

STAND. COM. REP. NO.

212

Honolulu, Hawaii

FEB 11, 2011

RE: H.B. No. 1342  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Economic Revitalization & Business, to which was referred H.B. No. 1342 entitled:

"A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS,"

begs leave to report as follows:

The purpose of this bill is to expedite the deployment of broadband technology in Hawaii by:

- (1) Temporarily exempting actions relating to the installation, improvement, construction, or development of broadband infrastructure from county permitting requirements and state permitting and approval requirements, under certain conditions; and
- (2) Prohibiting a person or entity from being required to upgrade or replace an existing utility pole when using that pole to install new or improve existing telecommunications cables, under certain conditions.

Akaku: Maui Community Television and Hawaiian Telcom supported this bill. The Department of Transportation (DOT), Cable Television Division of the Department of Commerce and Consumer Affairs, Hawaiian Electric Company, Hawaii Electric Light Company, and Maui Electric Company supported the intent of this measure. The Department of Planning and Permitting of the City and County of Honolulu opposed this bill.

HB1342 HD1 HSCR ERB HMS 2011-2021



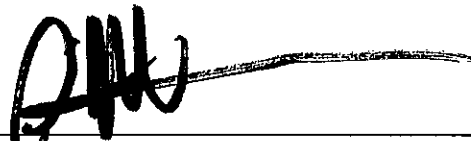
Your Committee notes that DOT in its testimony recommended adding a provision to require an entity to obtain a highway permit under section 264-6, Hawaii Revised Statutes, for any work within the DOT Highways Division's right-of-way. As an alternative, your Committee considered requirements to notify DOT in lieu of establishing a permit requirement. Your Committee respectfully requests your Committee on Consumer Protection and Commerce to review this matter further.

Your Committee has amended this measure by:

- (1) Specifying that the overall weight load on the utility pole must not exceed maximum utility pole safe weight capacities established by the Hawaii Public Utilities Commission, in addition to the Federal Communications Commission, when using that pole to install new or improve existing telecommunications cables;
- (2) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Economic Revitalization & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1342, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1342, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on  
behalf of the members of the  
Committee on Economic  
Revitalization & Business,



ANGUS L.K. MCKELVEY, Chair



