

JAN 20 2023

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# A BILL FOR AN ACT

RELATING TO THE PUBLIC UTILITIES COMMISSION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 269-19, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:  
3           "(a) [~~Except as provided in subsection (b), no~~] No public  
4 utility shall sell, lease, assign, mortgage, or otherwise  
5 dispose of or encumber the whole or any part of its road, line,  
6 plant, system, or other property necessary or useful in the  
7 performance of its duties to the public, or any franchise or  
8 permit, or any right thereunder, nor by any means, directly or  
9 indirectly, merge or consolidate with any other public utility  
10 without first having secured from the public utilities  
11 commission an order authorizing it so to do[~~+~~], unless:  
12           (1) The sale, lease, assignment, mortgage, disposition,  
13           encumbrance, merger, or consolidation is done in  
14           accordance with subsection (b); or  
15           (2) The public utility is disposing a fully depreciated  
16           asset or property with a zero net book value.



1 Every [~~such~~] sale, lease, assignment, mortgage, disposition,  
2 encumbrance, merger, or consolidation[~~7~~] that requires  
3 authorization from the public utilities commission under this  
4 subsection and is made other than in accordance with the order  
5 of the commission shall be void."

6 SECTION 2. Section 271G-14, Hawaii Revised Statutes, is  
7 amended by amending subsection (b) to read as follows:

8 "(b) No water carrier shall sell, lease, assign, mortgage,  
9 or otherwise dispose of, or encumber the whole or any part of  
10 its property necessary or useful in the performance of  
11 transportation services for the public or any certificate of  
12 public convenience and necessity; nor shall any water carrier,  
13 by any means, directly or indirectly, merge or consolidate its  
14 property, certificates of public convenience and necessity, or  
15 any part thereof, with any other carrier, without first having  
16 secured from the public utilities commission an order  
17 authorizing it so to do, [~~and every such~~] unless the water  
18 carrier is disposing a fully depreciated asset or property with  
19 a zero net book value. Every sale, lease, assignment, mortgage,  
20 disposition, encumbrance, merger, or consolidation[~~7~~] that  
21 requires authorization from the public utilities commission



# S.B. NO. 476

1 under this subsection and is made other than in accordance with  
2 an order of the commission authorizing the same [~~is~~] shall be  
3 void."

4 SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.

7

INTRODUCED BY: \_\_\_\_\_

A large, bold, handwritten signature in black ink, appearing to be 'JBL', is written over the line following 'INTRODUCED BY:'.

# S.B. NO. 476

**Report Title:**

PUC; Exception; Authorization; Fully Depreciated Assets or Property; Zero Net Book Value

**Description:**

Exempts a public utility from the required public utilities commission authorization when disposing of a fully depreciated asset or property with a zero net book value.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

