
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 AND PROMOTE EXPEDITIOUS BROADBAND DEPLOYMENT TO AREAS OF THE STATE THAT ARE UNSERVED AND UNDERSERVED.

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
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6 WHEREAS, electric utilities across the nation increasingly
7 rely on their telecommunications infrastructure to support
8 modern grid operations and manage increasing volumes of
9 distributed energy resources, which requires electric utilities
10 to modernize their grids to include robust and diverse
11 telecommunications infrastructure; and
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13 WHEREAS, the State's regulated electric utilities are well
14 positioned to help bridge the digital divide by leveraging their
15 excess capacity telecommunications infrastructure to provide
16 middle mile broadband services, which could enable internet
17 service providers to offer services to communities that are
18 otherwise cost-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; and
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25 WHEREAS, the expansion of broadband services is in line
26 with the State's current efforts to expedite the deployment of



1 broadband and is also in line with related national legislation;
2 and

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4 WHEREAS, on November 9, 2021, the National Association of
5 Regulatory Utility Commissioners issued a resolution that
6 underscores the importance of electric utilities' role in
7 broadband expansion through the utilization of existing
8 telecommunication infrastructure; and

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10 WHEREAS, public utilities in the State are able to
11 efficiently provide foundational and diverse middle mile
12 broadband services to internet service providers and other third
13 parties without duplicating efforts, congesting the right-of-way
14 or view plane, or increasing costs to the consumer; and

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16 WHEREAS, this method allows electric utilities and internet
17 service providers to form partnerships; and

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19 WHEREAS, existing law provides multiple layers of
20 protection to ensure that an electric utility does not favor
21 itself or its affiliates or cross-subsidize any of its
22 activities with ratepayers' funds, while also providing maximum
23 value to the ratepayer; and

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25 WHEREAS, in conjunction with the Federal Communications
26 Commission's authority and Federal Pole Attachment Act, the
27 Public Utilities Commission exercises authority over electric
28 utilities that own distribution poles, requiring that the
29 electric utilities provide non-discriminatory access to their
30 poles and comply with strict federal timelines and regulations
31 governing pole attachments; and

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33 WHEREAS, this body supports electric utilities' efforts to
34 provide middle mile broadband service to internet service
35 providers and other third parties to facilitate digital equity
36 and promote expeditious broadband deployment to all areas of the
37 State; and

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39 WHEREAS, an expedited review process by the Public
40 Utilities Commission to provide middle mile broadband services
41 would help address the growing need for access to broadband and
42 enable equitable access to telework, telemedicine, remote



1 learning, and participation in the digital economy; now,
2 therefore,
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4 BE IT RESOLVED by the House of Representatives of the
5 Thirty-first Legislature of the State of Hawaii, Regular Session
6 of 2022, the Senate concurring, that the Public Utilities
7 Commission is urged to develop and adopt an efficient,
8 streamlined process for reviewing electric utilities' requests
9 to provide middle mile broadband services, as authorized under
10 section 269-19, Hawaii Revised Statutes, in furtherance of the
11 State's efforts to expedite broadband access and equity and
12 promote expeditious broadband deployment to areas of the State
13 that are unserved and underserved; and
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15 BE IT FURTHER RESOLVED that certified copies of this
16 Concurrent Resolution be transmitted to the Director of Commerce
17 and Consumer Affairs; Director of Business, Economic
18 Development, and Tourism; Chairperson of the Public Utilities
19 Commission; Executive Director of the Division of Consumer
20 Advocacy; President and Chief Executive Officer of Hawaiian
21 Electric Company, Inc.; and Chief Executive Officer of Kauai
22 Island Utility Cooperative.

