

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 1045, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ELECTRIC COOPERATIVES,"

begs leave to report as follows:

The purpose of this measure is to clarify the regulatory authority of the Public Utilities Commission over electric cooperatives by:

- Directing the Public Utilities Commission and the Division of Consumer Advocacy to specifically consider the ownership structure and interests of an electric cooperative in determining the scope and need for the application of any regulatory measure; and
- (2) Authorizing the Public Utilities Commission to waive or exempt an electric cooperative operating in the State from certain regulatory provisions by the Public Utilities Commission upon a finding that the provisions are inappropriate, unjust, unreasonable, or not in the public interest.

The Public Utilities Commission, Division of Consumer Advocacy, and the members of the Kauai County Council testified in support of this measure. Kauai Island Utility Cooperative

SB1045 HD2 HSCR CPC HMS 2013-3153

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testified in support of the intent of the measure. The Blue Planet Foundation testified in opposition to this measure.

Your Committee has amended this measure by deleting the language that specified that the granting of a waiver or exemption to an electric cooperative by the Public Utilities Commission does not affect the right of electric cooperative members or ratepayers to file a complaint with the Public Utilities Commission against an exempted electric cooperative, inasmuch as the right to file a complaint is provided in the rules of the Public Utilities Commission.

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 S.B. No. 1045, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1045, S.D. 1, H.D. 2.

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

ANGUS L.K. McKELVEY, Chair



State of Hawaii House of Representatives The Twenty-seventh Legislature

Record of	Votes of the	Committee on	Consumer	Protection	& Commerce
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Bill/Resolution No.: SB 1045 SD1 HD1	Committee Referral: EEP, CPC	Date:	4/1/13					
The committee is reconsidering its previous decision on the measure.								
The recommendation is to: □ Pass, unamended (as is) □ Pass, with amendments (HD) □ Hold □ Pass short form bill with HD to recommit for future public hearing (recommit)								
CPC Members	Ayes	Ayes (WR)	Nays	Excused				
1. McKELVEY, Angus L.K. (C)								
2. KAWAKAMI, Derek S.K. (VC)								
3. BELATTI, Della Au	/							
4. BROWER, Tom								
5. CABANILLA, Rida T.R.								
6. CACHOLA, Romy M.								
7. CARROLL, Mele	(n							
8. EVANS, Cindy								
9. HAR, Sharon E.								
10. ITO, Ken								
11. LEE, Chris								
12. TSUJI, Clift								
13. YAMANE, Ryan I.								
14. MCDERMOTT, Bob								
15. THIELEN, Cynthia								
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TOTAL (15)	9	Ø		6				
The recommendation is: Adopted If joint referral, did not support recommendation.								
Vice Chair's or designee's signature:								
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO								