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December 28, 2023

The Honorable Ronald D. Kouchi,
President and Members
of the Senate
Thirty-Second State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Scott K. Saiki,
Speaker and Members of
the House of Representatives
Thirty-Second State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

For your information and consideration, I am transmitting a copy of the **Public Utilities Commission's Report to the 2024 Legislature Relating to the Removal of Abandoned or Double Utility Poles, Lines, and Equipment pursuant to House Concurrent Resolution 41, SD1, and House Resolution 45, Regular Session of 2023.**

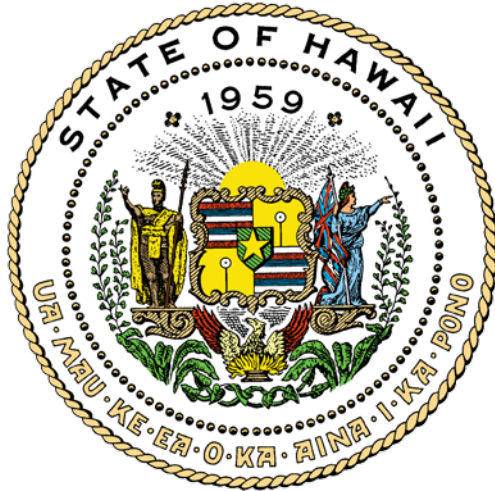
In accordance with Section 93-16, Hawaii Revised Statutes, I am also informing you that the report may be viewed electronically at <https://puc.hawaii.gov/reports/>.

Sincerely,

A handwritten signature in black ink, appearing to read "Leodoloff R. Asuncion".

Leodoloff R. Asuncion
Chair

Enclosures



**STATE OF HAWAII
PUBLIC UTILITIES COMMISSION**

**Report to the 2024 Legislature Pursuant to House Concurrent
Resolution 41 / House Resolution 45 (2023)**

December 2023

Executive Summary

Across the State of Hawaii, Hawaiian Electric owns an estimated 120,000 utility poles, which support electricity distribution to households and businesses as well as provide the infrastructure for service providers to distribute internet, telephone, cable television, and street and traffic lights. In thousands of instances there is a duplicate, redundant pole adjacent to a newer, replacement pole. The duplicate pole is commonly referred to as a “double pole”.

Double poles impose unnecessary burdens on Hawaii’s existing infrastructure and are unsightly. A double pole occurs when Hawaiian Electric, composed of Hawaiian Electric Company (“HECO”), Hawaii Electric Light Company (“HELCO”), and Maui Electric Company (“MECO”), installs a new, replacement utility pole next to an old pole but cannot immediately remove the old pole. This typically occurs because lines and infrastructure are attached to an old pole and have not been transferred by their owners, which are pole owners and entities other than Hawaiian Electric that attach equipment to poles (collectively referred to as “Stakeholders”), to new poles when they are installed. The result is two poles erected in the same location – a double pole. A double pole remains in place until all attachments owned by Stakeholders are transferred to the new pole and the old pole is removed.

Hawaiian Electric agreed to ensure removal of all double poles that were identified in a 2018 audit by 2028, pursuant to a Decision and Order issued by the Public Utilities Commission (“Commission” or “PUC”) in Docket No. 2018-0075.¹ Double poles identified by this audit are referred to as “backlog” poles. Currently, Hawaiian Electric is behind in its commitment to removing the backlog poles. Specifically, in 2018, Hawaiian Electric had approximately 12,300 double poles in existence, of which approximately 8,400 were in the City & County of Honolulu, 2,300 in Hawaii County, and 1,600 in Maui County (i.e., Maui, Molokai, and Lanai). As of November 2, 2023, the backlog remains at 10,782 double poles (of the original 12,300 double poles) statewide. This backlog is comprised of 6,920 double poles that require standard equipment transfers and 3,862 that require non-standard transfers (see Section 3 for a description of transfer types). Hawaiian Electric’s commitment does not include double poles created after the 2018 audit and that are created on a continual basis whenever existing poles are replaced due to planned or unplanned maintenance. These are referred to as “post-audit” poles.

Recognizing this important issue, including the safety risks to Hawaii’s residents and businesses that neglected double poles can pose, the Hawaii State Legislature introduced two resolutions in its 2023 Session urging the Commission to open a new proceeding relating to the removal of abandoned or double utility poles, lines, and equipment (See, HCR 41), and to reevaluate and adopt administrative rules relating to the removal of abandoned or double utility poles, lines, and equipment (See, HR 45).

This report provides updates on this issue to the Hawaii State Legislature ahead of its 2024 Legislative Session. Since the adoption of HCR 41 and HR 45, the PUC has collaboratively and constructively engaged Hawaiian Electric on the issue of double pole removal on a non-docketed basis. In response to these resolutions, over the last seven months, the PUC held several meetings with Hawaiian Electric to learn more about the challenges it faces removing double poles, requested data from Hawaiian Electric on the current number of double poles, and required Hawaiian Electric to organize a status update meeting. On December 11, 2023, Hawaiian Electric, the Commission, the Consumer Advocate, and the Stakeholders

¹ See Order No. 35768, October 16, 2018, Docket No. 2018-0075, at page 62.

attended a status update meeting held in the Commission’s hearing room. At the meeting, Hawaiian Electric presented its updated pole report for 2023 (see Appendix A), its responses to Commission staff’s questions (see Appendix B), and its plans to ensure the removal of the current backlog of double poles by 2028.

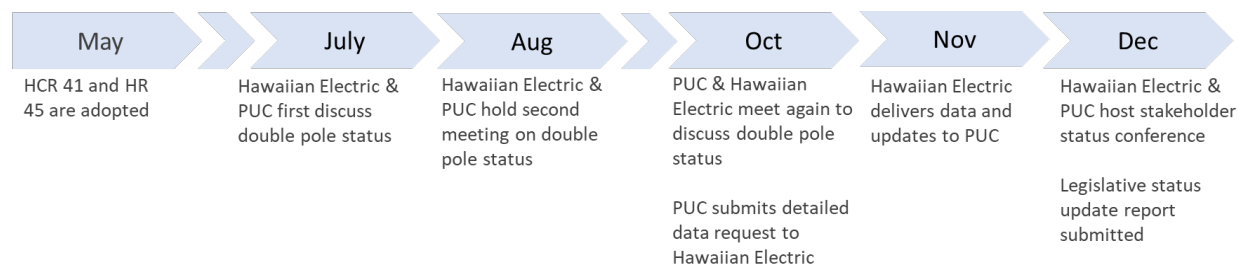


Figure 1: Timeline of PUC activities and engagement with Hawaiian Electric since end of 2023 Legislative Session to present

Engagement on double poles in a non-docketed context facilitates open exchange of information with Hawaiian Electric and Stakeholders (who may be non-regulated entities) and allows the PUC flexibility to work with Hawaiian Electric to better understand the issue.

The Commission, together with Hawaiian Electric, will convene additional monthly status meetings with Stakeholders in the coming months to ensure alignment on a comprehensive plan that addresses the removal of the backlog of double poles (from the 2018 audit) and the timely removal of post-audit double poles newly created since 2018. Through regular discussions with Hawaiian Electric, the Commission is learning which solutions (an updated tracking system, incentive or penalty program, contractor training program, addendums to all agreements for pole attachments, stronger contract enforcement, increased contractor capacity, etc.) are best suited for accelerating removal of Hawaiian Electric’s double poles. The Commission will require the Stakeholders to submit their stipulated comprehensive plan in a docket by the end of April 2024, after which the Commission intends to review and render a decision on this comprehensive plan by end of July 2024.

If members of the Hawaii State Legislature are interested, the Commission, Hawaiian Electric, and the Stakeholders are available to brief members on this issue.

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1 Introduction

The Hawaii State Legislature (“Legislature”) adopted two resolutions relating to the removal of double utility poles during the 2023 Legislative Session through the regulatory authority of the Public Utilities Commission:

- **House Concurrent Resolution 41 (HCR 41):** Urging the Public Utilities Commission to Open a New Proceeding Relating to the Removal of Abandoned or Double Utility Poles, Lines, and Equipment.²
- **House Resolution 45 (HR 45):** Urging the Public Utilities Commission to Reevaluate and Adopt Administrative Rules Relating to the Removal of Abandoned or Double Utility Poles, Lines, and Equipment.³

The Commission appreciates the Legislature’s attention to this important issue and is committed to timely removal of retired utility poles.

This report summarizes the Commission’s recent activities and provides context on ongoing and future actions related to the above resolutions. The report also addresses the resolutions’ requests that the Commission:

1. Open a new proceeding relating to the removal of abandoned lines, double poles, and equipment;⁴
2. Reevaluate and adopt administrative rules relating to the removal of abandoned lines, double poles, and equipment;⁵ and
3. Adopt updated provisions of the National Electrical Safety Code (NESC) to streamline the removal of double poles and other unsafe abandoned equipment.⁶

The report concludes with next steps regarding this issue, along with an offer from the Commission to convene with Hawaiian Electric and the Stakeholders to hold a briefing for members of the Legislature on this issue.

2 Legislative background and engagement with Hawaiian Electric

2.1 History and background

The Commission has a long history of regulating utility overhead lines in Hawaii. The Commission first adopted rules for Overhead Line Construction on June 12, 1953, within a quorum meeting, notifying applicable parties via a letter on July 14, 1953, of the adoption of certain provisions of the then California Railroad Commission’s General Order No. 95.⁷ The Commission’s adopted rules, General Order No. 6, applied to “[a]ll future overhead line construction by public utilities in the Territory of Hawaii.” General Order No. 6 was amended twice in subsequent years on September 21, 1962 (Docket No. 1500 / Docket No. 1963-0014) and on June 20, 1963 (Docket No. 1541 / Docket No. 1963-0017). Upon completion and

² H. Con. Res. 41, Senate Draft 1, Haw. 32nd Leg. (2023) (“HCR 41”).

³ H. Res. 45, Haw. 32nd Leg. (2023) (“HR 45”).

⁴ HCR 41.

⁵ HR 45.

⁶ HR 45.

⁷ See Docket No. 1178 (filed in the Commission’s Case and Docket Management System as Docket No. 1952-0029), Document Set 1, at PDF page 247.

adoption by the Commission of HAR 6-73 on April 23, 2007, all future (April 23, 2007, and forward) installation, operation, and maintenance of overhead and underground electrical supply and communication lines follow this administrative rule.⁸ HAR § 6-73 governs the construction of overhead and underground lines for Hawaii.

Following adoption of HAR § 6-73, several legislative acts (Act 151 SLH 2011, Act 264 SLH 2013, Act 193 SLH 2016) clarified that broadband and telecom companies are required to adhere to “applicable safety and engineering requirements” and that existing utility poles do not have to be replaced if the “overall weight load on the utility pole does not exceed maximum utility pole safe weight capacities.”⁹

On April 4, 2018, Hawaiian Telcom and Hawaiian Electric requested approval from the Commission that Hawaiian Electric take sole ownership of their jointly owned poles.¹⁰ In its application, Hawaiian Electric acknowledged the existence of over 10,000 double poles across its territories (called “backlog” double poles) and later committed to removing a minimum of 1,000 backlog double poles requiring standard transfers per year; Hawaiian Telcom committed to removing a minimum of 50 backlog double poles requiring non-standard transfers per year (see Section 3 for a description of transfer types).¹¹ Hawaiian Electric also committed to clearing the backlog of double poles within ten years.¹² The Commission approved the transfer of ownership acknowledging the benefits of the pole removal commitments and imposed the condition that Hawaiian Electric file an annual report for 10 years on revenues, incremental operation and maintenance costs, depreciation, and authorized return.¹³

On February 6, 2019, Hawaiian Electric requested approval of a newly proposed standard template for a Master License Agreement (“MLA”) for pole attachments as well as approval of four licensing agreements between Hawaiian Electric and four non-incumbent telecommunications carriers.¹⁴ The Commission approved Hawaiian Electric’s alternative request to approve the individually signed MLAs requiring Hawaiian Electric to file annual reports detailing ancillary revenues, file quarterly status reports with certain additional information, and file the executed licensing agreements.¹⁵

During the 2023 Legislative Session of the Thirty-Second Legislature of the State of Hawaii, HCR 41 and HR 45 were adopted on May 5, 2023, and April 3, 2023, respectively.¹⁶ From July 2023 to December 2023, the Commission worked with Hawaiian Electric and the Stakeholders to better understand the status of double pole removals outside of a docketed proceeding. The PUC held several meetings with Hawaiian

⁸ HAR 6-73 implies inclusion of utility poles which are the infrastructure elements that support the overhead electrical supply and communication lines.

⁹ See Act 264 SLH 2013 which added the applicable language to Act 151. See Act 193 SLH 2016 which eliminated the sunset date of Act 151.

¹⁰ See “Application of Hawaiian Telcom, Inc. and Hawaiian Electric Company, Inc., Hawaii Electric Light Company, Inc. and Maui Electric Company, Limited, Verification Exhibits A-F and Certificate of Service” (“Application”), Docket No. 2018-0075, filed April 4, 2018, age 23.

¹¹ See Application at page 23.

¹² See Application at page 23.

¹³ See Order No. 35768, Docket No. 2018-0075, filed October 16, 2018, at 74.

¹⁴ See “Application of Hawaiian Electric Company, Inc., Hawaii Electric Light Company, Inc. and Maui Electric Company, Limited, Verification Exhibits A-F and Certificate of Service”, Docket No. 2019-0032, filed February 6, 2019.

¹⁵ See Order No. 36602, Docket No. 2019-0032, filed February 6, 2019, at 78-81.

¹⁶ https://www.capitol.hawaii.gov/session/measure_indiv.aspx?billtype=HCR&billnumber=41&year=2023.
https://www.capitol.hawaii.gov/session/measure_indiv.aspx?billtype=HR&billnumber=45&year=2023.

Electric to learn more about the challenges it faces removing double poles, requested data from Hawaiian Electric on the current number of double poles, and required Hawaiian Electric to organize a status update meeting. On December 11, 2023, Hawaiian Electric, the Commission, the Consumer Advocate, and the Stakeholders attended a status update meeting held in the Commission's hearing room (see Appendix C for a list of attendees). The nature of this status update meeting is discussed in the next section.

The Commission agrees with the Legislature's efforts to address the issue of double poles and with the Legislature's request to open a new proceeding relating to the removal of abandoned lines, double poles, and equipment. Following further informal monthly meetings, the Commission intends to resolve the issue within a docketed context to ensure Hawaiian Electric and the Stakeholders establish an effective plan for removing double poles and all other abandoned lines and equipment.

In developing this report, the Commission considered several comments from Senators on the Committee on Commerce and Consumer Protection regarding what any proceeding should consider: benchmarks for replacements; development of novel programs, such as allowing third party private entities not contracted by Hawaiian Electric to remove poles at their own cost; providing a status update on the current program; and allowing for public engagement through conferences hosted by the Commission.

The Commission is currently assessing if the adoption of updated provisions of the 2023 NESC is necessary to streamline the removal of double poles and other abandoned equipment. Although adopting additional administrative rules, or revising current rules, related to the NESC would serve to reinforce that abandoned equipment should be removed, doing so may not expedite¹⁷ the double pole removal process. Rather, the Commission will focus its efforts on working with Hawaiian Electric and Stakeholders to establish a clear plan for removing existing and future double poles, and on opening a proceeding on the double pole removal process improvements to meet the intent of HCR 41 and HR 45.

2.2 Timeline of meetings held through December 2023

After the close of the 2023 Legislative Session, Commission staff met with Hawaiian Electric in July 2023 to discuss a plan going forward to address the Legislature's concerns. This was followed by a meeting on August 30, 2023, that focused on the status of Hawaiian Electric's efforts, the potential for NESC updates to the Commission's HAR 6-73, and what process should be used to address HCR 41 and HR 45. Commission staff subsequently met with Hawaiian Electric on October 19, 2023, to discuss double pole related data, the current double pole removal process, the effectiveness of the current process, and how to further address HCR 41 and HR 45. Figure 1 provides an illustration of the actions the Commission has taken since HCR 41 and HR 45 were adopted in May through the end of 2023.¹⁸

¹⁷ The rulemaking procedure of adopting new provisions in the Hawaii Administrative Rules tends to be a lengthy process, involving several state agencies and public hearings.

¹⁸ It is worth noting that the devastating wildfire disaster in Lahaina necessitated a reallocation of staff resources both within the PUC and at Hawaiian Electric that resulted in delayed follow-ups to the August meeting. The Lahaina wildfires reinforced the need to harden the electric grid and ensure that it is designed and operating safely, aligned with the objectives of this effort.

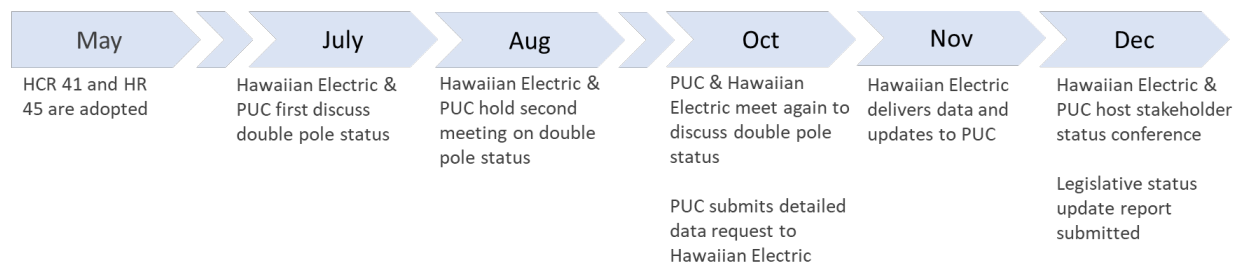


Figure 1: Timeline of PUC activities and engagement with Hawaiian Electric since end of 2023 Legislative Session

In addition to direct engagement with Hawaiian Electric, the Commission requested that Hawaiian Electric hold a status update meeting with the Stakeholders on December 11, 2023. Hawaiian Electric prepared the status update meeting agenda with general guidance from Commission staff, invited the Stakeholders, and facilitated the meeting. The following Stakeholders attended the meeting: Hawaiian Electric, Hawaiian Telcom, the Consumer Advocate, State Department of Transportation, the City & County of Honolulu, Verizon, AT&T, and Charter Spectrum (Refer to Appendix C - Attendance Summary from December 11, 2023, Status Update Meeting). The meeting was conducted in a hybrid setting, which was publicly accessible in person and on YouTube.

The status update meeting served several purposes, including but not limited to, allowing the exchange of information among the Stakeholders. Hawaiian Electric presented baseline information from the updated “2023 Double Pole Removal Update” report (attached Appendix A), providing context on the challenges they face removing double poles. The Stakeholders, such as Hawaiian Telcom and Charter Spectrum, provided feedback on their experience working with Hawaiian Electric and on possible process improvements. All participants offered and discussed numerous ideas on how to change the current process to ensure they meet the committed removal of double poles by 2028, as agreed to in Docket No. 2018-0075. During the meeting, the Stakeholders reaffirmed their shared commitments to eliminating the backlog of double poles and committed to continuing to meet to address the issue.

3 Current status and challenges of double pole removal

3.1 Overview of double pole types

There are three different types of double poles depending on the nature of the equipment removal and/or the type of process needed to transfer (move) the attachments to the new pole: (1) double poles requiring standard transfers; (2) double poles requiring non-standard transfers; and (3) “other” double poles that may be in the midst of a transfer or have no attached equipment remaining at all and are ready for removal. The type of double pole affects the removal rate and the amount of coordination required to do so. Where a double pole exists, there will typically be a shorter “topped” pole and a taller new pole. After Hawaiian Electric has transferred all its equipment as well as other equipment it is authorized to move to the new pole, Hawaiian Electric will then cut off the top portion of the former pole, leaving this “topped” pole in place to allow Stakeholders to transfer their equipment to the new pole before the “topped” pole can be removed. Removing the top portion of the pole improves safety by reducing the possibility of contact with energized electrical lines.

Standard transfers specifically allow Hawaiian Electric to utilize Hawaiian Telcom-authorized vendors to transfer Hawaiian Telcom equipment from the former pole to the new pole. Standard transfers utilize

materials provided by Hawaiian Telcom and do not normally involve any service disruptions. Hawaiian Electric removes the old pole once all pole attachments are transferred to the new pole; if only Hawaiian Telcom’s equipment needs to be moved, Hawaiian Electric is then responsible for removing the old pole.

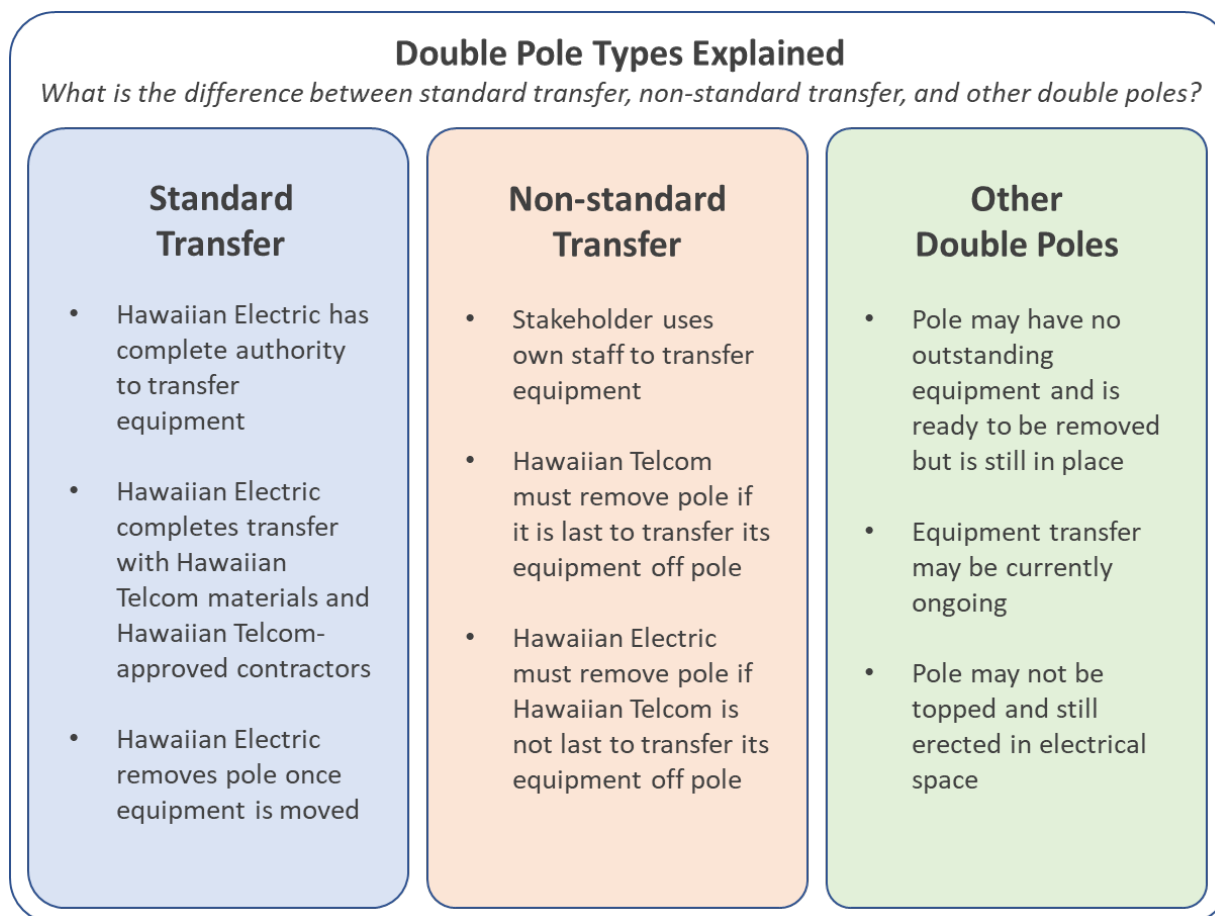


Figure 2: Double pole types explained

Non-standard transfers require Hawaiian Telcom (as well as County, State, and other Stakeholders) to utilize its own staff to move its complex equipment from the old to the new pole. Non-standard transfers may involve additional coordination with the electric utility so that the utility can arrange for backup power to avoid service disruptions to its customers. For non-standard transfers, Hawaiian Telcom is responsible for removing the old pole if it is the last Stakeholder remaining on the old pole. Conversely, Hawaiian Electric is responsible for removing the old pole if Hawaiian Telcom is not the last Stakeholder with equipment on the pole – for example, if other lessees’ attachments are still on the old poles and have not been transferred. Hawaiian Electric must remove all other double poles if Hawaiian Telcom is not the last Stakeholder with equipment on the pole. For more information about standard and non-standard transfers, please see Appendix A.

In instances where a Stakeholder other than Hawaiian Telcom has equipment attached to a pole, Hawaiian Electric’s agreements with non-Telcom attachers, including other joint pole agreements (i.e., State, City, and County), pole attachment agreements with other entities (i.e., Spectrum), and master license agreements (i.e., Verizon and AT&T), govern equipment transfer and pole removal.

Overall, 64% of backlog double poles require standard transfers and 36% of double poles require non-standard transfers. Because of the difficulty of removing double poles requiring non-standard transfers, and the larger volume of outstanding poles requiring standard transfers, to date Hawaiian Electric has focused more on removing poles requiring standard transfers than poles requiring non-standard transfers.

Hawaiian Electric prioritizes which poles it removes by categorizing them as either “high”, “medium”, or “low” priority. “High” priority poles are typically poles with structural integrity issues. In emergency situations, crews are dispatched to remove “high” priority poles within 24 hours. Other double pole removals in the “medium” or “low” category are typically grouped together or with other pole-related maintenance work in the vicinity to reduce travel time between jobs for crews.¹⁹

3.2 Current number of double poles statewide

When Hawaiian Telcom transferred ownership of its poles in 2018 to Hawaiian Electric, Hawaiian Electric estimated that there were 14,000 to 16,000 total double poles across the City & County of Honolulu, Hawaii County, and Maui County. Hawaiian Electric conducted an audit in June of that year to determine the actual number of double poles. The audit was completed in June 2018, focused on double poles in the City & County of Honolulu. The audit found that approximately 3,700 double poles had already been removed although Hawaiian Electric had not been informed of their removal. According to the audit, as of June 2018 there were approximately 8,400 total double poles in the City & County of Honolulu, 2,300 total double poles in Hawaii County, and 1,600 double poles in Maui County - an estimated 12,300 total double poles, called “backlog” double poles.²⁰

As of November 2, 2023, the backlog remains at 10,782 double poles (of the original 12,300 double poles) statewide. The backlog includes 6,022 double poles requiring standard transfers, comprised of 3,855 in the City & County of Honolulu, followed by 1,149 in Hawaii County, and 1,018 in Maui County. There are 3,862 double poles requiring non-standard transfers, comprised of 2,453 in the City & County of Honolulu, 987 in Hawaii County, and 422 in Maui County. There are 898 other double poles, including 231 double poles with no equipment attached to them. Figure 3 shows the current total backlog double poles count by type and county.

While Hawaiian Electric is trying to clear the backlog of double poles, new double poles are created every year. Hawaiian Electric uses the term “preventative double poles” for such double poles created after the June 2018 audit; this report instead refers to these as “post-audit” double poles. Since June 2018, Hawaiian Electric created 5,585 post-audit double poles. In most years, Hawaiian Electric created more post-audit double poles than it removed double poles from the backlog, resulting in a net positive increase in total double poles.

Over the last five years, Hawaiian Electric reports removing 2,840 backlog double poles requiring standard transfers (1,968 in the City & County of Honolulu, 667 in Maui County, and 205 in Hawaii County). For 179 out of 6,920 backlog double poles requiring standard transfers and other types of double poles, Hawaiian Electric is waiting for confirmation that they have been removed. For the rest, the work is performed in batches and Hawaiian Electric has not yet hired or assigned a Hawaiian Telcom-approved contractor to

¹⁹ Status update meeting, held December 11, 2023.

²⁰ Whenever discussing double pole counts, unless stated otherwise, the figures refer to the total double poles counted in the audit. These are also referred to as “backlog” double poles.

perform the standard transfer work. For double poles requiring non-standard transfers, Hawaiian Electric does not know how many double poles are ready to be removed by Hawaiian Electric because Hawaiian Telcom is responsible for performing the work or hiring a contractor to perform non-standard transfer work. Hawaiian Telcom, responding to questions from the Commission, noted that it had approximately 3,750 incomplete requests (2,847 in the City & County of Honolulu, 287 in Maui County, and 615 in Hawaii County).

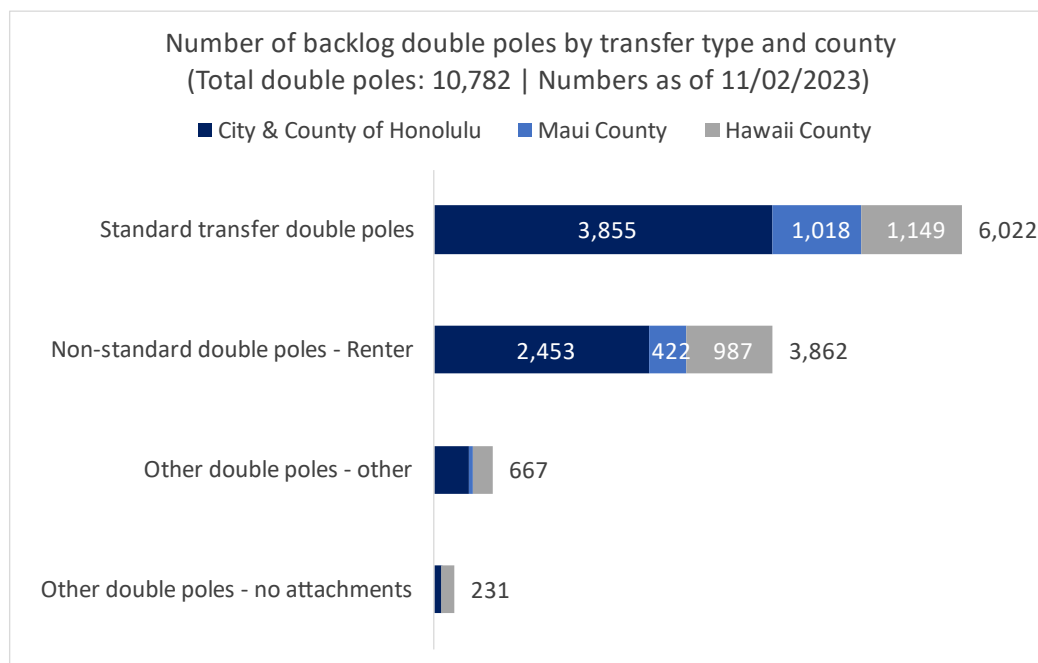


Figure 3: Backlog double poles broken out by type and county

3.3 Rate of double pole removal to date

Hawaiian Electric states that it is committed to clearing the backlog of double poles, regardless of whether they require standard or non-standard equipment transfers. However, because Hawaiian Electric does not know how many double poles requiring non-standard transfers were removed by Hawaiian Telcom so far, to date, the Commission has only received records of the number of double poles requiring standard transfers removed by Hawaiian Electric over the past five years.²¹

To meet this commitment, Hawaiian Electric must remove the backlog of double poles regardless of transfer type. Hawaiian Electric has provided a detailed commitment to remove 1,320 double poles requiring standard transfers each year for the next five years, comprising of 868 in the City & County of Honolulu, 236 in Hawaii County, and 216 in Maui County. This is an ambitious goal given that in the year that it removed the most double poles (2021), Hawaiian Electric removed 1,095 backlog double poles requiring standard transfers statewide, indicating it plans to remove more poles annually than it has done in any year since the June 2018 audit, and to do so on a consistent basis. **Error! Reference source not found.** 4 shows the progression of backlog standard transfer doubles poles requiring removal between 2018 and 2028, where data for 2018 to 2023 (solid line) are based on actual removals reported by

²¹ Hawaiian Electric Response to Commission Letter, provided November 30, 2023.

Hawaiian Electric and data for 2024 to 2028 (dotted line) are based on Hawaiian Electric’s stated targeted removals.

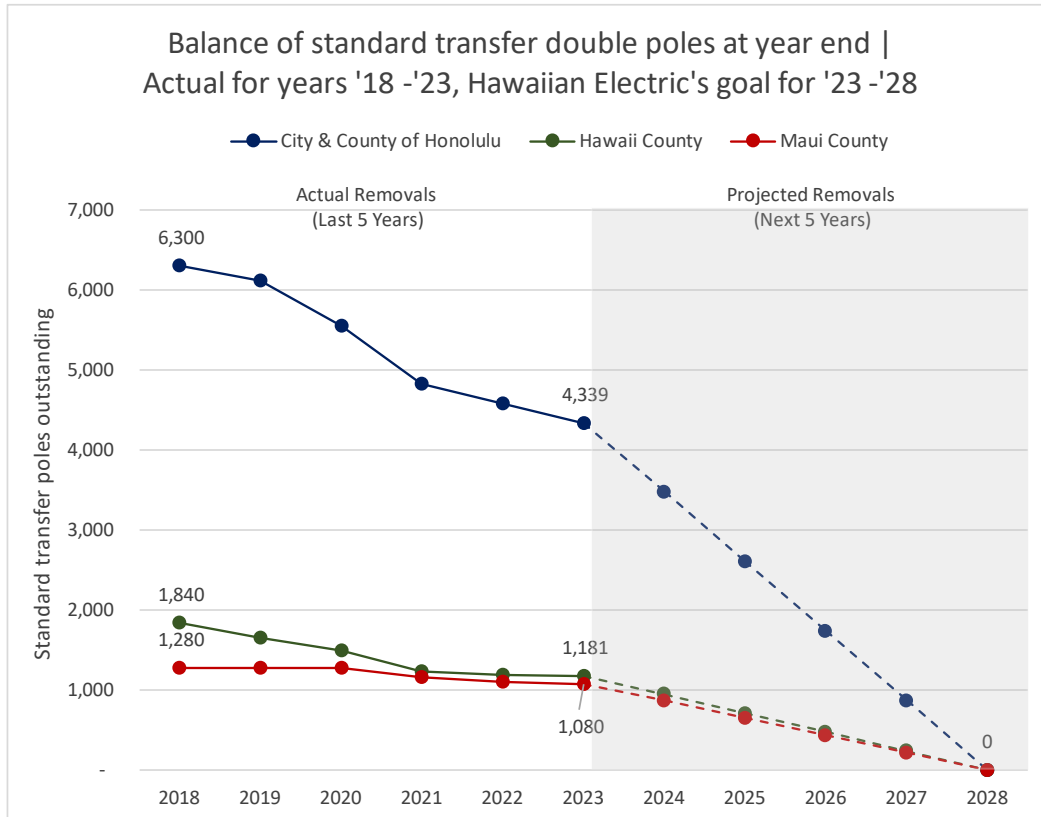


Figure 4: Number of backlog standard transfer double poles projected based on Hawaiian Electric's targeted removal rates

It is questionable whether Hawaiian Electric can meet its currently stated target of clearing the backlog of double poles – both overall as well as those requiring standard transfers - in the next five years without significant modifications to its current process. Since 2018, Hawaiian Electric removed backlog double poles requiring standard transfers at an average annual rate of 7.0% in the City & County of Honolulu, 8.3% in Hawaii County, and 3.3% in Maui County. Applying these removal rates in each county from the past five years to project the removal rates for the next five years, the Commission estimates that there would be approximately 7,300 total backlog double poles remaining in 2028, comprising of 4,650 double poles requiring standard transfers and 2,650 double poles requiring non-standard transfers (applying Hawaiian Electric’s estimate that 65% of all double poles require standard transfers and the remainder require non-standard transfer²²). Figure 5 illustrates the number of backlog double poles requiring standard transfers removed between 2018 and 2028, where data for 2018 to 2023 are based on actual removals reported (solid line) and data for 2024 to 2028 (dotted line) are projections based on the average annual growth rate of backlog double pole removals over the past five years.

²² The data collected by Hawaiian Electric on non-standard transfers is far from complete and makes it challenging to determine the rate at which poles requiring non-standard transfers are removed, so a simple percentage is applied here.

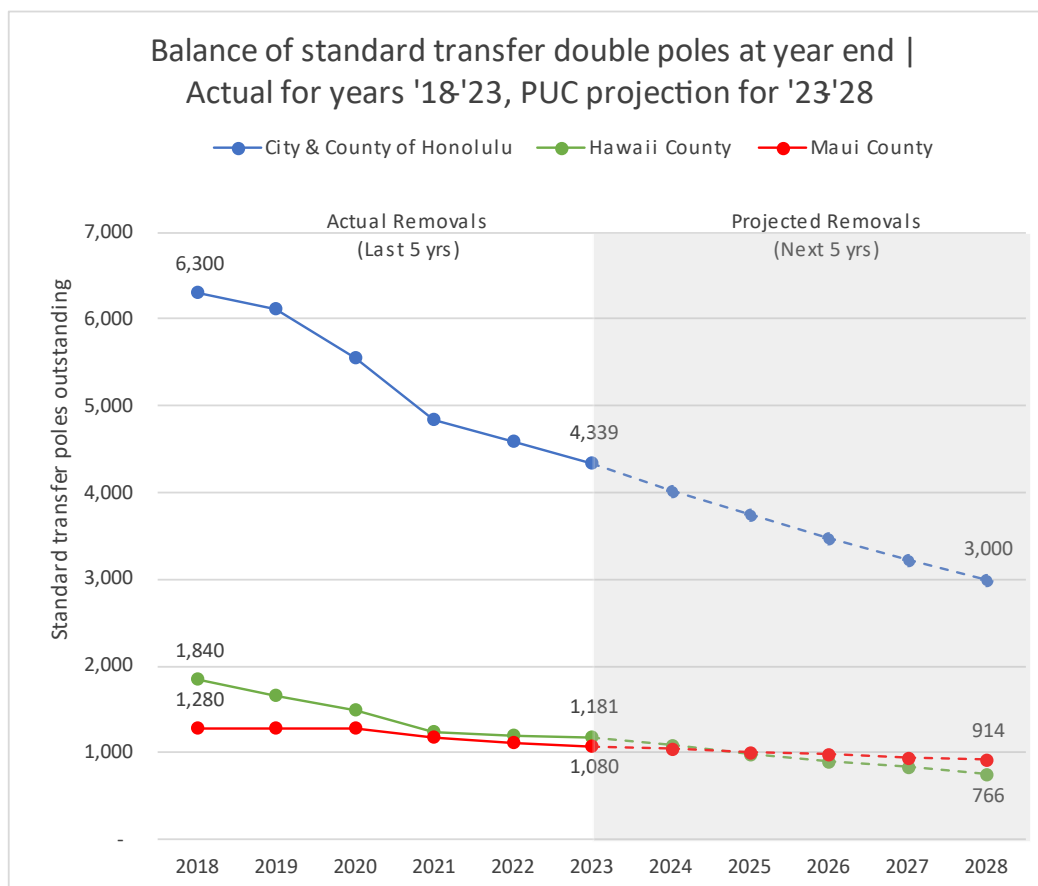


Figure 5: Number of backlog standard transfer double poles projected based on past 5 years actual removal rates

3.4 Challenges of double pole removal

Clearing the backlog of double poles is challenging for Hawaiian Electric for several reasons. As noted by Hawaiian Electric, the responsiveness of Stakeholders, including attachers such as Hawaiian Telcom, the City & County of Honolulu, the State of Hawaii’s Department of Transportation, and Charter Spectrum, among others, can create delays and administrative inefficiencies. Hawaiian Electric claims that it has limited, if any, control over Stakeholders’ responsiveness to requests to transfer equipment, and states that its pole attachment agreements include “few sanctions or enforcement measures beyond typical tiered dispute resolution processes”.²³ Hawaiian Electric asserts that the Stakeholders face staff shortages and therefore prioritize their core business activities in lieu of supporting double pole removal efforts.

For standard transfers, Hawaiian Electric must hire a Hawaiian Telcom-approved contractor to transfer Hawaiian Telcom’s equipment to the new pole before removing the double pole. Hawaiian Electric claims that a limited number of Hawaiian Telcom-approved contractors are available, and it is difficult to contract with them. On Oahu there are five contractors qualified to transfer equipment, one in Hawaii County, and two in Maui County (although one contractor is currently focused on responding to Maui wildfire debris removal). Contractors may also be doing work for other Stakeholders which may make them even less available to take on more contract work. The lack of contractors available to initiate transfers and pole

²³ Hawaiian Electric response to Question-06, submitted November 30, 2023 (see Appendix B).

removals creates a bottle neck that delays double pole removals. According to Hawaiian Electric, another challenge involves standard transfers for which Hawaiian Telcom is responsible for furnishing the materials needed to mount Hawaiian Telcom's equipment on the new pole but said materials are not timely provided by Hawaiian Telcom.

For non-standard transfers, some Stakeholders do not timely respond to Hawaiian Electric's requests for equipment transfers, delaying the time it takes to remove a double pole. Hawaiian Electric has over 4,600 non-standard transfer requests (for both backlog and post-audit poles) outstanding with Stakeholders, mostly with Hawaiian Telcom (3,749), Charter Spectrum (716), and the State of Hawaii DOT (at least 120). The amount of time it takes Stakeholders to respond to Hawaiian Electric after being notified to transfer equipment varies widely. On average, as reported by the Stakeholders, AT&T takes up to one week to respond, Charter Spectrum takes up to four weeks to respond, Hawaiian Telcom takes up to eight weeks to respond, and the City and County of Honolulu takes up to 14 weeks to respond. If Stakeholders have already transferred their equipment, they claim that they notify Hawaiian Electric soon after, within a matter of days (Hawaiian Telcom, AT&T, and Charter Spectrum alert Hawaiian Electric within 72 hours) or a couple of weeks (State of Hawaii notifies Hawaiian Electric in about three to four weeks). Additionally, Hawaiian Electric aims to arrange staff and resources to remove fully bared double poles in batches, which requires coordination and a clear understanding of other entities' work timelines.

Hawaiian Electric claims that it has little to no recourse at the moment to enforce potential breaches of contract by Stakeholders of the joint pole agreements, preventing Hawaiian Electric from compelling Stakeholders to accelerate their equipment transfers.

Another challenge Hawaiian Electric faces is tracking its progress in removing backlog double poles and tracking post-audit double poles being created on an ongoing basis since June 2018. Currently, Hawaiian Electric has several joint pole databases (one for each service territory including a web-based version for Oahu, an Access database for Hawaii County, and an Excel database for Maui County), which contain data on pole attachments by parties that jointly own poles with Hawaiian Electric (State of Hawaii, City and County of Honolulu, County of Maui, and Hawaii County) and Hawaiian Telcom. In addition, Hawaiian Electric has a Pole Infrastructure Enterprise ("PIE") database containing information on the renters' (i.e., 3rd party Stakeholders, not pole owners) attachments. Since these databases are maintained separately, Hawaiian Electric contends it can neither aggregate information across databases nor easily query information out of the databases. To obtain granular counts, Hawaiian Electric must go into each database and obtain counts manually. Also, Hawaiian Electric claims that the databases do not always reflect the actual double pole status in the field because Hawaiian Electric is not always informed after crews have completed a transfer or if a double pole has been removed by Hawaiian Telcom.

4 Looking ahead

4.1 Hawaiian Electric's plan moving forward

Hawaiian Electric states that it is committed to addressing the backlog of double pole removals within the next 5 years, fulfilling its agreement as approved by Order No. 35786 in Docket No. 2018-0075. Hawaiian Electric also states that it is not taking a "business as usual" approach in its effort to meet its commitment. To that end, Hawaiian Electric has made several pledges:

- Continue to meet with Stakeholders to develop a long-term plan.

- Hawaiian Electric committed to convening, together with the Commission, future Stakeholder meetings on a regular basis in the coming months in 2024 to formulate a clear plan for meeting its 2028 commitment and to address the total number of double poles in existence, regardless of when they were installed. The intention is to formulate an agreement among Stakeholders that will inform a docketed proceeding that can be opened and closed quickly.
- Accelerate total double pole removals.
 - The total number of backlog double poles (10,782) comprises mostly double poles requiring standard transfers (6,022) followed by double poles requiring non-standard transfers (3,862) and other double poles (898). An additional 5,585 post-audit double poles have been created since 2018. Over the next five years, Hawaiian Electric committed to removing 1,320 standard transfer double poles per year to clear the backlog, but this will only clear the backlog of double poles requiring standard transfers. Hawaiian Electric is committed to finding a solution to also clear the backlog of non-standard double poles, other double poles, and post-audit double poles.
- Evaluate opportunities to lower and maintain the contractor unit costs.
 - Hawaiian Electric reports that the revenues generated by the pole attachment leases are insufficient to cover the costs of their removal. Subsequently, it is currently trying to identify a budget that covers the double pole removals cost of \$2.1-\$2.5 million annually going forward. The increase in costs has focused Hawaiian Electric's attention on managing and understanding the drivers of the unit costs per pole removal in order to find efficiencies where possible. The lack of contractors available to perform transfers contributes to the bottleneck in pole removals and added costs. Hawaiian Electric will work to acquire contractors and to explore other solutions to ensure there is sufficient labor to meet the commitment.
- Work with Stakeholders to improve the process of transferring pole attachments.
 - Hawaiian Electric cannot meet its commitments without the support of the Stakeholders, particularly Hawaiian Telcom and Charter Spectrum, but also the City & County of Honolulu, the State Department of Transportation, and AT&T, some of whom have outstanding transfer requests from Hawaiian Electric. Hawaiian Telcom must provide the required standard transfer materials to contractors, and improved coordination between Stakeholders is essential going forward to ensure materials, workforce, and motivations are aligned. Also, Hawaiian Electric should explore updating its pole attachment agreements with Stakeholders to increase accountability and ensure timely transfers, thereby improving double pole removal rates.
- Improve tracking of each step in the process and publicly communicate progress.
 - Hawaiian Electric uses multiple databases to track its double poles across the islands and states that it does not always receive updates or notifications to changes in status of the double pole work. As a result, the fidelity of the data is low, especially on the count of total backlog and post-audit double poles. Without a good tracking system, Hawaiian Electric will not be able to effectively and accurately report its progress. Hawaiian Electric has committed to improving its data tracking system. As part of this commitment, Hawaiian Electric will provide regular updates to its public website so that communities know how many double poles remain and that progress is being made.

4.2 The Commission's plan moving forward

The Commission is focused on ensuring Hawaiian Electric removes the backlog of double poles and abandoned lines and equipment. To that end, the Commission will work with Hawaiian Electric to establish new processes to improve progress on double pole remediation for both backlog and post-audit poles.

The Commission envisions the following objectives and plan to ensure Hawaiian Electric meets its commitments, summarized in the bullets below:

- Objective 1: Improve accountability and transparency of Hawaiian Electric double pole removal processes.
 - Hawaiian Electric to convene regular Stakeholder meetings in the months ahead to ensure that Stakeholders coalesce around an agreed plan with a specific timeline, and coordinated processes, in order to clear the backlog of double poles. The goal is to have a plan finalized by the end of April 2024, after which the Commission will review and render a decision by the end of July 2024.
 - Hawaiian Electric to identify clear, aggressive, and achievable milestones for removing the backlog of double poles.
 - Hawaiian Electric to create a public facing platform, hosted and maintained by Hawaiian Electric, that shows accurate, up-to-date double pole data, including both backlog and post-audit poles as well as sub-categories of double pole types, in order to hold Hawaiian Electric and Stakeholders publicly accountable, to track progress, and to allow the public to report double pole issues expeditiously.
 - Hawaiian Electric to determine whether their pole tracking platforms can be consolidated and streamlined for programmatic efficiency and cost effectiveness.
 - Hawaiian Electric to identify opportunities for the Commission to support its enforcement capabilities to adequately respond to Stakeholders that are delaying the established double pole removal process.

- Objective 2: Identify and verify sustainable solutions to enable complete removal of double poles.
 - Gather sufficient information to define the scope and issues of any future proceeding, which will require robust and clear objectives to achieve an expedient resolution.
 - Clarify outstanding questions, such as 3rd party constraints and challenges to equipment transfers, Hawaiian Electric's and the Commission's enforcement options, and the role of the Federal Communication Commission ("FCC").
 - Explore use of innovative workforce development solutions to improve contractor availability.
 - Determine if an update of the Commission's Administrative Rules to the 2023 NESC is necessary for ensuring the timely removal of abandoned equipment.
 - Review and develop potential Hawaiian Electric pole replacement programs and procedures and identify areas for necessary improvements.
 - Ensure that appropriate processes and policies are in place to minimize or eliminate the accumulation of post-audit double poles moving forward.

5 Conclusion

Hawaiian Electric acknowledges that it remains behind in achieving its commitment of clearing the backlog of double poles by 2028. Currently, there are over 10,780 backlog double poles outstanding. The Commission is actively working to ensure that Hawaiian Electric removes the backlog of double poles and, together with Stakeholders, to reduce delays in removing post-audit double poles. The Commission, Hawaiian Electric, and the Stakeholders together are available to brief members of the Hawaii State Legislature on this issue.

Appendix A – Hawaiian Electric updated Double Pole Report for 2023

Received on October 27, 2023

HAWAIIAN ELECTRIC DOUBLE POLE REMOVAL UPDATE

The Hawaiian Electric Companies¹ (“Hawaiian Electric” or the “Company”) and Hawaiian Telcom filed an application on April 4, 2018 in Docket 2018-0075, requesting approval from the Public Utilities Commission to transfer Hawaiian Telcom’s ownership share in joint poles to Hawaiian Electric. This change management was recognized as an initial step to help ensure reliable communications and electric service and to provide opportunities for new technology-driven consumer products and services, including the effective deployment of new communications technologies.

One of the identified benefits from the transfer was the remediation of an existing backlog of double poles. At the time of the filing, the Company estimated that there were approximately 14,000 backlog double poles that existed on the five islands that Hawaiian Electric serves. Hawaiian Electric committed to eliminating the backlog of double poles within 10 years and performing a minimum of 1,000 standard transfers and double pole removals per year. Hawaiian Telcom also committed to performing a minimum of 50 non-standard transfers and double pole removals per year.

Why are there double poles?

A double pole occurs where a new pole is installed to replace an existing pole, but attachments on the old pole, such as communication facilities, streetlights, traffic control cables, and electrical facilities, have not been removed or transferred to the new pole. This situation results in two poles side-by-side until all attachments are removed or transferred to the new pole by their owners, at which time the old pole can be removed.

Why are new poles installed when there is an existing pole in place?

Hawaiian Electric performs pole replacements for several reasons including maintenance, using results from preventive and corrective inspections, engineering projects identified to strengthen a critical circuit or circuits, or through engineering or customer relocation projects. Poles replacements also occur because of damage from motor vehicle accidents, storms, or other impactful events.

Who is responsible for transferring or removing attachments?

Generally, the owners (including Hawaiian Telcom, Spectrum/Charter, City and County of Honolulu, State of Hawaii) of the attachments are responsible for transferring or removing their facilities from double poles, as such work could result in customer outages related to the respective service being provided. However, there are situations where one owner, through an agreement with another owner, is given the responsibility to transfer its facility. Examples include the following:

- On Hawai‘i Island, Hawaiian Electric has a long-standing agreement with the County of Hawai‘i (“County”) to transfer the County’s street light fixtures from the old poles to the new

¹ The Hawaiian Electric Companies consist of Hawaiian Electric Company, Inc., Hawai‘i Electric Light Company, Inc., and Maui Electric Company, Limited.

- poles. In turn, Hawaiian Electric bills the County an agreed upon dollar amount for each transfer completed.
- On all islands, through the ownership transfer agreement, Hawaiian Electric is responsible for completing all standard double pole transfers of Hawaiian Telcom's facilities from an old pole to a new pole as described in further detail below.

How are the occupants and lessees notified to complete their transfers?

When Hawaiian Electric initiates a pole replacement, as the *initiating company*, Hawaiian Electric will notify the other joint pole owners, also known as *occupants*, through a joint pole notice, also known as a *notice of intent* ("NOI"). The occupant is required to accept or reject on this NOI. If they reject, they need to provide the reason for rejection to the initiating company. Failure to provide such reasoning shall constitute the non-responding occupant's acceptance on the NOI.

Upon installation of the new pole replacement, the initiating company will notify the *occupants* that the new pole was installed through an *erection notice*. This notice informs the occupants of their obligation to complete the transfers of their equipment from the old pole to the new pole. Separately, after *occupants* have been provided the *erection notice*, Hawaiian Electric will notify *lessees* to transfer their facilities from the old pole to the new pole.

Are there challenges when transferring attachments?

Historically, there have been challenges for *occupants* and *lessees* to complete their transfers timely and consistently. Delays are experienced with all entities, especially on O'ahu where there is the largest volume of backlog double poles and newly created double poles. *Occupants* and *lessees* have communicated the reasons for the delay in transfers, which include insufficient staffing and priority of their required work as compared to their responsibility to complete the transfers of their facilities timely.

- Furthermore, there is a separate process for Hawaiian Telcom transfers which is described more fully below (see discussion regarding standard and non-standard transfers). This process is complicated by the limited number of Hawaiian Telcom-qualified contractors that are allowed to perform this type of work on Hawaiian Telcom's equipment, as these contractors must be on Hawaiian Telcom's approved contractor list. There have also been instances when Hawaiian Telcom's standard transfer materials were not readily available.

In addition to the backlog of double poles, the Company is addressing *preventive* double poles, which are double poles created since October 16, 2018, when D&O 35768 was issued approving the Company's application filed on April 4, 2018 in Docket 2018-0075. On O'ahu alone, the Company removed 188 preventive poles this year. If including Hawai'i Island and Maui, the preventive poles removed this year increases to 226. The preventive double pole counts are separate from the backlog double pole counts but are categorized using the same standard vs. non-standard definition, the same notification and transfer coordination process with the *occupants* and *lessees*, and the same obligation

and responsibility for the Company to perform the double pole standard transfer of Hawaiian Telecom's facilities and removal of the preventive double pole.

What is a standard transfer vs. a non-standard transfer under the Pole Licensing Agreement?²

Under the Pole Licensing Agreement between Hawaiian Electric and Hawaiian Telecom,³ a standard transfer involves de-attaching Hawaiian Telecom's existing cables/facilities from the old pole and attaching them to the new pole. It does not involve splicing or interruption of service to Hawaiian Telecom's customers. Pursuant to the Pole Licensing Agreement, Hawaiian Electric is responsible for standard transfers of Hawaiian Telecom's facilities and removal of the old backlog double pole. All materials to facilitate the transfer of Hawaiian Telecom's equipment are provided by Hawaiian Telecom. For other entities attached to the pole, Hawaiian Electric will coordinate the facility transfers from other joint pole owners (e.g., streetlights, traffic control cables, etc.), and communication equipment from other carriers (e.g., Spectrum, AT&T, Verizon, Servpac, etc.).

Non-standard transfers of facilities on double poles are more complex than standard transfers, typically require the expertise of the Hawaiian Telecom staff to complete, and potentially require an interruption in Hawaiian Telecom service. For non-standard backlog transfers, Hawaiian Telecom is responsible for completing the transfer of Hawaiian Telecom equipment and, if the transfer involves the last of the facilities off the old pole, Hawaiian Telecom will remove the old pole. If the removed Hawaiian Telecom facilities are not the last off the pole, Hawaiian Electric will remove the old pole once all other *occupants* and/or *lessee* facilities are transferred to the new pole. These non-standard backlog double poles are Hawaiian Telecom's responsibility to address unless other third-party entities are still attached to the pole.

2018: How many standard vs. non-standard double poles are there?

Up until 2018, estimates of backlog double poles (both standard and non-standard) ranged from 14,000 to 16,000 for the islands of O'ahu, Hawai'i and Maui.

Subsequently, Hawaiian Electric hired a contractor to perform a field audit of the estimated backlog double poles on O'ahu in the June 2018 timeframe. Below are the results of the audit:

- 3,700 backlog double poles were confirmed not to be double poles in the field. The old backlog double pole was already removed. Hawaiian Electric was not notified when the transfers were completed and the old double pole removed, so its joint pole records were not updated.
- 6,300 backlog double poles were identified to be standard backlog transfers.
- 2,100 backlog double poles were identified to be non-standard backlog transfers.

² See Dkt 2018-0075 Application ("Application"), Exhibit B, pages 29 – 31 for a more detailed explanation.

³ See Application, Exhibits B and C

Similar backlog double pole audits were not performed for Hawai‘i Island and Maui. Instead, an 80% to 20% ratio of standard vs. non-standard backlog double poles was applied on the estimated double poles for Hawai‘i Island and Maui.

- Hawai‘i = 2,300 double poles x 0.80 = 1,840 standard backlog transfers.
- Maui = 1,600 double poles x 0.80 = 1,280 standard backlog transfers.

Today: How many standard poles are there?

Table 1 shows that as of 10/20/2023, there are an estimated 6,601 backlog standard double poles remaining to address for all islands. Please note that this is an estimate as Hawaiian Electric continues to find backlog standard double poles either already removed, or no record of the pole being replaced.

Island	Year											Sub Total	TOTAL Backlog Poles @ Start Yr 1	TOTAL Backlog Poles Remaining
	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028				
Oahu	185	564	723	245	244							1,961	6,300	4,339
Hawaii	194	150	266	44	5							659	1,840	1,181
Maui	0	7	106	63	23							199	1,280	1,081
Subtotals	379	721	1,095	352	272	0	0	0	0	0		2,819	9,420	6,601

Table 1 - Backlog Standard Transfer Double Poles HE Removed (as of 10/20/23)

Lessons Learned:

Historically, the Company has removed 350 – 1000 double poles per year. To address the remaining 6,601 backlog standard double poles in the next 5 years, the Company targets to complete the transfer/removal of approximately 1,300 backlog double poles per year while addressing the following challenges:

1. Attachment owners do not complete their transfers in a timely, consistent manner, especially on O‘ahu. Reasons for their delays range from:
 - a. Insufficient staffing
 - b. Prioritizing other work versus responsibility to complete attachment transfers.
2. Hawaiian Electric will need to proactively work with its contractors to transition from the 2023 double pole contracts to the 2024 double pole contracts without an interruption to double pole removal productivity. In previous years, there was a lag between the closing of the prior annual contracts and the renewal of the next annual contracts due to challenges in contract execution. As a result, productivity was lost during the time between contract closing and renewal. For 2024, the Company negotiated with its contractors to secure their unit pricing for 2-years which should allow the double pole remediation work to continue seamlessly from 2024 into 2025.
3. In 2023, Hawaiian Electric contracted with one contractor for Hawai‘i Island and two contractors for Maui to address standard Hawaiian Telcom transfers and double pole removals. For Hawai‘i Island, productivity with the contractor has been slow. Additionally, one of the two Maui contractors has been called upon to support Maui wildfire restoration work and that has taken priority over double pole remediation work. The Company has requested Hawaiian Telcom to expand its approved contractor list, however this issue remains to a challenge for Hawaiian Electric.

Moving Forward

Hawaiian Electric remains committed to addressing the remaining backlog of standard Hawaiian Telcom transfers and double pole removals within the next 5 years (10 years as stated in Docket 2018-0075 filed on April 4, 2018). Hawaiian Electric plans to:

- Target approximately 1,300 double pole removals per year over the next 5 years.
- Evaluate opportunities to understand the contractor unit costs and gain contractor accountability through prioritization of assigned work.
- Work with the *occupants* and *lessees* to improve their facility transfer response time as well as proper notification to Hawaiian Electric upon completion.
- Work with Hawaiian Telcom to complete their non-standard transfers and double pole removals.
- Work with Hawaiian Telcom to provide the required standard transfer materials to Hawaiian Electric's contractors timely and in adequate quantities.

Appendix B – Hawaiian Electric response to Commission Staff Questions

Received on November 30, 2023

Updated on December 1, 2023



November 30, 2023

The Honorable Chair and Members of the
Hawai'i Public Utilities Commission
465 South King Street
Kekuanaoa Building, 1st Floor
Honolulu, Hawai'i 96813

Dear Commissioners:

Subject: Double Pole Removal
Hawaiian Electric Company, Inc., Hawai'i Electric Light Company, Inc., and
Maui Electric Company, Limited
Responses to Commission's Questions – Final Report

The Hawaiian Electric Companies¹ herein submit the responses to the Commission's questions, filed on October 31, 2023, regarding Double Pole Removal Status.

Sincerely,

/s/ Kevin M. Katsura

Kevin M. Katsura
Director
Regulatory Non-Rate Proceedings

c: Division of Consumer Advocacy

¹ The "Hawaiian Electric Companies" or "Companies" refer to Hawaiian Electric Company, Inc., Hawai'i Electric Light Company, Inc., and Maui Electric Company, Limited.

QUESTION-01
DOUBLE POLE REMOVAL STATUS
PAGE 1 OF 1

QUESTION-01

According to the Hawaiian Electric Double Pole Removal Update dated 10/27/2023 (Double Pole Removal Update), “Hawaiian Electric” or “the Company” is responsible for removing double poles on the five islands that Hawaiian Electric serves. Please clarify if there is only one department in the Company that is overall responsible for double pole removal on all five islands, or if there is a separate department for each of HECO, MECO, and HELCO. In either case, please provide a single department and single point of contact who represents the Company, who can provide status and responses to questions regarding this effort.

Hawaiian Electric Response:

Hawaiian Electric’s (“Hawaiian Electric” or “Company”) Operations Planning and Construction Management Division (“OP&CM”) is responsible for overseeing the removal of certain double poles on the five islands that Hawaiian Electric serves, as indicated in these responses and Hawaiian Electric’s Double Pole Removal Update dated 10/27/2023. OP&CM has two Joint Use Construction Managers (“JUCM”) that oversee the double pole removal efforts on O’ahu, Hawai’i Island, and Maui. The JUCM report to Paul Nakagawa, Hawaiian Electric’s Joint Pole Supervisor and the Company’s point of contact for questions regarding this effort.

QUESTION-02
DOUBLE POLE REMOVAL STATUS
PAGE 1 OF 2

QUESTION-02

Please identify all current company-maintained databases used to track double poles. For each database, please include a brief description of what is included in the database and how/when updates are done.

Hawaiian Electric Response:

Hawaiian Electric (“Company”) uses operating company-specific Joint Pole (“JP”) databases where pole data information and responses are recorded.

O‘ahu’s JP web-based database is called Joint Pole Management (“JPM”). JPM provides the user the ability to look up a pole’s history (*i.e.*, when a pole was installed, replaced, removed), JP ownership details (*i.e.*, other entities with a shared ownership interest in the pole), and JP responses (*i.e.*, which owner(s) responded to pole installation/replacement applications and/or transfer completion notices). Pole record updates typically occur when a pole replacement notice is entered into JPM, when notices are sent out to the owners and attachers of the pole being replaced, when the pole is replaced, and when the owners and/or attachers notify the Company that their transfers are complete. The JPM reporting feature is limited and unable to run custom/ad-hoc reports.

Hawai‘i Island’s JP database is called JP Track (“JPT”) and is an Access database. Like JPM, JPT also tracks pole installations, JP ownership, and JP responses. Pole record updates typically occur when a pole replacement notice is entered into JPT, when notices are sent out to the owners and attachers of the pole being replaced, when the pole is replaced, and when the owners and/or attachers notify the Company that their transfers are complete. JPT also tracks the status of other attachers attached to a pole if the entity is known at the time of the pole replacement.

QUESTION-02
DOUBLE POLE REMOVAL STATUS
PAGE 2 OF 2

Maui's JP database is called Notice of Intent ("NOI"). It is an Excel database that tracks pole installations, JP occupants, and JP responses. Pole record updates may occur when a pole replacement notice is entered into the NOI database, when notices are sent out to the owners and attachers of the pole being replaced, when the pole is replaced, and when the owners and/or attachers notify the Company that their transfers are complete.

QUESTION-03
 DOUBLE POLE REMOVAL STATUS
 PAGE 1 OF 4

QUESTION-03

Please provide the information in the following Data Tables:

	Summary of All Double Poles	HECO	MECO	HELCO	Total
1	# of Double poles requiring a standard transfer by Hawaiian Telcom (HT)				
2a	# of Double poles requiring a non-standard transfer by the County				
2b	# of Double poles requiring a non-standard transfer by State of Hawaii				
3	# of Double poles requiring a non-standard transfer by a Renter (an attacher who is NOT an Owner)				
4	# of Double poles to be removed that have NO attachments remaining				
5	Other categories of poles that contribute to Total # Double poles, if any. Please provide a list at the end of this table.				
6	TOTAL # of Double poles presently, as of __/__/2023 (The Company to fill in the date)				
7	Out of total double poles (100%), the estimated average percentage of double poles that require a standard transfer and the estimated average percentage of poles that require a non-standard transfer *See Note A below				
8	Total # of double poles at start of 10-year period based on the Companies' field audit in June 2018 (10-year period from October 2018 to October 2028)				
9	Total # of double poles removed since the start of the 10-year period.				
10	Estimated # double poles added each year *See Note A below				

*Note A: Provide basis for the estimate.

QUESTION-03
DOUBLE POLE REMOVAL STATUS
PAGE 2 OF 4

Hawaiian Electric Response:

TABLE	Summary of All Double Poles	HECO	MECO	HELCO	Total
1	# of Double poles requiring a standard transfer by Hawaiian Electric ¹	3,855	1,018	1,149	6,022
2a	# of Double poles requiring a non-standard transfer by the County	477	0	0	477
2b	# of Double poles requiring a non-standard transfer by State of Hawaii	107	0	0	107
3	# of Double poles requiring a non-standard transfer by a Renter (an attacher who is NOT an Owner)	2,453	422	987	3,862
4	# of Double poles to be removed that have NO attachments remaining	75	3	153	231
5	Other categories of poles that contribute to Total # Double poles, if any. Please provide a list at the end of this table.	398	34	235	667
6	TOTAL # of Double poles presently, as of <u>11/02/2023</u> (The Company to fill in the date)	6,781	1,477	2,524	10,782
7	Out of total Double poles (100%), the estimated average percentage of Double poles that require a standard transfer and the estimated average percentage of poles that require a non-standard transfer *See Note A below	Std Transfer = 63.8% Non-Std Transfer = 36.2%	Std Transfer = 71.4% Non-Std Transfer = 28.6%	Std Transfer = 60.9% Non-Std Transfer = 39.1%	Std Transfer = 64.2% Non-Std Transfer = 35.8%
8	Total # of Double poles at start of 10-year period based on the Companies' field audit in June 2018 (10-year period from October 2018 to October 2028)	6,300	1,840	1,280	9,420
9	Total # of double poles removed since the start of the 10-year period.	1,968	667	205	2,840
10	Estimated # double poles added each year *See Note A below	See comment and table in response below	See comment and table in response below	See comment and table in response below	See comment and table in response below

¹ For the above Table, row 1, the Hawaiian Electric's ("Company's") responses are based on its interpretation that the description provided should be "# of Double poles requiring a standard transfer by Hawaiian Electric" rather than "# of Double poles requiring a standard transfer by Hawaiian Telecom (HT)", and the Company has adjusted the description accordingly in the response.

QUESTION 03
DOUBLE POLE REMOVAL STATUS
PAGE 3 OF 4

For the above Table, rows 1 through 9, the Company interpreted the count as the number of backlog double poles the Company committed to removing in Docket 2018-0075 Application. All counts are as of November 2, 2023.

For row 10, the Company interpreted the count to be the total estimated number of new double poles created that are not part of the “backlog” double poles described in rows 1 through 9. These new double poles are referred to as “preventive” double poles. The table below lists the year the preventive double pole was created as of November 2, 2023. The Company is actively addressing the transfers and removals of the preventive double poles.

Row	Year	HECO	MECO	HELCO	Total
10	2018	74	34	45	153
	2019	880	47	291	1218
	2020	752	7	329	1088
	2021	793	10	208	1011
	2022	930	5	146	1081
	2023	786	52	196	1034
Subtotals		4215	155	1215	5585

For rows 2a and 2b, the Company interpreted the count as the number of remaining backlog double poles requiring transfers by the County (on O‘ahu and Hawai‘i Island) and the State of Hawai‘i (on O‘ahu). The term “non-standard transfer” applies to HT’s transfer, as defined in the Docket 2018-0075 Application, Exhibit B, pages 29-31, and not to other transfers.

For row 3, the Company interpreted the count to be the number of remaining backlog non-standard double pole transfers by Hawaiian Telecom, per the definition of non-standard transfer described above.

QUESTION-03
DOUBLE POLE REMOVAL STATUS
PAGE 4 OF 4

For row 5, the Company interpreted the count to be any double poles not included in rows 1, 3, or 4. This count includes double poles that may still have incomplete Company transfers, double poles that are not topped and still erected in the electrical space, and Double poles with incomplete equipment and riser transfers by non-Hawaiian Telecom renters.

For row 6, the Company interpreted the count to be the sum of rows 1, 3, 4, and 5. Rows 2a and 2b are interpreted to be subsets of rows 1, 3, or 5.

For row 7, for each operating Company, the estimated average percentage of double poles that require a standard transfer was derived by summing the corresponding values for rows 1, 4, and 5, and then dividing that number by the value found in row 6. The estimated average percentage of double poles that require a non-standard transfer was derived by dividing the count for row 3 by the count for row 6.

The responses listed in row 8 represent the total backlog standard transfers at the start of the 10-year period from October 2018, and the responses listed in row 9 represent the total number of backlog standard double poles the Company removed since the start of the 10-year period from October 2018. The Company does not have the total backlog non-standard transfers counts Hawaiian Telecom removed since the start of the 10-year period. That information should be obtained from Hawaiian Telecom.

QUESTION-04
 DOUBLE POLE REMOVAL STATUS
 PAGE 1 OF 3

QUESTION-04

Please also provide this information, which should provide an idea of how many poles are in each stage of the process.

- a. Standard Transfers (HE contractor performs the transfer and removes the double pole)

Poles Requiring Standard Transfers	Number of Poles in Each Stage			
	Note: Each pole should be counted in only one of the stages below			
Company	The Company has not hired the Contractor yet (A)	Contractor hired, but is waiting for HT to provide materials for the transfer (B)	Contractor work in progress - The Company is waiting for Contractor's notification that transfer was complete and pole was removed (C)	Total (A+B+C) Note: this should be equal to the total number of Double Poles
HECO				
MECO				
HELCO				
Total				

- b. Non-Standard Transfers (Each attacher performs the transfer and either removes or has the electric utility remove the double pole)

Poles requiring non-standard transfers	Number of Poles in Each Stage			
	Note: Each pole should be counted in only one of the stages below			
Company	The Company to send First Notification to Attachers (A)	Transfer work in progress - The Company is waiting for Attacher's notification that transfer was complete and pole was removed (B)	Transfer was complete but waiting for The Company to remove the pole (C)	Total (A+B+C) Note: this should be equal to the total number of Double Poles
HECO				
MECO				
HELCO				
Total				

QUESTION-04
DOUBLE POLE REMOVAL STATUS
PAGE 2 OF 3

Hawaiian Electric Response:

a.

Poles Requiring Standard Transfers	Number of Poles in Each Stage Note: Each pole should be counted in only one of the stages below			
	Company	The Company has not hired the Contractor yet (A)	Contractor hired, but is waiting for HT to provide materials for the transfer (B)	Contractor work in progress – The Company is waiting for Contractor’s notification that transfer was complete and pole was removed (C)
HECO	4,200	0	128	4,328
MECO	1,022	0	33	1,055
HELCO	1,519	0	18	1,537
Total	6,741	0	179	6,920

Hawaiian Electric (“Company”) interpreted the counts in the Total (A+B+C) column as the number of backlog double poles the Company committed to removing in the Docket 2018-0075 Application. (Question 3, sum of table rows 1, 4, & 5). The counts in column A include the backlog double poles that have no attachments remaining, and the other categories of poles that contribute to the total number of backlog double poles that do not involve non-standard transfers by Hawaiian Telecom. Counts in column A are as of November 2, 2023. Counts in column C are as of November 3, 2023.

QUESTION-04
 DOUBLE POLE REMOVAL STATUS
 PAGE 3 OF 3

b.

Poles requiring non-standard transfers	Number of Poles in Each Stage Note: Each pole should be counted in only one of the stages below			
	The Company to send First Notification to Attachers (A)	Transfer work in progress – The Company is waiting for Attacher’s notification that transfer was complete and pole was removed (B)	Transfer was complete but waiting for The Company to remove the pole (C)	Total (A+B+C) Note: this should be equal to the total number of Double Poles
HECO	?	?	?	2,453
MECO	?	?	?	422
HELCO	?	?	?	987
Total	?	?	?	3,862

Poles requiring Hawaiian Telcom non-standard transfers are to be performed by Hawaiian Telcom. The Companies do not have access to Hawaiian Telcom data and are not aware of the number of poles in each stage of the table above.

QUESTION-05
DOUBLE POLE REMOVAL STATUS
PAGE 1 OF 5

QUESTION-05

For each service territory and for each of the following: a) standard transfers, which can be coordinated and performed by the Company and its contractors, b) non-standard transfers needed by POLE OWNERS, c) non-standard transfers needed by RIGHT OF WAY ATTACHERS, and d) non-standard transfers needed by RENTERS:

- a. Please outline the process and steps involved with the removal of the double pole, up to the final step of formally removing the double pole from the double pole count.
- b. Please list all attachment owners and types of attachments. Define authorized attachers and renters.

Hawaiian Electric Response:

- a. **aa.** For each service territory, namely O'ahu, Hawai'i Island, and Maui County, Hawaiian Electric's ("Hawaiian Electric" or "Company") approved contractors perform the standard transfers of Hawaiian Telcom's ("HT") equipment from the old double pole to Hawaiian Electric's new pole, and then removes the old double pole. First, Hawaiian Electric's Joint Use Construction Managers (JUCM) identify double poles on each of the islands and determine if the transfer is standard or non-standard based on HT's equipment on the pole and the attributes of the pole itself. Next, they work with the Joint Pole Coordinators ("JPCs") to research the double pole's history, and confirm if there are any other non-HT entities attached to the double pole. When non-HT entities are attached to the double pole, the JPCs and JUCMs notify the non-HT entities to transfer their facilities and have those attachers subsequently to notify Hawaiian Electric once complete. To address the HT standard transfer, the JUCMs assign the double pole to one of Hawaiian Electric's contractors approved to transfer HT's cables. The contractor is also assigned removal of the double pole after they complete the HT standard transfer.

QUESTION-05
DOUBLE POLE REMOVAL STATUS
PAGE 2 OF 5

Once confirmation is received that the double pole was removed, the double pole count is reduced accordingly.

ab - ad. All HT non-standard transfers on to Hawaiian Electric poles are performed by HT for each Hawaiian Electric service territory. Pole removals, however, are performed either by Hawaiian Telecom, Hawaiian Electric's approved contractors, or Hawaiian Electric's T&D Operations crews, depending upon circumstances. Similar to standard transfers, first, Hawaiian Electric's JUCMs work with JPCs to research double pole's history and confirm if there are any non-HT entities attached to the double pole. If non-HT entities are attached to the double pole, the JPCs and JUCMs notify the remaining attachers and instruct them to complete their attachments and subsequently provide notification to Hawaiian Electric once the transfer is complete. Concurrently, Hawaiian Electric will inform HT of the non-standard transfer for Company maintenance pole replacements. Renters (as defined below) who effectuate a pole replacement coordinate all transfers of third-party communication facilities from the old pole to the new pole, including HT transfers, regardless of the type (standard or non-standard). If HT is the last entity to complete transfer of facilities, HT will remove the old double pole. If HT is not the last to complete its transfers, HT is still obligated to inform Hawaiian Electric when the HT transfer is complete, and Hawaiian Electric will then remove the double pole once the remaining non-HT entities complete their transfer. To further clarify, the definition of non-standard transfers only applies to Hawaiian Telecom, as defined in the Docket 2018-0075 Application, Exhibit B, pages 29-31. Right-of-Way Attachers such as the City & County of Honolulu or the State of Hawai'i are only

QUESTION-05
DOUBLE POLE REMOVAL STATUS
PAGE 3 OF 5

responsible for their respective facilities and depend on Hawaiian Electric to manage the transfers of communication facilities.

ba-bd. An authorized attacher is any attaching entity that has a formal agreement with the pole owner(s) to attach a predetermined and agreed upon attachment(s) through a formal approval process. A renter is any attaching entity that is not a party to a joint pole agreement with a pole owner and does not have any equitable ownership in another party's pole.

- b. Below is a list of all attachment owners and types of attachments.

O'ahu

- Hawaiian Telcom (renter). Wireline cables – copper and fiber optic, fiber distribution hubs, cross connect boxes, load coils, repeaters, splices, pole mounted and line terminals, VSEMs, meters, air pressure devices, risers, NIDs.
- City and County of Honolulu (owner). Streetlights, wireline traffic control cables and fiber optic, INET cables, risers, meters, gateway devices, traffic flashers.
- State of Hawai'i (owner). Streetlights, wireline traffic control cables and fiber optic, INET cables, risers, meters, traffic flashers.
- Spectrum (renter). Wireline cables – coax and fiber optic, Wi-Fi antennas on strands, power supply boxes, related cable devices, meters, risers.
- Servpac (renter). Wireline fiber optic, risers.
- Lumen (renter). Wireline fiber optic, risers.
- AT&T (renter). Wireless antennas and related devices.
- AT&T Gov (renter). Wireline cables – copper and fiber optic.

QUESTION-05
DOUBLE POLE REMOVAL STATUS
PAGE 4 OF 5

- Sandwich Isle Communication (renter). Wireline cables – copper and fiber optic, risers.
- Verizon (renter). Wireless antennas and related devices.

Hawai'i Island

- Hawaiian Telcom (renter). Wireline cables – copper and fiber optic, fiber distribution hubs, cross connect boxes, load coils, repeaters, splices, pole mounted and line terminals, VSEMs, meters, air pressure devices, risers, NIDs.
- County of Hawai'i (owner). Streetlights, risers, cameras, traffic flashers, traffic signs, traffic lights, pedestrian walk signs.
- Spectrum (renter). Wireline cables – coax and fiber optic, Wi-Fi antennas on strands, power supply boxes, related cable devices, meters, risers.
- Lumen (renter). Wireline fiber optic, risers.
- AT&T (renter). Wireless antennas and related devices.
- AT&T Gov (renter). Wireline cables – copper and fiber optic.
- Sandwich Isle Communication (renter). Wireline cables – copper and fiber optic, risers.

Maui

- Hawaiian Telcom (renter). Wireline cables – copper and fiber optic, fiber distribution hubs, cross connect boxes, load coils, repeaters, splices, pole mounted and line terminals, VSEMs, meters, air pressure devices, risers, NIDs.

QUESTION-05
DOUBLE POLE REMOVAL STATUS
PAGE 5 OF 5

- Spectrum (renter). Wireline cables – coax and fiber optic, Wi-Fi antennas on strands, power supply boxes, related cable devices, meters, risers.
- Lumen (renter). Wireline fiber optic, risers.
- AT&T Gov (renter). Wireline cables – copper and fiber optic.
- Sandwich Isle Communications (renter). Wireline cables – copper and fiber optic, risers.

QUESTION-06
DOUBLE POLE REMOVAL STATUS
PAGE 1 OF 2

QUESTION-06

At the virtual meeting held on October 19, 2023 ("October meeting"), HECO stated numerous challenges of having the Owners and Renters respond to HECO's requests. For example, 1) HT often does not have the materials required for HECO's contractor to perform a standard transfer, 2) HECO often does not receive notification when a pole transfer is completed by the Owner or Renter.

- a. For the Companies, please provide a list of penalties, or actions that each can take based on the most current Pole Attachment Agreements, Joint Pole Agreements, and any other contracts with Hawaiian Tel. Cite the references.

Hawaiian Electric Response:

- a. Hawaiian Electric's ("Hawaiian Electric" or "Company") various pole attachment agreements with all attachers, including joint owners, were negotiated and entered into with the presumption that the parties to each agreement would follow the terms, conditions, and processes set forth in each agreement. As such, the agreements contain few sanctions or enforcement measures beyond typical tiered dispute resolution processes. The Company's agreements, both with the joint pole owners and with other attachers, do not provide for actions available to the Company to force an attacher to transfer its equipment, nor do the agreements provide for penalties to impose on an attacher for failure to timely complete its transfers.

Hawaiian Electric's Pole Attachment Agreements with non-joint pole attachers, as well as Hawaiian Electric's agreements with HT, all have dispute resolution terms that provide a tiered process for the parties to engage in dispute resolution at different management levels. (*See*, License Agreement for Pole Attachments § 21; *see, also* HT Pole Licensing Agreement § 18 and HT Operating Agreement § 25). The dispute resolution terms in all of these agreements are similar and provide for multiple meetings

QUESTION-06
DOUBLE POLE REMOVAL STATUS
PAGE 2 OF 2

at different managerial and executive levels before moving to mediation and then, if still unresolved, to arbitration.

The Company's JPAs for both Honolulu and Maui Counties also contain dispute resolution terms, which provide for informal discussions before submitting the dispute to arbitration. (*See O'ahu's JPA, §§ 4 & 5 Maui's JPA, § 26*).

QUESTION-07
DOUBLE POLE REMOVAL STATUS
PAGE 1 OF 1

QUESTION-07

Please identify all notification and enforcement options currently available to the Companies (e.g., from Master License Agreements, FCC rules/complaint). Have the Companies explored other options to expedite the timely transfers of all attachments? If so, please identify and explain these efforts.

Hawaiian Electric Response:

The Federal Communications Commission (“FCC”) only allows sanctions or penalties to be imposed on attachers in very limited circumstances that are unrelated to parties’ obligations to transfer their equipment to new poles. *See, i.e.*, FCC 11-50, WC Docket No. 07-245, 2011, § IV(D) at ¶ 115. The Federal Pole Attachment Act authorizes the FCC to regulate the rates, terms, and conditions for pole attachments unless a state reverse preempts and decides it will regulate the rates, terms and conditions. *See*, 47 U.S.C. § 224(b)-(c).

Please also see the response to Question-06.

QUESTION-08
DOUBLE POLE REMOVAL STATUS
PAGE 1 OF 1

QUESTION-08

Do the Companies currently enforce any or all of the current penalties or actions to ensure response and action by the other Pole Owners and Attachers? Why or why not?

Hawaiian Electric Response:

As noted in the Companies' response to Question-06, there are no current penalties or actions to ensure response and specific action by the other Pole Owners and Attachers. The Companies have previously determined to not invoke arbitration or dispute resolution provisions of its contracts and have instead focused on working collaboratively with the Pole Owners or Attachers from a logistics perspective; however, in light of ongoing concerns with double pole removals, the Companies are now evaluating all options.

QUESTION-09
DOUBLE POLE REMOVAL STATUS
PAGE 1 OF 1

QUESTION-09

Specifically, is there currently a contract or agreement that considers an attachment “a breach of contract” or “unauthorized” if a Pole Owner or Renter is unresponsive to the Companies’ pole transfer requests?

Hawaiian Electric Response:

While the Companies have never cited an Attacher’s non-responsiveness, lack of timeliness, etc. in the recent past as a breach of contract, when a party to a contract fails to adhere to material terms or complete material obligations, that may constitute a breach of contract under contract law. Please also see the Companies’ response to Questions 06-08.

QUESTION-10
DOUBLE POLE REMOVAL STATUS
PAGE 1 OF 1

QUESTION-10

At the October meeting, HECO stated that it currently uses O&M and Removal funds to remove double poles. HECO also stated the cost to fund the pole transfers is not sufficient to cover the costs. For the Companies, please discuss whether removing the remaining double poles is in the budget for the next 5 years. If double pole removals have been budgeted, please provide how much is in the budget for each service territory. If it is already known that the budgeted amount will be insufficient, please discuss the Companies' plans to remedy this insufficiency.

Hawaiian Electric Response:

The Companies committed to removing the remaining backlog of double poles noted in the summary table in Question 3, as part of its Docket 2018-0075 filing, by applying revenue contributed by pole attachers. The Companies forecasted annual revenues of approximately \$650,000 per year, over 10 years, as part of the transfer of equity ownership interest sale approved in Docket 2018-0075. This annual amount is insufficient to address the remaining backlog double poles the Companies are responsible to remove. It is estimated that an additional \$2.1M to \$2.5M per year over the remaining 5 years will be needed to address these backlog double poles. The Companies included the additional funds required to remediate the backlog double poles in its annual budget reviews.

QUESTION-11
DOUBLE POLE REMOVAL STATUS
PAGE 1 OF 1

QUESTION-11

If after the completion of Data Table item 4 (number of double poles that have NO remaining attachments) there are double poles with no remaining attachments, please discuss the reasons or challenges for delays in the removal of these poles.

Hawaiian Electric Response:

For the number of double poles needing removal that have no remaining attachments, one of the major challenges is ensuring availability of contractors and/or T&D Operations crews that can perform the work in a timely manner once it is assigned. Hawaiian Electric groups these bare double poles with other double poles in the vicinity to optimize the removal efficiency for the contractor assigned. Another challenge to Hawaiian Electric is project prioritization among qualified contractors when they are choosing between work performed on behalf of Hawaiian Electric and work performed on behalf of other entities. In short, contractors are not solely dedicated to the Hawaiian Electric double pole removal effort. In each of the Hawaiian Electric service territories, the Company collaborates with the respective contractors to obtain weekly schedules for double pole removals, but delays still occur.

QUESTION-12
DOUBLE POLE REMOVAL STATUS
PAGE 1 OF 1

QUESTION-12

At the October meeting, HECO stated that it is very difficult to obtain the actual double pole counts and status, in both the Joint Pole Database and the PI Database. Also, that HECO, MECO, and HELCO each maintain their own records in these two databases. According to Docket 2018-0075, HECO planned to acquire a consultant to provide the actual count of double poles. Please describe the Companies' plans to upgrade and/or consolidate both databases to monitor the double pole counts and status?

Hawaiian Electric Response:

There are no current plans to upgrade and/or consolidate the different Joint Pole Databases and the PIE Database in order to monitor the double pole counts and status electronically. The JP Databases track pole transactions and history by JP owner, including existing Hawaiian Telcom ("HT") occupancy and existing line transfer responses. The PIE Database does not track double poles, but tracks new pole attachments by all other non-JP owners, e.g. renters, that were formally approved by the Companies since purchasing the communication space on poles jointly owned with HT. New pole attachment and overlash requests by HT are also tracked in the PIE Database.

As described in Docket 2018-0075, the Company did acquire a contractor to conduct a double pole field audit of existing double poles on O'ahu. For Hawai'i Island, the Company performed a double pole field audit using its internal field inspectors. For Maui, due to budgetary restrictions, the Company utilized available inspection and joint pole records to determine the count of double poles. The backlog double pole counts discussed in the response to Question 3 above are the result of these counts.

QUESTION-13
DOUBLE POLE REMOVAL STATUS
PAGE 1 OF 2

QUESTION-13

At the October meeting, per HECO, the current double pole count (standard transfers only) for all islands is 6,604, which amounts to over 1,300 double pole removals per year. However, this number does not include double poles requiring non-standard transfers, double poles that are bare and pending HECO removal, and new double poles that are added each year.

- a. With consideration of the number of pole removals completed in the past 5 years, what assurances can the Companies give to the PUC that the remaining balance of double poles can be removed within the next 5 years?
- b. If the Companies continue “business as usual” regarding removal of double poles, do each of HECO, MECO and HELCO commit to meeting the goal of removing ALL double poles (as provided in the October 27, 2023 report) within the remaining 5 years?
- c. If the answer is no, then what new or future improvements, programs, actions, or updates to the contracts/agreements to invoke penalties, etc., are the Companies planning to implement to ensure this goal is met?

Hawaiian Electric Response:

- a. The Hawaiian Electric Companies (“Hawaiian Electric” or “Companies”) remain committed to addressing the remaining backlog of standard Hawaiian Telecom transfers and double pole removals within the next 5 years.
- b. The Companies are not applying a “business as usual” standard in their effort to remove ALL double poles within the remaining 5 years. However, the Companies’ responses and counts provided to these questions focus on the backlog of double poles that the Companies committed to removing in Docket 2018-0075. In Question 3, the Companies added a table of double poles created since October 16, 2018, defined as “preventive” double poles, and these are routinely created in addition to the pre-existing backlog double pole counts described in Question 3, rows 1 through 9 inherited by the Companies in 2018. The Companies define “ALL” double poles as the sum of the remaining backlog double poles and the more recently created preventive double poles. As stated in the response to 13a

QUESTION-13
DOUBLE POLE REMOVAL STATUS
PAGE 2 OF 2

above, the Companies are committed to addressing the remaining backlog double pole removals within the next 5 years.

- c. The Companies will not be able to remediate all of the preventive double poles, and newly created preventive double poles created in the next 5 years. As stated above, preventive double poles are created on a routine basis for various reasons such as regular maintenance, engineering projects identified to strengthen a critical circuit or circuits, or through engineering or customer relocation projects. In short, due to the nature of preventive double poles, Hawaiian Electric's efforts to address and remediate preventive double poles will continue beyond the next 5 years. Nonetheless, Hawaiian Electric will review its various Joint Pole Agreements and Attachment Agreements and will explore opportunities to amend these agreements to facilitate timely transfers in the future.. Hawaiian Electric will also review, to the extent applicable, any action that can be exercised with any communication carrier under the FCC's One Touch Make Ready (OTMR) – based pole attachment process.

QUESTION-14
DOUBLE POLE REMOVAL STATUS
PAGE 1 OF 1

QUESTION-14

At the October meeting, HECO discussed the discrepancies of the actual initial double pole count of 14,000 (see Docket No. 2018-0075) for the Companies. Given the audit performed, please confirm the actual number of double poles that the Companies finally committed to being removed within the 10-year period.

Hawaiian Electric Response:

The Companies committed to removing approximately 9,420 backlog standard double poles within the 10-year period. This number is also found in Question 3, row 8.

QUESTION-15
DOUBLE POLE REMOVAL STATUS
PAGE 1 OF 1

QUESTION-15

Do the Companies have a preference for how to publicly provide status of the joint poles (number removed, balance remaining, for example), such as within a publicly available status conference that allows for public comment, or a webpage on the Companies' websites that specifically provides information as it is known to the Companies?

Hawaiian Electric Response:

Hawaiian Electric envisions providing quarterly progress metrics related to its double pole remediation efforts on the Company's publicly-accessible website.

QUESTION-16
DOUBLE POLE REMOVAL STATUS
PAGE 1 OF 1

QUESTION-16

Please provide the following questions to all of the entities who are pole Attachers (pole owners, right of way attachers, and 3rd party renters). Collect and include each entity's responses as part of your responses to the Commission's questions:

- a. How many non-standard transfers have HECO, MECO, or HELCO sent you requests for, that have not been completed yet?
- b. After receiving the electric utility's notification of a pole transfer request, what is your average response time to perform the transfer? Are you also responsible for removing the pole after you have completed the transfer?
- c. If the electric utility is responsible for removing the pole after you have completed the transfer, do you notify the electric utility when you have completed your transfer? What is the average time after the transfer that you provide notification?
- d. If you are responsible for removing the pole after you have completed the transfer, do you notify the electric utility when you have completed the transfer and removed the double pole? What is the average time after the pole removal that you provide notification?

Hawaiian Electric Response:

The responses to questions a. through d. for each of the six responding Attachers are included as

Attachments 1 through 6 to this response:

- State of Hawaii DOT
- City and County of Honolulu
- Charter Spectrum
- County of Hawaii
- Parcor – AT&T
- Hawaiian Telecom

QUESTION-16
DOUBLE POLE REMOVAL STATUS
ATTACHMENT 1 (HI DOT)
PAGE 1 OF 1

QUESTION-16

Please provide the following questions to all of the entities who are pole Attachers (pole owners, right of way attachers, and 3rd party renters). Collect and include each entity's responses as part of your responses to the Commission's questions:

- a. How many non-standard transfers have HECO, MECO, or HELCO sent you requests for, that have not been completed yet?
- b. After receiving the electric utility's notification of a pole transfer request, what is your average response time to perform the transfer? Are you also responsible for removing the pole after you have completed the transfer?
- c. If the electric utility is responsible for removing the pole after you have completed the transfer, do you notify the electric utility when you have completed your transfer? What is the average time after the transfer that you provide notification?
- d. If you are responsible for removing the pole after you have completed the transfer, do you notify the electric utility when you have completed the transfer and removed the double pole? What is the average time after the pole removal that you provide notification?

Hawaiian Electric Response: (From State of Hawaii, DOT Hwys)

- a. 120 – 150 ea.
- b. At this time it depends on what kind of priority HECO puts on the pole transfer request.

We are usually not responsible for removing the pole.
- c. Yes. 3-4 weeks.
- d. Yes. Next day.

QUESTION-16
DOUBLE POLE REMOVAL STATUS
ATTACHMENT 2
(HONOLULU C&C)
PAGE 1 OF 1

QUESTION-16

Please provide the following questions to all of the entities who are pole Attachers (pole owners, right of way attachers, and 3rd party renters). Collect and include each entity's responses as part of your responses to the Commission's questions:

- a. How many non-standard transfers have HECO, MECO, or HELCO sent you requests for, that have not been completed yet? **The City has about thirty-four (34) non-standard transfers that have not been completed.**
- b. After receiving the electric utility's notification of a pole transfer request, what is your average response time to perform the transfer? **The City's Department of Transportation Services (DTS) reported that they take about 2 to 3 months to schedule and complete the transfers. The City's Department of Facility Maintenance (DFM) reported that they take about 4 to 5 weeks to schedule and complete the transfers.** Are you also responsible for removing the pole after you have completed the transfer? **No.**
- c. If the electric utility is responsible for removing the pole after you have completed the transfer, do you notify the electric utility when you have completed your transfer? **Yes.** What is the average time after the transfer that you provide notification? **Typically, the City provides notification to the utility within a week.**
- d. If you are responsible for removing the pole after you have completed the transfer, do you notify the electric utility when you have completed the transfer and removed the double pole? **n/a** What is the average time after the pole removal that you provide notification? **n/a**

Hawaiian Electric Response:

- a.

QUESTION 16
DOUBLE POLE REMOVAL STATUS
ATTACHMENT 3 (SPECTRUM)
PAGE 1 OF 1

HCR 41/HR 45 (SLH) – Double Pole Removal

Hawaiian Electric Company, Inc. Hawaii Electric Light Company, Inc., and Maui Electric Company, Limited (“Hawaiian Electric” or “Companies”) Questions

SPECTRUM OCEANIC, LLC (CHARTER COMMUNICATIONS) RESPONSES TO QUESTION 16

Q. 16.a. How many non-standard transfers have HECO, MECO, or HELCO sent you requests for, that have not been completed yet?

A. **Spectrum currently has 716 non-standard uncompleted transfers from the Companies.**

Q. 16.b. After receiving the electric utility’s notification of a pole transfer request, what is your average response time to perform the transfer? Are you also responsible for removing the pole after you have completed the transfer?

A. **The average time Spectrum takes to perform a transfer after receiving notification from the Companies is 30 days. Charter is not responsible for removing the pole after it has completed a transfer.**

Q. 16.c. If the electric utility is responsible for removing the pole after you have completed the transfer, do you notify the electric utility when you have completed your transfer? What is the average time after the transfer that you provide notification?

A. **The Companies are responsible for removing the pole after Spectrum has completed a transfer. Spectrum notifies the Companies within 72 hours of completing a transfer.**

Q. 17.d. If you are responsible for removing the pole after you have completed the transfer, do you notify the electric utility when you have completed the transfer and removed the double pole? What is the average time after the pole removal that you provide notification?

A. N/A

QUESTION-16
DOUBLE POLE REMOVAL STATUS
ATTACHMENT 4 (COUNTY OF HI)
PAGE 1 OF 1

QUESTION-16

Please provide the following questions to all of the entities who are pole Attachers (pole owners, right of way attachers, and 3rd party renters). Collect and include each entity's responses as part of your responses to the Commission's questions:

- a. How many non-standard transfers have HECO, MECO, or HELCO sent you requests for, that have not been completed yet?
- b. After receiving the electric utility's notification of a pole transfer request, what is your average response time to perform the transfer? Are you also responsible for removing the pole after you have completed the transfer?
- c. If the electric utility is responsible for removing the pole after you have completed the transfer, do you notify the electric utility when you have completed your transfer? What is the average time after the transfer that you provide notification?
- d. If you are responsible for removing the pole after you have completed the transfer, do you notify the electric utility when you have completed the transfer and removed the double pole? What is the average time after the pole removal that you provide notification?

County of Hawaii:

- a. None.
- b. HELCO typically transfers most CoH equipment. If there is equipment that HELCO can't transfer, CoH would either plan to work along HELCO or would complete the work within 1-2 weeks of when we are notified that we must transfer equipment. CoH is not responsible for removing the pole in any standard transfer.
- c. In the rare case that CoH must transfer equipment, CoH will either work along with HELCO or notify HELCO within 1-2 weeks of when our transfer or removal is complete.
- d. CoH is not responsible for removing the pole in any standard transfer.

QUESTION-16
DOUBLE POLE REMOVAL STATUS
ATTACHMENT 5 (PARCOR AT&T)
PAGE 1 OF 1

QUESTION-16

Please provide the following questions to all of the entities who are pole Attachers (pole owners, right of way attachers, and 3rd party renters). Collect and include each entity's responses as part of your responses to the Commission's questions:

- a. How many non-standard transfers have HECO, MECO, or HELCO sent you requests for, that have not been completed yet?

AT&T Response: 2023 received ~27 requests for pole transfer work. Most of the requests did not involve Government Furnished Property (GFP) facilities.

- b. After receiving the electric utility's notification of a pole transfer request, what is your average response time to perform the transfer? Are you also responsible for removing the pole after you have completed the transfer?

AT&T Response: Work was scheduled within 7 days of notification. AT&T not responsible for removal of the pole.

- c. If the electric utility is responsible for removing the pole after you have completed the transfer, do you notify the electric utility when you have completed your transfer? What is the average time after the transfer that you provide notification?

AT&T Response: HECO is notified within two working days after work is completed.

- d. If you are responsible for removing the pole after you have completed the transfer, do you notify the electric utility when you have completed the transfer and removed the double pole? What is the average time after the pole removal that you provide notification?

AT&T Response: Not responsible for removal of the old pole

Hawaiian Electric Response:

- a.

QUESTION-16
DOUBLE POLE REMOVAL STATUS
ATTACHMENT 6 (HAWAIIAN TELCOM)
PAGE 1 OF 1

QUESTION-16

Please provide the following questions to all of the entities who are pole Attachers (pole owners, right of way attachers, and 3rd party renters). Collect and include each entity's responses as part of your responses to the Commission's questions:

- a. How many non-standard transfers have HECO, MECO, or HELCO sent you requests for, that have not been completed yet?
 - HECO - 2847
 - MECO - 287
 - HELCO - 615
- b. After receiving the electric utility's notification of a pole transfer request, what is your average response time to perform the transfer? 60 days Are you also responsible for removing the pole after you have completed the transfer? If the pole was placed in service in 2018 or prior, HT is responsible for removing the pole if we are the last attacher on the pole. If the pole was placed in service after 2018 or there is another attacher remaining on the pole after we complete our transfer, HEC is responsible for removing the pole.
- c. If the electric utility is responsible for removing the pole after you have completed the transfer, do you notify the electric utility when you have completed your transfer? Yes. What is the average time after the transfer that you provide notification? 24-48 business hours
- d. If you are responsible for removing the pole after you have completed the transfer, do you notify the electric utility when you have completed the transfer and removed the double pole? Yes. What is the average time after the pole removal that you provide notification? 24-48 business hours

Hawaiian Electric Response:

- a.

QUESTION-17
DOUBLE POLE REMOVAL STATUS
PAGE 1 OF 1

QUESTION-17

Upon completion of responses to these questions, the Companies shall have all of the entities who are pole Attachers (pole owners, right of way attachers, and 3rd party renters), review the final Report of HECO's Responses to the Commission Regarding Double Poles, and sign Attachment A, Concurrence Sheet. Attachment A with signatures and attachments submitted by the entities shall be included in the final report of responses to the Commission.

Hawaiian Electric Response:

The *Attachment A, Concurrence Sheet* for each of the four responding Attachers are included as

Attachments 1 through 4 to this response:

- Hawaii State Gov – DOT
- City and County of Honolulu
- Charter Spectrum
- County of Hawaii

QUESTION-17
 DOUBLE POLE REMOVAL STATUS
 ATTACHMENT 2 (C&C HONOLULU)
 ATTACHMENT A
 PAGE 1 OF 1


HCR 41 Double Poles

Report of Hawaiian Electric’s Responses to the Commission Regarding Double Poles

Attachment A

Concurrence Sheet

Note: This list must include ALL entities who have attachments on Double Poles - Joint Pole Owners (HECO, MECO, HELCO, State of Hawaii, City and County of Honolulu, County of Hawaii, and County of Maui), Hawaiian Tel, and all 3rd Party Renters/Attachers.

Entity Name	Entity Type (Joint Pole Owner or 3 rd Party Renter/ Attacher)	Entity Point of Contact (POC) Name	POC Signature indicating Review of Hawaiian Electric’s Report of Responses to the Commission	Date Signed	Concur with Hawaiian Electric’s Report? (Y/N) *See Note	Name of Attachment Submitted
City & County of Honolulu	Joint Pole Owner	Allyn Lee		11/27/23	Y	

*Note:
 If N for non-concurrence, submit comments and issues as an Attachment to the Report. Please include all areas of non-concurrence, as well as areas of agreement.

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 DOUBLE POLE REMOVAL STATUS
 ATTACHMENT 1 (HAWAII DOT)
 ATTACHMENT A
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HCR 41 Double Poles

Report of Hawaiian Electric’s Responses to the Commission Regarding Double Poles

Attachment A

Concurrence Sheet

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Entity Name	Entity Type (Joint Pole Owner or 3 rd Party Renter/ Attacher)	Entity Point of Contact (POC) Name	POC Signature indicating Review of Hawaiian Electric’s Report of Responses to the Commission	Date Signed	Concur with Hawaiian Electric’s Report? (Y/N) *See Note	Name of Attachment Submitted
State of Hawaii	3 rd Party Renter/Att	John K. Gerard		11/28/23	Y	

*Note:
 If N for non-concurrence, submit comments and issues as an Attachment to the Report. Please include all areas of non-concurrence, as well as areas of agreement.

**SPECTRUM OCEANIC, LLC (CHARTER COMMUNICATIONS) RESPONSE TO
 QUESTION 17—ATTACHMENT A**

HCR 41 Double Poles

Report of Hawaiian Electric’s Responses to the Commission Regarding Double Poles

Attachment A

Concurrence Sheet

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Entity Name	Entity Type (Joint Pole Owner or 3 rd Party Renter/ Attacher)	Entity Point of Contact (POC) Name	POC Signature Indicating Review of Hawaiian Electric’s Report of Responses to the Commission	Date Signed	Concur with Hawaiian Electric’s Report? (Y/N) *See Note	Name of Attachment Submitted
Spectrum Oceanic, LLC	Attacher	Mitchell Miyoshi		11/27/23	Spectrum’s Answer to Question 17 is based on a “draft” of the Companies’ Final report that the Companies provided to Spectrum on 11/24/23. Given the short period of time Spectrum has had to review the Companies’ draft (the Companies requested that Spectrum provide Attachment A to the Companies on 11/27/23) and that the report is in draft form, Spectrum reserves the right to	N/A

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 DOUBLE POLE REMOVAL STATUS
 ATTACHMENT 3 (SPECTRUM)
 ATTACHMENT A
 PAGE 2 OF 2

				<p>amend its Answer to Question 17, if and when it receives the Final report, at which time it will also execute Attachment A. In addition, Spectrum is unable to concur or not concur with any of the Companies' responses that are based on its internal information. Spectrum concurs, however, with the Companies' responses to questions 6 through 9, which involve its pole attachment agreements with attachers, with the exception that Spectrum's pole attachment agreement with the Companies provides for default (§2.9—Compliance with Agreement and Guidelines) in the event Spectrum does not effectuate a transfer in 30 days (§9.2.2—Pole Replacements).</p>	

*Note:
 If N for non-concurrence, submit comments and issues as an Attachment to the Report. Please include all areas of non-concurrence, as well as areas of agreement.

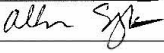
HCR 41 Double Poles

Report of Hawaiian Electric's Responses to the Commission Regarding Double Poles

Attachment A

Concurrence Sheet

Note: This list must include ALL entities who have attachments on Double Poles - Joint Pole Owners (HECO, MECO, HELCO, State of Hawaii, City and County of Honolulu, County of Hawaii, and County of Maui), Hawaiian Tel, and all 3rd Party Renters/Attachers.

Entity Name	Entity Type (Joint Pole Owner or 3 rd Party Renter/ Attacher)	Entity Point of Contact (POC) Name	POC Signature indicating Review of Hawaiian Electric's Report of Responses to the Commission	Date Signed	Concur with Hawaiian Electric's Report? (Y/N) *See Note	Name of Attachment Submitted
County of Hawaii	Joint Pole Owner	Abraham Sylvester		11/27/25	Y	QUESTION-16-COH Response

*Note:
 If N for non-concurrence, submit comments and issues as an Attachment to the Report. Please include all areas of non-concurrence, as well as areas of agreement.

Appendix C – Attendance Summary from December 11, 2023 Status Update Meeting

Stakeholders in Attendance	Number of Verified Representatives
Hawaiian Electric Companies	11
Hawaiian Telcom	3
Charter Communications	2
Verizon / Verizon Wireless	3
AT&T	3
City and County of Honolulu	1
State of Hawaii, Department of Transportation	1
State of Hawaii, Department of Commerce and Consumer Affairs, Division of Consumer Advocacy	2
Commissioners and Commission Staff	11