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# A BILL FOR AN ACT

RELATING TO THE PUBLIC UTILITIES COMMISSION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the public utilities  
2 commission's primary purpose is to ensure that regulated  
3 companies efficiently and safely provide their customers with  
4 adequate and reliable services at just and reasonable rates,  
5 while providing regulated companies with a fair opportunity to  
6 earn a reasonable rate of return. However, the public utilities  
7 commission has several long and short term goals that reflect  
8 the commission's increased work complexity and program  
9 responsibilities, which go beyond the commission's traditional  
10 regulatory role, including in the area of energy regulation.

11           The legislature further finds that due to these increasing  
12 responsibilities, it is essential that all areas of the State  
13 are adequately represented in the commission. Enabling a  
14 person's island of residence to be used as a criterion when  
15 determining the person's qualification to serve as a  
16 commissioner will meet this need.

17           The legislature further finds that advancements in  
18 technology have enabled people to participate and work remotely,



1 without having to be physically present in the same location as  
2 their colleagues. Permitting the use of teleconference or  
3 videoconference technology for certain public hearings before  
4 the public utilities commission will enable commissioners to  
5 participate in public hearings in a convenient manner and be  
6 fully engaged.

7 The purpose of this Act is to:

- 8 (1) Allow a commissioner to attend by teleconference or  
9 videoconference a public hearing of the public  
10 utilities commission, except for a contested case  
11 hearing, held on the island of Oahu if the  
12 commissioner resides on an island other than Oahu;
- 13 (2) Allow a commissioner to attend by teleconference or  
14 videoconference if the commissioner resides on the  
15 island of Oahu a public hearing of the commission,  
16 except for a contested case hearing, held on an island  
17 other than Oahu;
- 18 (3) Enable a member of the commission who is a resident of  
19 a county other than the city and county of Honolulu to  
20 receive per diem compensation; and



1 (4) Enable a person's island of residence to be used as a  
2 criterion when determining the person's qualification  
3 to serve as a commissioner.

4 SECTION 2. Chapter 269, Hawaii Revised Statutes, is  
5 amended by adding a new section to be appropriately designated  
6 and to read as follows:

7 "§269- Hearing attendance by teleconference or video  
8 conference. (a) A commissioner may attend a public hearing of  
9 the public utilities commission by teleconference or  
10 videoconference to allow a commissioner residing on an island  
11 other than Oahu to attend a public hearing of the commission  
12 held on Oahu and a commissioner residing on the island of Oahu  
13 to attend a public hearing of the commission held on an island  
14 other than Oahu, by teleconference or videoconference; provided  
15 that commissioner participation by teleconference or  
16 videoconference shall not be permitted at contested case  
17 hearings.

18 (b) Each commissioner participating in a public hearing by  
19 teleconference or videoconference shall be considered present at  
20 the meeting for purposes of determining quorum and participating  
21 in all proceedings.



1        (c) A public hearing held by teleconference or  
2 videoconference:

3        (1) Need not have a quorum present at any one location;  
4        and

5        (2) Is subject to the notice requirements under section  
6        269-12.

7        (d) The notice of each teleconference or videoconference  
8 public hearing shall specify all physical locations from which  
9 the commissioners will participate."

10        SECTION 3. Section 269-2, Hawaii Revised Statutes, is  
11 amended by amending subsection (a) to read as follows:

12        "(a) There shall be a public utilities commission of three  
13 members, to be called commissioners, and who shall be appointed  
14 in the manner prescribed in section 26-34, except as otherwise  
15 provided in this section. All members shall be appointed for  
16 terms of six years each, except that the terms of the members  
17 first appointed shall be for two, four, and six years,  
18 respectively, as designated by the governor at the time of  
19 appointment. A member who is a resident of a county other than  
20 the city and county of Honolulu shall receive per diem  
21 compensation for the days on which actual service is rendered at



1 a rate of \_\_\_\_\_ per day. The governor shall designate a member  
2 to be chairperson of the commission. Each member shall hold  
3 office until the member's successor is appointed and qualified.  
4 Section 26-34 shall not apply insofar as it relates to the  
5 number of terms and consecutive number of years a member can  
6 serve on the commission; provided that no member shall serve  
7 more than twelve consecutive years.

8 In appointing commissioners, the governor shall select  
9 persons who have had experience in accounting, business,  
10 engineering, government, finance, law, or other similar fields.  
11 A person's island of residence may be used as a criterion when  
12 determining the person's qualification to serve as a  
13 commissioner. The commissioners shall devote full time to their  
14 duties as members of the commission and no commissioner shall  
15 hold any other public office or other employment during the  
16 commissioner's term of office. No person owning any stock or  
17 bonds of any public utility corporation, or having any interest  
18 in, or deriving any remuneration from, any public utility shall  
19 be appointed a commissioner."

20 SECTION 4. New statutory material is underscored.

21 SECTION 5. This Act shall take effect on July 1, 2016.



**Report Title:**

Public Utilities Commission; Commissioners; Teleconference;  
Videoconference; Per Diem; Qualifications

**Description:**

Allows a commissioner to attend by teleconference or videoconference a public hearing of the public utilities commission, except for a contested case hearing, including allowing a commissioner who resides on an island other than Oahu to attend a public hearing of the commission held on Oahu and a commissioner residing on the island of Oahu to attend a public hearing of the commission held on an island other than Oahu. Enables a member of the commission who is a resident of a county other than the city and county of Honolulu to receive per diem compensation. Enables a person's island of residence to be used as a criterion when determining the person's qualification to serve as a commissioner. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

