
A BILL FOR AN ACT

RELATING TO ENERGY.

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

1 SECTION 1. The legislature finds that there is increasing
2 opposition to the development of utility scale wind energy
3 facilities in certain areas of the State. While utility scale
4 wind energy facilities are a valuable source of renewable
5 energy, opponents argue that there are many unintended
6 consequences of utility scale wind energy facilities. There are
7 financial, societal, and environmental costs to industrial wind
8 energy. The building of utility scale wind energy facilities
9 requires large infusions of tax dollars and raises concerns of
10 harm to native species, including endangered Hawaiian hoary
11 bats, and other potential negative health impacts.

12 The legislature further finds that communities near utility
13 scale wind energy facilities are often subject to extended
14 exposure to excessive noise levels and shadow flickers.
15 Residents living near utility scale wind energy facilities have
16 reported numerous negative health impacts, including earaches,
17 dizziness, fainting, migraines, and trouble sleeping. These



1 symptoms are in addition to the nuisance noise levels and shadow
2 flickers caused by the operation of the wind-powered system.
3 The legislature also finds that the communities who are most
4 affected by the construction of utility scale wind energy
5 facilities often are asked to carry the burden of having their
6 homes be in close proximity to utility scale wind energy
7 facilities, yet receive no direct benefits to offset the
8 potential risks of living under wind turbines.

9 The purpose of this Act is to require the public utilities
10 commission to establish preferential electricity rates for
11 households within a one-mile radius of a utility scale wind
12 energy facility.

13 SECTION 2. Chapter 269, Hawaii Revised Statutes, is
14 amended by adding a new section to part I to be appropriately
15 designated and to read as follows:

16 "§269- Preferential electricity rates; residential
17 property near utility scale wind energy facilities. (a) The
18 public utilities commission shall establish preferential
19 electricity rates for residential properties located within a
20 one-mile radius of a utility scale wind energy facility.



1 (b) In considering preferential rates pursuant to this
2 section, the public utilities commission shall ensure that any
3 subsidization being paid by other customers is limited and
4 reasonable and shall periodically review and adjust the rate, if
5 necessary.

6 (c) For purposes of this section "utility scale wind
7 energy facility" means any identifiable facility, equipment,
8 apparatus, structure, or the like capable of generating at least
9 five megawatts of power that converts wind energy to useful
10 thermal or electrical energy for heating, cooling, or reducing
11 the use of other types of energy that are dependent upon fossil
12 fuel for their generation."

13 SECTION 3. New statutory material is underscored.

14 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Public Utilities Commission; Preferential Electricity Rates;
Residential Property; Utility Scale Wind Energy Facility

Description:

Requires the Public Utilities Commission to establish preferential electricity rates for residential properties located within a one-mile radius of a utility scale wind energy facility. Requires the Public Utilities Commission to review and adjust the preferential rate, if necessary. (SD1)

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