

STAND. COM. REP. NO. **3928**

Honolulu, Hawaii

APR 25 2024

RE: GOV. MSG. NO. 705

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred Governor's Message No. 705, submitting for study and consideration the nomination of:

PUBLIC UTILITIES COMMISSION

G.M. No. 705 COLIN YOST,
for a term to expire 06-30-2028. (Term
to expire amended to 06-30-2030 by
GM733),

begs leave to report as follows:

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

Your Committee received testimony in support of the nomination for the appointment of Colin Yost from the Hawaii State Energy Office, Department of Commerce and Consumer Affairs, Hawaii Green Infrastructure Authority, Board of Water Supply of the City and County of Honolulu, Blue Planet Foundation, Ulupono Initiative, Hawaii Solar Energy Association, Sol-Ark, Photonworks Engineering LLP, Solar Help Hawaii, Malama Solar LLC, International Brotherhood of Electrical Workers Local Union 1260, Tesla, AES Hawai'i, Hawai'i Energy, ELCCO Inc., Sunrun Inc., and eighteen individuals.

Upon review of the testimony, your Committee finds that Mr. Yost's background, experience, and dedication to community service qualify him to be appointed to the Public Utilities

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Commission. Since November 2022, Mr. Yost has served as one of the three appointed full-time commissioners responsible for the administration of the Public Utilities Commission. During his tenure, Mr. Yost has quickly and adeptly gained an understanding of the Commission's mission and goals and has cultivated positive working relationships with staff, regulated entities, and community stakeholders statewide. Prior to his appointment, Mr. Yost was the Chief Operating Officer of RevoluSun, LLC, the largest solar and energy storage contractor in the State, where he led the company's general business operations and gained considerable executive-level experience in commercial solar project development, utility relations, legal and risk management matters, permitting and policy creation. Before his role as Chief Operating Officer, Mr. Yost served as the General Counsel for both RevoluSun, LLC, and RevoluSun Solar Corp., its franchisor affiliate, and personally led the development of over twenty-five megawatts of commercial solar projects, benefitting both the company and the State through increased renewable energy generation. Mr. Yost also acquired substantial working knowledge of and familiarity with the Public Utilities Commission through his representation of RevoluSun, LLC's interests in Commission dockets. Your Committee finds that Mr. Yost's fourteen years of experience in high level positions with RevoluSun, LLC showcase the quality of leadership and intellectual competence that he will contribute to the Public Utilities Commission through his continued service as a Commissioner.

Further, a lawyer by trade, Mr. Yost was the founding partner and trial lawyer for Cruise & Yost, LLC, where he represented individual and organizational clients in civil litigation involving consumer protection, Native Hawaiian rights, environmental protection, land use, and other general business matters. He also acquired significant litigation experience in both federal and state courts as an associate trial attorney at Paul, Johnson, Park & Niles, Attorneys At Law, A Law Corporation, and as an Assistant Attorney General for the Oregon Department of Justice, where he was the principal attorney for Oregon in the multi-state prosecution of Enron Corporation and other energy companies for the fraudulent manipulation of energy markets. Mr. Yost also served as the co-chairperson of a national task force convened to draft enforcement guidelines relating to deceptive energy marketing.

Your Committee further finds that, before joining the Public Utilities Commission, Mr. Yost was actively involved in the



community and served on numerous boards and committees, such as the Blue Planet Foundation, Hawaii Solar Energy Association, Sierra Club of Hawai'i, and Pacific Resilience Partnership, among others. Testifiers have highlighted and praised Mr. Yost's sound judgment, deep knowledge of the energy industry, and his keen legal acumen, all of which make him well-suited to serve as a Commissioner. Mr. Yost received his Juris Doctorate from the Lewis & Clark Northwestern School of Law and his Bachelor of English and Bachelor of Environmental Studies from the University of Pennsylvania.

Your Committee finds that, as evidenced by the record, Mr. Yost has devoted his career and education to renewable energy and environmental protection, and his accumulated knowledge, lifelong dedication, and passion for the environment will continue to guide his efforts in leading the State's transition to renewable energy from fossil fuels. Your Committee further finds that Mr. Yost, with his proven leadership, extensive renewable energy and environmental background, and desire to serve the public, will continue to provide a thoughtful and considerate perspective that will enhance the effectiveness of the Public Utilities Commission.

Lastly, your Committee notes that, despite being the newest Commissioner, Mr. Yost has displayed his mettle, courage, and willingness to lead through his involvement in the Public Utilities Commission's delicate, complex, and highly public response to the August 2023 Maui wildfires, including the deadliest fire in the United States in over one hundred years. Your Committee finds that while certain aspects of the Public Utilities Commission's response has drawn criticism, Mr. Yost has remained candid, open, and responsive to questions from legislators, both federal and state, and has actively participated in legislative discussions to ensure that, going forward, the Commission takes a more proactive approach in addressing the many future challenges of which the Public Utilities Commission is tasked, such as wildfire investigation, mitigation, and recovery; electrical grid resiliency and reliability; electricity wheeling; and the incorporation of firm renewables as part of the State's renewable energy portfolio. Accordingly, your Committee finds that Mr. Yost has a thorough understanding of the role and responsibilities of Commission members and therefore recommends that Colin Yost be appointed to the Public Utilities Commission based on his knowledge, experience, and commitment to public service.



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

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




JARRETT KEOHOKALOLE, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

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

Governor's Message No.:* GM 705	Committee Referral: CPN	Date: 4/11/24		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is: <input checked="" type="checkbox"/> Advise and Consent 2340 <input type="checkbox"/> Not Advise and Consent 2345				
Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.	✓			
RICHARDS, III, Herbert M. "Tim"	✓			
AWA, Brenton				✓
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one Governor's Message per Record of Votes