

JAN 24 2019

A BILL FOR AN ACT

RELATING TO UTILITY LINES.

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

1 SECTION 1. The legislature finds that the power grid and
2 communication systems become ever more critical to modern life,
3 and that grid resiliency and system reliability are essential
4 for public health, safety, and general welfare. Utility poles,
5 commonly known as telephone poles for the days when wired
6 telephones and fax machines were state-of-the-art
7 communications, are vulnerable to damage from wind, fire, flood,
8 termites, and other hazards. Hawaii's natural beauty is
9 adversely impacted by the ongoing installation and replacement
10 of utility poles, with each generation taller and more intrusive
11 than the earlier generation.

12 The legislature further finds that underground utilities
13 have been required in all new residential and commercial
14 developments for decades. These types of utilities provide a
15 better living environment, are less vulnerable to service
16 interruptions, and less expensive to maintain over time. Grid
17 resiliency and communication reliability are paramount for the



1 increasing interconnectivity of modern life. Therefore, now is
2 the time to begin complete underground conversion of utility
3 lines.

4 The purpose of this Act is to establish the 2050 grid
5 resiliency and view plane initiative.

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

9 "§269- 2050 grid resiliency and view plane initiative;
10 established; installation of underground utility lines. (a)

11 There is established a 2050 grid resiliency and view plane
12 initiative to mandate that all utility lines be installed
13 underground by December 31, 2050, with exclusions as provided by
14 subsection (c).

15 (b) Each utility company that sells its regulated services
16 for consumption in the State shall establish an underground
17 standard of:

18 (1) The quantification of all above-ground utility lines,
19 a proposed exclusion list as provided in subsection
20 (c), and establishment of a systematic plan to



- 1 underground all non-excluded utility lines, by
2 December 31, 2024;
- 3 (2) Twenty-five per cent of all non-excluded above-ground
4 utility lines shall be undergrounded by December 31,
5 2030;
- 6 (3) Sixty per cent of all non-excluded above-ground
7 utility lines shall be undergrounded by December 31,
8 2040; and
- 9 (4) One hundred per cent of all non-excluded above-ground
10 utility lines shall be undergrounded by December 31,
11 2050.
- 12 (c) The public utilities commission shall approve, deny,
13 or approve with conditions any formal submissions by utility
14 companies to exclude specific segments of their above-ground
15 utility lines from the requirements of this section within
16 twelve months of receipt of a complete application for
17 exclusion. An exclusion from the requirements of this section
18 may be granted if the public utilities commission determines the
19 utility company has sufficiently demonstrated that
20 undergrounding of a particular segment of its above-ground
21 utility lines would be excessively expensive, would be



1 technologically impractical, or create significant, adverse
2 environmental impacts. In determining whether or not an
3 exclusion is warranted, the commission shall consider:

4 (1) The cost-benefit comparison of maintaining each
5 segment over fifty years, with careful consideration
6 of system resiliency and interruptions caused by wind,
7 flood, fire, termites, and other hazards;

8 (2) The natural environment, view planes, public health,
9 safety and general welfare of the public; and

10 (3) Geographic, environmental, and cultural
11 considerations;

12 provided that the criteria under paragraph (2) shall be given
13 priority.

14 (d) The public utilities commission shall establish rules
15 and policies to effectuate this section.

16 (e) This section shall not apply to any application by a
17 public utility or determination by the public utilities
18 commission of whether high-voltage electric transmission lines
19 shall be placed, constructed, erected, or built above or below
20 the surface of the ground pursuant to section 269-27.6."

21 SECTION 3. New statutory material is underscored.



S.B. NO. 1137

1 SECTION 4. This Act shall take effect on July 1, 2019.

2

INTRODUCED BY:





S.B. NO. 1137

Report Title:

2050 Grid Resiliency and View Planes Initiative; Utility Lines;
Underground

Description:

Establishes the 2050 grid resiliency and view planes initiative to mandate that all utility lines be installed underground by December 31, 2050, under certain conditions. Requires a public utility to establish a plan for reaching certain target dates for completion of the initiative. Provides exemptions.

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