

STAND. COM. REP. NO. **2188**

Honolulu, Hawaii

FEB 29 2024

RE: S.B. No. 2091
S.D. 2

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 S.B. No. 2091, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require all telecommunications service providers to communicate relevant information relating to the deenergization of electrical lines to public safety or emergency response offices for the affected areas;
- (2) Require all electric utilities to operate electrical lines and equipment in a manner that shall minimize the risk of catastrophic wildfire posed by the electrical lines and equipment;
- (3) Require each electric utility to prepare a wildfire mitigation plan approved by the Public Utilities Commission and protocols for deenergizing electrical lines; and
- (4) Allow the Public Utilities Commission to adopt rules.



Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Hawaiian Electric.

Your Committee received comments on this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Public Utilities Commission, and Disability and Communication Access Board.

Your Committee finds that the August 2023 Maui wildfire that was fueled by strong winds from Hurricane Dora resulted in one of the worst natural disasters in the State's history, causing significant loss of life, the displacement of thousands of residents, and the destruction of nearly all of Lahaina. In the aftermath, many questions were raised as to whether the State's electric utilities had previously considered or adopted any plans, preparations, or policies to mitigate against the risk of a wildfire, such as a procedure to orderly and expediently deenergize electric power lines out of an abundance of caution. Your Committee finds that it is in the public interest for the State to oversee and require electric utilities to establish wildfire mitigation and deenergization plans, so that future incidents can be prevented or minimized through proper contingency planning.

Your Committee has amended this measure by:

- (1) Amending from one hundred eighty days to an unspecified number of days the time period by which the Public Utilities Commission must approve, approve with conditions, or update a wildfire mitigation plan after receipt of the plan or plan update from an electric utility;
- (2) Inserting an effective date of July 1, 2040, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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 is in accord with the intent and



purpose of S.B. No. 2091, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2091, S.D. 2.

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



JARETT KEOHOKALOLE, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:
SB2091, SDI	FSM, CPN	2/23/24

The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.				✓
RICHARDS, III, Herbert M. "Tim"		✓		
AWA, Brenton	✓			
TOTAL	3	1		1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:
Carol Fukunaga

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*Only one measure per Record of Votes