
A BILL FOR AN ACT

RELATING TO THE PUBLIC UTILITIES COMMISSION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 269, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§269- Electronic copies of documents. (a) No later
5 than July 1, 2011, the public utilities commission shall accept
6 from any person who submits a document to the commission the
7 original and one electronic copy of each application, complaint,
8 pleading, brief, or other document required to be filed with the
9 commission pursuant to this chapter and the consumer advocate
10 shall accept service of one paper copy and one electronic copy
11 of each application, complaint, pleading, brief, or other
12 document filed with the commission.

13 (b) The commission shall adopt rules pursuant to chapter
14 91 to effectuate the purposes of this section. Until the final
15 adoption by the commission of rules governing the electronic
16 filing of documents with the commission, the following
17 requirements shall apply to all documents submitted to the
18 commission pursuant to this section; provided that additional



1 requirements with regard to document format may be established
2 by the commission through written guidelines:

3 (1) Unless otherwise required by this chapter or the rules
4 or guidelines of the commission, each person who
5 submits or files an application, complaint, pleading,
6 brief, or other document shall submit to or file with
7 the commission an original and one electronic copy of
8 each document and shall serve one paper copy and one
9 electronic copy of each document on the consumer
10 advocate;

11 (2) All paper documents submitted to or filed with the
12 commission shall be printed on one side of the page
13 only and, if practicable, in portrait orientation;

14 (3) Original paper documents submitted to or filed with
15 the commission shall not be stapled but shall be
16 clipped together or placed in a clearly marked three-
17 ring binder, as appropriate;

18 (4) All paper documents filed or submitted to the
19 commission shall include appropriately labeled
20 separator pages in addition to tabbed dividers, as
21 applicable;



1 (5) All confidential documents filed under confidential
2 seal shall be clearly designated in accordance with
3 the requirements of any applicable protective order,
4 and the sealed envelope in which the confidential
5 documents are enclosed shall clearly indicate the
6 appropriate docket number and subject;

7 (6) Electronic documents shall be submitted on a clearly
8 marked compact disk and shall be in portable document
9 format saved in separate files corresponding to the
10 original paper document submission; provided that
11 electronic documents submitted under confidential seal
12 shall be submitted on a separate compact disk, clearly
13 marked as confidential and indicating the appropriate
14 docket number and subject; and

15 (7) Electronic documents shall be named using the filing
16 party's name, docket number, date of filing, and name
17 of document as part of the document title.

18 Upon final adoption of rules pursuant to chapter 91, the
19 rules of the commission governing submission or filing of
20 electronic documents shall supersede the provisions of this
21 subsection.



1 (c) No later than July 1, 2013, the public utilities
2 commission shall accept any application, complaint, pleading,
3 brief, or other document required to be filed with the
4 commission pursuant to this chapter as either a paper document
5 or an electronic document.

6 (d) If a signature is required on any document submitted
7 electronically pursuant to this section, that requirement shall
8 be satisfied by the inclusion of an electronic signature.
9 Chapter 489E shall apply to all electronic documents submitted
10 pursuant to this section."

11 SECTION 2. Chapter 271, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "§271- Electronic copies of documents. (a) No later
15 than July 1, 2011, the public utilities commission shall accept
16 from any person who submits a document to the commission the
17 original and one electronic copy of each application, complaint,
18 pleading, brief, or other document required to be filed with the
19 commission pursuant to this chapter and the consumer advocate
20 shall accept service of one paper copy and one electronic copy
21 of each application, complaint, pleading, brief, or other
22 document filed with the commission.



1 (b) The commission shall adopt rules pursuant to chapter
2 91 to effectuate the purposes of this section. Until the final
3 adoption by the commission of rules governing the electronic
4 filing of documents with the commission, the following
5 requirements shall apply to all documents submitted to the
6 commission pursuant to this section; provided that additional
7 requirements with regard to document format may be established
8 by the commission through written guidelines:

9 (1) Unless otherwise required by this chapter or the rules
10 or guidelines of the commission, each person who
11 submits or files an application, complaint, pleading,
12 brief, or other document shall submit to or file with
13 the commission an original and one electronic copy of
14 each document and shall serve one paper copy and one
15 electronic copy of each document on the consumer
16 advocate;

17 (2) All paper documents submitted to or filed with the
18 commission shall be printed on one side of the page
19 only and, if practicable, in portrait orientation;

20 (3) Original paper documents submitted to or filed with
21 the commission shall not be stapled but shall be



1 clipped together or placed in a clearly marked three-
2 ring binder, as appropriate;

3 (4) All paper documents filed or submitted to the
4 commission shall include appropriately labeled
5 separator pages in addition to tabbed dividers, as
6 applicable;

7 (5) All confidential documents filed under confidential
8 seal shall be clearly designated in accordance with
9 the requirements of any applicable protective order,
10 and the sealed envelope in which the confidential
11 documents are enclosed shall clearly indicate the
12 appropriate docket number and subject;

13 (6) Electronic documents shall be submitted on a clearly
14 marked compact disk and shall be in portable document
15 format saved in separate files corresponding to the
16 original paper document submission; provided that
17 electronic documents submitted under confidential seal
18 shall be submitted on a separate compact disk, clearly
19 marked as confidential and indicating the appropriate
20 docket number and subject; and



1 (7) Electronic documents shall be named using the filing
2 party's name, docket number, date of filing, and name
3 of document as part of the document title.

4 Upon final adoption of rules pursuant to chapter 91, the
5 rules of the commission governing submission or filing of
6 electronic documents shall supersede the provisions of this
7 subsection.

8 (c) No later than July 1, 2013, the public utilities
9 commission shall accept any application, complaint, pleading,
10 brief, or other document required to be filed with the
11 commission pursuant to this chapter as either a paper document
12 or an electronic document.

13 (d) If a signature is required on any document submitted
14 electronically pursuant to this section, that requirement shall
15 be satisfied by the inclusion of an electronic signature.
16 Chapter 489E shall apply to all electronic documents submitted
17 pursuant to this section."

18 SECTION 3. Chapter 271G, Hawaii Revised Statutes, is
19 amended by adding a new section to be appropriately designated
20 and to read as follows:

21 "§271G- Electronic copies of documents. (a) No later
22 than July 1, 2011, the public utilities commission shall accept



1 from any person who submits a document to the commission the
2 original and one electronic copy of each application, complaint,
3 pleading, brief, or other document required to be filed with the
4 commission pursuant to this chapter and the consumer advocate
5 shall accept service of one paper copy and one electronic copy
6 of each application, complaint, pleading, brief, or other
7 document filed with the commission.

8 (b) The commission shall adopt rules pursuant to chapter
9 91 to effectuate the purposes of this section. Until the final
10 adoption by the commission of rules governing the electronic
11 filing of documents with the commission, the following
12 requirements shall apply to all documents submitted to the
13 commission pursuant to this section; provided that additional
14 requirements with regard to document format may be established
15 by the commission through written guidelines:

16 (1) Unless otherwise required by this chapter or the rules
17 or guidelines of the commission, each person who
18 submits or files an application, complaint, pleading,
19 brief, or other document shall submit to or file with
20 the commission an original and one electronic copy of
21 each document and shall serve one paper copy and one



1 electronic copy of each document on the consumer
2 advocate;

3 (2) All paper documents submitted to or filed with the
4 commission shall be printed on one side of the page
5 only and, if practicable, in portrait orientation;

6 (3) Original paper documents submitted to or filed with
7 the commission shall not be stapled but shall be
8 clipped together or placed in a clearly marked three-
9 ring binder, as appropriate;

10 (4) All paper documents filed or submitted to the
11 commission shall include appropriately labeled
12 separator pages in addition to tabbed dividers, as
13 applicable;

14 (5) All confidential documents filed under confidential
15 seal shall be clearly designated in accordance with
16 the requirements of any applicable protective order,
17 and the sealed envelope in which the confidential
18 documents are enclosed shall clearly indicate the
19 appropriate docket number and subject;

20 (6) Electronic documents shall be submitted on a clearly
21 marked compact disk and shall be in portable document
22 format saved in separate files corresponding to the



1 original paper document submission; provided that
2 electronic documents submitted under confidential seal
3 shall be submitted on a separate compact disk, clearly
4 marked as confidential and indicating the appropriate
5 docket number and subject; and

6 (7) Electronic documents shall be named using the filing
7 party's name, docket number, date of filing, and name
8 of document as part of the document title.

9 Upon final adoption of rules pursuant to chapter 91, the
10 rules of the commission governing submission or filing of
11 electronic documents shall supersede the provisions of this
12 subsection.

13 (c) No later than July 1, 2013, the public utilities
14 commission shall accept any application, complaint, pleading,
15 brief, or other document required to be filed with the
16 commission pursuant to this chapter as either a paper document
17 or an electronic document.

18 (d) If a signature is required on any document submitted
19 electronically pursuant to this section, that requirement shall
20 be satisfied by the inclusion of an electronic signature.

21 Chapter 489E shall apply to all electronic documents submitted
22 pursuant to this section."



1 SECTION 4. Section 269-93, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§269-93 **Achieving portfolio standard.** [++] (a) An
4 electric utility company and its electric utility affiliates may
5 aggregate their renewable portfolios [~~in order~~] to achieve the
6 renewable portfolio standard.

7 (b) If an electric utility company and its electric
8 utility affiliates aggregate their renewable portfolios to
9 achieve the renewable portfolio standard, the public utilities
10 commission may distribute, apportion, or allocate the costs and
11 expenses of all or any portion of the respective renewable
12 portfolios among the electric utility company, its electric
13 utility affiliates, and their respective ratepayers, as is
14 reasonable under the circumstances.

15 (c) An electric utility company may recover, through an
16 automatic rate adjustment clause, the electric utility company's
17 revenue requirement resulting from the distribution,
18 apportionment, or allocation of the costs and expenses of the
19 renewable portfolios of the electric utility company and its
20 electric utility affiliates.

21 (d) To provide for timely recovery of the revenue
22 requirement under subsection (c), the commission may establish a



1 separate automatic rate adjustment clause, or approve the use of
2 a previously approved automatic rate adjustment clause, without
3 a rate case filing. The use of the automatic rate adjustment
4 clause to recover the revenue requirement shall be allowed to
5 continue until the revenue requirement is incorporated in rates
6 in the respective electric utility company's rate case."

7 SECTION 5. The public utilities commission shall submit a
8 report to the legislature no later than twenty days prior to the
9 convening of the 2012 regular session on the commission's
10 progress in implementing electronic filing of any and all
11 documents required to be submitted to or filed with the
12 commission. The report required by this section shall include
13 information on the public utilities commission's comprehensive
14 plan to accept electronic filings, a list of hardware and
15 software required for the public utilities commission to comply
16 with the requirements of this Act by July 1, 2013, current funds
17 allocated for the acceptance of electronic documents,
18 requirements for additional funding including a detailed budget
19 request and recommendations for a document surcharge if
20 necessary to fully implement the requirements of this Act, and
21 recommendations for further legislation if necessary to



1 implement the findings and plan to accept electronic filing
2 contained in the report.

3 SECTION 6. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 7. This Act shall take effect on July 1, 2011.



Report Title:

Public Utilities; Electronic Filing; Renewable Portfolio Standard; Public Utilities Commission

Description:

Requires the public utilities commission to begin to accept filings and applications in paper form and electronically no later than July 1, 2011, and to accept either paper or electronic documents no later than July 1, 2013; authorizes an electric utility company and its subsidiaries to use an automatic rate adjustment clause to meet revenue requirements when aggregating renewable portfolios to meet renewable portfolio standards. (CD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

