

STAND. COM. REP. NO.

1871

Honolulu, Hawaii

APR 03 , 2023

RE: S.B. No. 477  
S.D. 1  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 477, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION,"

begs leave to report as follows:

The purpose of this measure is to require the Public Utilities Commission to complete its review and issue a decision on an application seeking approval for a merger, consolidation, acquisition, or other change of control:

- (1) Within nine months from the date that a public utility, other than an investor-owned electric utility company, files its completed application; and
- (2) Within twelve months from the date that an investor-owned electric utility company files its completed application.

Your Committee received testimony in support of this measure from Hawaiian Telcom. Your Committee received testimony in opposition to this measure from Blue Planet Foundation. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Public Utilities Commission.



Your Committee finds that under existing law, proposed mergers, consolidations, acquisitions, and other changes of control of a public utility must be approved by the Public Utilities Commission. This measure expedites the review process for these transactions.

Your Committee has amended this measure by:

- (1) Specifying that the nine-month period or twelve-month period, as applicable, begins only after a completed application has been filed with the Public Utilities Commission;
- (2) Requiring the Public Utilities Commission to establish standards for when an application may be deemed complete and specifying the process for objections and amendments to submitted applications;
- (3) Allowing for the waiver or extension of the nine-month period or twelve-month period, as applicable;
- (4) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 477, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 477, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on  
behalf of the members of the  
Committee on Consumer  
Protection & Commerce,



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MARK M. NAKASHIMA, Chair



State of Hawaii  
House of Representatives  
The Thirty-second Legislature

HSCR1871

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: <b>SB 477 SDI</b>	Committee Referral: <b>CPC</b>	Date: <b>03-16-23</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	/			
2. SAYAMA, Jackson D. (VC)	/			
3. AMATO, Terez		/		
4. BELATTI, Della Au	/			
5. HASHEM, Mark J.	/			
6. HUSSEY-BURDICK, Natalia	/			
7. GATES, Cedric Asuega	/			
8. LOWEN, Nicole E.			/	
9. ONISHI, Richard H.K.	/			
10. TAM, Adrian K.	/			
11. PIERICK, Elijah	/			
<b>TOTAL (11)</b>	<b>9</b>	<b>1</b>	<b>1</b>	
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <span style="margin-left: 150px;">committee acronym(s)</span>				
Vice Chair's or designee's signature: _____				
<b>Distribution:</b> Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				