BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of
HAWAIIAN ELECTRIC COMPANY, INC. DOCKET NO. 2022-0014
HAWAII ELECTRIC LIGHT COMPANY, INC.
MAUI ELECTRIC COMPANY, LIMITED
dba HAWAIIAN ELECTRIC

For Approval of Fuels Supply Contract with:
Par Hawaii Refining, LLC, the Biodiesel Supply Contract with Pacific Biodiesel Technologies, LLC, and the Backup Fuels Supply Contract with Vitol, Inc. and to include the Contracts’ Costs in the Companies’ Energy Cost Recovery Clause.

DIVISION OF CONSUMER ADVOCACY’S RESPONSE TO THE HAWAII STATE ENERGY OFFICE’S MOTION TO PARTICIPATE WITHOUT INTERVENTION

Pursuant to the Hawaii Administrative Rules (“HAR”) § 16-601-41(d), the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs (“Consumer Advocate”), by and through its attorneys, states that it supports the Hawaii State Energy Office’s (“HSEO” or “SEO”) Motion To Participate Without Intervention, filed on February 15, 2022 (“Motion”).
The HSEO states, as part of its Motion, that the Hawaiian Electric Companies¹ request for approval of its Fuels Supply Contracts with Par Hawaii, LLC, Pacific Biodiesel Technologies, LLC, and Vitol Inc. “will touch on critical matters related to greenhouse gas[] (GHG) analysis and fuel supply security [for the State].”²

In addition, the HSEO states that:

The SEO possesses unique expertise, past involvement, and standing on matters related to both GHG analysis and fuel supply security.

[Hawaii Revised Statutes (“HRS”)] [S]ection 225P-1 states that to protect the State’s economy, environment, health, and way of life[], the State will mitigate its greenhouse gas emissions by sequestering more atmospheric carbon and greenhouse gases than the State produces as quickly as practicable, but no later than 2045.

The SEO’s CEO is specifically directed, by statute, to be engaged in discussions such as these at the Public Utilities Commission. Pursuant to [S]ection 196-72(d), HRS, "Subject to the approval of the governor, the chief energy officer shall: . . . (6) Create and review proposed state actions that may have a significant effect on the State’s energy and decarbonization goals, report to the governor their effect on the energy program, and perform other services as may be required; . . . (13) Advocate for the State’s energy and decarbonization goals at relevant venues and departments, including but not limited to the public utilities commission, legislature, and division of consumer advocacy, to ensure that state energy policies and regulations align with the state strategic goals and are data-driven;" [(sic)]

In relation to fuel supply security, [S]ection 196-72(d), HRS[,] directs the CEO to "(9) Develop and maintain a comprehensive and systematic quantitative and qualitative capacity to analyze the status of energy resources, systems, and markets, both in-state and in other states and countries, particularly in relation to the State’s economy, and to recommend, develop proposals for, and assess the effectiveness of policy and regulatory decisions, and energy emergency planning; (10) Develop and recommend programs for, and assist public agencies in the implementation of, energy assurance and energy resilience;" [(sic)]


² Motion, at 3 (filed on Feb. 14, 2022).
The SEO is the primary and coordinating agency for State Emergency Support Function #12 – Energy (SESF-12) which provides support by coordinating government capabilities, services, technical assistance, and engineering expertise during disasters and incidents that require a coordinated response. The term "energy" is defined as producing, storing, refining, transporting, generating, transmitting, conserving, building, distributing, maintaining, and controlling energy systems and system components.\(^3\)

The Consumer Advocate observes that the HSEO has a statutory obligation to provide analysis and planning to actively develop and inform policies to achieve energy efficiency, renewable energy, energy resiliency, and clean transportation goals with the Legislature, Public Utilities Commission, State agencies, and other relevant stakeholders pursuant to HRS § 196-71 in the State.\(^4\) Furthermore, the Consumer Advocate believes that the HSEO's participation in the docket will be consistent with its statutory obligation to:

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\ldots \text{advocate for the State's energy and decarbonization goals at relevant venues and departments, including} \ldots \text{the [P]ublic [U]tilities [C]ommission,} \\
\ldots \text{and [D]ivision of [C]onsumer [A]dvocacy, to ensure that state energy} \\
\ldots \text{policies and regulations align with the state strategic goals and are} \\
\ldots \text{data-driven;} \]\(^5\)

and understands that the SEO does not intend to broaden the issues or delay the proceeding in this docket.\(^6\) As a result, the Consumer Advocate supports the HSEO's

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\(^3\) Motion, at 4-5.

\(^4\) HRS § 196-71(b).

\(^5\) HRS § 196-72(d)(13).

\(^6\) See Motion, at 6 (stating, at Point No. 3, that the HSEO does not intend to broaden the issues or delay this proceeding, "since to do so would be against \ldots [the HSEO's] own interests and contrary to its obligations").
Motion filed in the proceeding.


Respectfully submitted,

By /s/ Lane H. Tsuchiyama
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DIVISION OF CONSUMER ADVOCACY
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing DIVISION OF CONSUMER ADVOCACY’S RESPONSE TO THE HAWAII STATE ENERGY OFFICE’S MOTION TO PARTICIPATE WITHOUT INTERVENTION was duly served upon the following parties electronically to the e-mail addresses below pursuant to HAR § 16-601-21(d), as modified by Order No. 37043 Setting Forth Public Utilities Commission Emergency Filing And Service Procedures Related To COVID-19, filed on March 13, 2020.

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/s/ H. Amond

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The foregoing document was electronically filed with the State of Hawaii Public Utilities Commission's Document Management System (DMS).