

JAN 23 2015

A BILL FOR AN ACT

RELATING TO THE PUBLIC UTILITIES COMMISSION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to require the
2 public utilities commission to hold public hearings before
3 taking action on matters regarding electric transmission lines
4 in residential neighborhoods, electricity rates, and mergers
5 involving electric utilities.

6 SECTION 2. Section 269-16, Hawaii Revised Statutes, is
7 amended by amending subsection (b) to read as follows:

8 "(b) No rate, fare, charge, classification, schedule,
9 rule, or practice, other than one established pursuant to an
10 automatic rate adjustment clause previously approved by the
11 commission, shall be established, abandoned, modified, or
12 departed from by any public utility, except after thirty days'
13 notice to the commission as prescribed in section 269-12(b), a
14 public hearing, and prior approval by the commission for any
15 increases in rates, fares, or charges. The commission, in its
16 discretion, following a public hearing and ~~[for]~~ upon good cause
17 being shown, may allow any rate, fare, charge, classification,



1 schedule, rule, or practice to be established, abandoned,
2 modified, or departed from upon notice less than that provided
3 for in section 269-12(b). A contested case hearing shall be
4 held in connection with any increase in rates, and the hearing
5 shall be preceded by a public hearing as prescribed in section
6 269-12(c), at which the consumers or patrons of the public
7 utility may present testimony to the commission concerning the
8 increase. The commission, [~~upon notice to the public utility,~~]
9 after a public hearing, by order, may:

10 (1) Suspend the operation of all or any part of the
11 proposed rate, fare, charge, classification, schedule,
12 rule, or practice or any proposed abandonment or
13 modification thereof or departure therefrom;

14 (2) After a hearing, by order:

15 (A) Regulate, fix, and change all such rates, fares,
16 charges, classifications, schedules, rules, and
17 practices so that the same shall be just and
18 reasonable;

19 (B) Prohibit rebates and unreasonable discrimination
20 between localities or between users or consumers
21 under substantially similar conditions;



(C) Regulate the manner in which the property of every public utility is operated with reference to the safety and accommodation of the public;

(D) Prescribe its form and method of keeping accounts, books, and records, and its accounting system;

(E) Regulate the return upon its public utility property;

(F) Regulate the incurring of indebtedness relating to its public utility business; and

(G) Regulate its financial transactions; and

(3) Do all things that are necessary and in the exercise of the commission's power and jurisdiction, all of which as so ordered, regulated, fixed, and changed are just and reasonable, and provide a fair return on the property of the utility used and useful for public utility purposes."

SECTION 3. Section 269-18, Hawaii Revised Statutes, is amended to read as follows:

"§269-18 Acquirement of stock of another public utility.

No public utility corporation shall purchase or acquire, take or



1 hold, any part of the capital stock of any other public utility
2 corporation, organized or existing under or by virtue of the
3 laws of the State, without [~~having been first authorized to do~~
4 ~~so by the order of the public utilities commission.~~] the
5 commission first holding a public hearing and issuing an order
6 permitting the purchase, taking, or holding of capital stock, as
7 the case may be. Every assignment, transfer, contract, or
8 agreement for assignment or transfer of any stock by or through
9 any person or corporation to any corporation or otherwise in
10 violation of this section shall be void and of no effect; and no
11 such transfer shall be made on the books of any public utility.
12 Nothing herein shall be construed to make illegal the holding of
13 stock lawfully acquired before July 1, 1933."

14 SECTION 4. Section 269-27.5, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "[+]§269-27.5[+] **Construction of high-voltage electric**
17 **transmission lines; hearing.** Whenever a public utility plans to
18 place, construct, erect, or otherwise build a new 46 kilovolt or
19 greater high-voltage electric transmission system above or below
20 the surface of the ground through any residential area, the
21 public utilities commission shall conduct a public hearing prior



1 to its issuance of approval thereof. Notice of the hearing
2 shall be given in the manner provided in section 269-16 for
3 notice of public hearings."

4 SECTION 5. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 6. This Act shall take effect upon its approval.
7

INTRODUCED BY:

Shail R

Spindharaj

Will Egan

Rosa E. Bl

Elizabeth Cronin O'Connell



Report Title:

Public Utilities Commission; Electric Utilities; Public Hearings

Description:

Requires the public utilities commission to hold a public hearing prior to issuing an order relating to electric transmission lines in residential neighborhoods, electricity rate cases, and mergers involving electrical utilities.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

