

MAR 08 2024

---

---

# SENATE CONCURRENT RESOLUTION

URGING THE PUBLIC UTILITIES COMMISSION TO HONOR AND COMPLY WITH ITS STATUTORY DUTY TO INVESTIGATE THE CAUSES OF THE AUGUST 2023 MAUI WILDFIRES AS REQUIRED BY SECTION 269-9, HAWAII REVISED STATUTES.

1           WHEREAS, section 269-9, Hawaii Revised Statutes, requires  
2 that "[e]very public utility shall report to the [P]ublic  
3 [U]tilities [C]ommission all accidents caused by or occurring in  
4 connection with its operations and service" and mandates the  
5 Public Utilities Commission to "investigate the causes of any  
6 accident which results in loss of life"; and  
7

8           WHEREAS, the August 2023 Maui wildfires, which resulted in  
9 the tragic deaths of over one hundred people, appears to have  
10 been initially started by a downed utility pole owned by a Maui  
11 electric utility; and  
12

13           WHEREAS, despite this, the Public Utilities Commission has  
14 failed to investigate the causes of the August 2023 Maui  
15 wildfires as required pursuant to section 269-9, Hawaii Revised  
16 Statutes; and  
17

18           WHEREAS, further, the Public Utilities Commission has not  
19 proactively required each electric utility to prepare, submit,  
20 and implement a robust and effective wildfire mitigation plan;  
21 and  
22

23           WHEREAS, the Public Utilities Commission has also neither  
24 implemented nor enforced reliability standards and  
25 interconnection requirements upon each electric utility pursuant  
26 to its discretionary authority under part IX of chapter 269,  
27 Hawaii Revised Statutes; and  
28

29           WHEREAS, separately, island-wide grid outages and calls for  
30 conservation have occurred frequently on Hawaii Island and Oahu  
31 due to insufficient energy production, despite the finalization



1 of a comprehensive, utility-led Integrated Grid Plan that, among  
2 other things, addressed certain issues relating to electric grid  
3 resiliency, reliability, and capacity; and  
4

5 WHEREAS, on March 4, 2024, the Public Utilities Commission  
6 conducted a briefing with an electric utility in regard to the  
7 recent island-wide grid outages, to which the public was denied  
8 access; and  
9

10 WHEREAS, the Public Utilities Commission has allowed a Maui  
11 electric utility, which currently relies mostly on fossil fuel  
12 generation, to retire its power plant facilities in Kahului and  
13 Maalaea by 2027 due to unavailable parts, despite insufficient  
14 sources of replacement for the electricity that is currently  
15 being generated; and  
16

17 WHEREAS, the Public Utilities Commission has allowed the  
18 electric utility to cancel, delay, or pause additional energy  
19 procurements for Maui, which could also serve, and help rebuild,  
20 Lahaina; and  
21

22 WHEREAS, the Public Utilities Commission has allowed  
23 electric utilities to determine procurement timelines of  
24 renewable energy and to lengthen the timeline for the issuance  
25 of new Requests for Proposals and for new renewable energy  
26 generation to be contracted, approved, and operational; and  
27

28 WHEREAS, the Public Utilities Commission has allowed an  
29 electric utility to place additional burdens on Distributed  
30 Energy Resource renewable generation and utility-scale resource  
31 renewable generation, thereby delaying the delivery of those  
32 energy resources and associated jobs and increasing costs to  
33 ratepayers; and  
34

35 WHEREAS, an electric utility has suspended further plans  
36 for Community-Based Renewable Energy tariff projects, despite  
37 very few facilities having been successfully completed since the  
38 passage of Act 100, Session Laws of Hawaii 2015; and  
39

40 WHEREAS, delays in the procurement and delivery of  
41 renewable energy generation have cost ratepayers over  
42 \$132,000,000 since 2021, according to an electric utility's



1 February 2024 report in Public Utilities Commission Docket No.  
2 2021-0024; and

3  
4 WHEREAS, the cost of electricity for Hawaii ratepayers has  
5 more than doubled over the last three years, and Hawaii  
6 ratepayers bear the highest cost of energy in the United States,  
7 which is thirty-four percent higher than the second highest  
8 state; now, therefore,

9  
10 BE IT RESOLVED by the Senate of the Thirty-second  
11 Legislature of the State of Hawaii, Regular Session of 2024, the  
12 House of Representatives concurring, that the Public Utilities  
13 Commission is urged to honor and comply with its statutory duty  
14 to investigate the causes of the August 2023 Maui wildfire as  
15 required by section 269-9, Hawaii Revised Statutes; and

16  
17 BE IT FURTHER RESOLVED that the Public Utilities Commission  
18 is urged to submit a report of its findings and recommendations,  
19 including any proposed legislation, to the Legislature no later  
20 than twenty days prior to the convening of the Regular Session  
21 of 2025; and

22  
23 BE IT FURTHER RESOLVED that the Public Utilities Commission  
24 is urged to regulate each electric utility more proactively in  
25 the public interest and use its investigatory powers to examine  
26 the condition of each electric utility pursuant to section  
27 269-7, Hawaii Revised Statutes, to ensure that essential  
28 electric utility services are delivered to consumers in a safe,  
29 reliable, economical, and environmentally sound manner; and

30  
31 BE IT FURTHER RESOLVED that the Public Utilities Commission  
32 is urged to require each electric utility to prepare, submit,  
33 and implement a robust and effective wildfire mitigation plan;  
34 and

35  
36 BE IT FURTHER RESOLVED that the Public Utilities Commission  
37 is urged to implement reliability standards and interconnection  
38 requirements for each electric utility pursuant to part IX of  
39 chapter 269, Hawaii Revised Statutes; and

40  
41 BE IT FURTHER RESOLVED that the Public Utilities Commission  
42 is urged to proactively direct each electric utility to



# S.C.R. NO. 182

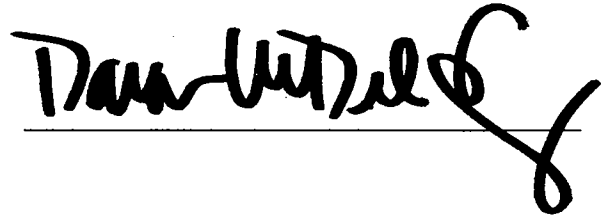
1 implement a frequently reviewed, systematic, and recurring  
2 renewable energy procurement plan, which shall include plans for  
3 Distributed Energy Resource renewable generation, utility-scale  
4 resource renewable generation, and Community-Based Renewable  
5 Energy projects, to replace aging fossil fuel power plant  
6 facilities and achieve the State's Renewable Portfolio Standards  
7 established by section 269-92, Hawaii Revised Statutes; and

8  
9 BE IT FURTHER RESOLVED that the Public Utilities Commission  
10 is urged to publicly share information relating to the briefing  
11 with the electric utility that occurred on March 4, 2024,  
12 including any resulting findings, recommendations, and  
13 directives of the Public Utilities Commission; and

14  
15 BE IT FURTHER RESOLVED that a certified copy of this  
16 Concurrent Resolution be transmitted to the Chairperson of the  
17 Public Utilities Commission.

18  
19  
20

OFFERED BY:

A handwritten signature in black ink, appearing to read "Dan Little", written over a horizontal line.