

HB 1751, HD2

TESTIMONY

TESTIMONY OF RANDY IWASE  
CHAIR, PUBLIC UTILITIES COMMISSION  
STATE OF HAWAII  
TO THE  
SENATE COMMITTEE ON  
TRANSPORTATION AND ENERGY

March 15, 2016  
2:45 PM

**MEASURE:** H.B. No. 1751, H.D. 2  
**TITLE:** RELATING TO RENEWABLE ENERGY

Chair Inouye and Members of the Committee:

**DESCRIPTION:**

This measure greatly expands the definition of “renewable energy” for the purposes of the Part VI of Chapter 269, Hawaii Revised Statutes regarding the Renewable Portfolio Standards (“RPS”) by introducing a broad new “catch-all” to the list of technologies that are eligible to be counted as part of the RPS.

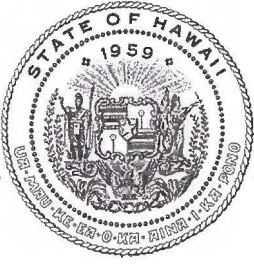
**POSITION:**

The Public Utilities Commission (“Commission”) offers the following comments for the Committee’s consideration.

**COMMENTS:**

The Commission is unaware of any safe, viable, and commercially available renewable energy technologies do not fit under the current definition of “renewable energy”. The current definition establishes a comprehensive and clear-cut list of known renewable energy technologies used to hold electric utilities accountable for driving towards the State’s clean energy goals. Introducing a broad new catch-all to the list of eligible technologies increases the ambiguity of this definition and increases the difficulty in determining whether electric utilities have met the RPS. The proposed language is also subject to interpretation which increases the potential for unintended consequences, particularly with respect to the State’s ability to achieve its clean energy goals.

Thank you for the opportunity to testify on this measure.



**DEPARTMENT OF BUSINESS,  
ECONOMIC DEVELOPMENT & TOURISM**

DAVID Y. IGE  
GOVERNOR

LUIS P. SALAVERIA  
DIRECTOR

MARY ALICE EVANS  
DEPUTY DIRECTOR

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Statement of  
**LUIS P. SALAVERIA**  
**Director**  
Department of Business, Economic Development, and Tourism  
before the  
**SENATE COMMITTEE ON TRANSPORTATION AND ENERGY**

Tuesday, March 15, 2016  
2:45 p.m.  
State Capitol, Conference Room 229

in consideration of  
**HB 1751, HD2**  
**RELATING TO RENEWABLE ENERGY.**

Chair Inouye, Vice Chair Gabbard, and Members of the Committee.

The Department of Business, Economic Development, and Tourism (DBEDT) offers comments on HB1751, HD2, which broadens the definition of renewable energy to include “other self-replenishing non-fossil fuel resources”. HD2 eliminated language in the renewable energy definition that would “include but not [be] limited to” the list of renewable sources.

DBEDT is supportive of broadening the definition of renewable energy resources in order to account for technological innovations that would allow our state to take advantage of renewable energy resources that would not already be covered in current definition. Our support of this measure is predicated on the assumption that the Hawaii Public Utilities Commission would be the ultimate arbitrator of whether or not new resources would qualify under the broadened renewable energy definition.

Thank you for the opportunity to offer these comments on HB 1751 HD2.



Email: [communications@ulupono.com](mailto:communications@ulupono.com)

SENATE COMMITTEE ON TRANSPORTATION & ENERGY  
Tuesday, March 15, 2016 — 2:45 p.m. — Room 229

**UluPono Initiative Strongly Supports HB 1751 HD 2, Relating to Renewable Energy**

Dear Chair Inouye, Vice Chair Gabbard, and Members of the Committee:

My name is Kyle Datta and I am General Partner of the UluPono Initiative, a Hawai'i-based impact investment firm that strives to improve the quality of life for the people of Hawai'i by working toward solutions that create more locally produced food; increase affordable, clean, renewable energy; and reduce waste. We believe that self-sufficiency is essential to our future prosperity and will help shape a future where economic progress and mission-focused impact can work hand in hand.

**UluPono strongly supports HB 1751 HD 2**, which expands the definition of renewables to include all technologies that possess renewable characteristics.

UluPono supports the clarification of the definition because we do not believe it was the policy intent to limit the renewable technologies solely to those that were available at the time of that the law was enacted. This modest modification would allow inclusion of technologies that might be available in the future to meet our 100% renewable goals.

Thank you for this opportunity to testify.

Respectfully,

Kyle Datta  
General Partner

*Investing in a Sustainable Hawai'i*

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COLLEGE OF SOCIAL SCIENCES

# HAWAII ENERGY POLICY FORUM

UNIVERSITY OF HAWAI'I AT MĀNOA

## Hawaii Energy Policy Forum

Jeanne Schultz Afuvai, Hawaii Inst. for Public Affairs  
Karlie Asato, Hawaii Government Employees Assn  
Joseph Boivin, Hawaii Gas  
Warren Bollmeier, Hawaii Renewable Energy Alliance  
Michael Brittain, IBEW, Local Union 1260  
Albert Chee, Chevron  
Elizabeth Cole, The Kohala Center  
Kyle Datta, Ulupono Initiative  
Mitch Ewan, UH Hawaii Natural Energy Institute  
Jay Fidell, ThinkTech Hawaii  
Carl Freedman, Haiku Design & Analysis  
Matthias Fripp, REIS at University of Hawaii  
Ford Fuchigami, Hawaii Dept of Transportation  
Mark Glick, Hawaii State Energy Office, DBEDT  
Justin Gruenstein, City & County of Honolulu  
Dale Hahn, Ofc of US Senator Brian Schatz  
Michael Hamnett, SSRI at University of Hawaii  
Senator Lorraine Inouye, Hawaii State Legislature  
Randy Iwase, Public Utilities Commission  
Ashley Kaono, Ofc of US Representative Tulsi Gabbard  
Jim Kelly, Kauai Island Utility Cooperative  
Darren Kimura, Energy Industries  
Kelly King, Sustainable Biodiesel Alliance  
Kal Kobayashi, Maui County Energy Office  
Representative Chris Lee, Hawaii State Legislature  
Gladys Marrone, Building Industry Assn of Hawaii  
Stephen Meder, UH Facilities and Planning  
Hermina Morita, Energy Dynamics  
Sharon Moriaki, UH Public Policy Center  
Tim O'Connell, US Dept of Agriculture  
Jeffrey Ono, Division of Consumer Advocacy, DCCA  
Stan Osserman, HCATT  
Darren Pai, Hawaiian Electric Companies  
Melissa Pavlicek, Hawaii Public Policy Advocates  
Randy Perreira, Hawaii Government Employees Assn  
Rick Reed, Hawaii Solar Energy Assn  
Cynthia Rezentes, Ofc of US Representative Mark Takai  
Rick Rocheleau, UH Hawaii Natural Energy Institute  
Will Rolston, Hawaii County, Research & Development  
Riley Saito, SunPower Systems  
Scott Seu, Hawaiian Electric Companies  
Joelle Simonpietri, US Pacific Command Energy Ofc  
H. Ray Starling, Hawaii Energy  
Ben Sullivan, Kauai County  
Lance Tanaka, Par Hawaii, Inc.  
Maria Tome, Public Utilities Commission  
Alan Yamamoto, Ofc of US Senator Mazie Hirono

## Testimony of the Hawaii Energy Policy Forum Before the

Senate Committee on Transportation and Energy  
Tuesday, March 15, 2016 at 2:45 pm in Conference Room 229

## Comments on HB 1751 HD2, Relating to Renewable Energy

Chair Inouye, Vice-Chair Gabbard, and Members of the Committee,

The Hawaii Energy Policy Forum ("HEPF"), created in 2002, is comprised of over 40 representatives from Hawaii's electric utilities, oil and natural gas suppliers, environmental and community groups, renewable energy industry, and federal, state and local government, including representatives from the neighbor islands. Our vision, mission and comprehensive "10 Point Action Plan" guide us in moving Hawaii toward its preferred energy goals and our comments on this bill.

While House Draft 2 is an improvement over the original language of House Bill 1751, the Hawaii Energy Policy Forum still has concerns. Lacking a purpose clause and absent a definition for "self-replenishing non-fossil fuel resources" it is difficult to ascertain what types of resources are being contemplated that are not already included in the existing definition.

As pointed out by previous testifiers, this lack of clarity may lead to unintended consequences with respect to the State's ability to achieve its clean energy goals.

Thank you for the opportunity to testify.

*This testimony reflects the position of the Forum as a whole and not necessarily of the individual Forum members or their companies.*



**Hawaii Solar Energy Association**

*Serving Hawaii Since 1977*

**TESTIMONY OF THE HAWAII SOLAR ENERGY ASSOCIATION  
IN REGARD TO HB 1751 HD2, RELATING TO RENEWABLE ENERGY  
BEFORE THE  
SENATE COMMITTEE ON TRANSPORTATION AND ENERGY  
ON  
TUESDAY MARCH 15, 2016**

Chair Inouye, Vice-Chair Gabbard, and members of the committee, my name is Hajime Alabanza, and I represent the Hawaii Solar Energy Association, Inc. (HSEA)

HSEA supports the intent of HB 1751 HD 2. This measure amends the definition of “renewable energy” within §269-91, Hawaii Revised Statutes, to include other renewable resources that may not be covered under the previous statute as written.

Establishing a sound definition for renewable energy is important in order to realize Hawaii’s mandated 100% renewable portfolio standard. In addition, containing language including cutting-edge or untapped sources of renewable energy adds flexibility to the statutes.

However, it should be noted that the language as written may be too ambiguous or non-specific. HSEA understands and acknowledges that this is a forward looking bill. Its intention is to include new renewable energy sources that may not currently exist or that may not exist now as a scalable technology. With that in mind, caution should be extended as to what types of energy may be included within this definition in the future. For instance, there is significant debate as to whether nuclear breeder reactors or nuclear fission reactors would indeed constitute a renewable source of energy.<sup>1</sup> In fact, the Arizona State Legislature has attempted to pass several bills defining certain types of nuclear energy as renewable.<sup>2</sup>

This is not to imply that HSEA is necessarily for or against nuclear energy, only that the current draft of HB 1751 could be interpreted as such. Careful consideration should be given to the wording of this bill if its intent is to cover future fuel sources. Alternatively, a bill could be drafted allowing an open-ended “evaluation” of potential non-fossil fuel renewable resources as those resources are developed.

Thank you for the opportunity to testify.

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<sup>1</sup> See <http://www.un-documents.net/ocf-07.htm>, A UN white paper on defining certain nuclear energy as renewable

<sup>2</sup> <http://cleantechnica.com/2015/02/06/nuclear-power-counts-renewable-arizona-senate-committee-says/>

Timothy P. Donovan  
Chief Executive Officer



March 14, 2016

Senate Committee on Transportation and Energy  
Senator Lorraine Inouye, Chair

Date of Hearing: Tuesday, March 15, 2016  
Time: 2:45 PM

RE: TESTIMONY IN SUPPORT  
HB1751 – Relating to Renewable Energy

Dear Chair Inouye and Members of the Committee on Transportation and Energy:

I am submitting my testimony in Support for HB1751.

This bill establishes the foundation our State needs to move towards energy sustainability. This bill has particular significance as Hawaii has set the ambitious goal of energy independence by the year 2045. Although we have made significant strides towards this goal we are far short of where we need to be in order to stay on track.

One key pathway would be to welcome all technological advances that can increase our energy security and make Hawaii a global demonstration model. HB1751 provides a significant platform to accomplish this and provides opportunities to further strengthen our economy as a benefit.

Thank you for your consideration and affirmative votes in this matter.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'T. P. Donovan', with a stylized flourish at the end.

Timothy P. Donovan  
Chief Executive Officer





March 14, 2016

For: HB1751 – Relating to Renewable Energy  
Date: Tuesday, March 15, 2016  
Time: 2:45pm  
Committee: Senate Committee on Transportation and Energy  
Senator Lorraine Inouye, Chair  
Room: Conference Room 229  
  
From: Dr. Melvin H Chiogioji, PE

RE: TESTIMONY IN SUPPORT OF HB1751

Dear Chair Inouye and Members of the Senate Committee on Transportation and Energy:

Aloha and thank you for allowing me to submit my testimony in support of HB1751 a bill that enhances Section 269-91 of the Hawaii Revised Statutes. This measure, when approved, positions Hawaii to welcome all approved technologies that can assist the State in becoming energy independent. This can only be positive for the State, our economy and the generations of our families to come.

Needless to say, Hawaii is now in the global spotlight to be a model citizen as it relates to renewable energy, since the goal to be weaned off of fossil fuels was set to the year 2045. Although 90% of energy is derived from the importation oil today we must chart a new course of action to reach our goal.

HB1751 opens another window of opportunity that can allow our State to be driven not by fossil fuels but by the hope of becoming self-sustainable related to energy.

I humbly urge this committee to vote in favor of this measure and thank you for your time and consideration.



**Kaala Coleman**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, March 11, 2016 11:03 AM  
**To:** TRE Testimony  
**Cc:** rustonu@gmail.com  
**Subject:** \*Submitted testimony for HB1751 on Mar 15, 2016 14:45PM\*

**HB1751**

Submitted on: 3/11/2016

Testimony for TRE on Mar 15, 2016 14:45PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ruston Utu	Individual	Support	No

**Comments:**

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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