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**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I  
DIVISION OF CONSUMER ADVOCACY  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
KA 'OIHANA PILI KĀLEPA**

September 11, 2023

The Honorable Chair and Members of  
the Hawaii Public Utilities Commission  
Kekuanaoa Building  
465 South King Street, 1st Floor  
Honolulu, Hawaii 96813

Dear Commissioners:

**RE: (Non-Docketed) In the Matter of Public Utilities Commission – Commission Suspension of Termination or Disconnection of Services Due to Non-Payment Related to Maui Wildfires and Directing Affected Maui Utilities to Pursue all Available Aid.**

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On August 31, 2023, the Hawaii Public Utilities Commission (“Commission”) issued (Non-Docketed) Order No. 40218 Directing Maui Utilities to Suspend Termination or Disconnection of Regulated Utility Services Due to Non-Payment and/or Assessment of Other Charges Through October 17, 2023, and Directing Affected Maui Utilities to Pursue All Available Aid (“Order No. 40218”).<sup>1</sup> In Order No. 40218, the Commission, among other things, suspended utility service disconnections from August 8, 2023, pursuant to the start of “the Governor’s First Emergency Proclamation relating to the Maui Wildfires”, until October 17, 2023, pursuant to the expiration date of “the Governor’s 6<sup>th</sup> Proclamation” (“Suspension Period”).<sup>2</sup>

The Division of Consumer Advocacy (“Consumer Advocate”) recognizes the extraordinary circumstances and unprecedented loss of life and damage sustained by

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<sup>1</sup> The Commission also issued (Non-Docketed) Protective Order No. 40217 on August 31, 2023.

<sup>2</sup> The Commission added that the expiration of the Suspension Period may be subject to further Commission orders. The Consumer Advocate notes the Governor’s Seventh Proclamation Relating to Wildfires, issued on September 8, 2023, at 19, supersedes the Sixth Proclamation Relating to Wildfires, and extends the disaster emergency relief period” through November 6, 2023. However, the Commission has yet to issue any subsequent orders affecting the expiration of the Suspension Period pursuant to the Seventh Proclamation Relating to Wildfires.

families and communities in and surrounding Lahaina and Maui due to the windstorm and wildfires. The Consumer Advocate appreciates and agrees with the Commission's directive in Order No. 40218. The Consumer Advocate respectfully requests that the Commission also consider the following additional ratepayer protections and reporting issues.

In Ordering Paragraph No. 7, the Commission states that customers should continue to pay utility bills to the extent possible. The Consumer Advocate respectfully seeks the Commission's clarification that customers who are not receiving utility services due to fire damage should not have to pay utility bills while they are not receiving utility services. And any billing moratorium on customer accounts potentially impacted by the fires that was already begun by any Maui Utility should continue to run through the Suspension Period.

Also, in Ordering Paragraph No. 9, the Commission directs Maui Utilities to provide their customers with "all available aid". Pursuant to that directive, the Consumer Advocate respectfully recommends additional ratepayer protections and would ask at this time for the following immediate relief for ratepayers, in addition to the suspension of disconnections for non-payment:

1. No disconnection fees for any customer impacted.<sup>3</sup> No ratepayer that is unserviceable should be charged a disconnection fee.
2. Waive all connection fees and deposits for displaced customers. As many utility customers that were affected by the wildfires have been displaced and are seeking housing and new business locations, there may be an increase for new utility service connections on Maui. As such, Maui Utilities should waive all connection fees and deposits from displaced customers through December 31, 2023, with possible extension to provide symmetrical protections with Maui Electric Company, Ltd. request for deferral authority in Docket No. 2023-0349.

Sincerely yours,

/s/ Michael S. Angelo  
MICHAEL S. ANGELO  
Executive Director

DIVISION OF CONSUMER ADVOCACY

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<sup>3</sup> For one example, the Consumer Advocate has also been in discussions with Hawaiian Electric Company, Inc. ("Hawaiian Electric") regarding various impacts to their service territory. September 1, 2023 Letter, Hawaiian Electric's Update to the Consumer Advocate Request for Reporting dated August 29, 2023. Hawaiian Electric identified that there are an estimated 3,357 customers that are unserviceable due to the facilities being destroyed. At this time, Hawaiian Electric does not have the customer class and associated meter information for these unserviceable customers.

MA:sdb

c:

S. Allen	C. Edwards	K. Katsura	J. Ono
D. Giacomelli	D. Meldazis	S. Golden	M. Methvin
K. Mehling	R. Clearly	S. Allen	K. Gorey
J. Koppy	R. West	A. Simone	S. Rapinz
J. Riley	K. O'Conner	L. Freeman	M. Garris
CAN Communications Services, LLC	R. Mineroino	T. Ferber	T. Ferber
J. Korn	J. O'Hara	M. Birnbaum	M. Garris
W. Hee	G. Capozzi	J. Nicotra	K. Mcneany
F. Biehl	J. Weikle	R. West	J. Giannantonio
G. Lawrence	D. Kardatzke	D. Timm	Global Tel*link Corporation
J. Topel	J. Prinner	B. Kenney	J. Grugett
C. Foster	C. Billek	L. Beach	K. Dawson
S. Brown	R. Johnson	R. Dichy	M. Garris
K. Hyde	J. Nelson	J. Mccabe	T. Paolucci
D. Meldazis	Incontact, Inc.	A. Valencia	M. Leafstedt
S. Brown	S. Porter	T. Margavio	A. Harris
R. Zheng	G. Nelson	T. Lesser	S. Ornstein
J. Day	J. Koppy	Public Communications Services, Inc.	
D. Rodman	S. Cockerham	M. Lozich	Verizon Long Distance LLC
R. West	H. Dobson	B. Monte	P. Demarco
D. Carrera	R. Young	A. Nickerson	Wimactel, Inc.
Boomerang Wireless, LLC dba Entouch Wireless			J. Crump
R. Valme	M. Lammert	S. Adams	J. Prinner
T. Paolucci	C. Church	M. Garris	BCN Telecom, Inc.
R. West	K. Gorey	M. Pavol	S. Bridges
M. Pavol	J. Topel	G. Story	J. Backlund
R. Pelly	T Paolucci	M. Furuya	N. Johnson
Ready Wireless, LLC dba Affinity Cellular dba Club Cellular			A. Ray
STS Media, Inc. dba Freedompop		G. Isabella	E. Landivar
Puretalk Holdings, LLC		E. Tomasson	L. Willis
Selectel, Inc. dba Selectel Wireless		D. Pfannenstiel	G. Guardiola
Tachibana Enterprises, LLC		G. Guardiola	Telrite Corporation
W. Hee	C. Meyering	A. Lancaster	C. Dillion
G. Finkel	G. Joseph	K. Iyama	A. Lancaster
J. Tate	S. Cockerham	M. Buley	S. Delgado
I. Asad	A. Ray	D. Sarver	G. Grinham
J. Narrell	B. Rosenthal	T. Selby	S. Delgado
R. Stout	A. Lancaster	P. Subrata	M. Santini
O. Maki	G. Cole	R. Stout	B. Brandenstein
P. Subrata	K. Morihara	L. Figueroa	J. Yoshikane
P. Kikuta	G. Tremble	S. Wong	D. Codiga
Olowalu Water Company, Inc.		R. Strand	P. Larson

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The Hawaii Public Utilities Commission  
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D. Yamamoto  
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T. Williams  
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COMMISSION

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