

STAND. COM. REP. NO. 1508

Honolulu, Hawaii
April 8, 2011

RE: S.B. No. 99
S.D. 2
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 Finance, to which was referred S.B. No. 99,
S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES
COMMISSION,"

begs leave to report as follows:

The purpose of this bill is to ensure that the Public
Utilities Commission (PUC) represents the interests of the entire
State by improving the PUC's structure and operations. Among
other things, this bill:

- (1) Expands PUC from three to five members and requires PUC
to elect its chairperson from one of its members;
- (2) Establishes specific requirements relating to the
professional expertise and geographic representation of
PUC members;
- (3) Requires PUC to establish two panels, each with
different subject matter jurisdiction, and stipulates
that an action by a panel shall constitute an action of
PUC;
- (4) Requires PUC to employ an executive officer, in lieu of
the chief administrator, with the authority to appoint,



employ, and define the duties of PUC personnel, subject to the supervision of PUC;

- (5) Establishes specific notice requirements pertaining to applications for certificates of public convenience and necessity for water carriers (certificates);
- (6) Prohibits PUC from making a finding of public convenience and necessity or authorize the operation of a water carrier unless certain specific findings supported by evidence are placed on record; and
- (7) Prohibits PUC from issuing any temporary or interim certificate that does not conform to the Hawaii Water Carrier Act except in response to an emergency.

The Chamber of Commerce of Hawaii, Hawaii Farm Bureau Federation, Kona-Kohala Chamber of Commerce, Hawaii Food Industry Association, Maui County Farm Bureau, and Young Brothers, Limited, supported this bill. A concerned individual opposed this measure. PUC, the Consumer Advocate, and Blue Planet Foundation submitted comments.

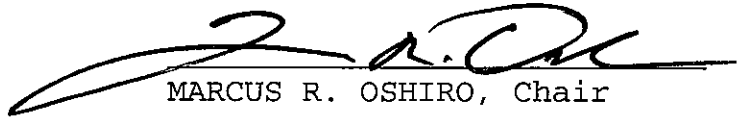
Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2030, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 99, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 99, S.D. 2, H.D. 1.



Respectfully submitted on
behalf of the members of the
Committee on Finance,


MARCUS R. OSHIRO, Chair



