

STAND. COM. REP. NO.

1182

Honolulu, Hawaii

March 22, 2013

RE: S.B. No. 1045
S.D. 1
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred S.B. No. 1045, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ELECTRIC COOPERATIVES,"

begs leave to report as follows:

The purpose of this measure is to clarify the regulatory authority of the Public Utilities Commission over electric cooperatives by:

- (1) Directing the Public Utilities Commission and the Division of Consumer Advocacy to specifically consider the ownership structure and interests of an electric cooperative in determining the scope and need for the application of any regulatory measure; and
- (2) Authorizing the Public Utilities Commission to waive or exempt an electric cooperative operating in the State from certain regulatory provisions by the Public Utilities Commission upon a finding that the provisions are inappropriate, unjust, unreasonable, or not in the public interest.

SB1045 HD1 HSCR EEP HMS 2013-2938



The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Public Utilities Commission, Kauai Island Utility Cooperative, and Seven Councilmembers of the Kauai County Council testified in support of this measure. An individual provided comments.

Your Committee has amended this measure by clarifying that the granting of a waiver or exemption to an electric cooperative by the Public Utilities Commission does not affect the right of electric cooperative members or ratepayers to file a complaint with the Public Utilities Commission against an exempted electric cooperative.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1045, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1045, S.D. 1, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,

Chris Lee

Fr _____
CHRIS LEE, Chair



HSCR 1182

Record of Votes of the Committee on Energy & Environmental Protection

| Bill/Resolution No.: <i>SB 1045, SD1</i> | Committee Referral: <i>EEP, CPC</i> | Date: <i>3/21/13</i> | | |
|--|---|--------------------------------|------|---------|
| <input type="checkbox"/> The committee is reconsidering its previous decision on the measure. | | | | |
| The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) | | | | |
| EEP Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. LEE, Chris (C) | <input checked="" type="checkbox"/> | | | |
| 2. THIELEN, Cynthia (VC) | <input checked="" type="checkbox"/> | | | |
| 3. COFFMAN, Denny | <input checked="" type="checkbox"/> | | | |
| 4. CULLEN, Ty J.K. | <input checked="" type="checkbox"/> | | | |
| 5. EVANS, Cindy | <input checked="" type="checkbox"/> | | | |
| 6. HANOHANO, Faye P. | <input checked="" type="checkbox"/> | | | |
| 7. KAWAKAMI, Derek S.K. | <input checked="" type="checkbox"/> | | | |
| 8. LOWEN, Nicole E. | <input checked="" type="checkbox"/> | | | |
| 9. FALE, Richard Lee | <input checked="" type="checkbox"/> | | | |
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| TOTAL (9) | <i>9</i> | | | |
| The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div> | | | | |
| Vice Chair's or designee's signature: <i>Cynthia Thielen</i> | | | | |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO | | | | |