

ACT 157

S.B. NO. 1065

A Bill for an Act Relating to the Natural Energy Laboratory of Hawaii Authority.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 227D, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§227D- Renewable energy sales; exemption. (a) The authority shall be exempt from the definition of “public utility” under section 269-1 and shall be exempt from regulation by the public utilities commission for the sale or provision of electricity generated by the authority using renewable energy as its source in facilities located at the authority’s research and technology park; provided

that all sales or provisions of electricity are made directly to a user located adjacent to the authority's research and technology park on lands leased by the user from the State; and provided further that connection to the electrical grid shall not be required to provide any electricity to any user.

(b) If the sale or provision of any electricity generated by the authority requires connection to the electrical grid to transmit electricity to any user, then the authority shall be deemed to be a public utility as defined in section 269-1 and shall be subject to regulation by the public utilities commission. If the sale or provision of any electricity generated by the authority requires connection to the electrical grid, the authority shall be subject to any interconnection agreement or other agreement required by an electric utility or by the public utilities commission.

As used in this section, "renewable energy" shall have the same meaning as in section 269-91."

SECTION 2. New statutory material is underscored.¹

SECTION 3. This Act shall take effect upon approval.

(Approved June 26, 2009.)

Note

1. Edited pursuant to HRS §23G-16.5.