

STAND. COM. REP. NO. 2161-22

Honolulu, Hawaii

, 2022

**APR 25**

RE: S.C.R. No. 120  
S.D. 1  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.C.R. No. 120, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION URGING THE PUBLIC UTILITIES COMMISSION TO CONSIDER AND ADOPT AN EFFICIENT, STREAMLINED PROCESS TO REVIEW REQUESTS MADE BY ELECTRIC UTILITIES TO PROVIDE MIDDLE MILE BROADBAND SERVICES IN FURTHERANCE OF THE STATE'S EFFORTS TO EXPEDITE BROADBAND ACCESS TO UNSERVED AND UNDERSERVED AREAS,"

begs leave to report as follows:

The purpose of this measure is to urge the Public Utilities Commission to consider and adopt an efficient, streamlined process to review requests made by electric utilities to provide middle mile broadband services in furtherance of the State's efforts to expedite broadband access and equity, facilitate digital equity, and promote expeditious broadband deployment to unserved and underserved areas.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Hawaiian Electric Company; Ocean Networks, Inc.; and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, and Hawaiian Telcom.

2022-3179 SCR120 HD1 HSCR HMSO



Your Committee finds that the coronavirus disease 2019 pandemic has magnified the need for broadband access for all residents in the State. Broadband access has become a necessity for efficient access to basic amenities including health care, education, public safety, commerce, and government services. Access to broadband is also necessary for work and in daily interactions with others. Your Committee further finds that existing regulated public utilities are able to provide foundational, diverse middle mile broadband services to internet service providers and other third parties without duplicating efforts or congesting rights-of-way or view planes, which will increase the deployment of broadband in unserved and underserved communities.

Your Committee notes and agrees with the comment submitted by the Department of Commerce and Consumer Affairs in its written testimony to your Committee that it may be necessary for the Public Utilities Commission to revisit its rules, known as the Affiliate Transaction Requirements, to ensure that cross-subsidization does not occur for broadband activities.

Your Committee has amended this measure by:

- (1) Making a technical, nonsubstantive amendment to the title to more accurately reflect the measure's purpose; and
- (2) Making other technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 120, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 120, S.D. 1, H.D. 1.



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

  
AARON LING JOHANSON, Chair

State of Hawaii  
House of Representatives  
The Thirty-first Legislature

HSCR 2161-22

**Record of Votes of the Committee on Consumer Protection & Commerce**

<b>Bill/Resolution No.:</b> SCR 120, SD2	<b>Committee Referral:</b> HET, CPC	<b>Date:</b> 4-21-22		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>CPC Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. JOHANSON, Aaron Ling (C)	✓			
2. KITAGAWA, Lisa (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. HAR, Sharon E.				✓
5. HASHEM, Mark J.	✓			
6. KONG, Sam Satoru	✓			
7. MIZUNO, John M.				✓
8. MORIKAWA, Dee				✓
9. ONISHI, Richard H.K.				✓
10. TARNAS, David A.	✓			
11. MATSUMOTO, Lauren	✓			
<b>TOTAL (11)</b>	7	0	0	4
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
<b>Vice Chair's or designee's signature:</b> _____ 				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				