

TESTIMONY OF HERMINA MORITA
CHAIR, PUBLIC UTILITIES COMMISSION
DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE
HOUSE COMMITTEE ON
ENERGY & ENVIRONMENTAL PROTECTION

FEBRUARY 11, 2014

8:15 a.m.

MEASURE: H.B. No. 1584

TITLE: Relating to Renewable Energy

Chair Lee and Members of the Committee:

DESCRIPTION:

This measure proposes to establish an expedited renewable energy facility siting process under Chapter 201N, Hawaii Revised Statutes (“HRS”), for state and county permits necessary for the siting, development, construction, and operation of renewable energy facilities. Specific parts of this expedited process includes a requirement that the Hawaii Energy Resources Coordinator (“ERC”) establish and implement a system to coordinate and concurrently process the review and approval by the Public Utilities Commission (“Commission”) of any power purchase agreement (“PPA”) for electricity generated by a renewable energy facility. In addition, this measure proposes to amend HRS § 269-27.2 to require the Commission “approve, approve with modification, or reject” an application for approval of a PPA or rate agreement for nonfossil fuel generated electricity between a renewable energy facility owner and a public utility “under [HRS] chapter 201N” within sixty (60) days of receiving the application, or else such PPA will be deemed automatically approved. Further, this measure would require that negotiating parties to a renewable energy PPA may request the Commission prescribe a “just and reasonable rate or other agreement terms” when such a rate cannot be agreed upon by the negotiating parties, and such rate and/or terms setting must be done within sixty (60) days of request or the renewable energy facility owner’s last proposed rate or terms will be effective. Finally, the time period for Commission determinations described above may be extended up to six months “for reasonable cause and for a reasonable time as necessary.”

POSITION:

The Commission has serious concerns with this measure and would like to offer the following comments for the Committee's consideration.

COMMENTS:

Requiring decision-making on renewable energy PPAs within sixty days to six months of the application date could result in unfavorable decisions not in the public interest. It is important to note that the Commission's docketed proceedings include a number of procedural requirements that are established to ensure the protection of due process rights, including, for example, a period for intervention of interested and affected parties that typically runs for twenty days following the onset of a docketed proceeding. Not all PPAs involve the same level of complexity, but they do require a full review of terms and conditions, potential impacts on the electric ratepayer, and technical and economic impacts to the electric system.

The Commission has serious concerns with respect to H.B. No. 1584's proposed sixty-day process for the determination of PPA rates or terms when agreement cannot be reached between the negotiating parties. As written, this provision appears to effectively allow either negotiating party to force an agreement when the negotiating parties are unable to come to agreeable terms on their own. Again, as written, this appears to be a violation of the constitutional rights of negotiating parties who have not formally entered into a contract. Can the Legislature effectively force a party into a contract to which they have not agreed? Further, it is not the role of the Commission to set rates or terms of PPA contracts.

The proposed language in HRS § 201N-K indicates that PPAs shall be subject to HRS Chapter 269 requirements, but, yet, it also sets out the ERC review/approval coordination process creating procedural confusion and conflict. The Commission would ask the Committee to address this potential conflict and provide clarification should this measure moves forward.

Thank you for the opportunity to testify on this measure.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

NEIL ABERCROMBIE
GOVERNOR

RICHARD C. LIM
DIRECTOR

MARY ALICE EVANS
DEPUTY DIRECTOR

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804
Web site: www.hawaii.gov/dbedt

Telephone: (808) 586-2355
Fax: (808) 586-2377

Statement of
RICHARD C. LIM
Director

Department of Business, Economic Development, and Tourism
before the

HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Tuesday, February 11, 2014

8:15 a.m.

State Capitol, Conference Room 325

in consideration of

HB 1584

RELATING TO RENEWABLE ENERGY.

Chair Lee, Vice-Chair Thielen, and Members of the Committee.

The Department of Business, Economic Development, and Tourism (DBEDT) offers comments on HB 1584, which would amend the existing renewable energy facility siting process under H.R.S. §201N.

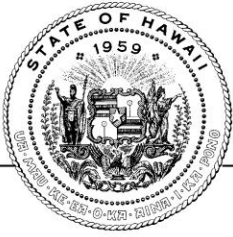
DBEDT appreciates efforts to facilitate the permitting of renewable energy projects in Hawaii; however, we have the following serious concerns with this measure:

- HB 1584 excludes geothermal from participation in the renewable energy facility siting process (§201N-A). As stated in the state's Energy Policy Directives (<http://energy.hawaii.gov/energypolicy>), geothermal holds particular promise as a low-cost, clean and firm energy source.
- HB 1584 provides that only renewable energy projects 200 megawatts and larger would be eligible for the renewable energy facility siting process (§201N-A), which would limit DBEDT's potential involvement to a few extremely large renewable energy projects.
- While we defer to the affected state and county agencies, the permit processing and decision-making timelines are concerning. Allowing for only 15 to 60 days within receipt of the consolidated application to develop permit terms/conditions and issue a permit may not allow for adequate review of the project's impacts and consideration of appropriate mitigation

measures (§201N-E, §201N-F). 60 days is also a very short time to coordinate complex federal permit processes (§201N-G).

- While we defer to the Hawaii Public Utilities Commission (PUC), HB 1584 provides for power purchase rates to be approved without PUC approval in certain cases, which may not ensure the rates are in the public interest (Section 4).
- HB1584 limits opportunity for public involvement by removing the existing H.R.S. §201N requirement that DBEDT conduct a public hearing on the island of the proposed renewable energy facility prior to accepting a permit plan application.
- While we defer to the Office of Planning on questions of land use policy, we are concerned over revising land use district maps based on the permissibility of a given renewable energy facility (§201N-I) since land use district determinations are made through a deliberative process that take many factors and stakeholder positions into consideration.
- HB 1584 eliminates the renewable energy facility siting special fund under H.R.S. §201N-11. Elimination of this special fund would undermine DBEDT's future capability to fund its renewable energy facilitation efforts from user fees instead of state funding sources like the general fund or barrel tax.

Thank you for the opportunity to provide these comments.



OFFICE OF PLANNING STATE OF HAWAII

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

NEIL ABERCROMBIE
GOVERNOR

JESSE K. SOUKI
DIRECTOR
OFFICE OF PLANNING

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <http://planning.hawaii.gov/>

Statement of
JESSE K. SOUKI
Director, Office of Planning
Department of Business, Economic Development, and Tourism
before the
HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION
Tuesday, February 11, 2014
8:15 AM
State Capitol, Conference Room 325

in consideration of
HB 1584
RELATING TO RENEWABLE ENERGY.

Chair Lee, Vice Chair Thielen, and Members of the House Committee on Energy and Environmental Protection.

The Office of Planning (OP) offers the following comments on the land use provisions of HB 1584 which amend Hawaii Revised Statutes Chapter 201N by adding a new part to establish an expedited and streamlined permit process to encourage the development of private large scale renewable energy facilities. The permit process would be under the purview of an energy resources coordinator who would have the singular authority to approve all applications for permits necessary for the development of a renewable energy facility. The definition of “permit” includes a wide range of approvals, including state land use district boundary amendment; county development, community, and community development plan amendment; county zoning amendment; conservation district use permit; state special permit, special management area permit; shoreline setback variance; subdivision, use and zoning approvals.

While OP supports the intent of the bill to streamline the development review process for large renewable energy projects, we believe the bill goes too far in granting final permitting approval authority to the energy resources coordinator. Of particular concern are the following:

1. Final authority of the coordinator to determine permit conditions for all state permits.
This would supersede the authorities of the State Land Use Commission, Board of Land and Natural Resources and many State permitting agencies.
2. Final authority of the coordinator to determine permit conditions for all county permits.
This would supersede the authorities of the county councils, county planning commissions and planning departments.
3. Inapplicability of contested case hearings and associated due process concerns.
4. Coordinator final authority to accept environmental assessments or environmental impact statements.
5. Permit approvals conditioned upon subsequent acceptance of environmental assessments and environmental impact statements. This negates the value of the environmental studies in assessing impacts and mitigation measures to inform decision-makers.
6. Permit approvals conditioned upon subsequent approvals of federal permits or delegated environmental permits.

HB 1584 would circumvent the State and county's comprehensive planning process and allow large scale renewable energy projects to be sited anywhere in the State without regard to potential significant environmental, social, and infrastructure impacts. Counties typically undergo many years of regional land use planning in preparing and updating general plans, development and community plans, which typically include comprehensive population, land use and infrastructure planning, and widespread public input and hearings.

The 60-day expedited timeframes for all permit approvals will not afford sufficient time for the various commissions, boards and councils to render permit decisions in any meaningful way. The public will likewise have very little opportunity to provide input.

Accordingly, HB 1584 could have significant unintended consequences not in the public interest.

Thank you for the opportunity to provide this testimony.



NEIL ABERCROMBIE
GOVERNOR

SHAN S. TSUTSUI
LT. GOVERNOR

**STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

335 MERCHANT STREET, ROOM 310
P.O. Box 541
HONOLULU, HAWAII 96809
Phone Number: 586-2850
Fax Number: 586-2856
www.hawaii.gov/dcca

KEALI'I S. LOPEZ
DIRECTOR

JO ANN UCHIDA TAKEUCHI
DEPUTY DIRECTOR

TO THE HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

THE TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2014

TUESDAY, FEBRUARY 11, 2014
8:15 A.M.

TESTIMONY OF JEFFREY T. ONO, EXECUTIVE DIRECTOR, DIVISION OF
CONSUMER ADVOCACY, DEPARTMENT OF COMMERCE AND CONSUMER
AFFAIRS, TO THE HONORABLE CHRIS LEE, CHAIR,
AND MEMBERS OF THE COMMITTEE

HOUSE BILL NO. 1584 - RELATING TO RENEWABLE ENERGY

DESCRIPTION:

This measure proposes to establish a renewable energy facility siting process to expedite the review and action upon state and county permits necessary for the siting, development, construction, and operation of a renewable energy facility.

POSITION:

The Division of Consumer Advocacy objects to that portion of this bill that proposes to revise Hawaii Revised Statutes (HRS) section 269-27.2.

COMMENTS:

This bill proposes to amend HRS section 269-27.2 by requiring the Public Utilities Commission (Commission) to act upon a power purchase agreement (PPA) for nonfossil fuel generated electricity between a renewable energy facility owner and a public utility under chapter 201N of the Hawaii Revised Statutes within 60 days. A failure to either approve, approve with modifications, or reject the application within 60 days by the Commission deems the PPA approved. This bill further modifies § 269.27.2 by requiring the Commission to act as an arbiter between a renewable energy facility owner and a public utility in the event the parties fail to reach an agreement on a PPA for nonfossil fuel generated electricity. Under the proposed provision, either party to the dispute may submit a request to the Commission to prescribe a just and reasonable rate or other agreement terms within 60 days of receipt of the request. In the event that the Commission fails to act within the prescribed 60 days, then the rate and terms last proposed by the renewable energy facility owner shall be deemed the rate or terms prescribed.

By statute, the Consumer Advocate is a party to all applications for approval of PPAs submitted to the Commission. The requirement of this bill for a decision and order by the Commission in 60 days of the submittal of the application for approval will place an unfair and inappropriate burden on both the Consumer Advocate and the Commission that would not be in the public's best interest. Furthermore, this strict 60 day requirement may result in the unintended consequence of the Commission taking an overly conservative view on the PPA by rejecting it rather than running the risk that the terms of the PPA may not be just and reasonable.

The process of reviewing a PPA is not simple, especially as cost structures and technology change, and greater amounts of renewable energy are added to the grid that may affect system reliability and curtailment of other renewable energy facilities. Once an application is filed, interested parties are given the opportunity to intervene by filing motions with the Commission. The Commission then decides if the party seeking intervention should be allowed into the proceeding. From there, the parties engage in discovery through Information Requests (IRs). Upon receiving the responses to IRs, supplemental IRs are then issued to help clarify responses. A reasonable period is then given to the responding party to provide responses to the supplemental IRs.

Once discovery is completed, the parties then submit Statements of Position. The Consumer Advocate conducts a careful analysis of the PPA to determine if the terms are just and reasonable and in the public's interest. This analysis is complex and

done on a case by case basis. The analysis could include, but is not limited to, any of the following:

1. Is the period of the contract appropriate?
2. Is the price of the contract fair and reasonable given other approved PPAs for the same type of renewable energy facility?
3. Is the price of the contract fair and reasonable given the expected investment of capital by the facility owner?
4. Are there escalation clauses that may result in an unreasonably high PPA price in the future?
5. How will the addition of the facility to the grid affect system reliability?
6. How will the addition of the facility affect curtailment of energy from other renewable energy facilities that are already in operation?
7. What ancillary services, such as voltage regulation, ramping, and peaking, can the facility provide? How should these ancillary services be valued?
8. Are there external economic benefits that the facility may provide, such as job creation?
9. Has there been community outreach by the facility owner?

Once the analysis is done and captured in the Statements of Position, then the utility is given the opportunity to submit a Reply Statement of Position. The Commission then needs a reasonable period to review the record, conducts its own analysis, and finally issue a decision and order. It is unreasonable to expect all of this to be done in 60 days. Moreover, it would not allow for meaningful participation by intervenors.

Finally, the provision that requires the Commission to act as an arbiter in the negotiation of PPAs and to act in 60 days is also unduly burdensome and leads to numerous questions on the process. In submitting the dispute over a PPA to the Commission, do the parties have a right to be heard? What due process rights are being afforded the parties in this process? Are there rights to appeal? On what basis can an appeal be taken? Why should the last offer of the facility owner be deemed the approved PPA in the event the Commission does not act in the required 60 days when, in all likelihood, the facility's owner PPA price will be higher than the utility's? Is the Consumer Advocate to be involved in this process?

For the above-stated reasons, the Consumer Advocate respectfully objects to the provisions in this bill that amend HRS § 269-27.2.

Thank you for this opportunity to testify.



HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

February 11, 2014, 8:15 A.M.
(Testimony is 1 page long)

TESTIMONY IN OPPOSITION TO HB 1584

Aloha Chair Lee and Members of the Committees:

The Sierra Club, Hawaii Chapter, with over 12,000 dues paying members and supporters statewide, *opposes* HB 1584. This measure establishes a body that considers and approves **all** permits: land use; clean water; clean air; environmental review; building permits; etc.

While Hawaii's needs more clean, renewable energy, we doubt any single agency has the capability to supersede or trump the expertise of several agencies that routinely consider various permit approvals. Moreover, most project delays appear to stem from the time it takes to negotiate a power purchase agreement with the utility, not with permitting. For example, we understand it took *several years* to negotiate First Wind's first project on Maui with MECO.

This measure also appears to ignore the fact that several years ago, this Legislature created a renewable energy coordinator. This Coordinator has some of the responsibilities and powers specified in this bill, but in a much more balanced and nuanced manner.

Mahalo for the opportunity to testify.

1065 Ahua Street
Honolulu, HI 96819
Phone: 808-833-1681 FAX: 839-4167
Email: info@gcahawaii.org
Website: www.gcahawaii.org



GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

Uploaded via Capitol Website

February 11, 2014

TO: HONORABLE CHRIS LEE, CHAIR, HONORABLE CYNTHIA THIELEN, VICE CHAIR AND MEMBERS OF THE HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

SUBJECT: **SUPPORT OF H.B. 1584. RELATING TO RENEWABLE ENERGY.** Establishes a renewable energy facility siting process to expedite the review and action upon state and county permits necessary for the siting, development, construction, and operation of a renewable energy facility.

HEARING

DATE: Tuesday, February 11, 2014
TIME: 8:15 a.m.
PLACE: Conference Room 325

Dear Chair Lee, Vice Chair Thielen and Members of the Committee,

The General Contractors Association of Hawaii (GCA) is an organization comprised of over six hundred general contractors, subcontractors, and construction related firms. The GCA was established in 1932 and is the largest construction association in the State of Hawaii. The GCA's mission is to represent its members in all matters related to the construction industry, while improving the quality of construction and protecting the public interest.

The GCA is **in support** of H.B. 1584, which proposes to establish a renewable energy facility siting process, which would expedite the processing of state and county permitting for the construction of renewable energy facilities.

H.B. 1584 would allow greater ability for investment and investigation of Hawaii's bountiful sources of renewable energy and to reduce our over-dependence on imported fossil fuels. The process for obtaining the necessary permits for renewable energy projects and meeting state, county, and federal regulations has been described as overly time-consuming, cumbersome, onerous, and costly. ly fashion and this measure proposes to allow such projects to proceed.

In 2009, the legislature passed Senate Concurrent Resolution No. 132, S.D.1 which established the Construction Industry Task Force. The Task Force was tasked to develop and propose state actions, for the purpose of preserving and creating new jobs in the local construction industry. One area of focus was the expediting of projects related to establishing independent energy sources to sustain and make the State less reliant on imported fuel sources. As indicated in the report,

[a]ttaining this independence has been a long-standing objective for the State, which is the most dependent of all the states on petroleum for its energy needs. It pays the highest electricity prices in the United States, and

its gasoline costs are among the highest in the country. Fuel surcharges that pass the increases in fuel costs to consumers have significantly increased the cost of over eighty per cent of the goods and services sold in Hawaii. Household fuels and utilities costs rose 36.4 per cent from the previous year, as reflected in the Honolulu consumer price index during the second quarter of 2008.

H.B. 1584 would allow increased opportunities for Hawaii to meet its goals of depending less on imported fuels and create a more sustainable environment.

For these reasons, GCA supports H.B. 1584 and requests this Committee pass this measure.

HB1584

Submitted on: 2/8/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HB1584

Submitted on: 2/9/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Theodore Banta	Individual	Oppose	No

Comments: I strongly oppose HB1584. It combines the worst elements of past geothermal law with the PLDC type "streamlining".

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HB1584

Submitted on: 2/9/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher Biltoft	Individual	Oppose	No

Comments: HB 1584 has so many deficiencies it is difficult to address them all. While the goal of indigenous renewable energy is good, the process proposed in HB 1584 is badly flawed. The appointment of an "energy resources coordinator" would establish a dangerous precedent, given this appointed position would be based on political standing rather knowledge or ability. Eliminating the EA (NEPA process) is also faulty. It is much better to do it right than have to live with the consequences of doing it wrong.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HB1584

Submitted on: 2/9/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
joy cash	Individual	Oppose	No

Comments: Bad for people, do not pass this bill.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HB1584

Submitted on: 2/8/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
pat gegen	Individual	Support	No

Comments: Promote renewable, local energy!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HB1584

Submitted on: 2/9/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Kuykendall	Individual	Oppose	No

Comments: I oppose this bill because it is poorly written and will bypass important safeguards for the health and safety of the citizens of Hawaii. Please oppose this bill and support existing protections for the people and the land of Hawaii. Mahalo.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HB1584

Submitted on: 2/9/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Suzanne Wakelin	Individual	Oppose	No

Comments: STRONGLY OPPOSE this Bill. We need proper assessment of all the issues when siting new energy facilities. "Streamlining" in the way that is set up in this bill will override the necessary protections for considering impacts on communities and environment.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HB1584

Submitted on: 2/9/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Oshi Simsarian	Individual	Oppose	No

Comments: Do not pass this bill! It eliminates local review. M. Oshi Simsarian

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HB1584

Submitted on: 2/10/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Robert ortman	Individual	Oppose	No

Comments: I oppose HB1584 which combines the worst elements of past geothermal law with the PLDC "streamling" which was repealed by the governor last year. It does not need to be re-visited.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HB1584

Submitted on: 2/8/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Bill Smith	Individual	Oppose	No

Comments: Purporting to establish a renewable energy facility siting process based on Appendix L of the Construction Industry Task Force Recommendations resulting from 2009 Senate Concurrent Resolution 132, the bill appears to overlook the existence of HRS Chapter 201N by its failure to be formatted to show statutory changes. This odd bill that should not advance beyond the committee is a re-run of Act 55 and the PLDC.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HB1584

Submitted on: 2/10/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Lyn Howe	Individual	Oppose	No

Comments: strongly oppose this it has all the worst elements of the past geothermal law. Thank you

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HB1584

Submitted on: 2/10/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Gina Franchini	Individual	Oppose	No

Comments: I strongly oppose this bill as it contains the worst elements of past geothermal law

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

HB1584

Submitted on: 2/10/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Nicki Conti	Individual	Oppose	No

Comments: I strongly oppose this bill, it's purpose to streamline industry , is not only bad for the environment but also a blatant statement that corporate greed is controlling our legislative process. Thank you

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HB1584

Submitted on: 2/11/2014

Testimony for EEP on Feb 11, 2014 08:15A

LATE

325

Submitted By	Organization	Testifier Position	Present at Hearing
Barb Cuttance	Individual	Oppose	No

Comments: HB1584 - Relating to Renewable energy. I strongly appose this bill. Please hold this bill and do not allow it to move forward. It combines the worst elements of past geothermal law with the PLDC type "streamlining". Purporting to establish a renewable energy facility siting process based on Appendix L of the Construction Industry Task Force Recommendations resulting from 2009 Senate Concurrent Resolution 132, the bill appears to overlook the existence of HRS Chapter 201N by its failure to be formatted to show statutory changes. This is a very dangerous bill and should not advance. Please hold this bill. Barbara Cuttance 14/266 Papaya Farms Road, Pahoa, HI 96778

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HB1584

Submitted on: 2/11/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Norris Thomlinson	Individual	Oppose	No

Comments: I strongly oppose HB1584. We need to bring geothermal development under tight regulation by the people mostly directly affected, not ease the process of adding new sites. There have been way too many problems with the existing site, and too many risks with new sites, to not proceed very carefully with any contemplation of further development. This bill is completely opposed to what we need. Please vote against it.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov



Support of SB2940
Support of HB2359
Support of HB1766/Repeal 97
Oppose HB2639/HD1
Oppose SB2663
Oppose HB1584

Helene Love 982-6433
 Helene Love 982-6433

Helene Love 982-6433
Helene Love 982-6433
Helene Love 982-6422

NO TO FRACKING IN HAWAII (don't let Big \$\$ decide—this is our home; our world). When you push this paperwork around, give special numbers, sign and file, be sure you are doing what is right for our environment and don't accept corporation lies—seek the truth and keep Hawaii, Hawaii. Just because governments sign papers doesn't make any of it law to me; we all are responsible for each other and our lands on earth. We know we have plenty of sun to work with.

Are the risks worth the gains? *Fracking* has too many risks and our small land mass and weak rift zones won't handle the *fracking* impacts. *Fracking* uses more intensity, chemicals, and there's greater risks to water and land. And don't ruin the Big Island for the sake of power for other islands.

Has Big Island ever had beginning to end “Standards of Operating Procedures” with input from professionals from all fields, even when **drilling** straight down into a volcano on Zone 1, yet alone, *fracking*. Even today, after hundreds of thousands of *fracking* sites around the world, there are still unforgivable mistakes made to environments and humans and **drilling** in Hawaii will be “hits and misses” that no scientist can predict on our porous hot lands. Check Pele lately?????!!!!

All the risks with **any type** of drillings should be identified, first, with “what if plans” in place!!! What can go wrong during earthquakes, eruptions, or blowouts? Who's responsible?

The *corporate fracking industry* lies to property owners, drills more holes and closer to homes than told, drills *under* private properties, destroys the land and entire towns, rivers, lakes, fish, livestock, soils for planting, water, air, and forces generations of family-owned property owners out of town, (while having to pay for and deal with major health issues caused by *fracking*).

Corps don't care about lives being destroyed. *Fracking* in Hawaii won't be any different. Look how long Puna residents have been trying to protect their mental and physical health and their proudly-owned properties, while having no laws in place. Again, *fracking* corps. run our gov. and changed the environmental laws to suit their toxic money, even to the point of talking BLM to give up millions of acres of Federally protected lands to this, presumably, “safe renewable energy.”

When was the last time the water/aquifers and soil was checked for all contaminants at existing PGV? Do so now, before any new drilling may take place.

Who's responsible for the total “clean-up/over-sight” of the existing PGV plant—when? If PUC/HELCO insists on drilling, can the existing plant be up-graded with more MW enhancement, instead of more drill sites having to take place? **Drilling** or *fracking* in the wrong place or too close to any existing fractures may cause much bigger impacts than anybody can predict.

No *fracking* for electricity; no *fracking* or **drillings** for electricity used by other islands. Elect. for B.I. only.

The *fracking* process includes hundreds of toxic chemicals; some chemicals new and unknown to science.

Fracking won't keep Hawaii's land, water, aquifers unaffected; **no matter what type of drilling**, there are toxins involved.

Know all chemicals used and being brought into Hawaii for any type of geothermal methods.

No *fracking* or **drilling** that involves drilling underneath others properties

Drilling company finances (up-front) a fund to be used for any damages incurred to area and our roads.

Safe *fracking* methods proposed by President Obama are not safe and they either lied to the public or

were being lied to while mainland drill sites were put in at an “unimaginable” alarming speed. Hawaii has no *fracking-trained* engineers/environmentalists and didn't even have their own hydrogen-sulfide meters to protect the citizens forced to live with this worry.

What pre-planning has been completed for the six geothermal contracts sitting with HELCO; shouldn't this be categorized as “Industrial,” versus residential, agriculture, and recreational? What will the drilling method be, certainly no newly disguised “proprietary” *fracking* name.

There can be no *fracking or drilling* involving the collection of any other earth elements.

City and County departments should receive monies from fracking company for water used, disposal of any environmental toxins (even tho' we know there won't be any), tearing down and cleaning site after use, payment for lawyers needed by residents if issues occur.

Drill in specific “Industrial Site” area far away from any housing areas; no more drilling in Puna (how about at the military PTA site, instead of preparing for killing wars). Better yet, contractors can pour their money and invent sun and wind energy at PTA and show a new positive direction for military use.

LATE

HB1584

Submitted on: 2/11/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Kirbin	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

HB1584

Submitted on: 2/11/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Pua Kamaoa	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HB1584

Submitted on: 2/11/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
tj simms	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

HB1584

Submitted on: 2/11/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Allan Reaves	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

HB1584

Submitted on: 2/11/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
penny s	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov