

MAR 11 2022

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# SENATE 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  
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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  
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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  
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32           WHEREAS, the National Association of Regulatory Utility  
33 Commissioners issued a resolution, on November 9, 2021, that



1 underscores the importance of electric utilities' active  
2 participation in broadband expansion through utilization of  
3 existing telecommunication infrastructure; and  
4

5 WHEREAS, the Public Utilities Commission's development of  
6 an expedited process would help address the growing need for  
7 access to broadband and enable equitable access to telework,  
8 telemedicine, remote learning, and participation in the digital  
9 economy; and  
10

11 WHEREAS, existing regulated public utilities are able to  
12 provide foundational, diverse middle mile broadband services to  
13 internet service providers and other third parties without  
14 duplicating efforts, congesting rights-of-way or view planes;  
15 and  
16

17 WHEREAS, this allows electric utilities and internet  
18 service providers to partner together; and  
19

20 WHEREAS, the Public Utilities Commission and the Consumer  
21 Advocate are authorized under sections 269-39, 269-51, and 269-  
22 54, Hawaii Revised Statutes, to provide regulatory oversight  
23 over electric utilities to ensure that, among other things, an  
24 electric utility does not favor itself or its affiliates, it  
25 does not cross-subsidize any of its activities with ratepayers'  
26 funds, and provides maximum value to the ratepayer, ensuring  
27 that no electric service rates include funding for facilities  
28 beyond that which is reasonably required for the provision of  
29 electric service; and  
30

31 WHEREAS, in conjunction with the Federal Communications  
32 Commission's authority and the Federal Pole Attachment Act, the  
33 Public Utilities Commission also exercises authority over  
34 electric utilities that own distribution poles, requiring that  
35 they provide non-discriminatory access to their poles and comply  
36 with the strict federal timelines and federal rules and  
37 regulations governing pole attachments; and  
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39 WHEREAS, the Legislature supports electric utilities'  
40 ability to provide middle mile broadband service using the  
41 excess capacity of their electrical service infrastructure to



1 internet service providers and other third parties; now,  
2 therefore,

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

14

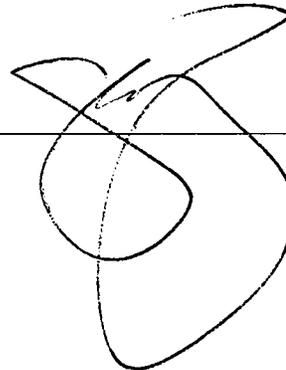
15 BE IT FURTHER RESOLVED that certified copies of this  
16 Resolution be transmitted to the Chairperson of the Public  
17 Utilities Commission; Executive Director of the Division of  
18 Consumer Advocacy; Director of Business, Economic Development,  
19 and Tourism; President and Chief Executive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

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OFFERED BY: \_\_\_\_\_

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and curves, positioned over a horizontal line.