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Testimony of the Department of Commerce and Consumer Affairs

**Before the
House Committee on Commerce and Consumer Protection
Tuesday, March 16, 2021
9:30 a.m.
Via Videoconference**

**On the following measure:
H.B. 941, H.D. 1, RELATING TO THE USE OF ELECTRONIC FILING
BY THE PUBLIC UTILITIES COMMISSION**

Chair Baker and Members of the Committee:

My name is Dean Nishina, and I am the Executive Director of the Department of Commerce and Consumer Affairs' (Department) Division of Consumer Advocacy. The Department supports this administration bill.

The purpose of this bill is to update various provisions in Hawaii Revised Statutes chapters 269, 271, and 271G to modernize the Public Utilities Commission's (Commission) filing practices on a permanent basis.

Current provisions in chapters 269, 271, and 271G require parties to provide both hard copies and electronic copies when filing documents with the Commission. Due to the COVID-19 pandemic, the Commission temporarily altered its processes, which included allowing parties to not file hard copies. This meant that parties only had to provide electronic copies, which ensured the Commission could continue providing services to the public, regulated utilities, and other stakeholders in a safe and efficient manner.

The Commission's modernized filing practice has proven successful, and the Department supports the bill's codification of these modernized practices into law.

Thank you for the opportunity to testify on this administration bill.

TESTIMONY OF
JAMES P. GRIFFIN, Ph.D.
CHAIR, PUBLIC UTILITIES COMMISSION
STATE OF HAWAII

TO THE
SENATE COMMITTEE ON
COMMERCE AND CONSUMER PROTECTION

March 16, 2021
9:30 a.m.

Chair Baker and Members of the Committee:

MEASURE: H.B. No. 941 HD1

TITLE: RELATING TO THE USE OF ELECTRONIC FILING BY THE PUBLIC UTILITIES COMMISSION.

DESCRIPTION: Allows the public utilities commission to use electronic filing processes and similar practices. Effective 1/1/2050. (HD1)

POSITION:

The Public Utilities Commission (“Commission”) supports this measure and offers the following comments for consideration.

COMMENTS:

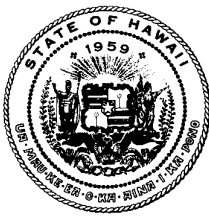
The Commission supports this measure, which would make permanent various operational improvements that the Commission has implemented since the beginning of the COVID-19 pandemic.

Various provisions in HRS Chapters 269, 271, and 271G currently require the Commission to employ hard copy service or filing. Prior to the COVID-19 pandemic, over 95% of the Commission’s docketed filings were on paper and were received in-person or via mail. The paper filings were then scanned by Commission staff into the document management system for internal distribution, public accessibility, and record retention. In addition, the filing agencies often set aside staff to print the paper documents, generate copies, meet in-person to sign their various documents, and hand-deliver the filings to the Commission. Filings to the Commission are often very lengthy, sometimes exceeding 10,000 pages and filling 10 to 15 boxes.

In response to the COVID-19 pandemic and the Governor's emergency orders, the Commission issued a temporary order, Order No. 37043, to allow for all-electronic filings. The Commission is currently receiving 100% of its docketed filings through electronic means. These initiatives have allowed the Commission to conduct business safely and efficiently during this time, enhancing regulatory processes and creating better outcomes for the Commission and its staff, as well as external stakeholders, regulated utilities, and the general public.

The proposed statutory amendments will enable the Commission to make these operational improvements permanent, so that the Commission can fulfill its statutory duties as efficiently and effectively as possible throughout and beyond the COVID-19 pandemic.

Thank you for the opportunity to testify on this measure.



DISABILITY AND COMMUNICATION ACCESS BOARD

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March 16, 2021

TESTIMONY TO THE SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

House Bill 941, HD1 – Relating to the Use of Electronic Filing by the Public Utilities
Commission

The Disability and Communication Access Board (DCAB) offers comments on House Bill 941, HD1, which allows the Public Utilities Commission to use electronic filing processes and similar practices.

DCAB offers comments to ensure compliance with Title II of the Americans with Disabilities Act, which requires state and local governments to provide equal access for individuals who are disabled when providing services, programs, or activities, especially persons with communication access needs.

As it concerns HB 941, HD1, provisions shall be made to ensure the accessibility of the electronic filing process and electronically filed documents. These comments are offered to ensure that all individuals have equal opportunity to participate in processes of their government.

Thank you for this opportunity to provide comments.

Respectfully submitted,

KIRBY L. SHAW
Executive Director



**Hawaiian
Electric**

**TESTIMONY BEFORE THE SENATE
COMMITTEE ON COMMERCE AND CONSUMER PROTECTION**

H.B. 941 HD1

Relating to the use of Electronic Filing by the Public Utilities Commission

Tuesday, March 16, 2021

9:30 am

State Capitol, Conference Room 229

James Abraham
Associate General Counsel
Hawaiian Electric Company, Inc.

Chair Baker, Vice Chair Chang, and Members of the Committee:

My name is James Abraham and I am providing testimony on behalf of Hawaiian Electric Company **in support** of H.B. 941 HD1.

This bill would amend various sections of Hawai'i Revised Statutes Chapters 269, 271, and 271G to allow parties appearing before the Hawai'i Public Utilities Commission (PUC), including Hawaiian Electric, greater access to electronic filing of documents. Throughout the COVID-19 pandemic, the PUC has allowed more electronic filings via its emergency order, which has saved Hawaiian Electric time and administrative costs and has allowed us to pass these cost savings on to our customers. Electronic filing also has tangible environmental benefits as it limits wasteful printing of paper copies.

It is Hawaiian Electric's understanding that, upon the state of emergency no longer being in place at the State level, the emergency electronic filing rules laid out by the PUC would no longer be effective. Accordingly, Hawaiian Electric supports this bill as it will help make permanent the efficiencies of electronic filing learned over the course of the COVID-19 pandemic.

In light of the foregoing, Hawaiian Electric supports H.B. 941 HD1. Thank you for this opportunity to testify.