
HOUSE CONCURRENT RESOLUTION

REQUESTING THE PUBLIC UTILITIES COMMISSION TO PROTECT THE PUBLIC
INTEREST IN REVIEWING THE PROPOSED ACQUISITION OF HAWAIIAN
ELECTRIC INDUSTRIES BY NEXTERA ENERGY, INC.

1 WHEREAS, NextEra Energy, Inc.'s subsidiary, Florida Power
2 and Light, is the largest electrical power utility in Florida;
3 and
4

5 WHEREAS, the company's business model in Florida
6 principally relies on selling power generated by older nuclear
7 power plants and those using liquefied natural gas, with
8 relatively little renewable energy, as reported by the Fort
9 Lauderdale Sun Sentinel; and
10

11 WHEREAS, concerns have been raised that the company has a
12 history of opposing competition and leveraging political
13 influence to favor the interests of the company's shareholders
14 over the interests of ratepayers; and
15

16 WHEREAS, the company has aggressively blocked competition
17 from rooftop solar adoption in Florida, as reported by the
18 Associated Press; and
19

20 WHEREAS, the company has spent millions of dollars in
21 political contributions and funding for campaigns to block
22 federal and state regulations that would promote utility
23 competition, as reported by the Washington Post; and
24

25 WHEREAS, the company is one of the top political donors in
26 Florida, giving more than \$7,000,000 in political contributions
27 in the 2014 election cycle alone, as reported by the Tampa Bay
28 Times; and
29



1 WHEREAS, Florida utilities have been reported to hire, on
2 average, one lobbyist for every two legislators, as reported by
3 the Orlando Sentinel; and

4
5 WHEREAS, the company has a history of giving former top
6 staffers and public utility commissioners lucrative utility
7 jobs, as evidenced by its hiring of five former Florida public
8 utility commissioners, as reported by the Tampa Bay Times; and

9
10 WHEREAS, the company used its political clout to remove
11 Florida public utility commissioners who denied a widely
12 publicized rate increase that would benefit the utility, as
13 reported by the Citrus County Chronicle and the Orlando
14 Sentinel; and

15
16 WHEREAS, the company successfully lobbied to reduce energy
17 efficiency goals in Florida from two-hundred and twenty-nine
18 gigawatt hours to four gigawatt hours by 2019, as reported by
19 the Tampa Bay Times; and

20
21 WHEREAS, public interest groups have raised concerns about
22 the company's shifting to Florida ratepayers the significant
23 financial risk and costs associated with the construction of
24 nuclear power plants, renewable energy projects, and fracking
25 for natural gas, as reported by The Palm Beach Post and the
26 Tampa Bay Times; and

27
28 WHEREAS, NextEra Energy, Inc., has begun a process to take
29 over Hawaii's local utilities on Oahu, Maui, and Hawaii islands;
30 and

31
32 WHEREAS, after announcing its proposed takeover of Hawaii's
33 utilities, NextEra Energy, Inc., has acted in a manner that does
34 not reflect the good faith that had been promised to ensure that
35 the acquisition would benefit Hawaii's ratepayers; and

36
37 WHEREAS, the utilities have aggressively opposed virtually
38 all stakeholder participation in the Public Utilities Commission
39 docket proceeding regarding the proposed takeover; and

40
41 WHEREAS, once stakeholders were admitted to the Public
42 Utilities Commission proceeding, the utilities vigorously



1 proposed limiting discovery on the merger proceedings to the
2 detriment of broader public transparency and oversight; and
3

4 WHEREAS, the utilities announced their intention to prevent
5 solar customers from interconnecting to the electrical grid
6 unless the Public Utilities Commission enacted sweeping policy
7 reforms benefiting the utility; and
8

9 WHEREAS, the modern utility business model, which adapts to
10 new technology and distributed generation, is moving away from
11 the vertically integrated business model of NextEra Energy,
12 Inc., and toward making utilities the transmitters of power,
13 rather than the generators of it; now, therefore,
14

15 BE IT RESOLVED by the House of Representatives of the
16 Twenty-eighth Legislature of the State of Hawaii, Regular
17 Session of 2015, the Senate concurring, that the Public
18 Utilities Commission is requested to protect the public interest
19 in reviewing the proposed acquisition of Hawaiian Electric
20 Industries by NextEra Energy, Inc., to determine:
21

- 22 (1) Whether NextEra Energy Inc., is likely to act in the
23 long-term best interests of Hawaii ratepayers; and
24
- 25 (2) Whether this transaction is in the long-term public
26 interest, including the State's ability to achieve its
27 renewable energy goals; and
28

29 BE IT FURTHER RESOLVED that the Public Utilities Commission
30 is requested to consider, at a minimum, imposing strict
31 conditions to ensure the bedrock principles of:
32

- 33 (1) Reliability;
- 34
- 35 (2) Reasonable rates;
- 36
- 37 (3) Competition and customer choice; and
38
- 39 (4) Protecting local jobs and economic benefits to the
40 State; and
41



H.C.R. NO. 227

1 BE IT FURTHER RESOLVED that the Public Utilities Commission
2 is requested to submit findings and recommendations, including
3 any proposed legislation, to the House of Representatives not
4 later than twenty days prior to the convening of the Regular
5 Session of 2016; and

6
7 BE IT FURTHER RESOLVED that a certified copy of this
8 Concurrent Resolution be transmitted to the Chairperson of the
9 Public Utilities Commission.

10
11
12

OFFERED BY: 

MAR 13 2015

