

MAR 11 2022

SENATE CONCURRENT RESOLUTION

REQUESTING THE HAWAII PUBLIC UTILITIES COMMISSION TO DEVELOP AN
EFFICIENT AND STREAMLINED PROCESS FOR REVIEWING ELECTRIC
UTILITIES' REQUESTS TO PROVIDE "MIDDLE MILE" BROADBAND
SERVICES IN SUPPORT OF EXPANDING BROADBAND SERVICES FOR
HAWAII RESIDENTS IN UNDERSERVED AND UNSERVED AREAS.

1 WHEREAS, over the past two years, the coronavirus disease
2 2019 pandemic has transformed the lives of citizens of the State
3 and beyond, and revealed the importance of broadband equity to
4 ensure fair access to telework, telemedicine, and remote
5 learning opportunities for the people of Hawaii; and
6

7 WHEREAS, concurrently, electric utilities across the United
8 States are increasingly reliant on telecommunications
9 infrastructure to support modern grid operations and manage
10 increasing volumes of distributed energy resources, which
11 requires that electric utilities modernize their grids to
12 include robust and diverse telecommunications infrastructure to
13 all grid assets at the edge of every community; and
14

15 WHEREAS, the State's regulated electric utilities are well-
16 positioned to help bridge the digital divide by leveraging
17 excess capacity on that same utility telecommunications
18 infrastructure to provide "middle mile" broadband services that
19 can enable internet service providers to offer services to
20 communities that are otherwise cost-prohibitive to reach; and
21

22 WHEREAS, this represents a commonsense approach to
23 addressing the digital divide, presenting an additional approach
24 for internet service providers to offer broadband in low to
25 moderate income, hard-to-reach communities; and
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27 WHEREAS, the expansion of broadband services aligns with
28 the State's current efforts to expedite the deployment of
29 broadband, as well as the national trend of related legislation;
30 and



1
2 WHEREAS, the National Association of Regulatory Utility
3 Commissioners issued a resolution, on November 9, 2021, that
4 underscores the importance of electric utilities' active
5 participation in broadband expansion through utilization of
6 existing telecommunication infrastructure; and
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8 WHEREAS, the Public Utilities Commission's development of
9 an expedited process would help address the growing need for
10 access to broadband and enable equitable access to telework,
11 telemedicine, remote learning, and participation in the digital
12 economy; and
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14 WHEREAS, existing regulated public utilities are able to
15 provide foundational, diverse middle mile broadband services to
16 internet service providers and other third parties without
17 duplicating efforts, congesting rights-of-way or view planes;
18 and
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20 WHEREAS, this allows electric utilities and internet
21 service providers to partner together; and
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23 WHEREAS, the Public Utilities Commission and the Consumer
24 Advocate are authorized under sections 269-39, 269-51, and 269-
25 54, Hawaii Revised Statutes, to provide regulatory oversight
26 over electric utilities to ensure that, among other things, an
27 electric utility does not favor itself or its affiliates, it
28 does not cross-subsidize any of its activities with ratepayers'
29 funds, and provides maximum value to the ratepayer, ensuring
30 that no electric service rates include funding for facilities
31 beyond that which is reasonably required for the provision of
32 electric service; and
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34 WHEREAS, in conjunction with the Federal Communications
35 Commission's authority and the Federal Pole Attachment Act, the
36 Public Utilities Commission also exercises authority over
37 electric utilities that own distribution poles, requiring that
38 they provide non-discriminatory access to their poles and comply
39 with the strict federal timelines and federal rules and
40 regulations governing pole attachments; and
41

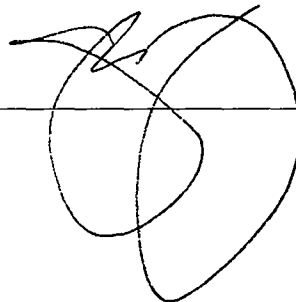


1 WHEREAS, the Legislature supports electric utilities'
2 ability to provide middle mile broadband service using the
3 excess capacity of their electrical service infrastructure to
4 internet service providers and other third parties; now,
5 therefore,

6
7 BE IT RESOLVED by the Senate of the Thirty-first
8 Legislature of the State of Hawaii, Regular Session of 2022, the
9 House of Representatives concurring, that the Public Utilities
10 Commission is urged to consider and adopt an efficient,
11 streamlined process to review requests made by electric
12 utilities under section 269-19, Hawaii Revised Statutes, to
13 provide middle mile broadband services in furtherance of the
14 State's efforts to expedite broadband access and equity and to
15 facilitate digital equity and promote expeditious broadband
16 deployment to areas of the State that are unserved and
17 underserved; and

18
19 BE IT FURTHER RESOLVED that certified copies of this
20 Concurrent Resolution be transmitted to the Chairperson of the
21 Public Utilities Commission; Executive Director of the Division
22 of Consumer Advocacy; Director of Business, Economic
23 Development, and Tourism; President and Chief Executive Officer
24 of the Hawaiian Electric Company, Inc.; and Chair of the Board
25 of Directors of the Kaua'i Island Utility Cooperative.

26
27
28 OFFERED BY: _____

A handwritten signature in black ink, consisting of a stylized 'S' or 'G' shape with a horizontal line crossing through it.