
HOUSE CONCURRENT RESOLUTION

URGING THE PUBLIC UTILITIES COMMISSION TO DEVELOP AND ADOPT AN
EFFICIENT, STREAMLINED PROCESS FOR REVIEWING ELECTRIC
UTILITIES' REQUESTS TO PROVIDE MIDDLE MILE BROADBAND
SERVICES IN FURTHERANCE OF THE STATE'S EFFORTS TO EXPEDITE
BROADBAND ACCESS AND EQUITY.

1 WHEREAS, the coronavirus disease 2019 pandemic made clear
2 the importance of broadband equity to ensure fair access to
3 telework, telemedicine, and remote learning opportunities for
4 the people of Hawaii; and
5

6 WHEREAS, electric utilities across the nation are
7 increasingly reliant on their telecommunications infrastructure
8 to support modern grid operations and manage increasing volumes
9 of distributed energy resources, which requires electric
10 utilities to modernize their grids to include robust and diverse
11 telecommunications infrastructure; and
12

13 WHEREAS, the State's regulated electric utilities are well
14 positioned to help bridge the digital divide by leveraging their
15 telecommunications infrastructure to provide middle mile
16 broadband services, which will allow internet service providers
17 to offer services to communities that are otherwise cost
18 prohibitive to reach; and
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20 WHEREAS, the middle mile method is a common sense approach
21 to addressing the digital divide as it represents a more cost-
22 effective way for internet service providers to offer broadband
23 in low- to moderate-income, hard-to-reach communities, while
24 also lowering costs to electricity customers through revenue
25 generated from leasing middle mile services to those internet
26 service providers; and
27



1 WHEREAS, the expansion of broadband services is in line
2 with the State's current efforts to expedite the deployment of
3 broadband and is also in line with national trends; and
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5 WHEREAS, on November 9, 2021, the National Association of
6 Regulatory Utility Commissioners issued a resolution that
7 underscores the importance of electric utilities' role in
8 broadband expansion through the utilization of their internal
9 telecommunication infrastructure; and
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11 WHEREAS, public utilities in the State are able to provide
12 foundational and diverse middle mile broadband services to
13 internet service providers and other third parties without
14 duplicating efforts, congesting the right-of-way or view plane,
15 or increasing costs to the consumer; and
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17 WHEREAS, this allows an electric utility and internet
18 service provider to partner together and reduce operating costs
19 for the electric utility and internet service provider,
20 resulting in savings that can then be passed on to the electric
21 ratepayer and broadband user, who are often the same end-user;
22 and
23

24 WHEREAS, existing law provides multiple layers of
25 protection to ensure that an electric utility does not favor
26 itself or its affiliates or cross-subsidize any of its
27 activities with ratepayers' funds, while also providing maximum
28 value to the ratepayer; and
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30 WHEREAS, in conjunction with the Federal Communications
31 Commission's authority and Federal Pole Attachment Act, the
32 Public Utilities Commission exercises authority over electric
33 utilities that own distribution poles, requiring that the
34 electric utilities provide non-discriminatory access to their
35 poles and comply with strict federal timelines and regulations
36 governing pole attachments; and
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38 WHEREAS, this body supports electric utilities' right and
39 authority to provide middle mile broadband service to internet
40 service providers and other third parties to facilitate digital
41 equity and promote expeditious broadband deployment to all areas
42 of the State; and



1
2 WHEREAS, an expedited review process to provide middle mile
3 broadband services would help address the growing need for
4 access to broadband and enable equitable access to telework,
5 telemedicine, remote learning, and participation in the digital
6 economy; now, therefore,
7

8 BE IT RESOLVED by the House of Representatives of the
9 Thirty-first Legislature of the State of Hawaii, Regular Session
10 of 2022, the Senate concurring, that the Public Utilities
11 Commission is urged to develop and adopt an efficient,
12 streamlined process for reviewing electric utilities' requests
13 to provide middle mile broadband services, as authorized under
14 section 269-19, Hawaii Revised Statutes, in furtherance of the
15 State's efforts to expedite broadband access and equity; and
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17 BE IT FURTHER RESOLVED that certified copies of this
18 Concurrent Resolution be transmitted to the Director of Commerce
19 and Consumer Affairs; Director of Business, Economic
20 Development, and Tourism; Chairperson of the Public Utilities
21 Commission; Executive Director of the Division of Consumer
22 Advocacy; President and Chief Executive Officer of Hawaiian
23 Electric Company; and Chief Executive Officer of Kauai Island
24 Utility Cooperative.
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OFFERED BY:



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