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# 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. The legislature finds that the use of hydraulic  
2 fracturing in the United States has prompted valid environmental  
3 concerns. Hydraulic fracturing, commonly known as fracking, is  
4 the process of drilling into the earth so that a high-pressure  
5 liquid mixture can be directed at the subterranean rock to open  
6 fissures and release oil or gas. The legislature finds that  
7 hydraulic fracturing can cause earth tremors, contaminate  
8 groundwater, and release large amounts of greenhouse gases into  
9 the global atmosphere.

10           The legislature is concerned that an increasing proportion  
11 of the fossil fuels that utilities import into and use in the  
12 State come from sources that use hydraulic fracturing. The  
13 legislature believes that due to the impact that hydraulic  
14 fracturing has on the global environment, the State and its  
15 people have the right to know the amounts of fossil fuels  
16 derived from hydraulic fracturing that are used by electric and  
17 gas utilities in the State.



1 The purpose of this Act is to require the public utilities  
2 commission's annual report to the governor to include  
3 information about the fossil fuels that each gas and electric  
4 utility uses in the State, including, at minimum, the:

- 5 (1) Amount, type, and sources of fossil fuels imported;
- 6 and
- 7 (2) Amount of fossil fuels derived from hydraulic
- 8 fracturing.

9 SECTION 2. Section 269-1, Hawaii Revised Statutes, is  
10 amended by adding a new definition to be appropriately inserted  
11 and to read as follows:

12 "Hydraulic fracturing" means the injection of liquid in a  
13 subterranean rock formation or borehole at high pressure for the  
14 purpose of opening existing fissures to extract oil or gas."

15 SECTION 3. Section 269-5, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 "§269-5 Annual report and register of orders. (a) The  
18 public utilities commission shall prepare and present to the  
19 governor in the month of January in each year a report  
20 respecting its actions during the preceding fiscal year. [This]



- 1        (b) The annual report shall include summary information  
2 and analytical, comparative, and trend data concerning ~~[major]~~:
- 3        (1) Major regulatory issues acted upon and pending before  
4                the commission; ~~[eases]~~
- 5        (2) Cases processed by the commission, including their  
6                dispositions; ~~[utility]~~
- 7        (3) Utility company operations, capital improvements, and  
8                rates; ~~[utility]~~
- 9        (4) Utility company performance in terms of efficiency and  
10               quality of services rendered; ~~[finaneing]~~
- 11       (5) Financing orders issued, adjustments made to the  
12               public benefits fee, and repayments or credits  
13               provided to electric utility customers pursuant to  
14               part X or chapter 196, part IV; ~~[a summary of power]~~
- 15       (6) Power purchase agreements, including pricing, in  
16               effect during the fiscal year; ~~[environmental]~~
- 17       (7) Environmental matters having a significant impact upon  
18               public utilities; ~~[actions]~~
- 19       (8) The fossil fuels that each gas and electric utility  
20               imports into the State, including, at minimum, the:



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- 1            (A) Amount, type, and sources of fossil fuels  
2            imported; and
- 3            (B) Amount of fossil fuels derived from hydraulic  
4            fracturing;
- 5            (9) Actions of the federal government affecting the  
6            regulation of public utilities in Hawaii; [~~long~~]
- 7            (10) Long- and short-range plans and objectives of the  
8            commission; [~~together with the~~] and
- 9            (11) The commission's recommendations respecting  
10            legislation and other matters requiring executive and  
11            legislative consideration. [~~Copies~~]
- 12            (c) The governor shall furnish copies of the annual  
13 reports [~~shall be furnished by the governor~~] to the legislature.  
14 [~~In addition, the~~]
- 15            (d) The commission shall establish and maintain a register  
16 of all its orders and decisions, which shall be open and readily  
17 available for public inspection[~~, and no~~]. No order or decision  
18 of the commission shall take effect until it is filed and  
19 recorded in this register."



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1           SECTION 4. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4           SECTION 5. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6           SECTION 6. This Act shall take effect on July 1, 2018.

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INTRODUCED BY: *Guthrie Thelen*  
JAN 18 2018



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**Report Title:**

PUC; Fuels; Importation; Fracking; Report

**Description:**

Requires the Public Utilities Commission's annual report to the Governor to include information about fossil fuels that each gas and electric utility company imports into the State, including the amount, type, and sources of fossil fuels imported; and the amount of fossil fuels derived from hydraulic fracturing.

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

