

STAND. COM. REP. NO. 4060

Honolulu, Hawaii

APR 25 2022

RE: GOV. MSG. NO. 754

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred Governor's Message No. 754, submitting for study and consideration the nomination of:

PUBLIC UTILITIES COMMISSION

G.M. No. 754 NAOMI KUWAYE,
for a term to expire 06-30-2028,

begs leave to report as follows:

Your Committee reviewed the personal history, resume, and statement submitted by Naomi Kuwaye for service on the Public Utilities Commission.

Your Committee received testimony in support of the nomination for the appointment of Naomi Kuwaye from the Department of Commerce and Consumer Affairs; Public Utilities Commission; Department of Transportation; Hawai'i State Energy Office; Office of the Mayor of the County of Kaua'i; G70; The AES Corporation; Imanaka Asato, LLC; Pat Lee & Associates, LLC; Ashford & Wriston, LLLP; and twenty-seven individuals. Your Committee received testimony in opposition to the nomination for the appointment of Naomi Kuwaye from Americans for Democratic Action Hawai'i, League of Women Voters of Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, Kahuku Community Association, Progressive Democrats of Hawai'i, Our Revolution Hawai'i, 350 Hawai'i, Climate Protectors Hawai'i, Kaua'i Women's Caucus, a petition signed by Energy Justice Hawai'i Hui comprising of various organizations, a petition signed by one hundred thirty-nine individuals, and forty-



five individuals. Your Committee received comments on the nomination for the appointment of Naomi Kuwaye from Sierra Club of Hawai'i, Kupuna for the Mo'opuna, and three individuals.

Upon review of the testimony, your Committee finds that Ms. Kuwaye's background, experience, and commitment to public service qualify her for appointment to the Public Utilities Commission. Your Committee notes that Ms. Kuwaye has over thirty years of experience practicing law, specializing in environmental and natural resource law, real estate development, telecommunications law, public utilities, and administrative law. Ms. Kuwaye has worked with Ashford & Wriston, LLP since 2012. In the public utilities area, Ms. Kuwaye represented companies and independent power producers before the Public Utilities Commission and helped her clients navigate compliance with complex federal, state, and county laws and regulations to ensure their proper development and operation within the State. Over the course of her extensive career, Ms. Kuwaye has gained considerable experience and knowledge in the regulatory aspects of electric and telecommunication industries and has worked on principal market rate authority and transmissions cases before the Public Utilities Commission, which have resulted in the establishment of new policies.

Your Committee further finds that Ms. Kuwaye recognizes and supports the State's energy policies and goals. Ms. Kuwaye also acknowledges the oversight and administrative role of the Public Utilities Commission, the regulatory responsibilities that the Commission is required to fulfill, and the importance of balancing various interests from different perspectives. Through her extensive career representing clients before the Public Utilities Commission, Ms. Kuwaye has become deeply familiar with the scope of review and procedural requirements of the Public Utilities Commission and her insight and knowledge will be beneficial in light of the complex dockets currently before the Public Utilities Commission and the ongoing efforts of the Commission to meet the State's energy goals.

Your Committee notes that Ms. Kuwaye has also served as Chair, Vice-Chair, and Program Chair for the Natural Resources Section of the Hawaii State Bar Association and has been invited to speak and serve as a panelist on a number of issues involving land use, government, boundary issues, Clean Water Act compliance, and critical habitat and endangered species issues. Ms. Kuwaye's broad and diversified background and extensive knowledge with



public utilities law will be an invaluable complement to the expertise of other Public Utilities Commissioners. Your Committee therefore recommends that Naomi Kuwaye be appointed to the Public Utilities Commission based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,




ROSALYN H. BAKER, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN
Advise and Consent

Governor's Message No.:* GM 754	Committee Referral: CPN	Date: 04-13-2022		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is: <input checked="" type="checkbox"/> Advise and Consent 2340 <input type="checkbox"/> Not Advise and Consent 2345				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
CHANG, Stanley (VC)	✓			
DECOITE, Lynn				✓
NISHIHARA, Clarence K.	✓			
RIVIERE, Gil	✓			
SAN BUENAVENTURA, Joy A.			✓	
FEVELLA, Kurt				✓
TOTAL	4		1	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one Governor's Message per Record of Votes