

CONSUMER SPOTLIGHT

STATE OF HAWAII
DEPARTMENT OF COMMERCE & CONSUMER AFFAIRS
 DIVISION OF CONSUMER ADVOCACY



Executive Director's Message

By: Dean Nishina

Happy New Year from the Division of Consumer Advocacy! Our team has started off the New Year strong preparing for the upcoming Hawaii State legislative session and the Hu Honua Evidentiary Hearing in addition to our other docket proceedings.



We are excited to continue to advocate for Hawaii consumers of regulated transportation and utility industries in 2022. This issue of the Consumer Spotlight briefly discusses the upcoming legislative session as well as the new federal Affordable Connectivity Program. There is an article discussing the upcoming Hu Honua Evidentiary Hearing and the Application for approval of a Fuels Transportation Contract with Sause Bros., Inc. Another article describes the approval of the Power Purchase Agreement for the West Kauai Energy Project. Utility bill assistance continues to be available for those qualified and there is an article detailing the Application for the sale and transfer of HOH Utilities, LLC.

2022 Legislative Session

January 19th was opening day of the 2022 Hawaii State Legislative Session. The Hawaii State Legislature is one of the three branches of Hawaii's state government.

The State Legislature consists of 25 members in the Senate who serve staggered four-year terms and 51 members in the House of Representatives who are elected every two years.

Regular sessions are limited to 60 legislative days, and state law requires a recess of at least five days between the 20th and 40th days of the regular session.

You can visit <https://www.capitol.hawaii.gov/faqs.aspx> for general information and FAQ's regarding the Hawaii State Legislature.

In this issue:

- 2022 Legislative Session
- Affordable Connectivity Program
- Hu Honua Bioenergy Proceedings
- Application for Approval of Fuels Transportation Contract with Sause Bros., Inc.
- PUC Approves the Power Purchase Agreement between KIUC and AES West Kauai Energy Project
- Utility Bill Assistance Available
- Application for Approval of the Sale and Transfer of Assets of HOH Utilities, LLC to Hawaii Water Service Company



us!

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AFFORDABLE CONNECTIVITY PROGRAM (ACP)

Discounts on monthly broadband bills for qualifying households

On December 31st, the Federal Communications Commission launched the Affordable Connectivity Program (ACP). This program was created by Congress in the Infrastructure and Jobs Act, and replaces the Emergency Broadband Benefit program. This program will help ensure households and Hawaiian Home Lands beneficiaries can afford the internet connections they need for work, school, health care and more.

The ACP provides a discount of up to \$30 per month toward internet service for eligible households and up to \$75 per month for households on qualifying Tribal lands including Hawaiian Home Lands. Eligible households can also receive a one-time discount of up to \$100 to purchase a laptop, desktop computer, or tablet from participating providers if they contribute more than \$10 and less than \$50 toward the purchase price.

A household is eligible if a member of the household meets at least one of the criteria below:

- Has an income that is at or below 200% of the federal poverty guidelines;
- Participates in certain assistance programs, such as SNAP, Medicaid, or Federal Public Housing Assistance;
- Participates in Tribal specific programs, such as Bureau of Indian Affairs General Assistance, Tribal TANF, or Food Distribution Program on Indian Reservations;
- Is approved to receive benefits under the free and reduced-price school lunch program or the school breakfast program, including through the USDA Community Eligibility Provision in the 2019-2020, 2020-2021, or 2021-2022 school year;
- Received a Federal Pell Grant during the current award year.

Visit <https://www.fcc.gov/acp> for more info and how to apply.



HU HONUA BIOENERGY PROCEEDINGS

The Hu Honua Biomass project has an extensive history. Hu Honua, which does business as Honua Ola Bioenergy, has been seeking the PUC's approval to begin operating a \$474 million biomass plant in Pepeekeo on the Hamakua Coast that will burn trees to produce energy. That energy would be purchased by Hawaii Electric Light Co., (HELCO) known as Hawaiian Electric, under an agreement between the two companies.

Through extensive review and analysis, the Consumer Advocate (CA) continues to assert that any new electricity generation should support a finding that it will reduce HELCO's customer bills. The CA also encourages the PUC to consider all the environmental and health impacts, noting that there are still concerns that need to be addressed regarding greenhouse gas emissions. There are still concerns about whether the total costs of the Power Purchase Agreement are reasonable and in the public interest.

An Evidentiary Hearing is scheduled to begin the 31st of January and go through the third of February 2022. The hearing will be streamed on the PUC Youtube channel at:

https://www.youtube.com/channel/UCBVv_-iAjbJFDSKbTZ3hYA

(Docket No. 2017-0122)

Application for Approval of Fuels Transportation Contract with Sause Bros., Inc.

In June 2021, Hawaiian Electric filed an application requesting the Public Utilities Commission (PUC) to approve: the Inter-Island Fuels Transportation Contract with Sause Bros., the inclusion of the costs of the marine transportation handling in the Energy Cost Recovery Clause, and grant other relief as appropriate.

The Consumer Advocate's Statement of Position recommended the PUC issue an interim decision. Following the recommendation, the PUC did file an interim [Decision and Order No. 38158](#) on December 23, 2021, which approved the contract between Hawaiian Electric and Sause Bros., Inc as well as the inclusion of the costs requested.

PUC Docket Numbers are included in these articles for further, in-depth reading. PUC public filings are accessible online via the PUC's Document Management System (DMS). Visit: <http://dms.puc.hawaii.gov/dms>

PUC Approves the Power Purchase Agreement between KIUC and AES West Kauai Energy Project

The Hawaii Public Utilities Commission (PUC) has granted approval of a power purchase agreement (PPA) between Kauai Island Utility Cooperative (KIUC) and a subsidiary of The AES Corporation (AES) for the development, construction, and operation of the West Kauai Energy Project (WKEP): a proposed pumped-storage hydropower facility coupled with solar and battery storage.

WKEP will provide renewable energy via a combination of large scale solar, pumped hydro storage, and battery storage to enable use of the renewable energy when needed. In addition, irrigation water will be delivered to support diversified agriculture on state-owned lands.

Since the approval, Pō'ai Wai Ola is requesting that the Commission withdraw and defer its decision on KIUC's PPA until a mandated environmental review process under the Hawaii Environmental Policy Act ("HEPA"), Hawaii Revised Statutes ("HRS") Chapter 343 is complete. The Consumer Advocate generally supported the PUC not withdrawing and deferring its decision in order to support the transition to renewable energy and so that customers could benefit from the project.

The PUC observed that, if it waited to issue an order until the HEPA review is complete, AES might walk away from the project. So, in addition to the conditions already set forth by the PUC, KIUC also sought to address some of Po'ai Wai Ola's concerns. The PUC will file its order on Po'ai Wai Ola's motion after the PUC has weighed all filings.

A copy of PUC Decision and [Order No. 38095](#), which includes the specific approvals and conditions imposed by the PUC, may be found [here](#).

(Docket No. 2020-0218)

UTILITY BILL ASSISTANCE AVAILABLE



The Division of Consumer Advocacy wants to inform consumers of available programs for those who may be in need of financial assistance. Please note that, due to the high demand for assistance, programs may quickly reach capacity.

Visit the Division of Consumer Advocacy website for up to date COVID-19 utility bill assistance <https://cca.hawaii.gov/dca/covid-19-utility-assistance-programs/>.

Application for Approval of the Sale and Transfer of Assets of HOH Utilities, LLC to Hawaii Water Service Company (2021-0147)

HOH Utilities (HOH) and Hawaii Water Service Company have submitted an Application requesting the Public Utilities Commission (PUC) to approve: the sale and transfer of the Poipu Water Reclamation Facility and related assets, approve/confirm that tariffs and rates shall continue in effect following the transaction, confirm Hawaii Water shall have the authority to continue to provide utility service, expand existing service territory, approve financing, and grant other relief as applicable.

HOH is a public utility providing wastewater collection and treatment services to bulk and individual customers within its authorized service territory located in the Poipu area - including portions of Koloa Town on the island of Kauai.

The application states that, as an established Hawaii water and wastewater utility that is a subsidiary of a publicly traded company in the business of providing water and wastewater service, Hawaii Water Service Company is well-qualified managerially, technically, and financially to own and operate the wastewater system previously owned by HOH.

The PUC has approved a Stipulated Procedural Schedule for the proceedings.

Upcoming Dates of Interest

- **January 31 - February 3, 2022: Evidentiary Hearing** Hu Honua and Hawaii Electric Light Company (2017-0122)
- **February 21, 2022: Presidents' Day** (State holiday, office will be closed)

MYTH NO. 6

Smart meters do not provide any consumer benefits.

MYTHS VS. FACTS: THE TRUTH ABOUT SMART METERS

TRUTH: Smart meters measure and transmit your energy usage directly to your utility, eliminating the practice of estimated bills, which means no more surprises on your electric bill.

TRUTH: Smart meters provide you with near-real time energy usage information about how much, when and in some cases, at what price, you use energy. Armed with this information, you can take more control over your energy consumption—and your monthly bills.

TRUTH: Working as a part of the smart grid, smart meters improve power outage detection and notification. Smart meters electronically report the location of outages before you ever have to call your utility, making restoration faster and status notification to you much easier.

Greater reliability, faster power restoration, convenience, and control are just a few of the many benefits of smart meters.

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Consumer Spotlight

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