
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

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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

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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

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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

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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

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29 WHEREAS, separately, island-wide grid outages and calls for
30 conservation have occurred frequently on Hawaii Island and Oahu



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

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

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

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

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

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

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

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41 WHEREAS, delays in the procurement and delivery of
42 renewable energy generation have cost ratepayers over



1 \$132,000,000 since 2021, according to an electric utility's
2 February 2024 report in Public Utilities Commission Docket No.
3 2021-0024; and

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

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

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18 BE IT FURTHER RESOLVED that the Public Utilities Commission
19 is urged to formally open a docket, in accordance with section
20 269-9, Hawaii Revised Statutes, to investigate the causes of the
21 August 2023 Maui wildfires; and

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23 BE IT FURTHER RESOLVED that the Public Utilities Commission
24 is urged to submit a report of its findings and recommendations,
25 including any proposed legislation, to the Legislature no later
26 than twenty days prior to the convening of the Regular Session
27 of 2025; and

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29 BE IT FURTHER RESOLVED that the Public Utilities Commission
30 is urged to request from the County of Maui an unredacted
31 version of the investigative findings of the United States
32 Bureau of Alcohol, Tobacco, and Firearms and Explosives (ATF)
33 National Response Team and Honolulu Field Office that were, or
34 will be, provided to the Maui Fire Department for inclusion in
35 the Maui Fire Department's origin and cause report for the
36 August 2023 Maui wildfires; and

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38 BE IT FURTHER RESOLVED that the Public Utilities Commission
39 is urged to regulate each electric utility more proactively in
40 the public interest and use its investigatory powers to examine
41 the condition of each electric utility pursuant to section
42 269-7, Hawaii Revised Statutes, to ensure that essential



1 electric utility services are delivered to consumers in a safe,
2 reliable, economical, and environmentally sound manner; and
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4 BE IT FURTHER RESOLVED that the Public Utilities Commission
5 is urged to require each electric utility to prepare, submit,
6 and implement a robust and effective wildfire mitigation plan;
7 and
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9 BE IT FURTHER RESOLVED that the Public Utilities Commission
10 is urged to implement reliability standards and interconnection
11 requirements for each electric utility pursuant to part IX of
12 chapter 269, Hawaii Revised Statutes; and
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14 BE IT FURTHER RESOLVED that the Public Utilities Commission
15 is urged to proactively direct each electric utility to
16 implement a frequently reviewed, systematic, and recurring
17 renewable energy procurement plan, which shall include plans for
18 Distributed Energy Resource renewable generation, utility-scale
19 resource renewable generation, and Community-Based Renewable
20 Energy projects, to replace aging fossil fuel power plant
21 facilities and achieve the State's Renewable Portfolio Standards
22 established by section 269-92, Hawaii Revised Statutes; and
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24 BE IT FURTHER RESOLVED that the Public Utilities Commission
25 is urged to publicly share information relating to the briefing
26 with the electric utility that occurred on March 4, 2024,
27 including any resulting findings, recommendations, and
28 directives of the Public Utilities Commission; and
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30 BE IT FURTHER RESOLVED that a certified copy of this
31 Concurrent Resolution be transmitted to the Chairperson of the
32 Public Utilities Commission.

