
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 public utilities
2 commission's primary purpose is to ensure that regulated
3 companies efficiently and safely provide their customers with
4 adequate and reliable services at just and reasonable rates,
5 while providing regulated companies with a fair opportunity to
6 earn a reasonable rate of return. However, the public utilities
7 commission has several long and short term goals that reflect
8 the commission's increased work complexity and program
9 responsibilities, which go beyond the commission's traditional
10 regulatory role, including in the area of energy regulation.

11 The legislature further finds that due to these increasing
12 responsibilities, it is essential that all areas of the State
13 are adequately represented in the commission. Enabling a
14 person's island of residence to be used as a criterion when
15 determining the person's qualification to serve as a
16 commissioner will meet this need.



1 The legislature further finds that advancements in
2 technology have enabled people to participate and work remotely,
3 without having to be physically present in the same location as
4 their colleagues. Permitting the use of teleconference or
5 videoconference technology for certain public hearings before
6 the public utilities commission will enable commissioners to
7 participate in public hearings in a convenient manner and be
8 fully engaged.

9 The purpose of this Act is to:

- 10 (1) Allow a commissioner to attend by teleconference or
11 videoconference a public hearing of the public
12 utilities commission, except for a contested case
13 hearing, if the commissioner resides on an island
14 other than Oahu; and
- 15 (2) Allow a commissioner residing on the island of Oahu to
16 attend a public hearing of the commission, except for
17 a contested case hearing, held on an island other than
18 Oahu by teleconference or videoconference;
- 19 (3) Enable a member of the commission who is a resident of
20 a county other than the city and county of Honolulu to



1 receive per diem compensation and be reimbursed for
2 reasonable transportation and lodging expenses; and
3 (4) Enable a person's island of residence to be used as a
4 criterion when determining the person's qualification
5 to serve as a commissioner.

6 SECTION 2. Chapter 269, Hawaii Revised Statutes, is
7 amended by adding a new section to be appropriately designated
8 and to read as follows:

9 "§269- Hearing attendance by teleconference or video
10 conference. (a) A commissioner may attend a public hearing of
11 the public utilities commission by teleconference or
12 videoconference to allow a commissioner residing on an island
13 other than Oahu to attend a public hearing of the commission
14 held on Oahu and a commissioner residing on the island of Oahu
15 to attend a public hearing of the commission held on an island
16 other than Oahu, by teleconference or videoconference; provided
17 that commissioner participation by teleconference or
18 videoconference shall not be permitted at contested case
19 hearings.

20 (b) Each commissioner participating in a public hearing by
21 teleconference or videoconference shall be considered present at



1 the meeting for purposes of determining quorum and participating
2 in all proceedings.

3 (c) A public hearing held by teleconference or
4 videoconference:

5 (1) Need not have a quorum present at any one location;
6 and

7 (2) Is subject to the notice requirements under section
8 269-12.

9 (d) The notice of each teleconference or videoconference
10 public hearing shall specify all physical locations from which
11 the commissioners will participate.

12 (e) The public utilities commission shall adopt rules
13 pursuant to chapter 91 to carry out the purposes of this
14 section."

15 SECTION 3. Section 269-2, Hawaii Revised Statutes, is
16 amended by amending subsection (a) to read as follows:

17 "(a) There shall be a public utilities commission of three
18 members, to be called commissioners, and who shall be appointed
19 in the manner prescribed in section 26-34, except as otherwise
20 provided in this section. All members shall be appointed for
21 terms of six years each, except that the terms of the members



1 first appointed shall be for two, four, and six years,
2 respectively, as designated by the governor at the time of
3 appointment. A member who is a resident of a county other than
4 the city and county of Honolulu shall receive per diem
5 compensation for the days on which actual service is rendered at
6 a rate of per day and shall be reimbursed for reasonable
7 transportation and lodging expenses. The governor shall
8 designate a member to be chairperson of the commission. Each
9 member shall hold office until the member's successor is
10 appointed and qualified. Section 26-34 shall not apply insofar
11 as it relates to the number of terms and consecutive number of
12 years a member can serve on the commission; provided that no
13 member shall serve more than twelve consecutive years.

14 In appointing commissioners, the governor shall select
15 persons who have had experience in accounting, business,
16 engineering, government, finance, law, or other similar fields.
17 A person's island of residence may be used as a criterion when
18 determining the person's qualification to serve as a
19 commissioner. The commissioners shall devote full time to their
20 duties as members of the commission and no commissioner shall
21 hold any other public office or other employment during the



1 commissioner's term of office. No person owning any stock or
2 bonds of any public utility corporation, or having any interest
3 in, or deriving any remuneration from, any public utility shall
4 be appointed a commissioner."

5 SECTION 4. New statutory material is underscored.

6 SECTION 5. This Act shall take effect on July 1, 2050;
7 provided that sections 2 and 3 of this Act shall take effect on
8 January 1, 2018.



Report Title:

Public Utilities Commission; Commissioners; Teleconference;
Videoconference; Per Diem; Qualifications

Description:

Beginning January 1, 2018, allows a commissioner to attend by teleconference or videoconference a public hearing of the public utilities commission, except for a contested case hearing, including allowing a commissioner who resides on an island other than Oahu to attend a public hearing of the commission held on Oahu and a commissioner residing on the island of Oahu to attend a public hearing of the commission held on an island other than Oahu, by teleconference or videoconference. Enables a member of the commission who is a resident of a county other than the city and county of Honolulu to receive per diem compensation and reimbursed for reasonable travel and lodging expenses. Enables a person's island of residence to be used as a criterion when determining the person's qualification to serve as a commissioner. (SB2776 HD1)

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

