - Leslie H. Kondo

My name is Gail Cosgrove. I am an attorney and have been in private practice for the last 26 years. My practice consists mostly of complex litigation, the defense of hospitals and healthcare providers in medical malpractice litigation, and product liability litigation. During the course of my career, I have also represented the City and County of Honolulu and the State of Hawaii on various matters in litigation. I am presently a member of the Judicial Arbitration Commission which oversees the Court Annexed Arbitration Program. I am also a member of the Rule 19 Committee on Judicial Performance. I am the President of the Hawaii Women's Legal Foundation which is a nonprofit organization dedicated to improving the lives of women and children in need.

I first met Les Kondo in 2005. At that time, he was the Director of the Office of Information Practices ("OIP") for the State of Hawaii. Les retained my law firm to defend OIP with respect to a lawsuit filed by the Kauai County Council. In essence, the Council sought a declaration from the Court that it was not obliged to turn over minutes from an executive session of the Council which were requested by members of the public.

Since the case is still pending, I will not get into the specifics; however, I found that Les was extremely hard-working and dedicated to his job. He studied and was well versed in the Sunshine Law and the Uniform Information Practices Act, and was particularly knowledgeable with respect to the Legislative history and intent of these laws which, at their core, favor disclosure and openness in representative government. Les could have simply turned the case over to my firm for handling; instead, he was constantly engaged and active in analyzing and preparing all aspects of our case.

I am confident that Les will continue to bring the same enthusiasm and work ethic

to serve the Public Utilities Commission as a member, and I strongly recommend that his nomination for the position be confirmed by the Senate.

testimony

From: Narikiyo@aol.com
Sent: Friday, March 28, 2008 10:28 AM
To: testimony
Subject: Testimony in support of Leslie Haruo Kondo, for 3/31/08, 9:30 am

Chuck T. Narikiyo
c/o 1164 Bishop Street Suite 1105
Honolulu, Hawaii 96813
(808) 226-2132
narikiyo@aol.com

March 28, 2008

Senator Russell S. Kokubun
Chair, Senate Committee on Commerce, Consumer Protection, and Affordable Housing
State Capitol, Room 407
415 S. Beretania Street
Honolulu, Hawaii 96813

Re: Nomination of Leslie H. Kondo to the Public Utilities Commission
Hearing: Monday, March 31, 2008 9:30 a.m.

Chair Kokubun:

Please accept this letter as written testimony in support of the nomination of Les Kondo to the Hawaii Public Utilities Commission, in the strongest possible terms.

I am a graduate of Roosevelt High School, Stanford University, and the William S. Richardson School of Law, and have been licensed to practice law in the State and Federal Courts of Hawaii since 1988. I was in private law practice for sixteen years, the last nine as a partner in a local law firm, and spent 2005-2006 as the Executive Administrator of the Honolulu Charter Commission. I have known Les since law school, and have been privileged to be his friend for many years. I can say without reservation that Les is an individual of highest character and integrity, and is possessed with both great intelligence and common sense.

Professionally, during my tenure as head of the staff for the Charter Commission, I frequently relied on the Office of Information Practices in handling the affairs of the Commission. It was obvious that Les was committed to public service. It was also obvious that his decisions and leadership were at all times governed by his desire to serve the interests of the public, and never those of special interests or politics.

It would truly be a benefit to the State to have someone as capable as Les in the very important position to which he has been nominated. I am proud and happy to support him.

Sincerely,

3/28/2008

Chuck T. Narikiyo

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Edmond K. Ikuma
2056 Mohala Way
Honolulu, Hawaii, 96822

The Honorable Russell S. Kokubun
Chairperson
Committee on Commerce, Consumer Protection
and Affordable Housing
State Capitol, Honolulu, Hawaii, 96813

Re: Testimony in support of Mr. Leslie Kondo's confirmation to the PUC
Committee: Committee on Commerce, Consumer Protection and Affordable Housing
Time: March 31, 2008, Monday, 9:30 A.M.
Place: Room 229, State Capitol

Chairman Kokubun and Members of the Committee: March 31, 2008

Thank you for the opportunity to submit testimony in support of Mr. Leslie Kondo's confirmation as a Commissioner to the Public Utilities Commission.

I have known Les for the past twenty years since we were classmates at the William S. Richardson School of Law and have followed his legal career from an attorney in private practice, to the Director of the Office of Information Practices (OIP) and finally as an interim Commissioner of the Public Utilities Commission (PUC). In all those years, the one thing that was very apparent about Les and has consistently distinguished him from his peers -- was, and is his work ethic. Whether it was preparation for a law school class, an OIP presentation, or a hearing before the PUC, Les has always prepared himself well. It is that preparation and a healthy respect for the rule of law that have earned him deference from his colleagues and success in his legal and professional endeavors.

On a personal level, Les is a dedicated husband and father, he is loyal to his friends, and he also finds time to contribute to the community by serving on the Board of Directors of the Make-A-Wish Foundation.

The Public Utilities Commission and the State would benefit from Les' continued service and I have no reservations and categorically support, and respectfully urge the Committee on Commerce, Consumer Protection and Housing to confirm Les Kondo's appointment to the Public Utilities Commission. If the Committee has any questions with respect to this testimony, please call me at 587-0682. Thank you.

Sincerely,

Edmond K. Ikuma

March 28, 2008

SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION,
AND AFFORDABLE HOUSING

THE HONORABLE RUSSELL S. KOKUBUN, CHAIR

THE HONORABLE DAVID Y. IGE, VICE CHAIR

GUBERNATORIAL NOMINEE LESLIE H. KONDO
SUBMITTED FOR CONSIDERATION AND CONFIRMATION AS
COMMISSIONER, PUBLIC UTILITIES COMMISSION

Testimony of Michele S. Loudermilk

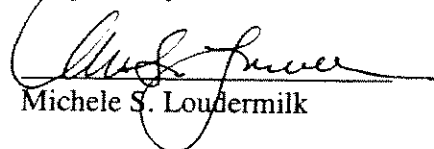
Governor's Message 322

Chairman Kokubun, Vice Chair Ige, and Members of the Senate Committee on Commerce, Consumer Protection, and Affordable Housing:

I appreciate this opportunity to testify in support of the confirmation of Leslie H. Kondo as a commissioner of the Public Utilities Commission. I have known Mr. Kondo for more than 20 years, since we both attended the William S. Richardson School of Law. He has proven to be an able attorney, working in private practice for many years, before serving as Director of the Office of Information Practices, and then more recently, as a Commissioner of the Public Utilities Commission. I support the confirmation of Mr. Kondo, because I believe that he has the background, the experience, and the temperament to suit a Commissioner of the Public Utilities Commission, and he should be confirmed for another six years.

Mr. Kondo has a good reputation as a thoughtful professional who is practical and intelligent. He has a strong sense of integrity, and if confirmed, I believe that he would continue to serve the State of Hawaii well. I believe that he would make considered, reasoned decisions, keeping in mind the interests of the consumer. I believe that Mr. Kondo would continue to be an asset and a credit to the Public Utilities Commission, and I support his confirmation for an additional six years without reservation. Thank you for this opportunity to testify in this matter.

Respectfully,



Michele S. Loudermilk

To: Senate Committee on Commerce, Consumer Protection, and Affordable Housing

From: Cathy L. Takase *C. Takase*

Date: Monday, March 31, 2008, 9:30 a.m.
State Capitol, Conference Room 229

Re: Testimony on GM 322
Relating to the Public Utilities Commission Gubernatorial Nominee,
Leslie H. Kondo

Honorable Chair Kokubun, Vice Chair Ige and committee members:

I would like to express my ardent support for Leslie H. Kondo as a nominee for Commissioner of the Public Utilities Commission.

I first met Les while we were attending the William S. Richardson School of Law almost twenty years ago. In the ensuing years, I have come to know Les well both personally and professionally. Most recently, I worked with Les as a member of his staff at the Office of Information Practices ("OIP"), for which I served as Acting Director for 5 months after Les' departure to serve on the Commission.

During his administration of Hawaii's open government laws, Les enthusiastically embraced his various roles of educator, arbiter, and counselor for the public as well as all government boards and agencies. He continually worked to reduce the backlog of outstanding cases and his efforts were successful in significantly reducing that number. He provided guidance and training to hundreds of members of the public, members of public boards, and government employees and officers. He testified before the Legislature to recommend changes to the statutes under OIP's purview where he believed amendment would foster better government or clearer application of the statutes without infringing upon the public's right and ability to participate in their government. He further testified to provide legal guidance concerning other proposed laws that could affect government information and open meeting practices.

In carrying out his duties, he also issued legal opinions and adjudicated appeals regarding access, always providing what he believed to be the correct interpretations based upon the language of the statutes and applicable law, without injecting his personal views or dictating policy. Unquestionably, Les took seriously his duty to interpret the open government laws and to arbitrate disputes as a

judicial body would do, in accordance with the statutes as written and consistent with the policies declared by the Legislature.

In the three years that we worked together at OIP, I personally witnessed Les' strong commitment to his duties and his service to the public, his openness to other points of view, his decisiveness, his energy, his integrity, and the high standards he sets for himself and those around him. Based upon my knowledge of Les both personally and professionally, I know that he will apply the same level of energy and commitment to the work of the Commission and will provide the same thoughtful and thorough decision-making that he did as director of OIP. In addition, his broad legal experience in the private and government sectors and his exceptional analytical skills will surely continue to be an asset to the Commission in its adjudication of the important and far reaching issues that come before it. Les' ability to quickly comprehend and analyze issues on multiple levels in light of policy concerns, as well as his inherent fairness, will make him an exceptional commissioner.

Thank you for the opportunity to voice my wholehearted support for Les' appointment to the Commission.

RUSSELL Y. TSUJI
99-178 Kealakaha Drive
Aiea, Hawaii 96701

**TESTIMONY OF RUSSELL Y. TSUJI
ON GUBERNATORIAL NOMINEE LESLIE HARUO KONDO
FOR CONSIDERATION AND CONFIRMATION TO THE
PUBLIC UTILITIES COMMISSION**

**BEFORE THE SENATE COMMITTEE ON
COMMERCE, CONSUMER PROTECTION, AND AFFORDABLE HOUSING**

March 31, 2008

I would like to express my personal support for the consideration and confirmation of Leslie H. Kondo to the State Public Utilities Commission. I have known Les for about twenty (20) years, initially as a colleague in our respective private law practices, and more recently as a personal friend. Les is a capable lawyer and his character is impeccable. I believe these attributes make Les an excellent choice for Commissioner on the Public Utilities Commission. Thank you for allowing me to testify.

March 28, 2008

**SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION AND
AFFORDABLE HOUSING**

HELD ON MARCH 31, 2008 AT 9:30 AM IN CONFERENCE ROOM 229

**TESTIMONY IN SUPPORT OF GM 322
LESLIE KONDO'S GUBERNATORIAL NOMINATION TO THE
PUBLIC UTILITIES COMMISSION**

Chair Kokubun and Vice-Chair Ige and Members of the Committee:

I am writing in support of Commissioner Leslie Kondo's appointment to the Public Utilities Commission. I have held the position of Chief Auditor at the PUC for more than 9 years and have been a member of the PUC's audit staff for over 17 years. I have had the pleasure of working directly with Commissioner Kondo on several dockets and projects since his appointment in July 2007. Based on my observations and interactions, I believe Commissioner Kondo has the skills, insight and knowledge to contribute greatly to the productivity at the Commission. In addition, Commissioner Kondo has proven to be a quick learner which has made him a well-respected member of the Commission.

Commissioner Kondo possesses the educational background and professional qualifications necessary to serve as a member of the Commission. I am confident Commissioner Kondo's experience and ability to learn the regulatory process will clearly reflect his commitment to public service and benefit the State of Hawaii.

In conclusion, I urge your committee to confirm Commissioner Kondo's appointment. Thank you for your consideration on this matter.

Sincerely,



Steven J. Iha

465 South King St, Room 103
Honolulu, HI 96813

STEPHEN M. TEVES
3012 Hoaloha Place
Honolulu, Hawaii 96817

March 31, 2008
9:30 a.m.

Senate Committee on Commerce, Consumer Protection, and Affordable Housing
Room 229

Testifier: Stephen M. Teves

Re: GM 322 LESLIE HARUO KONDO

My name is Stephen M. Teves. I am an attorney and have practiced law in Hawaii for more than ten years. I am a graduate of the Wm. S. Richardson School of Law and Saint Louis High School.

I am testifying in support of Les Kondo's nomination to serve on the Public Utilities Commission.

I have known Les for more than twenty years and have worked with him in a variety of professional, personal and volunteer capacities. He is thorough, intelligent and exemplifies the kind of public service that will best serve the state of Hawaii. He is dedicated, knowledgeable and keeps an open mind to diverse points of view. Please confirm his nomination.

March 29, 2008

Honorable Russell S. Kokubun, Chair
Honorable David Y. Ige, Vice Chair
Senate Committee on Commerce, Consumer Protection, and Affordable Housing
State Capitol, Room 229
415 South Beretania Street
Honolulu, Hawaii 96813

**Re: Governor's Message No. 322
Submitting for Consideration and Confirmation to the Public Utilities
Commission Gubernatorial Nominee, Leslie Haruo Kondo, for Term
to Expire 6-30-2014**

Chair Kokubun, Vice Chair Ige and Members of the Committee:

On behalf of the legal staff of the Public Utilities Commission ("Commission"), attorneys Michael Azama, Ji Sook Kim, Kaiulani Shinsato, and Jodi Yi, I write in strong support of the confirmation of Leslie H. Kondo as Commissioner.

Since he was appointed in July 2007, the Commission's legal staff has worked closely with Mr. Kondo. During this period, we have seen firsthand his incredible work ethic, strong intellect, and faithful dedication to the issues facing the Commission. In addition to the many utility applications that the Commission is required to adjudicate, the Commission is also considering many difficult, highly technical matters in previously unchartered areas of significant public interest, such as intragovernmental wheeling, energy efficiency, competitive bidding, renewable portfolio standards, standby service tariffs and net energy metering. Despite the workload, Mr. Kondo has worked tirelessly to gain an understanding of these regulatory issues, discussing issues with staff, and closely reviewing docket records and the applicable law. Since his appointment, he has demonstrated fairness and the willingness to assist with any task; as such, he has been an essential part of not only the Commission's docketed matters, but its administrative development of a Document Management System that will increase transparency and facilitate access to Commission documents and filings.

It is a pleasure to work with Mr. Kondo. He is an invaluable and integral part of the Commission, and we believe that he has and will continue to do an excellent job on behalf of the people of the State of Hawaii and in furtherance of the Commission's mission. Therefore, we respectfully request that the Committee support his nomination.

Thank you for your consideration.

Very truly yours,

/s/

Stacey Kawasaki Djou
Chief Legal Counsel
Public Utilities Commission

David K. Tanoue
55 S. Kukui Street, #D-311
Honolulu, Hawaii 96813
(808) 226-9094

March 28, 2008

Via Electronic Delivery (testimony@capital.hawaii.gov)

The Honorable Russell S. Kokubun, Chair
Senate Committee on Commerce, Consumer
Protection, and Affordable Housing
Hawaii State Capitol, Room 407
415 S. Beretania Street
Honolulu, Hawaii 96813

Re: Nomination of Leslie H. Kondo to the Public Utilities Commission

Honorable Chair Kokubun, and members of the committee:

This testimony is presented in support of Leslie H. Kondo's nomination to the Public Utilities Commission.

I first became acquainted with Les while attending the William S. Richardson School of Law in 1987. Since then, I have maintained a personal relationship with Les and consider him a close friend. As a close friend, I can personally attest to his high moral character and integrity. He is very approachable, considerate and displays compassion towards people. His unassuming demeanor and personality has shown to be an asset to the commission.

As a professional, his many years of private practice have given him a wealth of experience. Moreover, as the former Executive Director of the Office of Information Practices, he was able to demonstrate his competence in leadership, fiscal management, and interpersonal relationships with others. Lastly, Les has common sense, which combined with his experience and professional background, develops the wisdom that each commissioner should possess.

Les' performance as a commissioner the past months demonstrates that he is indeed the "right person for the job." I reaffirm my support for his confirmation to the Public Utilities Commission without reservation.

Thank you very much for the opportunity to offer testimony in support.

Aloha,



David K. Tanoue

Wintehn K. T. Park
1180 Lunahana Place
Kailua, Hawaii 96734

March 29, 2008

Senator Russell S. Kokubun
Chairman
Committee on Commerce, Consumer
Protection and Affordable Housing

RE: GM 322 – Leslie Haruo Kondo

Dear Chair Kokubun and Members of the Committee:

I am an employee of the Senate but am submitting this testimony in my individual capacity. I am writing to support the nomination of Leslie Haruo Kondo to the Public Utilities Commission for a term to expire on June 30, 2014.

I have known Les personally for over eighteen years through law school, private law practice and working for him at the Office of Information Practices where he served as Director. I know Les to be an exceptionally hard worker who possesses great knowledge and integrity.

I have no doubt that Les' appointment to the Public Utilities Commission would greatly benefit the State. Therefore, I respectfully offer my support for his appointment without reservation.

Thank you for allowing me the opportunity to submit this testimony.

Sincerely,



WINTEHN K. T. PARK