

ACT 176

H.B. NO. 2635

A Bill for an Act Relating to the Public Utilities Commission.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that Hawaii's energy resources and physical environment must be managed and protected in a manner that ensures the health, safety, and welfare of the citizens of the State and preserves our limited natural resources for future generations. The 1993 Energy and Environmental Summit was convened by the legislature on October 8, 1993 to identify issues and build broad-based support for initiatives that will move Hawaii forward in the areas of energy and the environment. This bill is the result of the collaborative efforts of participants of the Summit.

The legislature finds that the public utilities commission should give approval to guidelines initiated and enforced by a public utility. These guidelines, rules, or other standards make a nonutility generator monetarily responsible for the public utility's costs and profits, and have the effect of discouraging the development and maintenance of nonfossil fueled nonutility sources of electric energy and discouraging the efficient use of fossil fuel by nonutility generators.

SECTION 2. Chapter 269, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§269- Approval of rules of a public utility. Any rules, guidelines,

or other standards of a public utility which interpret federal or state laws governing nonutility generators, or which make a nonutility generator monetarily responsible for the public utility's costs and profits of doing business as a public utility, shall be approved by the public utilities commission before adoption. As used in this section, a "nonutility generator" means a person that produces electric power but is not a public utility."

SECTION 3. New statutory material is underscored.¹

SECTION 4. This Act shall take effect upon its approval.

(Approved June 21, 1994.)

Note

1. Edited pursuant to HRS §23G-16.5.