

NAOMI KUWAYE
GM754 – PUBLIC UTILITIES COMMISSION

(1) Why do you wish to be a member of the Public Utilities Commission?

First, I believe my background and skills as an administrative law, environmental and land use attorney will assist the Commission in navigating through some of the myriad of laws that the Commission must consider when making decisions on matters before them. The standards by which the Commission must consider when approving a project are vast and the procedural requirements are extensive. I hope that my experience will assist the Commission to avoid the extensive legal requirements that are often subject to judicial review.

Second, I would bring a more holistic approach to serving on the Commission. While I do represent smaller companies before the Commission, my focus has been on land use and environmental law – and helping companies navigate compliance with the federal, state and county laws that they need to comply with in order to operate or develop in the state of Hawaii. While I have represented independent power producers, I have worked for them on the due diligence end – advising them on what it takes to build their desired project and the anticipated pitfalls they may face. These clients are trying to balance compliance, not just with the Commission’s rules and regulations, but also with the DOH, EPA, and county agencies that oversee their operations. I believe this practical perspective of working on projects from their inception to operation will be helpful in deliberating on matters before the Commission.

This leads me to my next reason for wanting to serve on the Commission. In the past few years, especially during COVID, it has become more difficult to communicate with the Commission to get simple questions answered. If this is occurring in the private sector, it cannot be easy for the everyday public to be involved or obtain information. I hope to make the commission more consumer friendly and transparent.

Finally, I have always wanted to return to public service. When I went to law school, it was with the intent to work for state or county as an attorney. However, the economy had different plans for me and I was lucky to be one of the few graduates with a secured position with a law firm. It’s been more than 25 years and I can now get back to my desire to serve my community. I believe that the commission would be great way to utilize my experience and legal background to best serve the State.

(2) How do you perceive the role and responsibilities of a member of the Public Utilities Commission?

The Commission is a quasi-judicial agency. As such, I understand that I will be sitting in a “judge” like position and evaluating projects against the standards set forth by state law.

To this end, through the decisions that the Commission issues, I will need to balance the interests of the state from different perspectives – our need to reach our energy goals (for energy projects), environmental impacts, social and economic impacts as well. I take this task seriously and believe that as a commissioner, my responsibility will be to apply the facts to the law, but also to balance all perspectives to determine what is in the best interests of the State as a whole.

- (3) Given your understanding of the role and responsibilities of a member of the Public Utilities Commission, why do you believe that you are qualified for the position? Please include a brief statement of your skills, expertise, or knowledge that would aid in your decision-making ability as a member of the Public Utilities Commission.**

I have been an attorney specializing in administrative, environmental and public utilities law for over 25 years. I bring a holistic and practical view of what it means for companies to operate in Hawaii and the requirements and challenges they face having practiced before various state, county and federal agencies. I also have practiced before the Commission and understand some of the frustrations that both the public and applicants face when they have matters before the Commission. I would hope to rely on these experiences to guide my decisions as a Commissioner.

- (4) What do you hope to accomplish during your term of service?**

First, we need to bring some predictability to the agency's decisions. Second, improve timeliness of its decision-making. Third, further state's goals to achieving energy independence while balancing the impact to consumers. Finally, make the agency more consumer friendly.

- (5) Name three qualities that best describe you and that would make you stand out. How would these qualities benefit the Public Utilities Commission?**

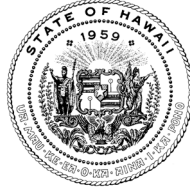
Logical, detail oriented and balanced. The Commission's decisions need to make sense legally and in practice. The decisions need to be supported by a strong record in order withstand judicial scrutiny. Finally, I think it is important to understand the perspectives of the all the parties involved and balance those viewpoints in the Commission's decisions.

- (6) Name one previous experience that would make you stand out. How would this benefit the Public Utilities Commission?**

Working in County government gave me a good understanding of the challenges and difficulties involved in public policy making and governing and trying to balance the public's concerns.

(7) Can you foresee any possible conflicts of interests that could arise during your service on the Public Utilities Commission? How would you overcome any possible conflicts of interest?

As someone who has done work before the Commission, the potential for conflicts of interest will likely arise. The source of potential conflicts given my experience would come from representation of past clients or clients of Ashford & Wriston. Those dockets are completed, and I have no pending matters before the Commission. If confirmed, I will take each docket on its own merit. I will consult with PUC counsel and the other commissioners on appropriate action to take should a potential conflict arise, and would recuse myself from participating in any matter if it is determined that a conflict exists



DAVID Y. IGE
GOVERNOR

JOSH GREEN
LT. GOVERNOR

**STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

335 MERCHANT STREET, ROOM 310
P.O. BOX 541
HONOLULU, HAWAII 96809
Phone Number: 586-2850
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CATHERINE P. AWAKUNI COLÓN
DIRECTOR

JO ANN M. UCHIDA TAKEUCHI
DEPUTY DIRECTOR

Testimony of the Department of Commerce and Consumer Affairs

**Before the
Senate Committee on Commerce and Consumer Protection
Wednesday, April 13, 2022
9:30 a.m.
Via Videoconference**

**On the following measure:
G.M. 754, SUBMITTING FOR CONSIDERATION AND CONFIRMATION
TO THE PUBLIC UTILITIES COMMISSION,
GUBERNATORIAL NOMINEE, NAOMI KUWAYE,
FOR A TERM TO EXPIRE 6-30-2028**

Chair Baker and Members of the Committee:

My name is Catherine Awakuni Colón, and I am the Director of the Department of Commerce and Consumer Affairs (Department). The Department supports the appointment of Ms. Naomi Kuwaye to serve as a member of the Public Utilities Commission (Commission), for term to expire on June 30, 2028.

Ms. Kuwaye specializes in environmental and natural resource law, public utilities, and administrative law. She has worked at Ashford & Wriston, LLP since 2012. Ms. Kuwaye has over 30 years of experience in practicing law and served as program chair for the Natural Resources Section of the Hawaii State Bar Association.

When I worked at the Commission as legal counsel, I recall working with Ms. Kuwaye as she represented small public utilities and telecommunications companies. I found her to be well-prepared, professional, and skillful in her approach to her work. In talking with her about her desire to take this position, I was impressed by her motivation

Testimony of DCCA

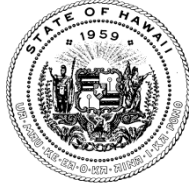
G.M. 754

Page 2 of 2

to take her turn at public service, to offer her years of legal experience, and to make a difference in our community.

The Department believes Ms. Kuwaye will be a valued and highly productive member of the Commission, and respectfully request that you recommend approval of her nomination.

Thank you for the opportunity to testify on this measure.



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
ROSS M. HIGASHI
EDUARDO P. MANGLALLAN
PATRICK H. MCCAIN
EDWIN H. SNIFFEN

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

April 13, 2022

9:30 a.m.

State Capitol, Room 229 / Teleconference

G.M. 754

**Submitting for consideration and confirmation to the Public Utilities Commission,
Gubernatorial Nominee, NAOMI KUWAYE, for a term to expire 06-30-2028.**

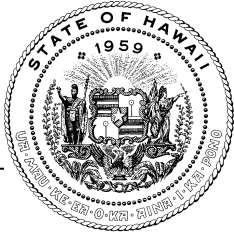
Senate Committee on Commerce and Consumer Affairs.

The Department of Transportation (DOT) strongly **supports** Governor's Message 754 appointing Naomi Kuwaye to the Public Utilities Commission for advice and consent by the Hawaii State Senate.

Ms. Kuwaye has practiced law in the State of Hawaii for over thirty years. She is experienced in public utilities law, environmental law, natural resource law and administrative law.

Her specialized experience will be an asset to the Public Utilities Commission and we urge your favorable consideration to her nomination.

Thank you for the opportunity to provide testimony.



HAWAII STATE ENERGY OFFICE STATE OF HAWAII

DAVID Y. IGE
GOVERNOR

SCOTT J. GLENN
CHIEF ENERGY OFFICER

235 South Beretania Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

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Testimony of
SCOTT J. GLENN, Chief Energy Officer

before the
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Wednesday, April 13, 2022
9:30 AM
State Capitol, Conference Room 229 & Videoconference

SUPPORT
**GOVERNOR'S MESSAGE 754, NAOMI KUWAYE
TO THE PUBLIC UTILITIES COMMISSION
(Written Testimony Only)**

Chair Baker, Vice Chair Chang, and Members of the Committee, I am writing in support of the Governor's appointment of Ms. Naomi Kuwaye to serve on the Public Utilities Commission.

Ms. Kuwaye specializes in utilities law and environmental and natural resource law. She would bring specific legal expertise as a commissioner that can assist the commission with its important work in not only legal procedures but also the increasing prominence of land use and environmental questions in commission proceedings. I also believe that Ms. Kuwaye would continue the track record of renewable energy leadership and stakeholder and community involvement to ensure more successful project decision making.

Thank you for the opportunity to testify.



AMERICANS FOR DEMOCRATIC ACTION

OFFICERS	DIRECTORS		MAILING ADDRESS	
John Bickel, President	Melodie Aduja	Jan Lubin	Bill South	P.O. Box 23404
Alan Burdick, Vice President	Keola Akana	John Miller	Zahava Zaidoff	Honolulu
Dave Nagajji, Treasurer	Juliet Begley	Jenny Nomura		Hawaii 96823
Doug Pyle, Secretary	Stephanie Fitzpatrick	Stephen O'Harrow		

April 7, 2022

TO: Chair Baker and Members of the CCP Committee

RE: GM 754

Opposition for hearing on April 13

Americans for Democratic Action is an organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

We oppose the nomination of Naomi Kuwaye to the Public Utilities Commission. We want to keep the “public” in the name of the commission. Nominee Kuwaye lacks a record of strong support for the public interest in environmental justice and community concerns. Instead she has a record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua’s biofuel plant proposal.

Thank you for your consideration.

Sincerely,

John Bickel, President



111 S. King Street 9 April 2022

Suite 170

Honolulu, HI 96813

808.523.5866

www.g70.design

Hawaii State Legislature

**SUBJECT: SUPPORT FOR GM754
Confirmation of Naomi Kuwaye to the Public Utilities Commission**

Aloha State Legislators:

On behalf of myself and our firm G70, we wish to express our support for the appointment of Naomi Kuwaye to the State of Hawaii Public Utilities Commission.

Naomi Kuwaye will provide the PUC with unique talents and capabilities to review and deliberate on the many important measures coming before the PUC. Naomi is a very experienced land use attorney having worked on major resort complexes, community development and renewable energy projects across the state. Through her years of practice, she has developed great strengths and sensitivities in land use development, environmental impact analysis and community engagement.

We strongly support the appointment of Naomi Kuwaye to the PUC.

Sincerely,

GROUP 70 INTERNATIONAL, INC. (DBA G70)

A handwritten signature in black ink, appearing to read 'Jeffrey H. Overton'. The signature is fluid and cursive.

Jeffrey H. Overton, AICP, LEED-AP
Principal



Kahuku Community Association

April 11, 2022

RE: Opposing Governors Message 754, Submitting for consideration and confirmation to the Public CPN Utilities Commission, Gubernatorial Nominee, NAOMI KUWAYE, for a term to expire 06-30-2028.

Aloha Chair Baker, Vice-Chair Chang, and members of the Committee,

The Kahuku Community Association strongly opposes Governors Message 754, nominating Naomi Kuyawe to the Public Utilities Commission. In 2019, after ten years of vehement opposition, over 200 community members were arrested attempting to stop the construction of the Na Pua Makani Wind Project. One reason for the community-wide opposition was the close proximity of the massive industrial turbines to residences and schools. Despite numerous efforts to voice community concerns in various hearings, including those at the PUC, the Kahuku community's voices were repeatedly ignored.

To successfully reach the State's 100% renewable energy goals, we must have the support of the community for which the needed clean energy projects will be built. Current and future renewable energy projects must be community and culturally driven instead of being driven by developers and corporate interests. These projects must be designed to encourage resilient communities and the equitable distribution of burdens through a process that is open, transparent, and easily accessible to the public. Energy and environmental justice, equity, and community consent must be guiding principles in considering, approving, and implementing projects needed to reach our 100 % renewable energy goals. We must ensure that communities are active participants and meaningfully engaged in developing future clean energy projects.

Unfortunately, Mrs. Kuwaye's extensive track record representing corporate utilities and developers is extremely concerning to the Kahuku community. We have first-hand experiences related to bad developer-driven renewable energy projects that ignore the voices and concerns of the community. The current energy development model is utility-driven and designed to protect the interests of the incumbent energy provider by rapidly building and integrating large utility-controlled projects. This top-down,



Kahuku Community Association

profit-driven approach ignores community voices.

We need to rebuild the system from the people up, and it starts with leaders who can listen to public concerns regarding renewable energy projects and developments. We need leaders who understand the importance and following principles of environmental justice and equity in PUC decision-making processes.

Given Mrs. Kuyawe's extensive background representing the interests of corporate utilities and private developers, we believe that this will hinder our government's progress towards public trust, environmental justice, and equity and thus successfully reach our 100% renewable energy goals. The Kahuku Community Association respectfully asks this Committee to vote no on Mrs. Kuyawe's nomination to PUC.

Respectfully,

Sunny Unga (e-sign)

Kahuku Community Association
Sunny Unga - President
Oriana McCallum - Vice President
Valeriano Garrido - Secretary
Laura Pickard- Treasurer
Melissa Ka'onohi-Camit - Director
Atalina Pasi - Director
Berenice Au- Director



To: The Senate Committee on Commerce and Consumer Protection
From: Sherry Pollack, Co-Founder, 350Hawaii.org
Date: Wednesday, April 13, 2022, 9:30am

In opposition to GM754

Aloha Chair Baker, Vice Chair Chang, and Committee members,

I am Co-Founder of the Hawaii chapter of 350.org, the largest international organization dedicated to fighting climate change. 350Hawaii.org respectfully opposes the nomination of Naomi Kuwaye to the Public Utilities Commission (PUC).

The PUC's mission is to be transparent, accessible, and deliver timely regulatory oversight, while working collaboratively with customers, stakeholders, and the general public. This position plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system. We need a just and equitable energy system that listens to and incorporates the concerns and communities most impacted and burdened by its infrastructure.

Although this nominee has extensive experience in energy litigation, mergers, and regulation, her track record of working on behalf of corporate utilities and private developers does not reflect any experience with or understanding of the importance of environmental justice and community concerns; both are critically important in PUC decision-making. In short, Ms. Kuwaye's career has focused on promoting energy and land development over the concerns of affected community members, and had represented the interests of corporate utilities and developers in some of the most controversial cases in recent history, including the NextEra merger.

As someone who has represented the very entities she would be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide. Please vote down this nomination.

Mahalo for the opportunity to testify.

Sherry Pollack
Co-Founder, 350Hawaii.org

We, the Undersigned, Urge the Senate: Do Not Confirm Corporate Lawyer Naomi Kuwaye to the Public Utilities Commission

To: Hawaii Senate Committee on Commerce and Consumer Protection

Governor Ige has nominated Naomi Kuwaye, a corporate attorney, to serve as commissioner of the Hawai'i Public Utilities Commission for a six-year term, 2022-28. However, with such an expansive pro-developer and pro-utility record, Governor Ige's nominee does not demonstrate any apparent ability to represent the interests of the people over that of the corporations the PUC is tasked with regulating.

Ms. Kuwaye has a breadth of experience in energy litigation, mergers, and regulation, her track record of working on behalf of corporate utilities and private developers shows no commitment to environmental justice issues and community concerns; both are critically important in PUC decision-making. We urge the Senate Committee to deeply consider Naomi Kuwaye's long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua's biofuel plant proposal.

The PUC's mission is to be "transparent, accessible, and deliver timely regulatory oversight, while working collaboratively with customers, stakeholders, and the general public." As someone who has represented the very entities she would be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide. Do not confirm this nomination.

Signed by the following 139 people: _____

Lauren Watanabe	96822
Christopher	96748-6012
Dyson Chee	96814
Valeriano Garrido	96731
Sherry Pollack	96744
Lala Nuss	96720
Cynthia Kennedy	96740
Liliana Napoleon	96748
Sonja Kass	96746

William Liggett	96816
Laurel Brier	96703
Diane Ware	96785
Zeus Smith	11553
Madelyn McKeague	96836
Anna Chua	96826
Chloe TruongJones	10029
Walter Ritte	96729
Donovan Morgan	96706
Ilima Ho- Lastimosa	96795
Rob Culbertson	96776
John Bickel	96815
Thomas Reppuhn	96785
Mark Koppel	96710
Tawn Keeney	96727
David Hunt	96727
Barbara Hershey	96783
Mary True	96783
Mary McHugh	96734
charles ice	96701
james trujillo	96746
Adele Balderston	96817

Teave Heen	96734
V. Anderson	95616
Nancy Aleck	96822
Rodger Hansen	96710
Sunny Unga	96731
Helen Cox	96741
Tina Grandinetti	96816
Bianca Isaki	96744
Jun Shin	96814
Diane Hansen	08820-1828
Shakayla Thomas	90220
Breanne Fong	96816
Katherine Fryer	96821
Terry Pualoa	96731
Dave Mulinix	96744
Rebecca Villegas	96740
Tlaloc Tokuda	96740
Martha Martin	96732
Shannon Rudolph	96725
Kate McLaughlin	98133
Gwen Cruise	96816
Angela Huntemer	96731
Katherine Thompson	96734
Saleia Tuia	96717
Sheryl Gardner	96789

Nina Blake	96762
Cory H	96720
Maria Pena	96706
Sione Funaki	96731
Judy Syrop	96743
Gwen Kim	96730
Jessica Claudio	33417
Fonoimoana Mataafa	98661
Kyle Kajihiro	96826
Dennis Nagel	85719
Cheryl Ho	96817
Nai`a NEWLIGHT	96708
Erwin Quinanola	96789
Chezlani C.	96727
Noel Bobilin	96771
Dale Jensen	96734
Adam Burke	96789
Laurie Quarton	96746
Tzyh Ng	96817
Andrew Isoda	96761
Paul Kuykendall	96778
Sherri Thal	96749
Taurie Kinoshita	96822
Candace Fujikane	96744

Tara Rojas	96706
Jotis RussellChristian	96720
Glenn Metzler	96749
Daniel Forman	96789
Sarah Rose Dagen	77327
Vivien Lee	96744
Sequoya Sage	96741
janice palmaglennie	96745
Melodie Aduja	96744
Mary Marvin Porter	96749
Sabrina Cohan	96817
Noah Brustin	96740
Jeanne Wheeler	96778
Jim Scancella	96755
Malachy Grange	96816
Stephen Behee	96740
Walter Dudley	96783
Bridget Mowat	96748
Lucy Fagan	96816
Lauren Murdock	93110
Phyllis Hanson	96740
Dawn Gambone	96704

Patricia Ravarra	96727
Roxane Keli'ikipikāneokol ohaka	96720
Melanie Kay	96795-1786
Gwen Ilaban	96743
Joanna Pokipala	96813
lucas brower	96720
rob brower	96703
mallory brower	96720
Jessica dos Santos	96731
Fisiipeau Drummondo	96731
Elaine San Jose	96720
Joshua Kaina	96731
Ana Abbey	96744
Tonya Grace	96778
Paul Flessner	96781
Lorra Naholowaa	96792
Maxine Foster	96781
Elisabeth Vetorino	96778
Ruta Jordans	96746
Ellen Schomer	96720
Noelani Ahia	96793
Nathan Yuen	96813

Sylvia Dolena	96778
Kathleen Kokron	96741
Kathleen Dahill	96765
Ken Kokron	96741
Kelcy Ponciano- Ahue	96731
Tony Radmilovich	96740
Thomas Brandt	96813
Stephen Waldmann	85051
Micha'el Leventhal	96768
B. A. McClintock	96814
Earl Kim	96813
Todd Yamashita	96748
Lori Buchanan	96739

GM-754

Submitted on: 4/11/2022 10:01:53 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alan B Burdick	Testifying for Progressive Democrats of Hawaii	Oppose	Written Testimony Only

Comments:

Progressive Democrats of Hawaii are in **STRONG OPPOSITION** to the nomination of Naomi Kuwaye to a seat on the Public Utilities Commission. This nomination by Governor Ige is a great surprise and severe disappointment. Governor Ige has recently nominated several members to the PUC who have provided outstanding service - well informed, hard working, and deciding issues in favor of the public interest.

Alas, Ms. Kuwaye, who is no doubt highly competent, has spent a career representing the private interests that come before the PUC to seek advantages that are very much **NOT** in the public interest. Ms. Kuwaye has directly represented, among others, NextEra, which tried to purchase Hawaiian Electric Co., and Hu Honua, which persists in advancing its environmentally destructive proposals to cut down a forest on the Hamakua Coast, run huge log-carrying trucks on roads that cannot bear the loads, and burn eucalyptus, which emits dirtier particulate matter than coal does.

Her career reflects a mind-set that is entirely in opposition to the environmental values that are enshrined in the Hawaii Constitution, Hawaii laws, and Hawaii Supreme Court decisions.

Please do not approve this nomination. Thank you for this opportunity to testify on this very important matter.

Alan B. Burdick, co-chair, Progressive Democrats of Hawaii

GM-754

Submitted on: 4/11/2022 10:25:43 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dave Mulinix	Testifying for Our Revolution Hawaii	Oppose	Written Testimony Only

Comments:

Aloha Chair Baker and members of the committee,

My name is David Mulinix, Cofounder and Statewide Community Organizer for Our Revolution Hawaii and on behalf of our 5,000 members and supporters statewide we stand in STRONG OPPOSITION to the nomination of Naomi Kuwaye to serve as commissioner for the Hawai'i Public Utilities.

The PUC plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system. Please deeply consider Ms. Kuwaye's long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua's biofuel plant proposal. As someone who has represented the very entities she should be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide.

Please vote down this nomination. Mahalo for the opportunity to testify.

Dave Mulinix, Cofounder & Statewide Community Organizer

Our Revolution Hawaii

GM-754

Submitted on: 4/12/2022 8:11:29 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Testifying for Climate Protectors Hawai'i	Oppose	In Person

Comments:

To: The Honorable Senator Rosalyn Baker, Chair, the Honorable Senator Stanley Chang, Vice Chair, and members of the Committee on Commerce and Consumer Protection:

From Climate Protectors Hawai'i (by Ted Bohlen)

RE: Hearing GM754, Naomi Kuwaye, Wednesday, April 13, 2022, 9:30 am

Aloha Chair Baker, Vice Chair Chang, and members of the Committee on Commerce and Consumer Protection:

The Climate Protectors Hawai'i respectfully opposes the nomination of Naomi Kuwaye.

The nominee clearly has substantial experience with public utility matters.

While an attorney represents client interests and not necessarily their own personal positions, several decades representing clients like HECO, NextEra, Hu Honua, etc. can create a bias in favor of corporate interests over the broader public interest. I have seen this personally over many years in working for, and appearing before, a public utility commission and serving as a Deputy Attorney General.

The Climate Protectors Hawai'i is concerned that this nominee's many years working as an attorney on behalf of utility and other large corporate interests, on projects that have often not been in the public interest, does not prepare this nominee to represent the public interest well.

The PUC describes its mission as: "To serve the public, by ensuring essential utility services are delivered to consumers in a safe, reliable, economical, and environmentally sound manner." The PUC states that: "This mission is achieved through responsible and informed oversight of public utilities and a focus on economic, operational, environmental, and societal concerns associated with balanced regulation and future impacts of present-day decisions."

Given her one-sided experience, there is reason to doubt that this nominee will provide balanced regulation with sufficient focus on consumer, environmental, and societal interests and future impacts. Nor is there reason to believe that she will give due consideration to disadvantaged communities and environmental justice.

It would be far better for Hawai'i to have a nominee with more balanced experience.

Accordingly, the Climate Protectors Hawai'i respectfully opposes the nomination of Naomi Kuwaye and asks the Committee to vote not to approve it.

Mahalo!

Climate Protectors Hawai'i (by Ted Bohlen)



April 12, 2022

Senator Rosalyn H. Baker, Chair
Senator Stanley Chang, Vice Chair
Members of the Senate Committee on Commerce
and Consumer Protection
Thirty-First Legislature
Regular Session 2022

RE: GM 754 - Submitting for consideration and confirmation to the Public Utilities Commission, Gubernatorial Nominee, NAOMI KUWAYE for a term to expire 06-30-2028

Hearing Date: April 13, 2022 at 9:30 a.m.

Aloha Chair Baker, Vice Chair Chang and Members of the Committee on Commerce and Consumer Protection,

On behalf of The AES Corporation (“AES”), I would like to testify in strong support of the confirmation of Naomi Kuwaye as a commissioner for the Hawai‘i Public Utilities Commission.

AES has been in Hawai‘i for 30 years, providing safe, affordable and reliable energy on O‘ahu through our Barbers Point facility. We share Hawai‘i’s vision for a 100% clean energy future, and are helping the state responsibly transition to a carbon-free energy future with over 200 megawatts of renewable energy projects across the Hawaiian Islands.

With nearly thirty years’ experience practicing law at both the federal and state levels, Ms. Kuwaye’s qualifications are impressive. Her knowledge of public utility regulation, environmental and natural resource law, land use, and real estate development gives her the depth of experience to understand the complex regulatory issues currently facing the Public Utilities Commission.

In addition to her regulatory background and professional qualifications, she has demonstrated deep understanding of current energy issues in Hawai‘i, outstanding leadership skills and is a thoughtful decision maker. Ms. Kuwaye has the necessary experience, insight, and capabilities to make her an exceptional member of and valuable asset to the Public Utilities Commission.

For these reasons, AES strongly supports the confirmation of Ms. Kuwaye as a Hawaii Public Utilities commissioner.

Mahalo for the opportunity to testify.

Sandra Larsen
Hawai‘i Market Business Leader
The AES Corporation



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

April 13, 2022

9:30 AM

Conference Room 229

Offering COMMENTS to GM754: Submitting for consideration and confirmation to the Public Utilities Commission, Gubernatorial Nominee, NAOMI KUWAYE, for a term to expire 06-30-2028

Aloha Chair Baker, Vice Chair Chang, and members of the Commerce and Consumer Protection Committee,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i **offers the following comments and concerns regarding GM754**, and urges the Committee members as well as the nominee to consider the critical need for the Public Utilities Commission ("PUC") to continue to institutionalize environmental justice and equity in its procedures, policies, and decisionmaking.

The PUC has the important responsibility to oversee and regulate the provision of vital services to the public, including with respect to the delivery of energy, water, and wastewater services. **Unfortunately, the essential nature of these services; the environmental, cultural, and public health impacts that they often have on surrounding areas; and the failure to incorporate equity and environmental justice considerations by government regulators have all contributed to the real and ongoing harms and burdens disproportionately borne by particular, politically disenfranchised communities, including predominantly Native Hawaiian and rural communities.** The Sierra Club has been long concerned that the continued failure of regulators to understand and address past and potential future environmental injustices will not only further erode our islands' environmental, cultural, and moral integrity, but also inhibit our much-needed and timely transition to a cleaner, more sustainable, and more just future.

The Sierra Club has accordingly been encouraged by the PUC's recent actions to incorporate community concerns in its actions and procedures, and thereby mitigate the potential for environmental injustices to continue to be perpetrated on certain communities. **It is vitally important for all of us that PUC members encourage and proactively support the continuation such progress.** The Sierra Club therefore urges both the Committee members and the nominee to **reflect on and commit to** the need for additional changes, including updated PUC procedures and policies, that can provide communities with the resources, information, and opportunities needed to ensure meaningful safeguards against the perpetuation of environmental injustice in our islands. **Such commitments may include: 1) requiring meaningful community outreach and educational resources to be provided to affected community members, including area residents and cultural practitioners, as a condition of regulatory approval; 2) requiring community benefits packages that are clearly vetted, understood, and accepted by community members as commensurate with any impacts or burdens they may**

have to disproportionately bear; 3) requiring planning and decisionmaking that explicitly and comprehensively considers and mitigates environmental justice and public trust impacts, including impacts to existing socioeconomic disparities, cultural practices, subsistence resources, and cultural sites; 4) actively promoting distributed infrastructure development that can spread the burdens of utility services more equitably and regardless of communities' socioeconomic characteristics; and 5) ensuring that community-based energy development proposals are given sufficient opportunities and support to begin our shift towards community-driven and -owned utility infrastructure.

Mahalo nui for the opportunity to testify.

Kūpuna for the Mo'opuna
committed to the well-being of Hawai'i for the next generations to come
kupuna4moopuna@gmail.com

LATE



GM 754 - Submitting for consideration and confirmation to the Public Utilities Commission, Gubernatorial Nominee, NAOMI KUWAYE, for a term to expire 06-30-2028.

COMMENTS

We, Kūpuna for the Mo'opuna, a hui of kūpuna homestead farmers from Pana'ewa, Hawai'i, submit **COMMENTS on GM 754, Naomi Kuwaye.**

It is important that regulatory agencies like the Public Utilities Commission seriously consider environmental justice as part of PUC procedures and decision making. **It is critical that nominee Naomi Kuwaye has a clear understanding of the long history of environmental injustices due to the repeated placement of undesirable facilities and infrastructure in and around Pana'ewa and Keaukaha (e.g., sewage plant, airport, landfill, etc.) and that she is committed to ensuring environmental justice.**

Our homestead community of Pana'ewa most recently fought hard against an ill-planned organics facility and dangerous spaceport operational facility which took time, energy, and resources for us community members to shut down. No governmental agency stood beside us. The people alone shut down these hazardous projects. Then again, just this year at the legislature, HB 1403 proposed to consider our homestead as a possible alternate route, for a connector, running right through the heart of our community. Again, the people testified against detrimental impacts and we are grateful that this time DHHL stood alongside us beneficiaries. In addition, there are new issues our Pana'ewa community faces – the expansion of a quarry and the expansion of an abandoned vehicle facility – both in near proximity to our farm lots, the quarry within 1,000 feet of homes. Add to that the ongoing nerve-wracking live fire sounds from the nearby Keaukaha Military Reservation along with noise from low-flying military choppers at night. Where does it end?!

Environmental justice must be part of the Public Utilities Commission's decision making protocol. Our impacted communities of Pana'ewa and Keaukaha need regulatory agencies to help protect us from continued environmental abuses so that we might finally have **safe, healthy, and peaceful** enjoyment of our homes.

Please confirm only those nominees to the PUC who support environmental justice.

~Mahalo, Kūpuna for the Mo'opuna, Pana'ewa, Hawai'i

LATE

GM-754

Submitted on: 4/13/2022 7:11:38 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
laurel brier	Testifying for Kauai women's caucus	Oppose	Written Testimony Only

Comments:

The PUC is to represent the People and protect our shared environment. Naomi Kuwaye's history and work experience is protecting corporate interest. We strong oopose her sitting on the PUC.

LATE



Environmental Caucus of The Democratic Party of Hawai'i

To: The Honorable Rosalyn H. Baker, Chair
The Honorable Stanley Chang, Vice Chair
Committee on Commerce and Consumer Protection

Re: **GM 754, CONSIDERATION AND CONFIRMATION TO THE PUBLIC UTILITIES COMMISSION, GUBERNATORIAL NOMINEE, NAOMI KUWAYE, FOR A TERM TO EXPIRE 06-30-2028**

Hearing: Wednesday, April 13, 2022, 9:30 a.m., Conference Room 229, via Videoconference

Position: **Strong Opposition**

Aloha, Chair Baker, Vice Chair K, and Members of the Committee on Commerce and Consumer Protection:

The Environmental Caucus of the Democratic Party of Hawai'i stands in strong opposition of GM 754, to confirm Naomi Kuwaye to the Public Utilities Commission, Gubernatorial nominee, for term to expire on June 20, 2028. Ms. Kuwaye's documented history as legal representative to numerous companies that oppose the mission and policies of the Public Utilities Commission make her unfit to serve as chair on the PUC.

According to the PUC website at [Public Utilities Commission | Vision, Mission, Values, and Goals and Objectives \(hawaii.gov\)](#), the goals and objectives of the PUC are as follows:

- (1) **VISION:** The PUC delivers transparent, accessible, and timely regulatory oversight, while working collaboratively with customers, stakeholders, and the general public.
- (2) **MISSION:** To serve the public, by ensuring essential utility services are delivered to consumers in a safe, reliable, economical, and environmentally sound manner.
- (3) **HOW THE PUC FULFILLS ITS MISSION:** This mission is achieved through responsible and informed oversight of public utilities and a focus on economic, operational, environmental, and societal concerns associated with balanced regulation and future impacts of present-day decisions.
- (4) **CORE VALUES:** Service • Professional Excellence • Transparency & Accountability • Collaboration & Teamwork



April 13, 2022

Page 2

Because of Ms. Kuwaye's prior focus on fighting for special interest of large utility and development company she is unqualified to work without bias in the decision-making process of PUC.

Burning wood for power is a question that the PUC nominee will face. Burning wood for power is the dirtiest method of achieving energy as it produces more greenhouse gas emissions than burning coal for energy. The reason that the State has a policy of 100% renewable energy by 2045 is to eliminate dirty greenhouse gas emissions to avert enhancing the climate crisis.

Part of the PUC nominee's authority and decision-making includes considering the environmental risk of danger to the environment. However, looking at the Ms. Kawaye's work history in representing Hu Honua, among many other clients, the question becomes whether she can be fair and impartial in her role as PUC Chair, when she has represented companies such as Hu Honua, HECO in its Kamoku-Pukele Transmission Line (1973-2002); Kamehameha Schools Bernice Pauahi Bishop Estate in Waiahole I and II (2000-2001); HELCO in its Keahole Power Plant (2003); Kapolei Property Development, LLC, in rezoning 331 acres of agricultural land in Ewa before the Land Use Commission (2007); DR Horton in rezoning of 1553 acres of agricultural land before the Land Use Commission (2007); Shopoff Group, LP, in rezoning 127.94 acres agricultural land before the Land Use Commission (2007); NextEra with operating revenues of \$16M in its attempt to buy HECO, MECO, and HELCO (2014-2014); Hu Honua Bio Energy to evaluate land use and regulatory compliance issues associated with the future harvest and hauling operation from the Pinnacle and Pahala properties to supply Hu Honua with feedstock (2016); Molokai Public Utilities attempt to reorganize and expand water and waste water operations (2017), MPU ultimately withdrew its application; Waialea Maui Phase II Development community challenge to an EA for Waialea's second luxury home development project (2021), and most recently, the Kauai Water Transmission Line community appeal from a judgment in favor of Kaua'i County. She represented the County before the Hawai'i Supreme Court (2022). Ms. Kanaye's legal representation has mostly been in opposition to the will of the citizen stakeholders and in defense of the offending utility company or development company.

Most of her past clients have special-interests that contradict sound environmental practices. Her job as a member of the PUC, if confirmed, pursuant to the PUC's mission statement, would require her to provide "responsible and informed oversight of public utilities and a focus on economic, operation, ENVIRONMENTAL, and societal concerns associated with balanced regulation and future impacts of present-day decision." Given Ms. Kuwaye's many years of practice promoting special interests to the detriment of the citizen stakeholders and the environment, the Environmental Caucus finds her to be unsuitable to be confirmed as a member of the PUC.



April 13, 2022

Page 3

We believe this proposed gubernatorial nominee to be detrimental to the public interest under the Public Land Trust and Precautionary Principle, especially since she will be placed in direct “conflict of interest” when her former clients are placed on the Docket to be heard by the PUC and the risk of perceived impropriety is ever-present. Therefore, the Environmental Caucus respectfully requests that this gubernatorial nomination be rejected by your committee.

Mahalo for the opportunity to testify,

Melodie Adaja

Alan B. Burdick

Co-Chairs, Environmental Caucus
Democratic Party of Hawai'i

GM-754

Submitted on: 4/4/2022 11:19:23 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Harald Ebeling	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Baker and members of the Committee,

As a resident of Honolulu I would like to voice my strong opposition to the nomination of Naomi Kuwaye to serve as commissioner for the Hawai'i Public Utilities. Ms. Kuwaye's track record of representing corporate utilities and developers in several environmentally highly sensitive projects makes her exceptionally ill-qualified to serve in a position in which she should be regulating these very same entities.

Please vote against Ms. Kuwaye's nomination.

Mahalo,

Harald Ebeling

GM-754

Submitted on: 4/5/2022 4:25:28 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Patricia Ann Kemper	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Baker and members of the committee,

My name is Ann Kemper and I am a resident of Hilo, HI testifying in opposition to the nomination of Naomi Kuwaye to serve as commissioner for the Hawai'i Public Utilities.

Her record shows she is little more than a lobbyist supporting corporate utilities and developers whose actions harm our state. I do not believe she truly practices Malama Aina in her voting activities.

Please do not pass her nomination.

Mahalo Nui loa,

Ann Kemper

GM-754

Submitted on: 4/5/2022 7:33:57 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mary Kathryn Afable	Individual	Oppose	Written Testimony Only

Comments:

Aloha, my name is Mary Afable and I live in Hilo.

I am opposed to the nomination and possible approval of Naomi Kuwaye to serve as commissioner of the Hawaii Public Utilities. Ms. Kuwaye’s ability to effectively regulate corporations and private developers is questionable given her long history of representing these entities. Ms. Kuwaye’s professional record makes it doubtful that she would be able to provide “transparent, accessible, and timely regulatory oversight while working collaboratively with customers, stakeholders and the general public.”

Ms. Kuwaye’s appointment will damage citizen’s perception of PUC’s reputation as providing regulatory oversight that reflects community concerns, not just the interests of corporations and private developers.

Certainly there are other candidates that would provide fair and unbiased oversight of the public interest.

Respectfully Submitted,

Mary Afable

Hilo

GM-754

Submitted on: 4/5/2022 8:17:01 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cheryl Reeser	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Baker and members of the committee,

My name is Cheryl Reeser and I am a resident of Makawao, Maui, testifying in opposition to the nomination of Naomi Kuwaye to serve as commissioner for the Hawai‘i Public Utilities. This seat plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system. Please deeply consider Ms. Kuwaye’s long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua’s biofuel plant proposal. As someone who has represented the very entities she should be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide.

We need a just and equitable energy system that listens to and incorporates the concerns and communities most impacted and burdened by its infrastructure. Ms. Kuwaye’s career has instead focused on promoting energy and land development over the concerns of affected community members.

Please vote down this nomination.

Mahalo for your consideration,

Cheryl Reeser

GM-754

Submitted on: 4/5/2022 8:20:28 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rosemary Fazio	Individual	Support	Written Testimony Only

Comments:

Re: GM 754 (Testimony in Strong Support of Confirmation of Naomi Kuwaye on the PUC)

Naomi Kuwaye and I have practiced law together for nearly a decade. We have become good friends in the process. She is honest, ethical, intelligent and a diligent, hard worker. The PUC will be fortunate to have her as a Commissioner if she is confirmed.

I respectfully urge you to consider favorably and confirm her nomination. Thank you for the opportunity to submit this testimony.

Rosemary Fazio



Imanaka Asato
A LIMITED LIABILITY LAW COMPANY

April 5, 2022

Senator Rosalyn H. Baker, Chair
Senator Stanley Chang, Vice Chair
Members of the Senate Committee on Commerce
and Consumer Protection
Thirty-First Legislature
Regular Session 2022

RE: GM 754 - Submitting for consideration and confirmation to the Public Utilities Commission, Gubernatorial Nominee, NAOMI KUWAYE for a term to expire 06-30-2028

Hearing Date: April 13, 2022 at 9:30 a.m.

Aloha Chair Baker, Vice Chair Chang and Members of Commerce and Consumer Protection Committee,

Mahalo for the opportunity to express my support for GM 754 confirming Naomi Kuwaye's to the Public Utilities Commission ("PUC"). Naomi is a knowledgeable lawyer practicing in the areas of environmental, public utilities and administrative law. She has substantial experience with public utility regulation and compliance in federal, state and local regulations.

The PUC's mission to ensure proper oversight of essential utility services are delivered in a "safe, reliable, economical, and environmentally sound manner." To achieve this mission, it is imperative to have a commissioner experienced with public utilities laws and regulations, as well as the foresight to implement the strategic plan. With her vast experience practicing in environmental law as well as before the PUC, Naomi would certainly be able to fill this role and would be an asset to the PUC.

For these reasons, I strongly urge you to support GM 754 and confirm Naomi's appointment as a PUC commissioner.

Mahalo,

Michael L. Iosua

GM-754

Submitted on: 4/5/2022 12:18:32 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Craig P. Wagnild	Individual	Support	Written Testimony Only

Comments:

Naomi Kuwaye, Esq. is an exceptional attorney and an excellent person to serve as Commissioner for the Public Utilities Commission. Ms. Kuwaye has always demonstrated careful and considered judgment and the highest degree of ethical conduct. I fully support and endorse her nomination and confirmation to this position and am pleased to see that she is interested and willing to serve our State in this capacity.

GM-754

Submitted on: 4/5/2022 9:17:14 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
ANDREW ISODA	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Baker and members of the committee,

My name is ANDREW ISODA and I am a resident of MAU. I am testifying in opposition to the nomination of Naomi Kuwaye to serve as commissioner for the Hawai'i Public Utilities. This seat plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system. Please deeply consider Ms. Kuwaye's long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua's biofuel plant proposal. As someone who has represented the very entities she should be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide.

- The PUC's mission is to be "transparent, accessible, and timely regulatory oversight, while working collaboratively with customers, stakeholders, and the general public." As someone who has represented the very entities she should be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide.
- We need a just and equitable energy system that listens to and incorporates the concerns and communities most impacted and burdened by its infrastructure. Ms. Kuwaye's career has instead focused on promoting energy and land development over the concerns of affected community members.
- Ms. Kuwaye is an expert in her field, her extensive experience on her resume of clientele proves that. However, this position requires competency for equity and environmental justice. We can't replicate the same injustices that happened to Kahuku with Nā Pua Makani and the continued burdens placed on West O'ahu communities that have been disproportionately burdened by several energy projects, dirty and clean, in their backyard. We are concerned that Ms. Kuwaye's track record representing corporate interests has been on the wrong side of environmental justice and community concerns, and that she will not adequately consider equity in her decision making as a commissioner.

Please vote down this nomination. Mahalo for the opportunity to testify.

Andrew Isoda - Mau'i

GM-754

Submitted on: 4/5/2022 9:27:29 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gwendellyn Cruise	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE Naomi Kuwaye's nomination. She may have experience in these matters, but not on the side of the public interest. Please, please, please do not confirm her nomination to this critical position. We are at a critical time when we need decision-makers who care about the public's interest and see issues from the citizens' point of view. Kuwaye is the classic hired gun with no morals or ethics. She talks a good talk, but look at her actions. She is NOT the right person for this job. Please do what is right for the people of Hawaii. Thank you.

GM-754

Submitted on: 4/5/2022 9:29:16 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tawn Keeney	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Baker and members of the committee,

My name is Phaethon Keeney and I am a resident of Hawaii Island testifying in opposition to the nomination of Naomi Kuwaye to serve as commissioner for the Hawai‘i Public Utilities. This seat plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system. Please deeply consider Ms. Kuwaye’s long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua’s biofuel plant proposal. As someone who has represented the very entities she should be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide.

Please vote down this nomination. Mahalo for the opportunity to testify.

Phaethon Keeney

Honokaa Hawaii

GM-754

Submitted on: 4/5/2022 9:33:48 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Glenn Metzler	Individual	Oppose	Written Testimony Only

Comments:

Oppose

GM-754

Submitted on: 4/5/2022 9:54:58 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tadia Rice	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE the nomination of corporate attorney Naomi Kuway to the Hawaii Public Utilities Commission (PUC) to serve as commissioner of the for a six-year term. Her track record of working on behalf of corporate utilities and private developers shows no commitment to environmental justice issues and community concerns. She has failed residents and Hawai'i's clean energy goals.

As the PUC Commissioners' primary duty is to "protect the public interest by overseeing and regulating public utilities to ensure that they provide reliable service at just and reasonable rates." However, with such an expansive pro-developer and pro-utility record, this Governor's nominee does not demonstrate any apparent ability to represent the interests of the people over that of corporate profits.

The PUC cannot afford this major step back. I oppose this nomination and urge the Senate to vote it down.

GM-754

Submitted on: 4/5/2022 10:13:37 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Thomas Brandt	Individual	Oppose	Written Testimony Only

Comments:

The PUC's mission is to be transparent and accessible, and to provide timely regulatory oversight, while working collaboratively with customers, stakeholders, and the general public.

As someone who has represented the very entities she would be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide.

We need a just and equitable energy system based on the needs and concerns of communities most impacted and burdened by energy infrastructure.

Ms. Kuwaye's career has instead focused on promoting energy and land development over the concerns of affected community members.

Thank you for the opportunity to offer these comments.

GM-754

Submitted on: 4/5/2022 10:56:12 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Joyce Tamanaha Takahashi	Individual	Support	Written Testimony Only

Comments:

Aloha kakou,

It is with great pleasure that I submit my testimony in support of Governor Ige's nomination of Naomi Kuwaye as a member of the Public Utilities Commission of the State of Hawaii.

I have known Naomi for the last 25+ years as a fellow attorney and a mom. As outside counsel for a prior employer, she had a great attitude and determination for addressing difficult situations and dealing with a demanding client (me). She was well versed in the relevant subject matter and met deadlines in a timely manner. Although the subject area in which she provided legal advise was not under the purview of the public utilities commission, I understand from other legal practitioners that Naomi has served as counsel to a number of public utility clients over several years.

Given her knowledge and expertise in the area, and her professional demeanor and ability to meet or exceed deadlines, Naomi would be a valuable addition to the Public Utilities Commission.

It is my great honor to humbly submit my testimony in support of Naomi Kuwaye's nomination to the Public Utilities Commission of the State of Hawaii.

Mahalo,

Joyce Tamanaha Takahashi

GM-754

Submitted on: 4/5/2022 12:14:20 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Vincent Shigekuni	Individual	Support	Written Testimony Only

Comments:

Aloha Senate President Kouchi and Members of the Senate:

I am Vincent Shigekuni, a planner with 42 years of experience in Hawaii.

I am in support of Naomi Kuwaye's nomination to the Public Utilities Commission. I have known her since about 2007 when we worked on a project together.

Ms. Kuwaye is very quick and analytical. She will not be afraid to ask thoughtful questions and will be very fair.

Ms. Kuwaye will also bring a career's worth of interest and experience on the topics of natural resources, land use, Clean Water act compliance, critical habitat and endangered species to the PUC, all issues which we will increasingly encounter as the State moves away from reliance on fossil fuels as a source of energy, to renewable sources.

Mahalo for considering my testimony.

Vincent Shigekuni

Senior Vice President

PBR HAWAII & Associates, Inc.

GM-754

Submitted on: 4/5/2022 12:14:29 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jessica Haskin	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Baker and members of the committee,

My name is Jesica Haskin and I am a resident of Kilauea, Kauai. I am testifying in opposition to the nomination of Naomi Kuwaye to serve as commissioner for the Hawai‘i Public Utilities. This seat plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system. Please deeply consider Ms. Kuwaye’s long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua’s biofuel plant proposal. As someone who has represented the very entities she should be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide.

Please vote down this nomination. Mahalo for the opportunity to testify.

Committee on Commerce and Consumer Protection
Chair Baker, Vice Chair Chang

Wednesday April 13,2022, 9:30 am, Room 229 & Videoconference

GM754 — Submitting for consideration and confirmation to the Public Utilities Commission, Gubernatorial Nominee, NAOMI KUWAYE, for a term to expire 06-30-2028.

TESTIMONY

Beppie Shapiro, testifying as an individual

Chair Baker, Vice Chair Chang, and Committee Members:

I write to oppose this nomination. The PUC is a small, 3 member body with the critical responsibility of representing the interests of the public by overseeing and regulating public utilities to ensure that they provide reliable service at fair and reasonable rates.

Ms. Kuwaye has a wide work history working on behalf of corporate utilities (e.g. NextEra and Hu Honua) and private developers; I cannot see in her record any expressed valuing or commitment to environmental justice issues, scientifically justifiable climate change mitigation, or community concerns.

Please do not support this nomination. The people of Hawaii need and deserve a PUC whose members have shown understanding and support of the public interest.

Thank you for the opportunity to submit this testimony.

Daniel E. Orodenker
455 Aulima Loop
Kailua, Hawaii 96734
dorodenker@gmail.com/808-351-8004

Before the Senate Committee on Commerce and Consumer Affairs
April 13, 2022
State Capitol, Room 229

In consideration of GM754

THE NOMINATION OF NAOMI KUWAYE
TO THE PUBLIC UTILITIES COMMISSION

Chair, Baker, Vice Chair Change and members of the Senate Committee on Commerce and Consumer Protection, I would like to express my support for Naomi Kuwaye's nomination to the Public Utilities Commission. I have known Ms. Kuwaye for 20 years and believe there are few people who can provide her level of insight, hard work and thoughtful consideration to the PUC.

I have found Ms. Kuwaye to be one of the most intelligent and ethical people I have ever worked with. She is direct, to the point and has a keen ability to understand the issues and policy considerations surrounding government decision making. In her professional capacity she has shown herself to be extremely competent and detail oriented. While she has been an advocate for her clients she has always been pragmatic and cognizant of opposing arguments and concerns. She has always been adaptable and open to solutions that are balanced and satisfy the needs and concerns of all of the parties.

While Naomi has, through her career, represented clients from all walks of life I do not believe she is anyway biased as a result. She has shown herself to be an independent and considerate thinker. Her expertise and balanced approach to matters will serve the community and the PUC well as it navigates what are sure to be some very difficult issues. Having worked with her on a number of issues I have found her to be ethical to a fault.

Thank you for your consideration.

GM-754

Submitted on: 4/5/2022 8:59:48 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeremy Garrett	Individual	Oppose	Written Testimony Only

Comments:

Please oppose the nomination. At a time when our global ecosystems are in peril, PUC commissioners should be advocates and defenders for environmental justice.

GM-754

Submitted on: 4/6/2022 6:16:35 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Max Towey	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Baker and members of the committee,

My name is Max Towey and I am a resident of Kailua testifying in opposition to the nomination of Naomi Kuwaye to serve as commissioner for the Hawai'i Public Utilities. This seat plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system. Please deeply consider Ms. Kuwaye's long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua's biofuel plant proposal. As someone who has represented the very entities she should be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide.

Please vote down this nomination. Mahalo for the opportunity to testify.

Max Towey

Michael W. Gibson
2435 Burbank Street
Honolulu, Hawaii 96743
(808) 595-6970

April 6, 2022

Senator Rosalyn H. Baker, Chair
Senator Stanley Chang, Vice Chair

Re: GM 754 – Public Utilities Commission Gubernatorial Nominee, Naomi Kuwaye

Dear Senator Baker and Senator Chang:

I am writing in support of the confirmation of Naomi Kuwaye to the Public Utilities Commission.

I have worked at Ashford & Wriston with Naomi for several years. Naomi is a dedicated and hard working attorney.

Naomi is a patient and open-minded individual. There is no doubt that Naomi Kuwaye will do an excellent job as a member of the Public Utilities Commission. I encourage you to confirm her nomination.

Sincerely,


Michael W. Gibson

April 6, 2022

Rosalyn Baker, Chair
Committee on Commerce and Consumer Protection
Senate
State Capitol
415 S. Beretania Street
Honolulu, Hawaii 96813

Dear Honorable Chair Baker and Members of the Committee on Commerce and Consumer Protection:

Re: Support for Naomi Kuwaye – GM754 Public Utilities Commission

I would like to state I am. in strong support of Ms. Naomi Kuwaye to be appointed to the Public Utilities Commission.

I have known Naomi both professionally and personally and we can say that she is truly a woman of honor, integrity and compassion. Professionally, Naomi has been at the forefront of multitude of planning, land and utility issues in Hawaii. SHE ensured that we all know our duties to protect Hawaii's resources yet ensure there is resources for the future. Additionally, she relayed the meaning of Hawaii and Aloha at each event she presented.

Naomi has always been part of the community. Her dedication to Hawaii can be seen through her leadership in various organizations. She truly believes that we must assist and better Hawaii for our future.

I strongly support Naomi Kuwaye to be appointed to the Public Utilities Commission. Thank you for your time and consideration.

Sincerely,
Arnold Wong/s/

Pat Lee & Associates, LLC

45-248 A Pahikaua Place Kaneohe, Hawaii 96744 Phone/Fax: (808) 247-2889 E-mail: patlee@hawaii.rr.com Mobile: (808) 223-9670

To: The Honorable Sen. Rozalyn Baker, Chair
The Honorable Sen. Stanley Chang, Vice Chair, and
Members of the Senate Committee on Commerce and Consumer Protection

Date: Wednesday April 13, 2022
Time: 9:30 AM
Place: Conference Room 229 & Videoconference

From: Pat Lee, for Pat Lee & Associates

Re: GM 754, Relating to the Nomination of Ms. Naomi Kuwaye to the PUC

Chair Baker, Vice Chair Chang, and members of the Senate Commerce and Consumer Protection Committee:

My name is Pat Lee, and I am writing you in strong **SUPPORT** of GM 754, nominating Ms. Naomi Kuwaye to the State Public Utilities Commission.

As a consultant on land use projects and policy issues, I have known Naomi Kuwaye for over 30 years. Ms. Kuwaye has extensive experience in natural resource law, zoning and land use, real estate development, telecommunications law, public utilities and administrative law. Ms. Kuwaye and I have worked together on both land use and public utility matters in the past and I have always been impressed with her good work habits, thoughtful and sound judgement, keen sense of fairness, dedication to the task at hand and attention to details.

I truly believe that her public service will be a great asset to the PUC, the State of Hawaii and our citizens. For these reasons, I respectfully request that your committee approve her nomination.

Mahalo,



Pat Lee & Associates, LLC

TESTIMONY OF
Jennifer M. Potter

TO THE SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND
HEALTH

THE TWENTY-NINTH LEGISLATURE
Regular Session of 2022
Friday, April 13, 2022
9:30 A.M.

TESTIMONY IN SUPPORT OF GOVERNOR'S MESSAGE 754
Nomination of NAOMI KUWAYE
to the Hawaii Public Utilities Commission

TO THE HONORABLE ROSALYN H. BAKER, CHAIR
AND MEMBERS OF THE COMMITTEE

My name is Jennifer Potter, and I support the nomination of Naomi Kuwaye to the Hawaii Public Utilities Commission.

I believe Naomi will do her considerable best to make a better future for all the residents of Hawaii.

I strongly urge you to favorably consider Naomi Kuwaye's nomination to the Commission.

Mahalo for the opportunity to testify.

Jennifer Potter
Commissioner
Hawaii Public Utilities Commission

GM-754

Submitted on: 4/6/2022 6:51:00 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Patrick McCain	Individual	Support	Written Testimony Only

Comments:

I am writing to support Naomi Kuwaye for a position on the Public Utilities Commission. We worked together at the City Council years ago. She is a solid citizen and a smart lawyer. Once confirmed she will prove to be an outstanding member of the PUC. We are fortunate to have high quality folks like her willing to serve in this important position. Please vote to confirm her nomination. Aloha and Mahalo.



SanHi

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: April 7, 2022

TO: Senator Rosalyn H. Baker
Chair, Committee on Commerce and Consumer Protection
Submitted Via Capitol Website

FROM: Rick Tsujimura

RE: **GM754** - Submitting for consideration and confirmation to the Public Utilities Commission, Gubernatorial Nominee, NAOMI KUWAYE, for a term to expire 6-30-2028.
Hearing Date: April 13, 2022 at 9:30 a.m.
Conference Room: 229 & Videoconference

Dear Chair Baker, Vice Chair Chang, and Members of the Committee on Commerce and Consumer Protection,

I am Rick Tsujimura speaking on my own behalf in support of the nomination of Naomi Kuwaye to the state Public Utilities Commission.

Naomi and I have known each other since the 1990's. We have been colleagues and members of the same law firms over all those years since. I think I know her well. We have mutual friends beginning if you will from our high school education. No, we are not the same age, but we both attended Hawaii Baptist Academy, and we were fortunate to have had some of the same teachers. So, I know Naomi from those acquaintances going back many years to when she started practicing law. She has been like a sister I never had.

We've been in cases where we have worked together. I have seen her diligence and her honesty in representing clients. Sometimes we have had to tell clients things they don't want to hear. In many ways we have to give an assessment based in reality not just wishes. In many ways she has to be much like her husband Todd, who is a physician. Patients and clients need honesty in order to begin a treatment. I believe that Naomi will bring that same honesty to the Commission.

But honesty also needs solutions. Just being critical isn't a solution. In this I have seen her seek out solutions in some complex and sometimes exasperating issues. She will bring that tenaciousness to the role as commissioner. Her tenacity, however, should not be construed or misinterpreted as opposition to an idea or proposal. Much to the contrary her questioning may in fact lead to a better proposal and direction for Hawaii in energy, rates and our future.

You can probably tell I like Naomi.

But that alone is not the reason why I write in support of her nomination. I know that she will do what is right for the citizens of this great state. She just is built that way. I will miss our discussions we have had over the years, talking about Hawaii and what is necessary for us to become both energy self-sufficient but also sustainable. But her nomination and with your consent her service on the commission will hopefully usher in a time of needed advancements for Hawaii's future.

For all of these reasons, I ask for your support for her nomination and recommendation for approval of her nomination to the full Senate.

Mahalo.

April 8, 2022

TO: Senator Rosalyn H. Baker
Chair, Committee on Commerce and Consumer Protection
Submitted Via Capitol Website

From: Ann Yotsuji

Subject: GM 754 – Submitting for consideration and confirmation to
the Public Utilities Commission, Gubernatorial Nominee,
NAOMI KUWAYE, for a term to expire 6-30-2028

Hearing Date: Wednesday, April 13, 2022 at 9:30 a.m.

Conference Room: 229 & Videoconference

Dear Chair Baker, Vice Chair Chang, and Members of the Committee on
Commerce and Consumer Protection:

I am writing in **support** of Naomi Kuwaye's nomination to the Public Utilities
Commission. Having worked with Naomi as support staff for 20 years, I can
attest to her integrity and commitment to the job at hand.

That Naomi decided to leave Oregon to return to her home state was definitely a
stroke of luck for the Honolulu law firms at which she served as associate,
partner and of counsel. Over the years, I observed her to be not only an
outstanding professional but a dedicated wife, mother and friend.

For these reasons, I humbly ask the Committee to recommend that the Senate
advise and consent to Naomi's nomination to the Public Utilities Commission.

GM-754

Submitted on: 4/7/2022 7:56:37 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Randy Iwase	Individual	Support	Written Testimony Only

Comments:

Chair Baker, Vice Chair Chang and members of the committee:

Pleaser permit me to take this means to submit testimony is **STRONG SUPPORT** of Naomi Kuwaye who has been nominated to serve as a Commissioner on the PUC per GM754.

i have known Ms. Kuwaye for nearly 30 years. I can say, without hesitation, that Ms. Kuwaye has proven herself to be a fine attorney, and a person of great character and integrity

Ms. Kuwaye has been engaged in the practice of law for over 30 years. Her years of practice have taught her that being in a decision making role (vs. being an advocate for a client) demands an understanding of the law, listening to all the conflicting points of view and basing decisions on the law and facts of the case.

Ms. Kuwaye will bring to the PUC all that experience, and knowledge, a love for the law, and her deep and abiding commitment to the people of our State as the PUC moves forward to address the myriad of issues confronting the agency. I truly believe she has all the qualities and experience to be a fine, thoughtful PUC Commissioner.

Please feel free to contact me if you have any questions.

I respectfully ask for your favorable consideration Naomi Kuwaye

Mahalo and Aloha,

RANDY IWASE

GM 754 TESTIMONY

To: Senate Committee on Commerce and Consumer Protection
Hearing on April 13, 2022 at 9:30 a.m.

From: John Kawamoto

Position: Oppose

The purpose of the Public Utilities Commission (PUC) is to protect the public interest in regulating the 1,806 public utilities that it currently oversees. PUC Commissioners must have thorough knowledge of the myriad of technical details associated with the regulation of public utilities, along with an understanding of the issues surrounding them. But that is not enough.

Commissioners must also understand the public interest, with all of its subtleties, and how the public interest can be furthered in regulating public utilities. But even that is not enough. They must also be committed to advancing the public interest.

Naomi Kuwaye is undoubtedly knowledgeable about public utilities. She has supported and defended private interests in this area of law for much of her career. However, she lacks experience in the public interest component that is necessary as a PUC Commissioner. There is no indication that she will be able to transform herself into a champion of the public interest.

As an example of her work for private interests, Naomi Kuwaye represented Hawaiian Electric in its proposed high voltage power line project from the Pukele Substation in the mauka region of Palolo to the Kamoku Substation adjacent to Iolani School. The project was opposed by numerous community organizations, environmental organizations, and eight Neighborhood Boards. The public interest was at stake, and Naomi Kuwaye opposed it. Fortunately, the project was defeated.

Naomi Kuwaye also represented NextEra in its attempt to acquire Hawaiian Electric Industries. The case went before the PUC, which expressed serious concerns about the acquisition. The PUC ultimately rejected the proposed acquisition on the grounds that it did not serve the public interest. Again, when the public interest was at stake, Naomi Kuwaye opposed it.

Naomi Kuwaye's nomination is troubling because the PUC's mission is to protect the public interest, and she has had a history of fighting against it. Furthermore, her nomination is being considered at a time when government finds itself facing a crisis of distrust.

Distrust in government has received increased attention recently in Hawaii because of the admission of bribery by two former State Legislators. But bribery is not the only reason for distrust, which seems to be systemic.

Another reason for distrust is what has been described as a “revolving door” between regulatory agencies and the industries that they regulate. Studies show that one consequence of the revolving door is that regulators who are from the private sector may push for softer regulation that would benefit them later when they rejoin the private sector. Although the revolving door issue is most frequently raised at the federal level, this nomination shows that it is present at the State level, in Hawaii.

Trust in government has been eroded with the nomination of Naomi Kuwaye to the PUC because she lacks necessary qualifications. The Senate can and should help restore public trust in government by rejecting the nomination.

OFFICE OF THE MAYOR

DEREK S.K. KAWAKAMI, MAYOR

MICHAEL A. DAHLIG, MANAGING DIRECTOR



Testimony of

Michael A. Dahilig

Managing Director, County of Kaua'i

Before the

Senate Committee on Commerce and Consumer Protection

April 13, 2022 at 9:30 AM

Conference Room 229 & Videoconference

In consideration of

GM 754 – Naomi Kuwaye

Gubernatorial Nominee for the

Public Utilities Commission

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

Mahalo for the opportunity to testify in **SUPPORT** of Ms. Naomi Kuwaye's nomination to the Public Utilities Commission. As a nominee, she is well qualified to fulfill this responsibility given her professional and life experiences, her temperament, and desire to serve.

I have known Ms. Kuwaye in various community capacities for over a decade, largely in her work with the County on land use, development, and permitting. I can attest to her cooperative and collaborative style, intellect, and good character. Her experience in understanding how Hawai'i works makes her unique skill set in law and community planning an easily transferrable skill to the consumer protection role vested with this unique commission. Also, her command of business experience and aloha lends to her ability to understand how supply chains and utilities can either result in impacts or care to our community.

The recent volatility in our state, and across the globe, requires members of the commission to have a command of knowledge stretching from the technical to the emotional while deliberating the impact their decisions can have on dining tables across our Hawai'i – a skill and empathy she definitely has. I have known Ms. Kuwaye to be even keeled in temperament, deliberative, yet able to crack a joke and appreciate a good-humored moment when the clandestine opportunity arises.

Ms. Iona's track record for service in other venues is well established. She has served on various bar association committees over the years. She has also actively supported her alma mater, Hawai'i Baptist Academy.

The Board and the State will undoubtedly be enriched by her service on this critical commission. I have confidence in Ms. Kuwaye's ability to make sound and deliberative choices in the utilities and supply chain management of our state and respectfully ask this honorable committee to **ADVISE AND CONSENT** to her nomination.

Mahalo for your consideration.

GM-754

Submitted on: 4/9/2022 8:08:13 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Charles Kaneshiro	Individual	Support	Written Testimony Only

Comments:

Dear Senators Baker and Chang:

I am providing this testimony **in support** of Naomi Kuwaye's nomination to serve on the State Public Utilities Commission.

Over the past 15+ years, I have known Ms. Kuwaye on a professional basis as an attorney representing our clients. In this capacity, she has consistently shown herself to be a very competent attorney. Ms. Kuwaye has always sought to protect the interests of her clients yet she is also approachable and willing to listen to alternative points of view.

In addition to her qualifications, I believe these qualities make Ms. Kuwaye an outstanding candidate as a commissioner.

Aloha,

Charles Kaneshiro, AIA

GARY M. KOBAYASHI

P.O. Box 461
Honolulu, Hawaii 96809

Telephone: (808) 265-4859
Email: garykobayashi@hawaii.rr.com

April 10, 2022

The Honorable Rosalyn H. Baker, Chair
The Honorable Stanley Chang, Vice Chair
Committee on Commerce and Consumer Protection
Hawaii State Capitol, Room 230
415 South Beretania Street
Honolulu, Hawaii 96813

Re: GM 754 Testimony in Support of the Confirmation of Gubernatorial Nominee
Naomi Kuwaye to the Public Utilities Commission

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

Thank you for the opportunity to testify in support of the nomination of Naomi Kuwaye for appointment to the Public Utilities Commission (PUC).

I am an attorney licensed to practice law in the State of Hawaii. Ms. Kuwaye has the experience, knowledge and integrity to serve the public on the PUC.

I am certain that she will work well with the other PUC commissioners and the entire PUC staff.

I fully support her nomination, without reservation. If you have any questions, please do not hesitate to contact me.

Very truly yours,

Gary M. Kobayashi

Gary M. Kobayashi

GM-754

Submitted on: 4/9/2022 6:09:29 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kris Matsumoto Wong	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to corporate lawyer Naomi Kuwaye to the Public Utility Commission. The PUC has far too much power to control to cede this supposed protector of the communities interests to corporated agents and those accountable only to profits and private interests. NO NO NO!!!

GM-754

Submitted on: 4/10/2022 9:11:00 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
kylie	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Baker and members of the committee,

My name is __Kylie Gaglione__ and I am a resident of __Hawai'i Island__ testifying in opposition to the nomination of Naomi Kuwaye to serve as commissioner for the Hawai'i Public Utilities. This seat plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system. Please deeply consider Ms. Kuwaye's long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua's biofuel plant proposal. As someone who has represented the very entities she should be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide.

It is essential that we have sincere people and due process when ensuring that we can have CONFIDENCE that they will truly represent and act in the best interests of the lands and waters of Hawai'i. Now more than ever before this is critical.

New Zealand has protected Water and Land as we do our citizens. With respect for the health and the well being in all manner, just as we do human beings. For it has become extremely apparent that it is futile to believe that we will have any quality of life or even life itself should we fail the task! Without clean drinking water, healthy oceans and coastal waters with their nursery grounds sustaining all aquatic life and thriving diverse forests, our very own species will FAIL. It is tiresome to continue to have to advocate this truth in a time when all have access to the same knowledge...That these environments are not only fragile eco systems here in Hawai'i but that globally their existence is essentially threatened by continuous abuses of power.

why are You so dedicated to destroying the very PRODUCT that Hawai'i Government are selling? The impact to Hamakua alone with the disaster that is Hu Honua, is just one example where Ms. Kuwaye is proven extremely short sighted.

Every effort that Naomi Kuwaye diligently works to heap into existence, is further ruining any hope that there will be peace or sustainabilty, vital to Hawaiian Islands' future.

Shame on considering this woman for any interest here at the PUC.

I Strongly oppose this nonsensical nomination.
She does not represent my views even remotely.

Please vote down this nomination. Mahalo for the opportunity to testify.

GM-754

Submitted on: 4/10/2022 11:53:16 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Taurie Kinoshita	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Baker and members of the committee,

My name is Taurie Kinoshita and I am writing in *strong* opposition to the nomination of Naomi Kuwaye to serve as commissioner for the Hawai'i Public Utilities.

I am deeply concerned that Ms. Kuwaye's track record representing corporate interests has been on the wrong side of environmental justice and community concerns, and that she will not adequately consider equity in her decision making as a commissioner.

This seat plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system.

Please deeply consider Ms. Kuwaye's long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua's biofuel plant proposal. As someone who has represented the very entities she should be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide.

Please vote down this nomination and be a hero for our future and the environment.

Sincerely,

Taurie Kinoshita

lifelong resident, Oahu

GM-754

Submitted on: 4/10/2022 12:05:36 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Natalia Kailani	Individual	Oppose	Written Testimony Only

Comments:

- The PUC’s mission is to be “transparent, accessible, and timely regulatory oversight, while working collaboratively with customers, stakeholders, and the general public.” As someone who has represented the very entities she should be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide.
- We need a just and equitable energy system that listens to and incorporates the concerns and communities most impacted and burdened by its infrastructure. Ms. Kuwaye’s career has instead focused on promoting energy and land development over the concerns of affected community members.
- Ms. Kuwaye is an expert in her field, her extensive experience on her resume of clientele proves that. However, this position requires competency for equity and environmental justice. We can’t replicate the same injustices that happened to Kahuku with Nā Pua Makani and the continued burdens placed on West O’ahu communities that have been disproportionately burdened by several energy projects, dirty and clean, in their backyard. We are concerned that Ms. Kuwaye’s track record representing corporate interests has been on the wrong side of environmental justice and community concerns, and that she will not adequately consider equity in her decision making as a commissioner.

GM-754

Submitted on: 4/10/2022 1:18:20 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Racquel Segato-Figueroa	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Baker and members of the committee,

My name is Racquel Segato-Figueroa and I am a resident of Kaua'i testifying in opposition to the nomination of Naomi Kuwaye to serve as commissioner for the Hawai'i Public Utilities. This seat plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system. Please deeply consider Ms. Kuwaye's long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua's biofuel plant proposal. As someone who has represented the very entities she should be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide.

Please vote down this nomination. Mahalo for the opportunity to testify.

GM-754

Submitted on: 4/10/2022 2:24:29 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rick Rosen	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Baker and members of the committee,

My name is Rick Rosen and I am a resident of Homonu, Hawaii Island, **testifying in opposition to the nomination of Naomi Kuwaye to serve as commissioner for the Public Utilities Commission.**

This seat plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system. Please deeply consider Ms. Kuwaye's long track record of representing the legal interests of corporate utilities and developers in some of the most controversial cases in recent history. These include the NextEra merger, Hu Honua's wood-burning power plant proposal, and the Waiāhole Water Case. As someone who has represented the very entities she should be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide.

Ms. Kuwaye is ill-suited to represent the public interest; therefore, please vote down this nomination. Mahalo for the opportunity to testify.

GM-754

Submitted on: 4/10/2022 4:12:05 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Hansen	Individual	Oppose	Written Testimony Only

Comments:

Although Naomi Kuwaye has a breadth of experience in energy litigation, mergers, and regulation, her track record of working on behalf of corporate utilities and private developers shows **no commitment to environmental justice issues and community concerns; both are critically important in PUC decision-making.**

The PUC Commissioners' primary duty is to "protect the public interest by overseeing and regulating public utilities to ensure that they provide reliable service at just and reasonable rates." However, with such an expansive pro-developer and pro-utility record, Ige's nominee does not demonstrate any apparent ability to represent the interests of the people over that of corporate profits.

The PUC has been making strides to step up for environmental justice and community concerns—this nomination could represent a major step back.

This is a faulty nomination. Please oppose her nomination.

Mahalo,
Elizabeth Hansen
Registered voter,
Hakalau HI 96710

GM-754

Submitted on: 4/10/2022 4:15:58 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rodger Hansen	Individual	Oppose	Written Testimony Only

Comments:

Although Naomi Kuwaye has a breadth of experience in energy litigation, mergers, and regulation, her track record of working on behalf of corporate utilities and private developers shows **no commitment to environmental justice issues and community concerns; both are critically important in PUC decision-making.**

The PUC Commissioners' primary duty is to "protect the public interest by overseeing and regulating public utilities to ensure that they provide reliable service at just and reasonable rates." However, with such an expansive pro-developer and pro-utility record, Ige's nominee does not demonstrate any apparent ability to represent the interests of the people over that of corporate profits.

The PUC has been making strides to step up for environmental justice and community concerns—this nomination could represent a major step back.

This is a faulty nomination. Please oppose her nomination.

Mahalo,
Rodger Hansen
Registered voter,
Hakalau HI 96710

GM-754

Submitted on: 4/10/2022 6:58:51 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ben Robinson	Individual	Oppose	Written Testimony Only

Comments:

Aloha!

I am writing to oppose the nomination of Ms. Kuwaye due to her long involvment in the interest of commerical organizations and the nomination to a spot on the PUC seems like a conflict of interest.

Mahalo,

Ben

GM-754

Submitted on: 4/11/2022 8:22:35 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jesse Palmer	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am strongly opposed to appointing Naomi Kuwaye to the PUC. She would be a unfortunate choice. Hawaii is at a crossroads in whether or not we will actually be able do what we need to do to meet our clean energy commitments. The PUC is the primary way to hold the Hawaiian Electric reponsible. We need someone on the committee who is committed to combatting climate change and willing to put the necessary pressure on HECO to make this happen. Unfortunately, Naomi Kuwaye is not that person. Her experience up to this point has been representing corporate energy interests. The job of the PUC is to make sure that the people of Hawaii has a seat at the table, not another person representing corporate interests. They already have a seat at the table. Please reject this nomination.

Mahalo, Jesse Palmer

From: [Sequoia](#)
To: [CPN Committee](#)
Subject: GM 754
Date: Sunday, April 10, 2022 2:48:13 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Aloha Chair Baker, Vice Chair Chang, and members of the Senate Committee on Commerce and Consumer Protection,

Thank you all for your dedication to the State of Hawai'i, and service on the CPN Committee. I am writing to urge you to vote against Governor Ige's nominee Naomi Kuwaye for the PUC.

It is critical that the PUC maintain a balanced approach, monitoring the utility that, as a publicly-traded corporation, is by definition beholden not to the community that it serves but rather to its shareholders.

The PUC's role is to protect the public interest. Ms. Kuwaye, as an attorney, has been deeply involved in representing the very corporations that the PUC regulates as well as private developers of controversial projects, without demonstrating any interest or support of the public interest.

It would be a breach of public confidence in the PUC for Ms. Kuwaye to become a commissioner. Thank you so much for voting against Ms. Kuwaye.

Sincerely,

Sequoia
Hawai'i

From: [Todd Yamashita](#)
To: [CPN Committee](#)
Cc: letters@staradvertiser.com; info@davidige.org
Subject: Kuwaye Nomination Disrespectful
Date: Sunday, April 10, 2022 11:22:17 PM

Please do not let Naomi Kuwaye, Ige's Public Utilities Commission nominee, into Hawaii's PUC.

To say that Gov Ige is putting the fox in with the hens fails to illustrate the level of injustice happening here.

Founders of Hawaii Electric (HEI) were among the colonizers of Hawaii who orchestrated the overthrow Hawaii's sovereign government.

To this day, HEI continues to influence and dominate over Hawaii's business and energy landscapes.

You don't have to look far to see what HEI leadership has done for Hawaii lately.

On Molokai we pay 400% the national average for electricity. We have zero grid-scale renewable projects deployed. Zero. Do you remember HEI's promise that Molokai would be their first island to go 100% renewable... by 2022?

This ole-boy style of rewarding corporate execs with public advocacy positions... It's hurtful, disrespectful and obviously counterproductive in this day and age.

Naomi Kuwaye has had a stellar career at HEI. She has shown a deep commitment to big developers and has fought for years to strengthen the corporate rights of her employer.

How can we expect this person to fight for families getting their lights turned off?

Please find us a utilities expert with a history of work in energy justice and equity. Do not let Gov Ige's special interests send Hawaii backwards now.

Sincerely,
Todd Yamashita

Yamashita is a fourth generation resident of Molokai and father of two boys. Yamashita sailed on the Hokule'a Worldwide Voyage, is board president of Ho'ahu Energy Cooperative Molokai, publisher of the Molokai Dispatch, Molokai operations manager for Hawai'i Marine Animal Response, and is a published children's book author, an instructor, and curriculum developer for Molokai youth and young adults.

GM-754

Submitted on: 4/11/2022 9:28:44 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
JON BRODZIAK	Individual	Oppose	Written Testimony Only

Comments:

I am writing to oppose the nomination of Naomi Kuwaye.

She is a corporate lawyer, and probably a good one at that.

But she has a track record of taking actions which are not good

for the environment. Such as, representing NextEra Energy in its attempted \$4.3 billion takeover of Hawaiian Electric Industries which was rejected by the PUC because the merger was a very bad idea and lacked any commitment to Hawai'i's clean energy goals.

We do not need corporate lawyers like Kuwaye representing Hawaiians on the PUC.

Foxes cannot be good guardians of hen houses. Reject this nomination for the common good!

Sincerely yours,

Jon Kenton Tarsus Brodziak



Imanaka Asato
A LIMITED LIABILITY LAW COMPANY

April 11, 2022

Senator Rosalyn H. Baker, Chair
Senator Stanley Chang, Vice Chair
Members of the Senate Committee on Commerce
and Consumer Protection
Thirty-First Legislature
Regular Session 2022

RE: GM 754 - Submitting for consideration and confirmation to the Public Utilities Commission, Gubernatorial Nominee, NAOMI KUWAYE for a term to expire 06-30-2028

Hearing Date: April 13, 2022 at 9:30 a.m.

Aloha Chair Baker, Vice Chair Chang and Members of the Committee on Commerce and Consumer Protection,

Thank you for the opportunity to express my strong support for GM 754, nominating Naomi Kuwaye's to the Hawaii Public Utilities Commission ("PUC").

I have known Naomi for over twenty-five years. We practiced together at the same law firm for several years, and so I have personally witnessed and experienced the breadth of her knowledge, skill and professionalism in the areas of land use and environmental, public utilities and administrative law. Over the years Naomi has gained valuable experience with public utility regulation and compliance in federal, state and local regulations.

The PUC's mission to ensure proper oversight of essential utility services are delivered in a "safe, reliable, economical, and environmentally sound manner." To achieve this mission, it is imperative to have a commissioner experienced with public utilities laws and regulations, as well as the foresight to implement the strategic plan. With her vast experience practicing in the areas of environment and energy, telecommunications and wastewater regulation before the PUC, Naomi would certainly be able to fill this role and would be an asset to the PUC.

For these reasons, I strongly urge you to support GM 754 and confirm Naomi's appointment as a PUC commissioner.

Mahalo,

Kimberley Yoshimoto

April 13, 2022

Senator Rosalyn H. Baker, Chair
Senate Committee on Commerce and Consumer Protection
State Capitol
415 South Beretania Street
Honolulu, HI 96813

GM 754 – Submitting for consideration and confirmation to the Public Utilities Commission, Gubernatorial Nominee, NAOMI KUWAYE, for a term to expire 06-30-2028.

Aloha Chair Baker, Vice Chair Chang, and members of the Committee,

My name is Luis P. Salaveria, and I would like to express my **STRONG SUPPORT** for nominee Naomi Kuwaye for the role of Commissioner on the Public Utilities Commission. I have had the opportunity to work with Ms. Kuwaye for the past 4 years and have found her to be a person of strong integrity and exceptional work ethic. She has shown throughout her career that she understands the role the PUC plays in the State's regulatory process and has always approached her role in the most judicial and objective manner. I believe she possesses all the necessary experience and knowledge to help the State achieve its regulatory goals to the benefit of all ratepayers and residents of the State of Hawaii.

Thank you for the opportunity to provide my testimony,

Luis P. Salaveria

GM-754

Submitted on: 4/11/2022 12:57:39 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Wayne Nasser	Individual	Support	Written Testimony Only

Comments:

This is filed in enthusiastic support of Naomi U Kuwaye, Esq., for a position on the Board of the PUC.

I have worked with Naomi for several years and have found her to be smart, experienced, an able speaker and a good listener. She believes in public service. She has all of the qualities that you would want for this position.

I support her without any reservation and commend her to your serious consideration,

W Nasser

GM-754

Submitted on: 4/11/2022 1:11:28 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Oppose	Written Testimony Only

Comments:

loha Chair Baker and members of the committee,

My name is Diane Ware and I am a resident of Ka'u Moku, Ahupua'a of Keauhou. I am very concerned about conflicts of interest in government and business. I am testifying in opposition to the nomination of Naomi Kuwaye to serve as commissioner for the Hawai'i Public Utilities. This seat plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system. Please deeply consider Ms. Kuwaye's long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua's biofuel plant proposal. As someone who has represented the very entities she should be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide.

Please vote down this nomination. We the residents must endure your decisions and will be affected in this case at the pocketbook, the health of our island ecosystems and future generations.

Mahalo for the opportunity to testify.

Diane Ware, 99-7815 Kapoha Pl, Volcano Hi 96785



April 11, 2022

Hon. Rosalyn H. Baker
Hawaii State Capitol, Room 230
415 S. Beretania Street
Honolulu, Hawaii 96813

Re: Committee on Commerce and Consumer Protection
GM754: Nomination of Naomi U. Kuwaye

Dear Senator Baker:

I write in support of the nomination of Naomi Kuwaye to serve as a member of the Public Utilities Commission.

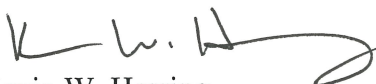
I am a partner with Ashford & Wriston, LLLP and in that capacity have had the privilege to work with Naomi as my colleague since July of 2012. Over the course of the last decade I have been uniformly impressed by Naomi's integrity, professionalism, strong work ethic and comprehensive knowledge of environmental law and related issues. I particularly appreciate Naomi's enthusiasm in tackling new matters and developing practical solutions to complex problems.

Naomi works well independently and as a member of a team. She has excellent communication and analytical skills and is able to easily converse with others from diverse backgrounds and points of view. Naomi is open-minded, practical and even-tempered. She can also be firm, when necessary, in a manner that is both respectful and persuasive.

Naomi will be a tremendous asset to the Public Utilities Commission and I respectfully urge that the Committee support her nomination.

Very truly yours,

ASHFORD & WRISTON
A Limited Liability Law Partnership LLP

By 
Kevin W. Herring

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April 11, 2022

TESTIMONY IN SUPPORT OF GM754, NOMINATION OF NAOMI KUWAYE TO THE PUBLIC UTILITIES COMMISSION BEFORE THE SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Hearing Date: April 13, 2022

Senator Rosalyn Baker, Chair and Members of the Committee:

My name is Delmond Won and I would like to take this opportunity to submit testimony in support of the nomination of Naomi Kuwaye to the Hawaii Public Utilities Commission.

As background, I have previously served as a member of the Hawaii Land Use Commission, a member of the Federal Maritime Commission and as Executive Officer of the Public Utilities Commission.

I have known Ms. Kuwaye for the past 30 years and have had the chance to observe her work representing clients while I served on the Hawaii Land Use Commission as well as while I served as Executive Officer of the Public Utilities Commission.

I've observed many parties appearing before the agencies I served take the approach whereby the parties equated the "public interest" with their own interests.

What differentiates Ms. Kuwaye is that while I recognized her obligation to her clients, she consistently demonstrated an awareness of the obligations of her clients to ultimately serve the "public interest" and that the "public interest" was always the priority.

I've known Ms. Kuwaye to keep an open mind and consistently balance the interests of her clients with the "public interest" and believe that her commitment and ability to maintain that oftentimes delicate balance will prove to be a much valued asset to the Public Utilities Commission.

Given my familiarity with Ms. Kuwaye's professionalism and temperament, I support her nomination without any reservations.

Thanks you for this opportunity to testify.

GM-754

Submitted on: 4/11/2022 3:03:02 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Carolyn Eaton	Individual	Oppose	Written Testimony Only

Comments:

Aloha, Chair Baker, Vice Chair Chang and members of the Committee,

My name is Carolyn Eaton and I strongly oppose this nomination. There's no evidence that this individual has the interest of the public at heart. The PUC will tackle issues of great importance to our State's moving toward clean energy. These are "pocketbook" issues which effect Hawaii's families. The experience of a corporate attorney is not the best match for the job of ruling on just public policy.

Mahalo for the opportunity to voice my opinion.

GM-754

Submitted on: 4/11/2022 3:15:04 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Baker, Vice Chair Chang, and members of the Senate Commerce and Consumer Protection Committee,

My name is Will Caron. I am a resident of Pālolo testifying in opposition to the confirmation of Naomi Kuwaye to the Public Utilities Commission. The commission plays a crucial role in protecting ratepayers, local communities and resources by acting as a check on our profit-driven, monopolistic energy system.

Please deeply consider the need for commissioners who are willing and able to ensure that corporate utilities and developers address the concerns and needs of the public and communities most impacted by their projects.

With a long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua’s biofuel plant proposal—I am very concerned about the nominee’s ability to recognize and understand community concerns that must be prioritized in regulatory decision- making.

Please ensure that our commissioners understand the need for equity and justice in our energy system. Mahalo for the opportunity to testify.

Sincerely,

Will Caron
Senate District 10

GM-754

Submitted on: 4/11/2022 3:57:12 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Francis Hogan	Individual	Support	Written Testimony Only

Comments:

I wholeheartedly support Ms. Kuwaye's nomination and urge she be confirmed to the Public Utilities Commission. Ms. Kuwaye has a wealth of experience that will be invaluable to the Commission. She evinces the highest ethical standards and will be a credit to the Commission, to the Governor who nominated her and the members of the Senate who vote to confirm her to her position on the Commission.

Statement of
LEO R. ASUNCION, JR.
before the
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Wednesday, April 13, 2022

9:30 AM

State Capitol, Conference Room 229

in consideration of

Governor's Message (GM) 754

Chair Baker, Vice Chair Chang, and Members of the Senate Committee on Commerce and Consumer Protection.

I strongly support Governor David Y. Ige's nomination of Ms. Naomi Kuwaye to serve as a member of the Public Utilities Commission.

I have known Ms. Kuwaye for 30 years, and as an attorney, she has demonstrated competency of not only administrative law, but also land use law, environmental law, and utility law, all of which from time to time intersects with the majority of matters before the Public Utilities Commission.

The legal knowledge that Ms. Kuwaye would bring to the Public Utilities Commission will be welcome in the deliberations and discussions that the Commission has with the variety of stakeholders that come before the Commission and ensures a robust regulatory and decision-making process.

As noted, I have personally known Ms. Kuwaye for some time now, and her even-keeled demeanor and collaborative nature are a few of her many assets, and she continues to demonstrate the highest level of leadership. Ms. Kuwaye has gained my trust as a colleague and friend, and I have the utmost faith that she will continue to demonstrate her high level of leadership in matters before the Public Utilities Commission.

I respectfully encourage the Committee to advise and consent to the nomination of Ms. Naomi Kuwaye as a member of the Public Utilities Commission.

Thank you for the opportunity to provide testimony on GM 754.

GM-754

Submitted on: 4/11/2022 4:33:50 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Oppose	Written Testimony Only

Comments:

I have strong concerns regarding the nomination of Naomi Kuwaye to serve as commissioner for the Hawai'i Public Utilities Commission. The Commission plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system. Please deeply consider the need for commissioners who are willing and able to ensure that corporate utilities and developers address the concerns and needs of the public and communities most impacted by their projects. With a long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua's biofuel plant proposal—I am very concerned about the nominee's ability to recognize and understand community concerns that must be prioritized in regulatory decision-making.

Please ensure that our commissioners understand the need for equity and justice in our energy system. Mahalo for the opportunity to testify.

GM-754

Submitted on: 4/11/2022 5:19:43 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Hanna Michaud	Individual	Oppose	Written Testimony Only

Comments:

Dear Committe Members,

My name is Hanna Michaud, I am a resident of Hawaii and am in strong opposition to Naomi Kuwaye being nominated for the the Public Utility Commission. She has a track record of being pro developer and pro utility, which is a huge conflict of interest, proving that she has little to no concern for environmental justice issues and community concern, and values corporate profit over all else. As someone who has represented the very entities she should be regulating, there is very little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide.

Please vote down this nomination.

Mahalo

GM-754

Submitted on: 4/11/2022 5:28:07 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Roseann Michaud	Individual	Oppose	Written Testimony Only

Comments:

Dear Comitte Members,

I am a resident of Hilo and am testify in strong opposition to the nomination of Naomi Kuwaye to serve on the PUC. Ms. Kuwaye's record of respresenting developers and cooperative utilities, like Hu Honua, shows that she is not the right choice to represent the interests of the people or the environment over that of coorprate profits. As someone who has represented the entities she should be regulating, there is little asuurance that Ms. Kuwaye will provide meaningful oversight the PUC is desgned to provide.

Sincerely,

Roseann Michaud

GM-754

Submitted on: 4/11/2022 5:51:28 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
cheryl B.	Individual	Oppose	Written Testimony Only

Comments:

I oppose this person's nomination.

Mrs. Kuwaye's extensive track record representing corporate utilities and developers is extremely concerning to the Kahuku community. Therefore, it should be concerning to us all.

Puananionaona Patria Thoene
onaona.thoene@gmail.com

Testimony of Puananionaona P. Thoene before the
**SENATE COMMITTEE ON COMMERCE AND
CONSUMER PROTECTION**

Wednesday, April 13, 2022
9:30 am
Conference Room 229 &
videoconference

testimony in **SUPPORT** on
GOVERNOR'S MESSAGE (GM) 754
SUBMITTING FOR CONSIDERATION AND CONFIRMATION
TO THE PUBLIC UTILITIES COMMISSION GUBERNATORIAL
NOMINEE NAOMI KUWAYE

April 11, 2022

Aloha e Chair Baker, Vice Chair Chang, and Members of the Senate Committee on
Commerce and Consumer Protection,

I submit testimony in **support** of GM 754, appointing Ms. Naomi Kuwaye to the Public
Utilities Commission for a term to expire on June 30, 2028.

The Public Utilities Commission would benefit greatly in having someone with legal
experience in land use, permitting, and environmental law, as well as a practical understanding
of the development of utility scale energy projects. Ms. Kuwaye has such expertise. For these
reasons, I support her nomination to the Public Utilities Commission.

Mahalo for the opportunity to testify on this measure and for your consideration of her
nomination.

GM-754

Submitted on: 4/11/2022 7:55:33 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
K. Piltz	Individual	Support	Written Testimony Only

Comments:

Dear Chair Baker and Committee Members:

RE: GM754 Submitting for consideration and confirmation to the Public Utilities Commission, Gubernatorial Nominee, Naomi Kuwaye, for a term to expire 06-30-2028.

I stand in strong support of Gubernatorial Nominee Naomi Kuwaye to the Public Utilities Commission.

Ms. Kuwaye is a gifted and talented hard worker, who will bring a unique but well informed perspective to the Public Utilities Commission (PUC). Her decision making is always based on fairness and equity, but is very balanced. Given the area of law that she has practiced for many years, Ms. Kuwaye has always provided her clients with advice that has been well researched and based on sound principles. She has a way of grasping issues right way and is able to understand amongst the noise of a hearing, what is important and what is not.

I believe that Ms. Kuwaye will work well with the current commissioners, while providing leadership for the Commission and the Commission's staff. Ms. Kuwaye is a natural leader, who understands the roles of businesses and government in a quasi-judicial setting, and who can use that understanding in her role as a Commissioner to provide direction for the many constituents who work with the PUC and who depend upon the PUC's decision making to make informed decisions on projects that are important to the State.

I have worked with Ms. Kuwaye on many different types of issues throughout our careers. I believe that she will be an outstanding commissioner and strongly support her nomination to the Public Utilities Commission.

Thank you for this opportunity to testify.

Karen Piltz

GM-754

Submitted on: 4/12/2022 6:46:09 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mihoko Ito	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Baker and members of the Committee,

I write this testimony in strong support of the nomination of Naomi Kuwaye for the Public Utilities Commission. Naomi and I have been colleagues for 10 years, since we joined the Ashford & Wriston law firm. During that time, we have worked together as colleagues on several legal and firm administration matters. Naomi would be an excellent addition to the PUC. She has an exemplary character - she is diligent and hard working, and is a very accomplished and competent attorney with a wide breadth of experience. I have found Naomi to have excellent judgment and have sought out and appreciated her practical advice on many different issues over the years. She has a very direct approach to working with clients, who respect her command of legal issues but also her comprehensive, experience-based guidance. Her temperament would be very well-suited for the quasi-judicial role a Commissioner must play. For these reasons, I strongly support Naomi Kuwaye's nomination and respectfully ask that the Committee advise and consent to her nomination to the PUC.

Thank you very much for the opportunity to submit this testimony.

Mihoko Ito



ASHFORD + WRISTON
A LIMITED LIABILITY LAW PARTNERSHIP LLP

April 9, 2022

Senator Rosalyn H. Baker
Chair, Committee on Commerce and Consumer Protection
State Capitol
415 South Beretania Street, Suite 231
Honolulu, Hawaii 96813

Re: GM 754 - Submitting for consideration and confirmation to the Public Utilities Commission, Gubernatorial Nominee, NAOMI KUWAYE, for a term to expire 06-30-2028

Dear Chair Baker and Members of the Committee on Commerce and Consumer Protection:

I write in strong support Naomi Kuwaye's nomination to serve on the Public Utilities Commission ("Commission"). I have worked with Naomi for the past few years at Ashford & Wriston, LLP. I regard her as an expert in utility regulatory law, as well as in land use law, permitting and environmental law. Her professional background in varied legal areas will bring depth and expertise to the Commission to enhance its vision, mission, values and goals and objectives to serve the people of Hawaii. Naomi also has a strong work ethic and a commitment to excellence, both traits which will serve her well on the Commission.

I believe that Naomi will make a significant contribution as a Commissioner, and I urge the Committee to confirm her nomination.

Please call me at 539-0435 should you have any questions.

Very truly yours,

Terri Ann M.K. Motosue, Esq.

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First Hawaiian Center / 999 Bishop Street, Suite 1400 / Honolulu, HI 96813

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GM-754

Submitted on: 4/11/2022 8:00:22 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacob Franco	Individual	Oppose	Written Testimony Only

Comments:

Aloha

Our infrastructure of O'ahu island so far behind the we only think of it as after thought where we build and build not thinking of balance between amount of people living on the island and the space and resource the island gives. With the RED HILL incident we see that one WATER WELL feeds all of metro Honolulu area and more. Same with going GREEN ENERGY we build and build making it more harder to reach the goal of carbon neutral future. When going forward to GOAL CARBON NEUTRAL we need the think about the communities it impacts and also keeping hawaiian culture in mind. So I OPPOSED GM754 nominating Naomi Kuyawe to the PUC. History(record) shows that Mrs. Kuwaye she doesn't listen to community or culture she only see helping the corporate utilities(AES). As we all seen of what happen to Kahuku people and community. We need a leader that balance all THREE THE PEOPLE, CULTURE, AND FUTURE cause we want to leave something better for the future childern not more problems.

Thank You, Mahalo

GM-754

Submitted on: 4/12/2022 5:38:32 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Noreen Dougherty	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Baker and members of the committee,

My name is Noreen Dougherty and I am a resident of Kauai testifying in opposition to the nomination of Naomi Kuwaye to serve as commissioner for the Hawai'i Public Utilities. This seat plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system. Please deeply consider Ms. Kuwaye's long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua's biofuel plant proposal. As someone who has represented the very entities she should be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide.

Please vote down this nomination. Mahalo for the opportunity to testify.

GM-754

Submitted on: 4/12/2022 8:11:32 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ana Giliberti	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Baker, Vice Chair Chang, and members of the Senate Commerce and Consumer Protection Committee,

My name is Ana Giliberti and I am a resident of Honolulu testifying with strong concerns regarding the nomination of Naomi Kuwaye to serve as commissioner for the Hawai'i Public Utilities Commission. The Commission plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system. Please deeply consider the need for commissioners who are willing and able to ensure that corporate utilities and developers address the concerns and needs of the public and communities most impacted by their projects. With a long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua's biofuel plant proposal—I am very concerned about the nominee's ability to recognize and understand community concerns that must be prioritized in regulatory decision-making.

Please ensure that our commissioners understand the need for equity and justice in our energy system. Mahalo for the opportunity to testify.

Sincerely,

Ana Giliberti

April 11,2022

Senate Committee Commerce and Consumer Protection

Chair, Senator Rosalyn H. Baker Vice Chair, Senator Stanley Chane

Members: Senator Lynn DeCoite, Senator Clarence K Nishimura, Senator Gil Riviere

Senator Joy S San Buenaventura, Senator Kurt Fevella

RE: NAOMI KUWAYE, PUBLIC UTILITIES COMMISSION

Aloha Chair Baker, Vice Chair Chang, and members of the Senate Commerce and Consumer Protection Committee:

My name is Patty Kahanamoku Teruya, Chair of the Nanakuli-Maili Neighborhood Board No 36 and a O'ahu Department of Hawaiian Homelands Commissioner, testifying myself and not representing the organizations which I serve.

My testifying with strong concerns regarding the nomination of Naomi Kuwaye to serve as Commissioner for the Hawai'i Public Utilities (PUC), Commission. The PUC Commission plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system.

The Wai'anae Coast has been unfairly burdened by an exhausting amount of power facilities that have harmed the quality of life for our residents and resources. We need a balanced, distributed energy system where community consultation is put at the forefront of siting approaches. Unfortunately, the work experience of the nominee demonstrates a focus on utility-scale development for corporate entities and major developers at the cost of our precious 'āina and community wellbeing.

Please deeply consider the need for Commissioners who are willing and able to ensure that corporate utilities and developers address the concerns and needs of the public and communities most impacted by their projects. With a long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history -- I am very concerned about the nominees ability to recognize and incorporate community concerns that must be prioritized in regulatory decision-making.

I ask that you please ensure that our commissioners understand the need for equity and justice in our energy system. Mahalo for the opportunity to testify.

Mahalo Pono,
Patty Kahanamoku-Teruya

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

TO THE
SENATE COMMITTEE ON
COMMERCE AND CONSUMER PROTECTION

April 13, 2022
9:30 a.m.

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

MEASURE: G.M. No. 754

TITLE: Submitting for consideration and confirmation to the Public Utilities Commission, Gubernatorial Nominee, NAOMI KUWAYE, for a term to expire 06-30-2028.

Ms. Kuwaye has an extensive legal background that has prepared her to serve on the Public Utilities Commission. She has stepped forward at this time in her career to serve the public and I request that you consider her nomination favorably.

Thank you for the opportunity to testify in support of the nominee.

GM-754

Submitted on: 4/12/2022 9:26:05 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
David Z. Arakawa	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Baker, Vice Chair Chang and CPN Committee Members,

This is to express strongest support for the nomination of Ms. Naomi Kuwaye to the Public Utilities Commission (PUC).

I have worked with Ms. Kuwaye over the past 20 years in areas relating to environmental, natural resources, land use, public utilities and administrative law, and have found her to be an intelligent, diligent, fair, and trustworthy advocate and problem-solver. She does her homework and is focused on solutions that will improve the quality of life for Hawaii.

Ms. Kuwaye's skills, experience, and proven legal track record will benefit the PUC with the challenges facing Hawaii's renewable energy future, climate change, and resiliency.

If you have any further questions, please feel free to contact me at dave.arakawa@gmail.com.

Very truly yours,

David Z. Arakawa, Esq.

TO THE SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2022

WEDNESDAY, APRIL 13, 2022
9:30 A.M.



TESTIMONY OF DEAN NISHINA TO THE HONORABLE ROSALYN BAKER, CHAIR,
AND MEMBERS OF THE COMMITTEE

GM 754 – RELATING TO THE NOMINATION OF NAOMI KUWAYE TO BE
CONFIRMED AS A COMMISSIONER ON THE PUBLIC UTILITIES COMMISSION

I offer the following comments on the nomination of Naomi Kuwaye as a commissioner on the Hawaii Public Utilities Commission (Commission).

I have participated in the regulation of utilities and transportation companies before the Commission for many years in several different roles while employed at the Division of Consumer Advocacy. In that capacity, I have a well-informed understanding of the Commission's role relating to regulated services that Hawaii, its residents, and its businesses rely upon in their daily lives and operations. This testimony is not provided in an official capacity but from a personal perspective as it relates to the nomination of a new commissioner. Due to the importance of the Commission's role, it is important that the commissioners are qualified individuals with the ability to objectively consider disparate viewpoints, evaluate increasingly complex issues, and reach a decision in the public interest.

As noted by her resume, Ms. Kuwaye has considerable legal experience and connections to Hawaii. She has also appeared on behalf of utility companies before the Commission and, thus, has applicable knowledge of the Commission's procedures and some of the issues that may arise before the Commission, which should be helpful in her transition to commissioner, if confirmed. While I have not had the pleasure of personally discussing Ms. Kuwaye's perspective on being a commissioner, I am hopeful that she will bring a balanced approach and consider the need to protect consumers' interests in evaluating the many increasingly complex matters that are before the Commission, if confirmed. I look forward to working with Ms. Kuwaye as a commissioner to protect the public interest and to advance consumers' interests in all matters before the Commission.

Thank you for this opportunity to testify.



LATE

April 12, 2022

To: The Honorable Rosalyn H. Baker, Chair
The Honorable Stanley Chang, Vice Chair
Members of the Senate Committee on Commerce and Consumer Protection

From: Benjamin A. Kudo
Ashford & Wriston
999 Bishop Street, Suite 1400
Honolulu, Hawaii 96813

RE: GM-754 – Consideration and confirmation to the Public Utilities Commission,
Gubernatorial Nominee, NAOMI KUWAYE - **SUPPORT**.
Hearing date: Wednesday, April 13, 2022
Hearing time: 9:30 a.m.
Conference Room 229 & Videoconference

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

I respectfully ask for your favorable consideration and the support of your Committee members on the appointment of Ms. Naomi Kuwaye to the Public Utilities Commission.

I have known Ms. Kuwaye for over 30 years. I hired her as an associate attorney in my Land Use & Planning, Environmental and Administrative law unit many years ago. Ms. Kuwaye subsequently became a partner at the law firm we were at, and has since developed her practice area in regulatory matters before the Public Utilities Commission. She is a person of high integrity, compassion and intelligence and has the capability to meet the challenges of this position. Ms. Kuwaye will faithfully carry out her responsibilities as a member of the Public Utilities Commission.

Based on the foregoing, I recommend with no reservation your favorable consideration of Ms. Naomi Kuwaye for the aforementioned position. She is a person who will prove to be worthy of your support.

MAILING ADDRESS

Post Office Box 131 / Honolulu, HI 96810

STREET ADDRESS

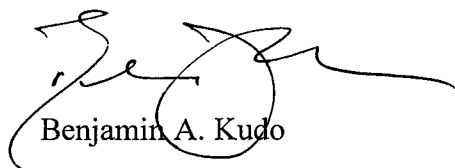
First Hawaiian Center / 999 Bishop Street, Suite 1400 / Honolulu, HI 96813
T 808.539.0400 / F 808.533.4945 / E atty@awlaw.com / www.ashfordwriston.com

The Honorable Rosalyn H. Baker, Chair
The Honorable Stanley Chang, Vice Chair
Members of the Senate Committee on Commerce and Consumer Protection
April 12, 2022
Page 2

Thank you for your consideration and I respectfully urge your Committee's support to confirm her nomination.

Very truly yours,

ASHFORD & WRISTON

A handwritten signature in black ink, appearing to read "Benjamin A. Kudo", written over a circular stamp or seal.

BAK:st

LATE

GM-754

Submitted on: 4/12/2022 10:44:19 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Patricia Greene	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Please Give Careful Consideration for Supporting this Person. She is the Same Old Group of Settlers Whom Have NO RESPECT For We The INDIGENOUS Hawaiian First Peoples.

We Must Stop This Total Illegal Control of WE THE NA KANAKA Were ILLEGALLY OVERTHROWN AS A KINGDOM Recognized By Over 60 Other NATIONS.

OUR QUEEN THROWN INTO HER ROOM IN HER OWN PALACE IMPRISONED OVER A YEAR.

THEN THE ILLEGAL OVERTHROW CONTINUES UNTIL NOW !!!!

WE ARE FINISHED BEING USED, ABUSED, SMASHED, BASHED THEN TRASHED !

OUR GRANDPARENTS ALL THROWN OFF THEIR NATIVE LANDS.
THEIR LIVES TAKEN AWAY FOREVER NOT ALLOWED TO EVEN SPEAK, PRACTICE THEIR RELIGIOUS BELIEFS, CULTURAL ACTIONS OR ANYTHING RELATED TO BEING A HAWAIIAN.

THE GENOCIDE IS O V E R !

LATE

GM-754

Submitted on: 4/12/2022 11:52:37 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lorraine Akiba	Individual	Support	Written Testimony Only

Comments:

Honorable Chair Baker and Members of the CPN Committee- I am submitting testimony in strong support of the nomination of Naomi Kuwaye to serve on the Hawaii Public Utilities Commission.

Ms. Kuwaye is a respected lawyer with recognized expertise in energy, telecommunications, water utility and land use regulation. She will add value to the commission with her legal experience. She also possesses the skills and temperament to fulfill a commissioner's adjudicatory duties and responsibilities on complex docket matters.

Thank you for the opportunity to submit testimony in support of her nomination.

Aloha,

Lorraine H Akiba

President /CEO, LHA Ventures

LATE

GM-754

Submitted on: 4/12/2022 6:25:33 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
David Hunt	Individual	Oppose	Written Testimony Only

Comments:

Chair Baker, Vice Chair Chang, and members of the Senate Commerce and Consumer Protection Committee,

My name is David Hunt.

I am a taxpayer. ratepayer, resident of Honoka'a, Hawaii.

I have very strong reservations and concerns regarding the nomination of Naomi Kuwaye to serve as commissioner for the Hawai'i Public Utilities Commission.

The Commission is tasked with protecting ratepayers, local communities, and resources from an profit-driven, private monopoly energy system.

We ratepayers and taxpayers need commissioners who are willing and able to ensure that corporate utilities and developers address the concerns and needs of the public and communities most impacted by their projects.

With a history of representing the interests of corporate utilities and developers (in some bery controversial cases - including the Waiāhole Water Case, the NextEra merger, and Hu Honua's biofuel plant proposal – I am very concerned about the nominee's ability to recognize and understand community concerns and interests that must be prioritized in regulatory decision- making.

Sincerely,

David Hunt, Honoka'a

LATE

GM-754

Submitted on: 4/12/2022 8:44:55 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Culbertson	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Baker, Vice Chair Chang, and members of the Senate Commerce and Consumer Protection Committee,

I am a resident of Hawaii island and am testifying in opposition to the nomination of Naomi Kuwaye to serve as commissioner for the Hawai'i Public Utilities Commission at this time.

These are not ordinary times! *Now more than ever before we need commissioners who are responsive to the emerging science relevant to catastrophic climate change, above and beyond the classic role of commissioners in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system.*

With a long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history, including the Waiāhole Water Case, the NextEra merger, and Hu Honua's biofuel plant, I am concerned about this nominee's ability to recognize and understand community concerns and the awesome responsibility of decision-making that will affect our collective fates, not just through economic cycles, but with the future of civilization itself on these islands.

Sincerely,

R A Culbertson

Honokaa

LATE

GM-754

Submitted on: 4/12/2022 9:14:01 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Greg Puppione	Individual	Comments	Written Testimony Only

Comments:

Dear Chair Baker, Vice Chair Chang, and members of the Senate Commerce and Consumer Protection Committee,

My name is Greg Puppione and I am a resident of Honolulu testifying with strong concerns regarding the nomination of Naomi Kuwaye to serve as commissioner for the Hawai'i Public Utilities Commission. The Commission plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system. Please deeply consider the need for commissioners who are willing and able to ensure that corporate utilities and developers address the concerns and needs of the public and communities most impacted by their projects. With a long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua's biofuel plant proposal—I am very concerned about the nominee's ability to recognize and understand community concerns that must be prioritized in regulatory decision-making.

Please ensure that our commissioners understand the need for equity and justice in our energy system. Mahalo for the opportunity to testify.

Sincerely,

Greg Puppione

LATE

GM-754

Submitted on: 4/13/2022 12:58:43 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sharlette Poe	Individual	Comments	Written Testimony Only

Comments:

Aloha Chair Baker, Vice Chair Chang, and members of the Senate Commerce and Consumer Protection Committee,

My name is Sharlette Poe and I am a resident of the Waianae Moku testifying with considerable concerns regarding the nomination of Naomi Kuwaye to serve as commissioner for the Hawai'i Public Utilities.

Although, Nominee Kuwaye might have extensive industry knowledge and experience her long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua's biofuel plant proposal—has me very concerned. I question the Nominee's ability to recognize and understand community concerns that must be prioritized in regulatory decision-making.

Please ensure that in the selection of our commissioners the consistency of practice is to also ensure their work/professional background shows their understanding not only of the need for equity and justice in our energy system but also value the leadership and local expertise of community members by incorporating our voices through regulatory practices, procedures, and decision-making.

The Commission plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system. Again I ask that you please consider the need for commissioners who are willing and able to ensure that corporate utilities and developers address the concerns and needs of the public and communities most impacted by their projects, and who have proven and exhibited their experience in accomplishing this in their work history.

Mahalo for the opportunity to testify.



GM-754

Submitted on: 4/13/2022 5:19:23 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Bianca Isaki	Individual	Oppose	In Person

Comments:

Aloha,

Please do not confirm Kuwaye as a PUC commissioner. Her and her firm's many conflicts will beleaguer proceedings. I am testifying in my personal capacity but represent community groups before the PUC. The time, money, and emotional labor that goes into calling for a decisionmaker's recusal is substantive. It's taxing to have to start a proceeding by challenging the decisionmaker. Please consider the repercussions on community advocates in your confirmation decision today. Mahalo.

LATE

GM-754

Submitted on: 4/13/2022 7:18:29 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ariel Murphy	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Baker and the other commissioners! The PUC plays a very crucial role not only in the progress of Hawaii nei but also in the preservation, conservation and protection of its natural environment. For Hawaii to remain the Hawaii as we know now or as people remember it in the past, it is imperative to maintain Hawaii's pristine environment and ecology as much as possible. In that regard, all, if not most in the PUC need to be very conscious of the environmental call of our times -- conserve, protect, preserve! Most if not all PUC commissioners need to have that mindset and temper the inclusion among its ranks of those who are singularly focused on development, at the expense of Hawaii's environment. In that regard please re-consider the appointment of those with a record of working for developers and/or corporations. Including them among the ranks of the PUC would be much like putting a fox in charge of the henhouse. We look to you to protect us, our environment and our whole State. My name is Ariel Murphy and I am a resident of Hawaii Island. MAHALO and ALOHA!

LATE

GM-754

Submitted on: 4/13/2022 7:38:43 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Shannon Rudolph	Individual	Oppose	Written Testimony Only

Comments:

STRONGLY OPPOSE!!!

LATE

GM-754

Submitted on: 4/12/2022 8:21:41 PM

Testimony for CPN on 4/13/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
William Reese Liggett	Testifying for Oahu Group, Sierra Club	Oppose	Written Testimony Only

Comments:

Dear Chair Baker, Vice Chair Chang, and members of the Senate Commerce and Consumer Protection Committee,

- 1. name is William Reese Liggett and I am a resident of 4947 Maunalani Circle, Honolulu 96816 testifying with strong concerns regarding the nomination of Naomi Kuwaye to serve as commissioner for the Hawai'i Public Utilities Commission. The Commission plays a crucial role in protecting ratepayers, local communities, and resources from an otherwise monopolistic profit-driven energy system. Please deeply consider the need for commissioners who are willing and able to ensure that corporate utilities and developers address the concerns and needs of the public and communities most impacted by their projects. With a long track record of representing the interests of corporate utilities and developers in some of the most controversial cases in recent history—including the Waiāhole Water Case, the NextEra merger, and Hu Honua's biofuel plant proposal—I am very concerned about the nominee's ability to recognize and understand community concerns that must be prioritized in regulatory decision-making.*

Please ensure that our commissioners understand the need for equity and justice in our energy system. Mahalo for the opportunity to testify.

Sincerely,

William Reese Liggett

Committee on Commerce and Consumer Protection
Senate Chambers
415 S Beretania St.
Honolulu, HI 96813



April 12, 2022

Aloha Chair Baker, Vice-Chair Chang, and members of the Committee,

We are writing to share our strong concerns in opposition regarding Governor Ige's recent nomination of corporate attorney Naomi Kuwaye to serve as a commissioner on the Hawai'i Public Utilities Commission for a six-year term, 2022-28. We urge you to consider voting down this nomination.

Although Kuwaye has a breadth of experience in energy litigation, mergers, and regulation, her track record of working on behalf of corporate utilities and private developers shows no commitment to or experience with environmental justice issues and community concerns; both are critically important in PUC decision-making.

Ms. Kuwaye has worked on controversial cases, which raise concerns about her commitment to environmental justice:

- Represented NextEra Energy in an attempted \$4.3 billion takeover of Hawaiian Electric Industries. This was rejected by the PUC because they felt the merger was not in the public interest and that the companies failed to demonstrate adequate benefits for residents and a commitment to Hawai'i's clean energy goals.
- Consulted Hu Honua Bionergy, to evaluate land use and regulatory compliance forestry issues associated with their operations, so Hu Honua could burn trees for electricity on Hawai'i Island. Communities have been fighting the project due to the extensive pollutants, water needed, and emissions from these operations.
- Represented Hawaiian Electric Light Co. at the Supreme Court during a long community fight over HELCO's proposed Keahole Power Plant. The Board of Land and Natural Resources had a mixed vote for and against the project. The court [ruled](#) in favor of HELCO.
- Represented major corporate developer D.R Horton in their attempt to rezone 1553 acres of agricultural land to urban on O'ahu; and Shopoff Group on Hawai'i Island when they wanted to urbanize 127.94 acres of agricultural land.
- More examples of Ms. Kuwaye's involvement in controversial energy projects [can be found here](#).

Kuwaye's current employer, Ashford & Wriston LLP says they "have one of the most experienced practices focused on project development, project finance and construction. Our

firm has been engaged in a broad range of energy transactions involving utility-scale solar projects, hydro, geothermal and other significant renewable energy projects.”

In recent years, the PUC has been putting pressure on our utility to consider broader public interests, and not just shareholders’ profits. They even held historic listening sessions with community leaders in West O’ahu and on Hawai’i Island to understand their concerns with utility-scale development that may come at a high cost to ‘āina and surrounding communities. The current Commissioners realize that our transition into renewable energy cannot take place by replicating the same injustices and ignoring disproportionate impacts to marginalized communities, like the AES wind farm in Kahuku or the toxic facilities that continue to burden communities in West O’ahu and in Keaukaha and Pana’ewa.

The PUC’s mission is to be “transparent, accessible, and timely regulatory oversight, while working collaboratively with customers, stakeholders, and the general public.” As someone who has represented the very entities she should be regulating, there is little assurance that Ms. Kuwaye will provide the meaningful oversight the PUC is designed to provide.

Thank you for your deep consideration of this important request not to confirm Naomi Kuwaye to serve as commissioner.

Sincerely,
Energy Justice Hawai’i Hui

Organizations Signed-On:

350Hawaii
Americans for Democratic Action
Climate Protectors Hawaii
Hawaii Climate Coalition
Hawai’i Youth Climate Coalition
Ho’āhu Energy Cooperative Moloka’i
Justice Warriors (Hawai’i Island)
Kahuku Community Association
Kauai Climate Action Coalition
KauaiEV
Kauai Women’s Caucus
Malama Hamakua
Our Revolution Hawai’i
Sierra Club of Hawai’i
Shake Energy Collaborative
West Maui Preservation Association
Young Progressives Demanding Action
Zero Waste Hawai’i Island



**SIERRA CLUB
OF HAWAII**

Mālama Hāmākua



GM-754

Submitted on: 4/13/2022 9:41:56 AM

Testimony for CPN on 4/13/2022 9:30:00 AM

LATE

Submitted By	Organization	Testifier Position	Testify
Lori Buchanan	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE GM754