STAND. COM. REP. NO. 510

Honolulu, Hawaii

Fe 716, 2007

RE: H.B. No. 1338

H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2007 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1338 entitled:

"A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE DIVISION OF CONSUMER ADVOCACY,"

begs leave to report as follows:

The purpose of this bill is to ensure reliable electric service for consumers by making emergency appropriations for the Division of Consumer Advocacy (Consumer Advocate) of the Department of Commerce and Consumer Affairs to investigate the power outages that occurred on October 15, 2006, on the islands of Oahu, Maui, and Hawaii.

The Consumer Advocate and Public Utilities Commission (PUC) testified in support of this bill.

Following the major power outages triggered by the Kiholo Bay Earthquakes on October 15, 2006, the Consumer Advocate requested PUC to open a formal investigation into whether Hawaiian Electric Company, Inc., and its subsidiaries acted reasonably and in the public interest prior to and during the power outages. Your Committee finds that this measure will enable the Consumer Advocate to conduct an independent analysis complementing PUC's ongoing investigation.

Your Committee has amended this measure by:

- (1) Changing the appropriation amounts to unspecified sums, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1338, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1338, H.D. 1, and be referred to the Committee on Finance.

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

ROBERT N. HERKES, Chair

## State of Hawaii House of Representatives The Twenty-fourth Legislature



## **Record of Votes of the Committee on Consumer Protection & Commerce**

Bill/Resolution No.:	Date:	Date:			
нв 1338	February 12, 2007				
Committee Referral:	☐ The committee is reconsidering its				
CPC, FIN	previous decision on the measure.				
The recommendation is to:  Pass, unamended	Pass, with amendments				
☐ Hold	<ul> <li>Pass, with amendments, for recommittal for further consideration</li> </ul>				
CPC Members	Ayes	Ayes (WR)	Nays	Excused	
1. HERKES, Robert N. (C)	X				
2. McKELVEY, Angus L.K. (VC)	×				
3. CALDWELL, Kirk				X	
4. EVANS, Cindy	Х				
5. GREEN, Josh, M.D.				X	
6. ITO, Ken			STEP II. NEW YORKSTON, CONTRACTOR	X	
7. LUKE, Sylvia	X				
8. MORITA, Hermina M.				×	
9. SONSON, Alex M.	×				
10. SOUKI, Joseph M.				×	
11. TSUJI, Clift	X				
12. YAMANE, Ryan I.				X	
13. YAMASHITA, Kyle T.	X				
14. MARUMOTO, Barbara C.	<b>×</b>				
15. THIELEN, Cynthia				×	
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				34	
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TOTAL	8			7	
The recommendation is:					
☐ Not Adopted					
If joint referral, did not support recommendation.					
Vice Chair's or designee's signature:					
5 6					
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office					
				4	