HOUSE RESOLUTION

URGING THE PUBLIC UTILITIES COMMISSION TO DEVELOP AND ADOPT AN EFFICIENT, STREAMLINED PROCESS FOR REVIEWING ELECTRIC UTILITIES' REQUESTS TO PROVIDE MIDDLE MILE BROADBAND SERVICES IN FURTHERANCE OF THE STATE'S EFFORTS TO EXPEDITE BROADBAND ACCESS AND EQUITY.

WHEREAS, the coronavirus disease 2019 pandemic made clear the importance of broadband equity to ensure fair access to telework, telemedicine, and remote learning opportunities for the people of Hawaii; and

WHEREAS, electric utilities across the nation are increasingly reliant on their telecommunications infrastructure to support modern grid operations and manage increasing volumes of distributed energy resources, which requires electric utilities to modernize their grids to include robust and diverse telecommunications infrastructure; and

WHEREAS, the State's regulated electric utilities are well positioned to help bridge the digital divide by leveraging their telecommunications infrastructure to provide middle mile broadband services, which will allow internet service providers to offer services to communities that are otherwise cost prohibitive to reach; and

WHEREAS, the middle mile method is a common sense approach to addressing the digital divide as it represents a more cost-effective way for internet service providers to offer broadband in low- to moderate-income, hard-to-reach communities, while also lowering costs to electricity customers through revenue generated from leasing middle mile services to those internet service providers; and

WHEREAS, the expansion of broadband services is in line with the State's current efforts to expedite the deployment of broadband and is also in line with national trends; and

H.R. NO. 118

1

3

WHEREAS, on November 9, 2021, the National Association of Regulatory Utility Commissioners issued a resolution that underscores the importance of electric utilities' role in broadband expansion through the utilization of their internal telecommunication infrastructure; and

7 8

9

10

11

WHEREAS, public utilities in the State are able to provide foundational and diverse middle mile broadband services to internet service providers and other third parties without duplicating efforts, congesting the right-of-way or view plane, or increasing costs to the consumer; and

12 13 14

15 16

17 18

WHEREAS, this allows an electric utility and internet service provider to partner together and reduce operating costs for the electric utility and internet service provider, resulting in savings that can then be passed on to the electric ratepayer and broadband user, who are often the same end-user; and

19 20 21

22

23

24

WHEREAS, existing law provides multiple layers of protection to ensure that an electric utility does not favor itself or its affiliates or cross-subsidize any of its activities with ratepayers' funds, while also providing maximum value to the ratepayer; and

25 26 27

28 29

30

31 32

WHEREAS, in conjunction with the Federal Communications Commission's authority and Federal Pole Attachment Act, the Public Utilities Commission exercises authority over electric utilities that own distribution poles, requiring that the electric utilites provide non-discriminatory access to their poles and comply with strict federal timelines and regulations governing pole attachments; and

33 34 35

36

37

38

WHEREAS, this body supports electric utilities' right and authority to provide middle mile broadband service to internet service providers and other third parties to facilitate digital equity and promote expeditious broadband deployment to all areas of the State; and

39 40 41

42

WHEREAS, an expedited review process to provide middle mile broadband services would help address the growing need for

H.R. NO. 11 8

access to broadband and enable equitable access to telework, telemedicine, remote learning, and participation in the digital economy; now, therefore,

4 5

6

7

8

10

11

BE IT RESOLVED by the House of Representatives of the Thirty-first Legislature of the State of Hawaii, Regular Session of 2022, that the Public Utilities Commission is urged to develop and adopt an efficient, streamlined process for reviewing electric utilities' requests to provide middle mile broadband services, as authorized under section 269-19, Hawaii Revised Statutes, in furtherance of the State's efforts to expedite broadband access and equity; and

12 13 14

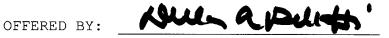
15 16

17

18 19

20

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Director of Commerce and Consumer Affairs; Director of Business, Economic Development, and Tourism; Chairperson of the Public Utilities Commission; Executive Director of the Division of Consumer Advocacy; President and Chief Executive Officer of Hawaiian Electric Company; and Chief Executive Officer of Kauai Island Utility Cooperative.



MAR 1 1 2022