

**TESTIMONY OF CARLITO P. CALIBOSO
CHAIRMAN, PUBLIC UTILITIES COMMISSION
DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
MARCH 16, 2009**

MEASURE: S.B. No. 877 S.D.2
TITLE: Relating to the One Call Center.

Chair Herkes and Members of the Committee:

DESCRIPTION:

This bill proposes to amend Act 141, Session Laws of Hawaii 2004 (codified as chapter 269E, Hawaii Revised Statutes ("HRS")), by repealing the current sunset date of June 30, 2009. Chapter 269E, HRS, established the Hawaii One Call Center ("HOCC") which provides advanced warning to excavators of the location of underground facilities prior to commencement of an excavation.

POSITION:

The Commission strongly supports this Administration bill and offers the following comments.

COMMENTS:

Act 141, Session Laws of Hawaii 2004, required the Commission to establish a state one call center for Hawaii similar to other centers operating throughout the nation, and the first of its kind in this State requiring mandatory participation by both excavators (e.g., contractors) and subsurface facility operators (e.g., public utilities). The One Call Center system provides advanced warning to excavators of the location of underground lines before they begin a dig. This mandatory "Call Before You Dig" program provides excavators with a single phone number to call for locating and marking underground lines, including, but not limited to, lines for electric, gas, telecommunications, cable, water, and sewer facilities.

In addition to regulating excavation activity, this law is intended to minimize the disruption of service to operator customers, and enhance the safety of excavators.

On November 15, 2005, the Commission, in agreement with the recommendation of the One Call Center Advisory Committee, awarded the contract to create and administer the state one call center to One Call Concepts, Inc. (OCC). The center began operations statewide on January 1, 2006.

By repealing the sunset date at this time, it will allow continued organization of the program to fulfill its mission to serve and protect the people of Hawaii.

Thank you for the opportunity to testify.

TESTIMONY

**SENATE BILL 877 SD 2
RELATING TO THE ONE CALL CENTER
BY**

**STEVEN P. GOLDEN
CHAIR, PUC ONE CALL ADVISORY COMMITTEE**

MARCH 16, 2009

Chair Herkes and Members of the House Committee on Consumer Protection and Commerce:

I am Steve Golden, Chair of the PUC One Call Committee. Thank you for the opportunity to provide testimony on behalf of the One Call Center Advisory Committee in support of Senate Bill 877 SD 2, which would repeal the current sunset date of June 30, 2009 for the Hawaii One Call Center ("HOCC"), which provides advanced warning to excavators of the location of underground facilities prior to excavating.

The Advisory Committee, which consists of representatives of the utilities, General Contractors Association, Building Industry Association and government agencies including the four counties, approved a proposal at its meeting in January to support the repeal of the current sunset date for the Hawaii One call Center Center. We believe that the Center has increased public awareness of the importance of calling before digging and has resulted in less damage to underground facilities and the inconvenience caused to the affected customers and the traveling public which is impacted by road closures required to complete costly, unnecessary repairs.

This mandatory "Call Before You Dig" program provides excavators with a single phone number (811) to call for locating and marking underground lines, including, but not limited to, lines for electric, gas, telecommunications, cable, water, and sewer facilities. This eliminates the need for an excavator to call multiple companies to request information on the location of their underground facilities.

Thank you for the opportunity to testify.

WRITTEN TESTIMONY

SB 877 SD2

**RELATING TO THE ONE CALL CENTER
HAWAIIAN TELCOM**

March 16, 2009

Chair Herkes and members of the House Consumer Protection and Commerce Committee:

Hawaiian Telcom is providing written testimony in support of SB 877 SD2, Relating to the One Call Center.

The purpose of this measure is to make permanent the Hawaii One Call Center system by repealing the current sunset date of June 30, 2009. Hawaii Telcom believes that this advance warning system has proven effective over the last several years in preventing accidental damage to underground facilities. Operational benefits include: minimal disruption of service to residents, enhanced safety to excavators, and less repair costs caused by inadvertent cable cuts.

Based on the aforementioned, Hawaiian Telcom respectfully requests this measure be approved. Thank you for the opportunity to testify.

BIA-HAWAII

BUILDING INDUSTRY ASSOCIATION

March 16, 2009

Honorable Robert Herkes, Chair
Committee on Consumer Protection & Commerce
State Capitol, Room 325
Honolulu, Hawaii 96813

RE: SB 877, SD2 "Relating to the One Call Center"

Chair Herkes and Members of the Committee on Consumer Protection & Commerce:

I am Karen Nakamura, Executive Vice President and Chief Executive Officer of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii.

BIA-Hawaii **strongly supports** SB 877, SD2 "Relating to the One Call Center." This bill will allow for the continued operation of the State's One Call Center beyond the current statutory sunset date of June 30, 2009 by making the law permanent. The One Call Center's continued operation will provide advanced warning to excavators of the location of underground lines before they dig. Making the operation of the One Call Center permanent will aid in assuring that utility services provided to the public via underground facilities will not be interrupted by unintentional breaks in underground lines resulting from excavators lacking knowledge of the location of those facilities in the area of excavation.

BIA-Hawaii was an active participant in the establishment of the One Call Center and we support the passage of SB877, SD2 that would make the One Call Center permanent. BIA-Hawaii testified in favor of HB1059, HD1 that also relates to the One Call Center but exempts pest control operators from the One Call Center Act.

Thank you for the opportunity to share our views with the Committee.



Executive Vice President & Chief Executive Officer
BIA-Hawaii



HAWAII PEST CONTROL ASSOCIATION

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March 16, 2009

Testimony To: House Committee on Consumer Protection and Commerce
Representative Robert N. Herkes, Chair

Presented By: Tim Lyons, CAE
Executive Director

Subject: S.B. 877, SD 2 – RELATING TO THE ONE CALL CENTER

Chair Herkes and Members of the Committee:

I am Tim Lyons, Executive Director of the Hawaii Pest Control Association and we would like to request a favorable amendment to this bill.

We have no problem with the intent of the program and in fact, we agree that it is of benefit. Unfortunately we don't think that our activities were considered when the law went into effect and we find that there is very sporadic and limited participation by our members.

It is typical that pest control operators, with some termiticide applications, are required to dig a four (4) inch deep trench around the perimeter of the house. Other types of applications require digging for the placement of six (6) inch or so deep bait stations in and around the house. We don't believe that our activities were ever envisioned to cover this type of system as we are not "excavators" and as such, we would request a specific exemption which was reflected in H.B 1059, HD 2. Other states have provided for a similar exemption, without problems and we request the same.

Based on the above, we would respectfully request your insertion of H.B. 1059, HD 2 into this fill.

Thank you.

Testimony before the House Committee On Consumer Protection and Commerce

By Ken T. Morikami
Manager, Engineering Department
Hawaiian Electric Company, Inc.

March 16, 2009

Senate Bill 877, SD2
Relating to the One Call Center

Chair Herkes, Vice Chair Wakai and Members of the Committee:

My name is Ken Morikami and I am testifying on behalf of the Hawaiian Electric Company and its subsidiaries, Hawaii Electric Light Company and Maui Electric Company.

We are in **support** of SB 877, SD2 which repeals the June 30, 2009 sunset provision in Act 141.

As a member of the PUC's One Call Center Advisory Committee, we support the continuation of the One Call program that provides advanced warning to excavators of the location of underground facilities before they dig. As owners of underground electrical lines, we support efforts to prevent construction dig-ins that minimizes disruption of service to our customers, and enhances the safety for excavators and the general public.

Thank you for the opportunity to testify on this matter.

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GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

March 13, 2009

TO: THE HONORABLE REPRESENTATIVE ROBERT N. HERKES, CHAIR AND
MEMBERS OF COMMITTEE ON CONSUMER PROTECTION AND
COMMERCE

SUBJECT: S.B.877, SD2, RELATING TO THE ONE CALL CENTER

AMENDED NOTICE OF HEARING

DATE: Monday, March 16, 2009
TIME: 2:15 p.m.
PLACE: Conference Room 325

Dear Chair Herkes and Committee Members:

The General Contractors Association of Hawaii (GCA), an organization comprised of over five hundred and sixty (560) general contractors, subcontractors, and construction related firms, **strongly supports** the passage of S.B. 877, SD2 Relating To One Call Center.

Since the enactment of Act, 141, SLH, 2004, the call center has proven to be an exceptionally effective system in aiding contractors and utilities in avoiding potential damage to underground electric, water, sewer, gas lines and other. The system has saved not only disruption of services and inconvenience to the public but has saved the contractors and utilities the high cost of repairs.

The GCA believes the One Call Center has proven its worth and deserves to be made a permanent part of our construction procedure when proposed excavation is contemplated.

The GCA **strongly supports** the passage of S.B. 877, SD2 Relating to the One Call Center, and recommends that the bill be passed.

Thank you for the opportunity to provide our views on this issue.



P.O. Box 3000
Honolulu, HI 96802-3000

March 16, 2009

SB 877, SD2 – Relating to the One Call Center

Aloha Chair Herkes, Vice Chair Wakai and Members of the Committee on Consumer Protection & Commerce:

My name is Stephanie Ackerman, and I am the Vice President of The Gas Company. Thank you for allowing me to testify on SB 877 SD2.

The Gas Company supports SB877 SD2. It continues the One Call Center beyond the pilot program period making it permanent. Since 2004, the One Call Center served an essential function in that it applied to all entities involved in excavation and thereby avoided any disruption of the safe and reliable delivery of subsurface utility service. In addition, as a central database, the One Call Center provided advanced warning to utility operators, contractors and excavators attempting to locate underground gas, electric, telecommunications, cable, water, and/or sewer lines. The One Call Center benefits the general public and government, and passage of SB877 SD2 would assure the continuance of this important service.

The Gas Company strongly supports SB877 SD2 and urges you to support this measure.

Thank you for the opportunity to testify.