

MAR 08 2024

SENATE 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
31 due to insufficient energy production, despite the finalization
32 of a comprehensive, utility-led Integrated Grid Plan that, among
33 other things, addressed certain issues relating to electric grid
34 resiliency, reliability, and capacity; and



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

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

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

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

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

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

WHEREAS, delays in the procurement and delivery of renewable energy generation have cost ratepayers over \$132,000,000 since 2021, according to an electric utility's February 2024 report in Public Utilities Commission Docket No. 2021-0024; and



1 WHEREAS, the cost of electricity for Hawaii ratepayers has
2 more than doubled over the last three years, and Hawaii
3 ratepayers bear the highest cost of energy in the United States,
4 which is thirty-four percent higher than the second highest
5 state; now, therefore,
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7 BE IT RESOLVED by the Senate of the Thirty-second
8 Legislature of the State of Hawaii, Regular Session of 2024,
9 that the Public Utilities Commission is urged to honor and
10 comply with its statutory duty to investigate the causes of the
11 August 2023 Maui wildfire as required by section 269-9, Hawaii
12 Revised Statutes; and
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14 BE IT FURTHER RESOLVED that the Public Utilities Commission
15 is urged to submit a report of its findings and recommendations,
16 including any proposed legislation, to the Legislature no later
17 than twenty days prior to the convening of the Regular Session
18 of 2025; and
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20 BE IT FURTHER RESOLVED that the Public Utilities Commission
21 is urged to regulate each electric utility more proactively in
22 the public interest and use its investigatory powers to examine
23 the condition of each electric utility pursuant to section
24 269-7, Hawaii Revised Statutes, to ensure that essential
25 electric utility services are delivered to consumers in a safe,
26 reliable, economical, and environmentally sound manner; and
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28 BE IT FURTHER RESOLVED that the Public Utilities Commission
29 is urged to require each electric utility to prepare, submit,
30 and implement a robust and effective wildfire mitigation plan;
31 and
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33 BE IT FURTHER RESOLVED that the Public Utilities Commission
34 is urged to implement reliability standards and interconnection
35 requirements for each electric utility pursuant to part IX of
36 chapter 269, Hawaii Revised Statutes; and
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38 BE IT FURTHER RESOLVED that the Public Utilities Commission
39 is urged to proactively direct each electric utility to
40 implement a frequently reviewed, systematic, and recurring
41 renewable energy procurement plan, which shall include plans for
42 Distributed Energy Resource renewable generation, utility-scale



1 resource renewable generation, and Community-Based Renewable
2 Energy projects, to replace aging fossil fuel power plant
3 facilities and achieve the State's Renewable Portfolio Standards
4 established by section 269-92, Hawaii Revised Statutes; and
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6 BE IT FURTHER RESOLVED that the Public Utilities Commission
7 is urged to publicly share information relating to the briefing
8 with the electric utility that occurred on March 4, 2024,
9 including any resulting findings, recommendations, and
10 directives of the Public Utilities Commission; and
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12 BE IT FURTHER RESOLVED that a certified copy of this
13 Resolution be transmitted to the Chairperson of the Public
14 Utilities Commission.
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OFFERED BY: _____

