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# HOUSE 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  
5

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  
27 broadband and is also in line with related national legislation;  
28 and



1  
2 WHEREAS, on November 9, 2021, the National Association of  
3 Regulatory Utility Commissioners issued a resolution that  
4 underscores the importance of electric utilities' role in  
5 broadband expansion through the utilization of existing  
6 telecommunication infrastructure; and  
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8 WHEREAS, public utilities in the State are able to  
9 efficiently provide foundational and diverse middle mile  
10 broadband services to internet service providers and other third  
11 parties without duplicating efforts, congesting the right-of-way  
12 or view plane, or increasing costs to the consumer; and  
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14 WHEREAS, this method allows electric utilities and internet  
15 service providers to form partnerships; and  
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17 WHEREAS, existing law provides multiple layers of  
18 protection to ensure that an electric utility does not favor  
19 itself or its affiliates or cross-subsidize any of its  
20 activities with ratepayers' funds, while also providing maximum  
21 value to the ratepayer; and  
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23 WHEREAS, in conjunction with the Federal Communications  
24 Commission's authority and Federal Pole Attachment Act, the  
25 Public Utilities Commission exercises authority over electric  
26 utilities that own distribution poles, requiring that the  
27 electric utilities provide non-discriminatory access to their  
28 poles and comply with strict federal timelines and regulations  
29 governing pole attachments; and  
30

31 WHEREAS, this body supports electric utilities' efforts to  
32 provide middle mile broadband service to internet service  
33 providers and other third parties to facilitate digital equity  
34 and promote expeditious broadband deployment to all areas of the  
35 State; and  
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37 WHEREAS, an expedited review process by the Public  
38 Utilities Commission to provide middle mile broadband services  
39 would help address the growing need for access to broadband and  
40 enable equitable access to telework, telemedicine, remote  
41 learning, and participation in the digital economy; now,  
42 therefore,



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2 BE IT RESOLVED by the House of Representatives of the  
3 Thirty-first Legislature of the State of Hawaii, Regular Session  
4 of 2022, that the Public Utilities Commission is urged to  
5 develop and adopt an efficient, streamlined process for  
6 reviewing electric utilities' requests to provide middle mile  
7 broadband services, as authorized under section 269-19, Hawaii  
8 Revised Statutes, in furtherance of the State's efforts to  
9 expedite broadband access and equity and promote expeditious  
10 broadband deployment to areas of the State that are unserved and  
11 underserved; and

12  
13 BE IT FURTHER RESOLVED that certified copies of this  
14 Resolution be transmitted to the Director of Commerce and  
15 Consumer Affairs; Director of Business, Economic Development,  
16 and Tourism; Chairperson of the Public Utilities Commission;  
17 Executive Director of the Division of Consumer Advocacy;  
18 President and Chief Executive Officer of Hawaiian Electric  
19 Company, Inc.; and Chief Executive Officer of Kauai Island  
20 Utility Cooperative.

