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Bill No. 1065
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Date 3/19/09
Time 8:18
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TO THE HOUSE COMMITTEES ON ENERGY AND ENVIRONMENTAL PROTECTION
AND ECONOMIC REVITALIZATION, BUSINESS & MILITARY AFFAIRS

THE TWENTY-FIFTH LEGISLATURE
REGULAR SESSION OF 2009

THURSDAY, MARCH 19, 2009
11:00 A.M.

TESTIMONY OF CATHERINE P. AWAKUNI, EXECUTIVE DIRECTOR, DIVISION OF
CONSUMER ADVOCACY, DEPARTMENT OF COMMERCE AND CONSUMER
AFFAIRS TO THE HONORABLE REPRESENTATIVE MORITA, CHAIR,
REPRESENTATIVE MCKELVEY, CHAIR, AND MEMBERS OF THE COMMITTEES

**SENTATE BILL NO. 1065, S.D. 2 – 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”) offers comments for the Committees’ consideration.

COMMENTS:

To the extent that NELHA may provide electrical services as described by the measure to itself, it need not request such a statutory exemption, since the provision of services to oneself already would be exempt from regulation. If, however, NELHA intends to utilize the utility’s grid to transmit the energy to its neighbors who lease State property, it would not be appropriate for NELHA to wholly be excluded from regulation.

S.B. No. 1065, S.D. 2

House Committees on Energy and Environmental Protection
and Economic Revitalization, Business, & Military Affairs

Thursday, March 19, 2009, 11:00 A.M.

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That is, it may be reasonable to exclude NELHA from rate setting, commitment of funds, and other sections applicable to regulating an investor-owned utility, but NELHA should be required to meet the performance and safety standards required for transmission and distribution of energy.

Thank you for this opportunity to testify.