

STAND. COM. REP. NO. **3605**

Honolulu, Hawaii

APR 03 2024

RE: S.C.R. No. 182
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committees on Commerce and Consumer Protection and Public Safety and Intergovernmental and Military Affairs, to which was referred S.C.R. No. 182 entitled:

"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,"

beg leave to report as follows:

The purpose and intent of this measure is to urge 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.

Your Committees received testimony in support of this measure from Life of the Land.

Your Committees received comments on this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs and Public Utilities Commission.

Your Committees find that section 269-9, Hawaii Revised Statutes, provides, in relevant part, that the Public Utilities Commission shall "investigate the causes of any accident which results in loss of life, and may investigate any other accidents which in its opinion require investigation". The August 2023 Maui



wildfires, which appears to have been initially started by a downed utility pole owned by a Maui electric utility company, resulted in the tragic loss of life of over one hundred people. Your Committees further find that the likely cause of the August 2023 Maui wildfires is well within the Public Utilities Commission's established jurisdiction, resulted in the loss of life, and would reasonably qualify as an accident that would require investigation pursuant to the Public Utilities Commission's discretionary authority. Therefore, this measure urges the Public Utilities Commission to carry out its mandate and conduct an investigation of the August 2023 Maui wildfires. Further, this measure urges the Public Utilities Commission to be more proactive in exercising its administrative authority over electric utilities, to take steps to mitigate future wildfires, and ensure a more resilient and reliable electric grid for the people of the State.

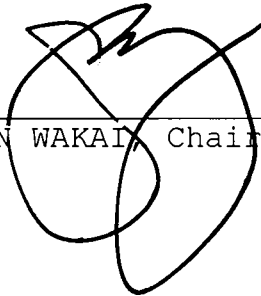
Your Committees have amended this measure by:

- (1) Inserting language urging the Public Utilities Commission to formally open a docket, in accordance with section 269-9, Hawaii Revised Statutes, to investigate the causes of the August 2023 Maui wildfires;
- (2) Inserting language urging the Public Utilities Commission to request from the County of Maui an unredacted version of the investigative findings of the United States Bureau of Alcohol, Tobacco, and Firearms and Explosives (ATF) National Response Team and Honolulu Field Office that were, or will be, provided to the Maui Fire Department for inclusion in the Maui Fire Department's origin and cause report for the August 2023 Maui wildfires; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 182, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 182, S.D. 1.



Respectfully submitted on
behalf of the members of the
Committees on Commerce and
Consumer Protection and Public
Safety and Intergovernmental
and Military Affairs,



GLENN WAKAI, Chair



JARRETT KEOHOKALOLE, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety and Intergovernmental and Military Affairs
PSM

Bill / Resolution No.:* SCR 182	Committee Referral: CPN/PSM	Date: 3/22/24		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
FUKUNAGA, Carol	✓			
RHOADS, Karl	✓			
AWA, Brenton				✓
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes