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TO THE HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

THE TWENTY-FIFTH LEGISLATURE
REGULAR SESSION OF 2009

MONDAY, MARCH 30, 2009
2:15 P.M.

TESTIMONY OF CATHERINE P. AWAKUNI, EXECUTIVE DIRECTOR, DIVISION OF
CONSUMER ADVOCACY, DEPARTMENT OF COMMERCE AND CONSUMER
AFFAIRS TO THE HONORABLE ROBERT HERKES, CHAIR, AND MEMBERS OF
THE COMMITTEE

**SENATE BILL NO. 1065, SENATE DRAFT 2, HOUSE DRAFT 1 – RELATING TO
THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY.**

DESCRIPTION:

This measure exempts the Natural Energy Laboratory of Hawaii Authority (“NELHA”) from regulation by the Hawaii Public Utilities Commission (“Commission”) if sales are made to users located on adjacent property that is under lease from the State.

POSITION:

The Division of Consumer Advocacy (“Consumer Advocate”) supports the intent of the measure.

COMMENTS:

In earlier testimonies, the Consumer Advocate questioned whether it was appropriate to exclude NELHA from safety and performance standards when NELHA needed to connect to the electric utility’s grid to provide or sell power to its neighbors. The current version of the bill appears to address the concerns expressed earlier by the Consumer Advocate by making NELHA subject to an interconnection agreement or other agreement required by the Commission or the electric utility.

Thank you for this opportunity to testify.