
A BILL FOR AN ACT

RELATING TO UTILITY POLES.

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

1 SECTION 1. The legislature finds that when new utility
2 poles are installed adjacent to an existing utility pole, the
3 original pole is often left in place. This results in what is
4 sometimes referred to as double poles. Occasionally, a third
5 utility pole is installed next to two existing poles, resulting
6 in a triple pole. In most cases, double poles or triple poles
7 occur when a utility deems it necessary to install a new pole:
8 the utility transfers its wiring to the new pole, while the
9 other utilities, such as telephone, cable television, and
10 municipal street lights, remain on the original pole.

11 The legislature additionally finds that many of the
12 original utility poles that remain in place may be unsafe, due
13 to termite damage, rot, collision damage from vehicles, and
14 other safety concerns. Furthermore, many of the original
15 utility poles remain even after all other utility equipment has
16 been relocated.



1 The legislature further finds that standards and procedures
2 for equipment transfers, pole removal, and new replacement pole
3 acceptance are controlled under the joint pole agreements for
4 joint pole owners and by formal signed agreements between third
5 party attachers and joint pole owners. The legislature also
6 finds that the double pole backlog is directly attributable to
7 existing joint pole ownership and agreements.

8 The legislature notes that the joint pole owners have
9 recently entered into a memorandum of understanding to jointly
10 address the double pole situation. However, since many of the
11 poles are in the public right of way, new joint pole agreements
12 are required to be submitted to the public utilities commission
13 for review and authorization. The filing of an application with
14 the public utilities commission, seeking approval of several
15 agreements relating to electric utility distribution pole
16 attachments by joint owners and sub-attaching third parties on
17 jointly-owned electric distribution poles, is imminent.

18 Accordingly, the purpose of this Act is to:

- 19 (1) Request immediate, favorable action by the public
20 utilities commission once the application for new
21 joint pole agreements have been submitted;



1 (2) Require a report from the public utilities commission
2 once the new joint pole agreements have been approved;
3 and

4 (3) Require progress reports to the legislature regarding
5 the removal and replacement of double poles.

6 SECTION 2. (a) The public utilities commission is
7 requested to take immediate, favorable action once the
8 application, which seeks approval of several joint pole
9 agreements relating to electric utility distribution pole
10 attachments by joint owners and sub-attaching third parties on
11 jointly-owned electric distribution poles, is filed with the
12 commission.

13 (b) The application filed with the commission shall:

14 (1) Include a remediation plan for the removal of double
15 poles, including collaboration with any sub-attaching
16 third parties that may also have equipment on the
17 poles; and

18 (2) Ensure that ratepayers are not charged for work
19 associated with the removal of old poles.

20 (c) The commission shall report to the legislature through
21 the chairs of the senate committee on commerce, consumer



1 protection, and health and house committee on consumer
2 protection and commerce once the application is approved,
3 including informing the legislature of any additional conditions
4 the commission may impose regarding the new joint pole
5 agreements.

6 (d) The parties to the application filed with the public
7 utilities commission pursuant to subsection (a) shall submit a
8 preliminary report, including a status update on the parties'
9 progress in removing and replacing double poles and the timeline
10 for completion, to the legislature no later than twenty days
11 prior to the convening of the regular session of 2019.

12 (e) The parties to the application filed with the public
13 utilities commission pursuant to subsection (a) shall submit a
14 final report, including any remaining issues associated with the
15 removal and replacement of double poles, to the legislature no
16 later than twenty days prior to the convening of the regular
17 session of 2020.

18 SECTION 3. This Act shall take effect on July 1, 2018.

19



Report Title:

Utility Poles; Public Utilities; Public Utilities Commission;
Joint Pole Agreements

Description:

Requests immediate, favorable action by the public utilities commission once applications for new joint pole agreements have been submitted. Requires a report from the public utilities commission once the new joint pole agreements have been approved. Requires progress reports to the legislature regarding the removal and replacement of double poles. (SD1)

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