



GOV. MSG. NO. 774

EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

June 26, 2009

The Honorable Colleen Hanabusa, President  
and Members of the Senate  
Twenty-Fifth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on June 26, 2009, the following bill was signed into law:

SB1065 SD2 HD1 CD1

A BILL FOR AN ACT  
RELATING TO THE NATURAL ENERGY  
LABORATORY OF HAWAII AUTHORITY.  
**ACT 157 (09)**

Sincerely,

A handwritten signature in black ink, appearing to read "L. Lingle".

LINDA LINGLE

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# 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:**

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

4 "§227D- Renewable energy sales; exemption. (a) The  
5 authority shall be exempt from the definition of "public  
6 utility" under section 269-1 and shall be exempt from regulation  
7 by the public utilities commission for the sale  
8 or provision of electricity generated by the authority using  
9 renewable energy as its source in facilities located at the  
10 authority's research and technology park; provided that all  
11 sales or provisions of electricity are made directly to a user  
12 located adjacent to the authority's research and technology park  
13 on lands leased by the user from the State; and provided further  
14 that connection to the electrical grid shall not be required to  
15 provide any electricity to any user.

16 (b) If the sale or provision of any electricity generated  
17 by the authority requires connection to the electrical grid to  
18 transmit electricity to any user, then the authority shall be



1 deemed to be a public utility as defined in section 269-1 and  
2 shall be subject to regulation by the public utilities  
3 commission. If the sale or provision of any electricity  
4 generated by the authority requires connection to the electrical  
5 grid, the authority shall be subject to any interconnection  
6 agreement or other agreement required by an electric utility or  
7 by the public utilities commission.

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

10 SECTION 2. New statutory material is underscored.

11 SECTION 3. This Act shall take effect upon approval.

APPROVED this 26 day of JUN, 2009

  
GOVERNOR OF THE STATE OF HAWAII