

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
  )  
HAWAIIAN ELECTRIC COMPANY, INC.   ) DOCKET NO. 2022-0007  
  )  
For Approval of Power Purchase   )  
Agreement for Renewable          )  
Dispatchable Generation with     )  
BCE Kupono Solar, LLC.           )  
  )  

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DECISION AND ORDER NO. 39230

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HAWAIIAN ELECTRIC COMPANY, INC.     ) DOCKET NO. 2022-0007  
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For Approval of Power Purchase     ) DECISION AND ORDER NO. **39230**  
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DECISION AND ORDER

By this Decision and Order,<sup>1</sup> the State of Hawaii Public Utilities Commission ("Commission") approves Hawaiian Electric's request to construct a 46 kilovolt ("kV") line extension necessary to interconnect the solar plus storage project operated by Kupono Solar to Hawaiian Electric's system, above the surface of the ground (the "Project").

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<sup>1</sup>The Parties to this Docket are HAWAIIAN ELECTRIC COMPANY, INC. ("Hawaiian Electric" or the "Company")) and the DIVISION OF CONSUMER ADVOCACY ("Consumer Advocate"), an ex officio party, pursuant to Hawaii Revised Statutes ("HRS") § 269-51 and Hawaii Administrative Rules ("HAR") § 16-601-62(a). In addition, the Commission has admitted BCE KUPONO SOLAR, LLC ("Kupono Solar" or "Seller") as a Participant, pursuant to Order No. 38238, "Granting BCE Kupono Solar, LLC'S Motion to Participate," filed on February 25, 2022 ("Order No. 38238").

I.

BACKGROUND

A.

Procedural History

On January 14, 2022, Hawaiian Electric filed an application for Commission approval of the Power Purchase Agreement ("PPA") executed between the Company and Kupono Solar ("Seller"), as well as other related matters, relating to a 42-megawatt ("MW") photovoltaic project paired with a 168-megawatt hour ("MWh") lithium-ion battery energy storage system ("Kupono Solar Facility").<sup>2</sup>

In its Application, Hawaiian Electric specifically requested that the Commission bifurcate this proceeding, with a first decision addressing requests related to approval of the PPA ("PPA-Related Requests") and a second, subsequent, decision addressing requests related to the interconnection of the Kupono Solar Facility to Hawaiian Electric's system ("Interconnection-Related Requests").<sup>3</sup>

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<sup>2</sup>"Hawaiian Electric Company, Inc.'s Application; Exhibits 1-8; Verification; and Certificate of Service," filed on January 14, 2022 ("Application"). A copy of the executed PPA can be found in the Exhibit 1 of the Application.

<sup>3</sup>See Application at 5-7.

For the first decision and order, Hawaiian Electric requested that the Commission:

1. Approve the PPA, by and between Hawaiian Electric and Seller;
2. Find that the purchased power arrangements under the PPA, pursuant to which Hawaiian Electric will dispatch energy on an availability basis from Seller and pay fixed Lump Sum Payments to Seller, are prudent and in the public interest with explicit consideration, if required by law under HRS § 269-6, of the effect of the State of Hawaii's reliance on fossil fuels on price volatility, export of funds for fuel imports, fuel supply reliability risk, and greenhouse gas ("GHG") emissions;
3. Authorize Hawaiian Electric to include all non-energy payments under the PPA, including the Lump Sum Payment (as defined in the PPA), and related revenue taxes, through the PPAC, to the extent such costs are not included in base rates;
4. Approve the proposed accounting and ratemaking treatment for the purchased power expenses under the PPA; and
5. Grant such other relief as may be just and reasonable under the circumstances.<sup>4</sup>

For the second decision and order, Hawaiian Electric requested approval relating to the proposed above-ground 46 kV line extension, requesting that the Commission:

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<sup>4</sup>Application at 5-6.

1. If necessary, determine that a 46 kV line extension that is included as part of the Hawaiian Electric's interconnection facilities may be constructed above the surface of the ground, pursuant to HRS § 269-27.6(a);
2. If necessary, conduct a public hearing pursuant to HRS § 269-27.5; and
3. Grant such other relief as may be just and reasonable under the circumstances.<sup>5</sup>

On March 4, 2022, the Commission filed Order No. 38258, which, in part: (1) approved Hawaiian Electric's request to bifurcate the proceeding; (2) established a statement of issues to govern review of Hawaiian Electric's PPA-Related Requests; and (3) instructed the Parties to file a procedural schedule to govern review of the PPA-Related Requests.<sup>6</sup> Order No. 38258 further stated that "following the resolution of Hawaiian Electric's [PPA-Related Requests], the Commission intends to issue a separate procedural order, if necessary, to govern Hawaiian Electric's [Interconnection-Related Requests]."<sup>7</sup>

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<sup>5</sup>Application at 6-7.

<sup>6</sup>Order No. 38258, "(1) Approving Hawaiian Electric Company, Inc.'s Request to Bifurcate its Power Purchase Agreement-Related Requests From Its Interconnection-Related Requests; (2) Establishing a Statement of Issues for the First Portion of the Proceeding; (3) Setting the Scope of Participation for Participant; and (4) Ordering the Parties to File a Procedural Schedule," filed on March 4, 2022 ("Order No. 38258").

<sup>7</sup>Order No. 38258 at 7.

On July 22, 2022, the Commission issued Decision and Order No. 38519, which, subject to certain conditions, approved Hawaiian Electric's PPA-Related Requests.<sup>8</sup> Ordering Paragraph No. 2 of Decision and Order No. 38519 stated: "[a]fter Hawaiian Electric files an amendment to the PPA based on its [Interconnection Requirements Study ("IRS")] results, the Commission will issue a procedural schedule in this docket to govern its review of Hawaiian Electric's above-ground 46 kV overhead line Interconnection-Related Requests."<sup>9</sup>

On November 3, 2022, Hawaiian Electric filed an amendment to the PPA based on its completed IRS ("IRS Amendment"), in which it reiterated its request for Commission approval of its Interconnection-Related Requests, and provided additional information related to its Interconnection-Related Requests.<sup>10</sup> The IRS Amendment also stated that "Hawaiian Electric is currently in the process of performing a [GHG] emissions analysis for the Interconnection-Related Requests and will submit the final

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<sup>8</sup>Decision and Order No. 38519, filed on July 22, 2022 ("D&O No. 38519"), at 100-101.

<sup>9</sup>D&O No. 38519 at 101.

<sup>10</sup>"Hawaiian Electric Company's Interconnection Requirements Amendment; Request for Approval of Overhead Line Extension (Books 1 and 2)," filed on November 3, 2022.

analysis pursuant to HRS § 269-6(b), to the Commission within 4 weeks of [this filing]."<sup>11</sup>

On November 16, 2022, Hawaiian Electric filed its GHG analysis for the Interconnection-Related Requests.<sup>12</sup>

On November 30, 2022, the Commission issued Order No. 38731, which established a procedural order to govern review of Hawaiian Electric's Interconnection-Related Requests.<sup>13</sup> Order No. 38731 established the following statement of issue: "Whether it is in the public interest for the 46 kV line extension, required to interconnect the project to Hawaiian Electric's system, constructed above the surface of the ground pursuant to HRS § 269-27.6(a)."<sup>14</sup> Order No. 38731 also established a procedural schedule to facilitate review of this issue.<sup>15</sup>

Pursuant to the procedural schedule, the Consumer Advocate issued information requests ("IRs") and

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<sup>11</sup>IRS Amendment at 10.

<sup>12</sup>Letter From: K. Katsura To: Commission Re: Docket No. 2022-0007 Hawaiian Electric Renewable Dispatchable Generation Power Purchase Agreement with Kupono Solar, LLC; Greenhouse Gas Emissions Analysis, filed on November 16, 2022 ("GHG Analysis").

<sup>13</sup>Order No. 38731, "Establishing a Procedural Order for the Second Phase of this Proceeding," filed on November 30, 2022 ("Order No. 38731").

<sup>14</sup>Order No. 38731 at 5.

<sup>15</sup>Order No. 38731 at 6.

supplemental IRs ("SIRs") to Hawaiian Electric and Kupono Solar to which they both responded.<sup>16</sup>

On March 14, 2023, pursuant to Order No. 38731, the Consumer Advocate filed its statement of position.<sup>17</sup>

On March 21, 2023, Hawaiian Electric filed a letter stating that it would not be submitting a reply statement of position in response to the Consumer Advocate's SOP.<sup>18</sup>

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<sup>16</sup>See Order No. 38731 at 6. IRs and responses to IRs are referenced in this Order as follows: IRs from the Consumer Advocate to Hawaiian Electric shall be designated as "CA/HECO-IR-\_\_\_\_"; IRs from the Consumer Advocate to Kupono Solar shall be designated as "CA/Kupono-Solar-IR-\_\_\_\_"; Responses filed by Hawaiian Electric and Kupono Solar to any of the above IRs are referenced as "Response to \_\_\_\_".

SIRs and responses to IRs are referenced in this Order as follows: SIRs from the Consumer Advocate to Hawaiian Electric shall be designated as "CA/HECO-SIR-\_\_\_\_"; SIRs from the Consumer Advocate to Kupono Solar shall be designated as "CA/Kupono-Solar-SIR-\_\_\_\_"; Responses filed by Hawaiian Electric and Kupono Solar to any of the above SIRs are referenced as "Response to \_\_\_\_".

<sup>17</sup>"Division of Consumer Advocacy's Statement of Position for the Second Phase," filed March 14, 2023 ("CA SOP").

<sup>18</sup>Letter From: K. Katsura To: Commission Re: Docket No. 2022-0007 - Hawaiian Electric Renewable Dispatchable Generation Power Purchase Agreement with Kupono Solar, LLC; Proceeding is Ready for Decision Making, filed on March 21, 2023, ("Hawaiian Electric Reply Letter").

On March 28, 2023, Kupono Solar filed a letter stating that it would not be submitting a reply statement of position in response to the Consumer Advocate's SOP.<sup>19</sup>

Pursuant to Order No. 38731, no further procedural steps are contemplated, and this matter is ready for decision making.

B.

The 46 kV Overhead Line Extension Project

According to Hawaiian Electric, the Kupono Solar Facility will be located on approximately 128 acres of land at the West Loch Annex of Joint Base Pearl Harbor-Hickam ("Facility Footprint").<sup>20</sup> The Facility Footprint is located within three parcels of land (Tax Map Key Nos. 9-1-010:122, 9-1-010-011, and 9-1-001-031).<sup>21</sup> All parcels are owned by the U.S. Naval Reservation.<sup>22</sup> The Facility Footprint is surrounded largely by what appears to be agricultural or vacant land.

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<sup>19</sup>Letter From: B. Dixon To: Commission Re: Docket No. 2022-0007 - Kupono Solar, LLC Proceeding is Ready for Decision Making, filed on March 28, 2023 ("Kupono Solar Reply Letter").

<sup>20</sup>Application at 24.

<sup>21</sup>Application, Exhibit 6.

<sup>22</sup>See City and County of Honolulu Real Property Assessment Division, Property Records Search, available at: <https://www.qpublic.net/hi/honolulu/search.html>, for TMK Nos. 9-1-010:122, 9-1-010-011, and 9-1-001-031.

The Kupono Solar Facility will connect to Hawaiian Electric's existing system through a new collection substation and a new 46 kV line extension and will connect to an existing 46 kV transmission line which runs along the border of the Hawaii Prince Golf Course, adjacent to the Facility Footprint.<sup>23</sup> The zoning of the area where the 46 kV line will be extended is zoned Agriculture "AG-2" and Federal and Military Preservation "F-1".<sup>24</sup> The closest residential area to the Facility Footprint "is approximately 854 feet away" to the south, but the line extension "will not be visible from the homes due to the distance and terrain".<sup>25</sup>

Hawaiian Electric will own, operate, and maintain certain facilities at the Kupono Solar Facility necessary to interconnect the Facility to the Hawaiian Electric's System ("Company-Owned Interconnection Facilities").<sup>26</sup> These include "metering equipment, including metering transformers, telecommunication multiplexers for substation equipment, protective relaying, including relaying transformers, Remote Terminal Units, direct transfer trip telecommunication equipment, Supervisory Control and Data Acquisition resettable

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<sup>23</sup>IRS Amendment at 5-6.

<sup>24</sup>IRS Amendment at 8.

<sup>26</sup>IRS Amendment at 5.

lockout relays, and a Digital Fault Recorder . . . ."<sup>27</sup>  
The overhead line facilities (i.e., the Project components) include one 46 kV 70' class H4 wood intercept pole; one 46 kV 70' class H4 wood pole; one group operated inertia air switch; and approximately 237 circuit feet of 556 KCM All Aluminum Conductor 46 kV overhead conductors spanning from the existing 46 kV circuit to Kupono Solar's substation.<sup>28</sup>

The estimated cost of the Company-Owned Interconnection Facilities is \$2,287,910.00.<sup>29</sup> The overhead line components of the Company-Owned Interconnection Facilities are estimated to cost \$120,270.<sup>30</sup>

Kupono Solar will be responsible for designing, engineering, and constructing the majority of the Company-Owned Interconnection Facilities.<sup>31</sup> Kupono Solar is also required to pay for all costs related to the Company-Owned Interconnection Facilities.<sup>32</sup> Hawaiian Electric will operate and maintain all Company-Owned Interconnection

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<sup>27</sup>IRS Amendment at 5.

<sup>28</sup>IRS Amendment at 5.

<sup>29</sup>IRS Amendment at 6.

<sup>30</sup>IRS Amendment, Exhibit D.

<sup>31</sup>IRS Amendment at 5.

<sup>32</sup>IRS Amendment at 5.

Facilities, whether constructed by Kupono Solar or Hawaiian Electric, and repair and replacement costs will be borne by Kupono Solar in accordance with the PPA.<sup>33</sup>

## II.

### LEGAL AUTHORITY

HRS § 269-27.6 provides:

- (a) Notwithstanding any law to the contrary, whenever a public utility applies to the public utilities commission for approval to place, construct, erect, or otherwise build a new 46 kilovolt or greater high-voltage electric transmission system, either above or below the surface of the ground, the public utilities commission shall determine whether the electric transmission system shall be placed, constructed, erected, or built above or below the surface of the ground; provided that in its determination, the public utilities commission shall consider:
  - (1) Whether a benefit exists that outweighs the costs of placing the electric transmission system underground;
  - (2) Whether there is a governmental public policy requiring the electric transmission system to be placed, constructed, erected, or built underground, and the governmental agency establishing the policy commits funds for the additional costs of undergrounding;
  - (3) Whether any governmental agency or other parties are willing to pay for the additional costs of undergrounding;

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<sup>33</sup>IRS Amendment at 6.

(4) The recommendation of the division of consumer advocacy of the department of commerce and consumer affairs, which shall be based on an evaluation of the factors set forth under this subsection; and

(5) Any other relevant factors.

Additionally, HRS § 269-27.5 states:

Whenever a public utility plans to place, construct, erect, or otherwise build a new 46 kilovolt or greater high-voltage electric transmission system above the surface of the ground through any residential area, the public utilities commission shall conduct a public hearing prior to its issuance of approval thereof. Notice of the hearing shall be given in the manner provided in section 269-16 for notice of public hearings.

### III.

#### POSITIONS OF THE PARTIES

##### A.

###### Hawaiian Electric

Hawaiian Electric addresses each of the factors identified in HRS § 269-27.6(a) specifically:

HRS § 269-27.6(a)(1). The benefits, if any, of placing the proposed overhead line underground do not outweigh the costs based on the estimated \$429,000 cost of an underground line,

which is approximately three and a half times the estimated \$120,270 cost of the overhead line.<sup>34</sup>

HRS § 269-27.6(a)(2). Hawaiian Electric is unaware of any governmental public policy requiring the undergrounding of the 46 kV lines.<sup>35</sup>

HRS § 269-27.6(a)(3). Hawaiian Electric is unaware of any governmental agencies or other parties who are willing to pay for the additional costs of undergrounding the line.<sup>36</sup> Hawaiian Electric states that it inquired with Kupono Solar, Hawaii Prince Hotel Waikiki, LLC, and the Navy to see if they were willing to pay for the costs of undergrounding, and all declined.<sup>37</sup>

HRS § 269-27.6(a)(4). Hawaiian Electric states that the Consumer Advocate's position will be stated upon the completion of its investigation.<sup>38</sup>

HRS § 269-27.6(a)(5). Hawaiian Electric is unaware of any other relevant factors.<sup>39</sup>

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<sup>34</sup>IRS Amendment at 7-8; see also, id. Exhibit D.

<sup>35</sup>IRS Amendment at 8.

<sup>36</sup>IRS Amendment at 8.

<sup>37</sup>IRS Amendment at 8 and Exhibit E. Hawaiian Electric provided the Navy's response to the undergrounding request in Response to CA-HECO-IR-31.

<sup>38</sup>IRS Amendment at 8.

<sup>39</sup>IRS Amendment at 8.

Hawaiian Electric also requests a waiver from the evaluation of non-transmission alternatives ("NTAs") as set forth in "Exhibit A: Commission's Inclinations on the Future of Hawaii's Electric Utilities to Decision and Order No. 32052," filed in Docket No. 2012-0036 ("Commission's Inclinations").<sup>40</sup> In support, Hawaiian Electric states: (1) the interconnection facilities are being paid for by Kupono Solar; (2) the Commission's Inclinations do not appear to apply to interconnection facilities that are necessary to connect a proposed renewable distributed generation resource to the grid; and (3) the interconnection facilities are necessary to accommodate the Kupono Solar Facility, and together "the interconnection facilities and the generation project together should be considered an NTA as generation will be placed closer to the load in the project area."<sup>41</sup>

Hawaiian Electric's GHG Analysis covers the installation of the overhead conductor, overhead fiber optic cable, wood poles, and removal of a wood pole.<sup>42</sup> The GHG Analysis was performed by Hawaiian Electric's consultant, Ramboll US Consulting, Inc. ("Ramboll"), and includes an analysis of estimated in- and

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<sup>40</sup>IRS Amendment at 3-4 (citing Docket No. 2012-0036, Decision and Order No. 32052, filed on April 28, 2014).

<sup>41</sup>IRS Amendment at 3.

<sup>42</sup>GHG Analysis at 1.

out-of-state GHG emissions from production and transportation of the Project's components, construction and installation, operations and maintenance ("O&M") of the Project, decommissioning at the end of the Project's 20-year lifetime, and transportation and disposal of Project equipment.<sup>43</sup>

According to Hawaiian Electric's GHG Analysis, the Project is expected to result in "1.3 metric tons of carbon dioxide equivalents ('MT CO<sub>2</sub>e') emissions from O&M activities (Project Operations) and 27 MT CO<sub>2</sub>e for the Project Lifecycle."<sup>44</sup>

B.

Consumer Advocate

Upon reviewing Hawaiian Electric's request to construct the 46 kV transmission line above the surface of the ground, the Consumer Advocate does not object to Hawaiian Electric's request.<sup>45</sup> In reaching this conclusion, the Consumer Advocate also examined the Project in light of the criteria identified in HRS § 269-27.6(a).<sup>46</sup>

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<sup>43</sup>GHG Analysis at 1.

<sup>44</sup>GHG Analysis at 2.

<sup>45</sup>CA SOP at 1.

<sup>46</sup>See CA SOP at 5-10.

HRS § 269-27.6(a)(1). The Consumer Advocate observes that the costs for undergrounding the line are estimated to be approximately 3.6 times greater than installing it overhead.<sup>47</sup> In determining whether there is a benefit that outweighs this greater cost, the Consumer Advocate examined whether the Project would result in added visual obstruction to the area, and whether there were other factors that supported an underground placement of the Project.<sup>48</sup>

Regarding visual obstructions to the area, the Consumer Advocate observes that there is already an existing overhead 46 kV transmission line in the area, and that the Project will not be visible to the closest residential area, which is approximately 854 feet away.<sup>49</sup> In addition, the Consumer Advocate notes that Hawaiian Electric has not received any written comments associated with the Project.<sup>50</sup> As a result, the Consumer Advocate concludes that "it does not appear that the proposed 46 kV line extension will have a significant visual impact."<sup>51</sup>

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<sup>47</sup>CA SOP at 6.

<sup>48</sup>CA SOP at 6.

<sup>49</sup>CA SOP at 6.

<sup>50</sup>CA SOP at 6.

<sup>51</sup>CA SOP at 6.

In addition to visual obstruction, the Consumer Advocate examined the difference in O&M expenses for overhead versus underground transmission lines. The Consumer Advocate notes that the comparative O&M costs for each type of transmission line has historically varied; however, as it relates to the five-year average O&M costs for the years 2017 through 2021, "the O&M costs for overhead facilities was still higher than underground facilities, \$17,238 per mile and \$12,593 per mile, respectively."<sup>52</sup>

Regarding the comparatively higher average O&M costs for overhead facilities, the Consumer Advocate observes that the proposed line extension is only for a short distance (approximately 237 circuit feet) and that Kupono Solar will be responsible for paying Hawaiian Electric reasonable costs incurred in operating, maintaining and replacing the Company-Owned Interconnection Facilities, which include the Project, and that "ratepayers should not be impacted by the O&M costs of the proposed line extension and placing the proposed extension underground would not generate immediate cost savings."<sup>53</sup>

HRS § 269-27.6(a)(2). The Consumer Advocate states that while "there have been past State legislative efforts to study the feasibility of requiring the underground placement of all

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<sup>52</sup>CA SOP at 8.

<sup>53</sup>CA SOP at 8-9.

electric transmission lines," it "is not aware of any governmental public policy or mandate requiring the undergrounding of transmission systems."<sup>54</sup>

HRS § 269-27.6(a)(3). The Consumer Advocate credits Hawaiian Electric's representations that it contacted Kupono Solar, Hawaii Prince Hotel Waikiki, LLC, and the Navy about their willingness to pay for undergrounding the Project and that all declined.<sup>55</sup>

HRS § 269-27.6(a)(4). The Consumer Advocate agrees with Hawaiian Electric that it is unaware of any other relevant factors related to whether the Project should be placed underground.<sup>56</sup>

Evaluation of NTAs. The Consumer Advocate agrees with Hawaiian Electric that the Commission should waive the evaluation of NTAs for the proposed 46 kV line extension.<sup>57</sup>

GHG Analysis. In observing the statutory requirements placed on the Commission pursuant to HRS § 269-6, the Consumer Advocate offers:

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<sup>54</sup>CA SOP at 9.

<sup>55</sup>CA SOP at 10 (citations omitted).

<sup>56</sup>CA SOP at 10.

<sup>57</sup>CA SOP at 11.

[C]onsistent with the approach of considering the [Kupono Solar Facility] and line extension together noted above, there is additional consideration to determine how such emission estimates will be assessed. The Consumer Advocate notes that, as the proposed above-ground 46 kV line extension is a critical and necessary component to the operation of the Kupono Solar Facility, the estimated impact on GHG emissions associated with the facility and the proposed 46 kV line extension should be evaluated and the estimated emissions for the line extension should not be considered separately. It is important to note that the projected net lifecycle GHG emissions reduction associated with the Kupono Solar Facility was estimated at 685,431 MT CO<sub>2</sub>e over the life of the [p]roject. Furthermore, the Kupono Solar Facility is anticipated to provide benefits, such as, increases to renewable energy generation at a fixed price, which will reduce the fossil fuel consumption by existing power plants resulting in lower fossil fuel purchases and contribute to the Company's annual Renewable Portfolio Standard ("RPS") goals by an average of 0.89% and 0.67%, to the Company's goals and on a consolidated basis to the Hawaiian Electric Companies' RPS goals, respectively. The anticipated benefits from the Kupono Solar Facility will not be achievable without the interconnection facilities and, thus, even though the line extension will result in an increase in GHG emissions, the Consumer Advocate believes that the proposed Project's estimated GHG impact associated with the interconnection facilities should be considered together with the anticipated GHG emissions impact from the Kupono Solar Facility. If the GHG emissions impact from both the interconnection facilities and the Kupono Solar Facility are considered, the Consumer Advocate believes that the GHG emissions analysis supports approval of the interconnection facilities.<sup>58</sup>

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<sup>58</sup>CA SOP at 13-14 (citations omitted).

In sum, the Consumer Advocate does not object to a Commission determination that the proposed 46 kV line extension be constructed above the surface of the ground pursuant to HRS § 269-27.6(a).<sup>59</sup>

C.

Hawaiian Electric Reply Letter

As noted above, on March 21, 2023, Hawaiian Electric filed a letter informing the Commission that it would not be submitting a reply to the Consumer Advocate's SOP and stating that this proceeding is ready for decision making.

D.

Kupono Solar Reply Letter

As noted above, on March 28, 2023, Kupono Solar filed a letter informing the Commission that it would not be submitting a reply to the Consumer Advocate's SOP and stating that this proceeding is ready for decision making.

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<sup>59</sup>CA SOP at 15.

IV.

DISCUSSION

A.

Public Hearing

The Commission observes that the closest point of the proposed 46 kV overhead line extension is expected to be approximately 854 feet from the nearest residential area and is not expected to be visible due to the distance and terrain.<sup>60</sup> The Commission also observes that the proposed overhead line extension is short (approximately 237 circuit feet) and connects to an existing overhead 46 kV line.<sup>61</sup> In addition, pictures taken of the area of the proposed overhead line extension indicate that the site and surrounding areas consist mainly of undeveloped land and the Hawaii Prince Golf course.<sup>62</sup>

Based on the above, including the record in this proceeding and the Parties' positions on this issue, the Commission finds that a public hearing is not required pursuant to HRS § 269-27.5 because the subject 46 kV overhead line will not be built "through any residential area."<sup>63</sup>

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<sup>60</sup>See IRS Amendment at 5.

<sup>61</sup>IRS Amendment at 5.

<sup>62</sup>See IRS Amendment at 8 and Exhibit F.

<sup>63</sup>See HRS § 269-27.5.

B.

The Project

Pursuant to HRS § 269-27.6(a), the Commission finds that the subject 46 kV line extension may be constructed above the surface of the ground. In support thereof:

1. The Commission finds the benefits of placing the subject 46 kV line extension underground do not outweigh the costs.<sup>64</sup>

A. The estimated capital costs for the underground configuration is approximately three and a half times more than the overhead configuration, \$429,000 compared to \$120,270, respectively.<sup>65</sup>

B. Although recent historical data shows that average O&M costs associated with overhead configurations are greater than underground configurations, the Commission agrees with the Consumer Advocate's observation that given the proposed overhead line extension is only approximately 237 circuit feet, and that Kupono Solar will be responsible for paying Hawaiian Electric for any reasonable costs incurred in operating, maintaining, and replacing the overhead lines, ratepayers should not be

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<sup>64</sup>See HRS § 269-27.6(a)(1); see also IRS Amendment at 4; and CA SOP at 5-9.

<sup>65</sup>IRS Amendment at 4 and Exhibit D.

impacted by the O&M costs of the proposed line extension, and that placing the proposed extension underground would not generate immediate cost savings.<sup>66</sup>

C. There does not appear to be strong public sentiment regarding the proposed overhead 46 kV transmission line. As noted by the Consumer Advocate, "Hawaiian Electric and Kupono Solar have not received any written comments associated with the proposed overhead line extension."<sup>67</sup>

D. Based on the above, the Commission finds that there are no benefits to undergrounding the proposed 46 kV line extension that outweighs the associated costs of undergrounding.

2. The Commission finds there is no governmental public policy requiring the subject 46 kV transmission line extension to be placed, constructed, erected, or built underground.<sup>68</sup>

3. The Commission finds there is no government agency or other party willing to pay for the additional costs of

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<sup>66</sup>See CA SOP at 7.

<sup>67</sup>CA SOP at 7 (citing Response to CA/HECO-IR-34 and Response to CA/Kupono-Solar-IR-16).

<sup>68</sup>See HRS § 269-27.6(a)(2); see also IRS Amendment at 8; and CA SOP at 9 (both Hawaiian Electric and the Consumer Advocate state that they are not aware of any existing governmental public policy requiring the undergrounding of the transmission systems).

undergrounding the 46 kV transmission line extension.<sup>69</sup> Hawaiian Electric contacted the developer, Kupono Solar, and the landowner, the Navy, as well as an adjacent landowner, the Hawaii Prince Hotel Waikiki, LLC, about paying for the additional costs of undergrounding the proposed 46 kV line extension, and all declined to pay for the additional costs.<sup>70</sup>

4. The Consumer Advocate does not have any objections to a Commission determination that the subject 46 kV line extension be constructed above the surface of the ground pursuant to HRS § 269-27.6(a).<sup>71</sup>

5. As discussed below, the Commission finds there are no other relevant factors that should be considered pursuant to HRS § 269-27.6, such as consideration of NTAs and GHG emissions.<sup>72</sup>

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<sup>69</sup>See HRS § 269-27.6(a)(3).

<sup>70</sup>See IRS Amendment at 5 and Exhibit E; Response to CA/HECO-IR-34.

<sup>71</sup>CA SOP at 1 and 14; see also HRS § 269-27.6(a)(4).

<sup>72</sup>See HRS § 269-27.6(a)(5).

C.

Non-Transmission Alternatives

In Docket No. 2012-0036, in the Commission's Inclinations, the Commission stated:<sup>73</sup>

New, replacement or upgrade high-voltage transmission projects generally represent significant, lumpy capital investments that will be given careful scrutiny. [NTAs] such as local peaking or back-up generators, energy storage, demand response and smart grid resources are technically and commercially viable alternatives and must be evaluated as part of any economic justification for new transmission system projects.

The Commission finds that the consideration of NTAs, as quoted above, does not apply to this proceeding where the proposed 46 kV transmission line extension will be used solely to interconnect to Hawaiian Electric's system with a 42 MW photovoltaic system coupled with a 168 MWh lithium-ion battery energy storage system ("BESS").<sup>74</sup> Without the Project, the renewable electrical energy and associated grid services provided by the Kupono Solar Facility will not be available to Hawaiian Electric or be able to provide benefits to

MAY 3, 2023

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<sup>73</sup>Commission's Inclinations at 12.

<sup>74</sup>See IRS Amendment at 2-3 (stating that the Project is necessary to interconnect the Kupono Solar Facility); see also Commission's Inclinations at 4-7 (providing guidance to the Hawaiian Electric Companies to aggressively seek lower-cost, new utility-scale renewable resources).

Hawaiian Electric's customers.<sup>75</sup> Notably to that end, the Commission has already approved the PPA associated with the Project in D&O No. 38519.<sup>76</sup>

D.

HRS § 269-6(b)

HRS § 269-92 requires “[e]ach electric utility company that sells electricity consumption in the State” to “establish a renewable portfolio standard” of one hundred percent of its “net electricity sales” by December 31, 2045, with certain milestone percentages of “net electricity sales” mandated between now and then (e.g., thirty percent of “net electricity sales” by December 31, 2020).<sup>77</sup>

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<sup>75</sup>See CA SOP at 11 (stating that the Kupono Solar Facility and the overhead transmission line required to interconnect the facility to Hawaiian Electric's system should be considered together).

<sup>76</sup>See D&O No. 38519 at 100-101.

<sup>77</sup>See 2015 Haw. Sess. Laws Act 97, §§ 1 & 2 at 245-246. An “electric utility company” is defined in HRS § 269-91 as a “public utility as defined in section 269-1, for the production, conveyance, transmission, delivery, or furnishing of power.”

HRS § 269-1 defines a “public utility” as, among other things, “every person who may own, control, operate, or manage as owner, lessee, trustee, receiver, or otherwise, whether under a franchise, charter, license, articles of association, or otherwise, any plant or equipment, or any part thereof, directly or indirectly for public use . . . for the production,

In addition to HRS § 269-92, HRS § 269-6(b) requires the Commission to "consider the need to reduce the State's reliance on fossil fuels through energy efficiency and increased renewable energy generation in exercising its authority and duties under [HRS Chapter 269]." To that end, in "making determinations of the reasonableness of the costs of utility system capital improvements and operations," the Commission must "explicitly consider, quantitatively or qualitatively, the effect of the State's reliance on fossil fuels on: (1) Price volatility; (2) Export of funds for fuel imports; (3) Fuel supply reliability risk; and (4) Greenhouse gas emissions . . . ."<sup>78</sup>

Moreover, HRS § 269-6(c) requires that the Commission, in "exercising its authority and duties under this chapter, . . . shall consider . . . maximizing the efficiency of all electric utility assets to lower and stabilize the cost of electricity."

In In re Maui Elec. Co. ("In re MECO"), the Hawaii Supreme Court held that the 2011 amendment to HRS § 269-6(b) requires the Commission to "consider the hidden and long-term costs of reliance on fossil fuels, which subjects the State and its

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conveyance, transmission, delivery, or furnishing of light [or] power[.]"

<sup>78</sup>HRS § 269-6(b).

residents to 'increased air pollution' and 'potentially harmful climate change due to the release of harmful greenhouse gases.'"<sup>79</sup>

In re MECO was followed by In re Hawaii Gas ("In re Hawaii Gas"), which held that the "hidden and long-term costs" of the State's reliance on fossil fuels includes consideration of GHG emissions that occur "out-of-state."<sup>80</sup>

In holding as such, the Hawaii Supreme Court observed:

In 2007, the legislature committed the state to reduce, by January 1, 2020, "statewide greenhouse gas emissions to levels at or below the best estimations and updates of the inventory of greenhouse gas emissions estimates for 1990." . . . To that end, Act 234 established the Greenhouse Gas Emissions Reduction Task Force "to prepare a work plan and regulatory scheme for implementing the maximum practically and technically feasible and cost-effective reductions in greenhouse gas emissions from sources or categories of sources of greenhouse gases to achieve the statewide greenhouse gas emissions limits by 2020." The legislature specifically directed the Task Force to craft "[r]ecommendations to minimize 'leakage' or a reduction in emissions of greenhouse gases within the State that is offset by an increase in emissions of greenhouse gases outside the State . . ." The Task Force's work plan, in turn, "strongly insist[ed] the life-cycle impact of energy sources be considered in any adopted energy laws," because "even though an energy technology may be relatively clean-burning within the boundaries of Hawaii, the process in which it is made elsewhere is also of importance."

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<sup>79</sup>141 Hawaii 249, 263, 408 P.3d 1, 15 (2017) (citation omitted).

<sup>80</sup>147 Hawaii 186, 190 and 200-03, 695 P.3d 633, 637 and 647-50 (2020). In re Hawaii Gas concerned Docket No. 2017-0105, a rate case.

. . . . Thus, since Act 234, part of this state's GHG emission reduction strategy has included taking into account out-of-state GHG "leakage" resulting from our energy choices.<sup>81</sup>

According to the GHG Analysis for the 46 kV transmission line prepared by Hawaiian Electric's consultant, Ramboll, and submitted by Hawaiian Electric in this proceeding:

The Project GHG emissions are based on the best reasonably available public data that has undergone scientific peer review and the most current information including emissions factors available to Ramboll at the time the analysis was completed. This information was then localized where practical and where it may have a material impact on the total GHG emissions, to account for unique location-specific factors applicable to a project on Oahu such as additional transportation. Direct GHG emissions were calculated to account for the Project's upstream, O&M, and downstream GHG emissions. The use of a combination of localized peer-reviewed published studies and direct GHG emissions calculations for the Project represents the approach in this GHG analysis.<sup>82</sup>

The estimated GHG emissions associated with the lifecycle of the proposed 46 kV transmission line extension total 27 MT CO<sub>2</sub>e from the following stages:

1. Upstream: which includes GHG emissions associated with raw materials extraction and manufacturing, transportation,

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<sup>81</sup>In re Hawaii Gas, 147 Hawaii at 201, 695 P.3d at 648 (emphases added, internal citations omitted).

<sup>82</sup>GHG Analysis at 2.

and construction, and is estimated to result in a total of 24.77 MT CO<sub>2</sub>e.<sup>83</sup>

The largest sources of upstream GHG emissions are raw materials extraction and construction, which combined are estimated to result in 24 MT CO<sub>2</sub>e.<sup>84</sup> GHG emissions associated with raw materials and extraction appear to occur off-island, inasmuch as the GHG Analysis indicates that the upstream transportation of the transmission line, including conductor + Bulk of System, All Dielectric Self-Supporting Cable, and wood poles, will originate from various locations across the continental United States (Alabama, South Carolina, and Washington).<sup>85</sup>

GHG emissions associated with the upstream transportation of the transmission line are estimated at 0.77 MT CO<sub>2</sub>e emissions.<sup>86</sup>

Construction is expected to result in 16 MT CO<sub>2</sub>e, and is associated with installation of the 46 kV line materials,

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<sup>83</sup>GHG Analysis, Table 1.

<sup>84</sup>GHG Analysis, Table 1.

<sup>85</sup>See GHG Analysis, Table 2 (indicating the origin of the overhead transmission line materials) and Appendix A1.

<sup>86</sup>GHG Analysis, Table 1.

including installation of the wood poles and installation of the overhead cables.<sup>87</sup>

2. Operational: which consists entirely of GHG emissions associated with on-island O&M activities.<sup>88</sup> GHG emissions from O&M activities over the course of twenty-five years of operation total an estimated 1.3 MT CO<sub>2</sub>e, or approximately 0.067 MT CO<sub>2</sub>e per year, and are from the use of "small trucks that drive to the transmission line to perform routine operations and management procedures."<sup>89</sup>

3. Downstream: which includes GHG emissions associated with transportation, decommissioning, and disposal of the transmission line materials.<sup>90</sup> Estimated GHG emissions from downstream activities total approximately 1.41 MT CO<sub>2</sub>e, including: (1) an estimated 1.3 MT CO<sub>2</sub>e related to the decommissioning and disposal of the Project equipment; and (2) an estimated 0.11 MT CO<sub>2</sub>e emissions from the transportation of decommissioned equipment to an on-island landfill or Los Angeles scrap yard.<sup>91</sup>

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<sup>87</sup>See GHG Analysis, Appendix A3.

<sup>88</sup>See GHG Analysis, Appendix A4 (reflecting truck trips as the source of GHG emissions associated with Project Operations).

<sup>89</sup>GHG Analysis, Appendix A4, n.2.

<sup>90</sup>GHG Analysis, Appendix A5.

<sup>91</sup>GHG Analysis, Appendices A2 and A5.

Based on this record, the lifecycle of the proposed 46 kV transmission line extension will require some GHG emissions to originate outside of the State.

However, the Commission does not read the plain language and legislative history of HRS § 269-6(b), or Hawaii Supreme Court cases interpreting HRS § 269-6(b), as requiring the Commission to deny approval of the proposed 46 kV transmission line extension merely because there will be some out-of-state (or in-state) GHG emissions associated with the lifecycle of the proposed 46 kV transmission line extension. Such a construction of HRS § 269-6(b) could present an irreconcilable conflict between HRS § 269-6(b) and HRS § 269-92, or Hawaii's RPS law, when the addition of a renewable energy project, such as the Project in this proceeding, will require the emission of some GHGs both in-state and out-of-state for the sole purpose of constructing a transmission line to interconnect the renewable energy project to an electric utility's system.<sup>92</sup>

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<sup>92</sup>See Coon v. City and Cty. of Honolulu, 98 Hawaii 233, 259, 47 P.3d 348, 374 (2002) ("It is a cardinal rule of statutory construction that courts are bound, if rational and practicable, to give effect to all parts of a statute, and that no clause, sentence, or word shall be construed as superfluous, void, or insignificant if a construction can be legitimately found which will give force to and preserve all words of the statute." (citation and quotation marks omitted)); Alvarado v. Kiewit Pacific Co., 92 Hawaii 515, 517, 993 P.2d 549, 551 (2000) (observing that a "court is bound to construe statutes so as to avoid absurd results" and "[a] rational, sensible and

Instead of construing HRS § 269-6(b) in that manner, the Commission's review of the proposed 46 kV transmission line under HRS § 269-6(b) is guided by the following: (1) Act 234 directed a GHG emissions reduction task force to prepare a work plan that includes "[r]ecommendations to minimize 'leakage'" of GHG emissions;<sup>93</sup> (2) HRS § 269-6(b) requires the Commission to "explicitly consider, quantitatively or qualitatively, the effect of the State's reliance on fossil fuels on . . . [GHG] emissions"; (3) In re Hawaii Gas, pursuant to Act 234 and HRS § 269-6(b), requires the Commission to "explicitly consider out-of-state . . . GHG emissions in discharging its duties under HRS § 269-6(b)";<sup>94</sup> and (4) the purpose of HRS § 269-6(b) is to "require the Commission to consider the hidden and long-term costs of reliance on fossil fuels, which subjects the State and its

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practicable interpretation of a statute is preferred to one which is unreasonable[,] impracticable . . . inconsisten[t], contradict[ory], and illogical" (citations and quotation marks omitted); see also HRS § 1-16 ("Laws in pari materia, or upon the same subject matter, shall be construed with reference to each other. What is clear in one statute may be called in aid to explain what is doubtful in another.").

<sup>93</sup>2007 Haw. Sess. Laws Act 234, § 6 at 700.

<sup>94</sup>147 Hawaii at 201, 695 P.3d at 648.

residents to 'increased air pollution' and 'potentially harmful climate change due to the release of harmful greenhouse gases.'"<sup>95</sup>

To satisfy HRS § 269-6(b)'s requirement that the Commission "explicitly consider" the effect of the State's reliance on fossil fuels with regard to both in-state and out-of-state GHG emissions, the Hawaii Supreme Court appears to have connected the Commission's "affirmative duty 'to reduce the State's reliance on fossil fuels through energy efficiency and increased renewable energy generation'" with "making . . . independent factual findings concerning . . . GHG emissions[.]"<sup>96</sup>

To that end, the Hawaii Supreme Court said it is insufficient for the Commission to merely restate a representation made by a utility that a project will decrease GHG emissions.<sup>97</sup> Instead, that finding needs to be "substantiate[d] . . . in a

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<sup>95</sup>In re MECO, 141 Hawaii at 263, 408 P.3d at 15 (citation omitted). Although HRS § 269-6(b) was subsequently amended by Act 82 following the issuance of In re MECO and In re Hawaii Gas, the amendments did not materially change the language and considerations relied upon by the Hawaii Supreme Court in those cases. See Matter of Hawaii Electric Light Company, Inc., 152 Hawaii 352, 358, 526 P.3d 329, 335 (2023)

<sup>96</sup>In re Hawaii Gas, 147 Hawaii at 201-02, 695 P.3d at 648-49 (emphasis in original, citation omitted).

<sup>97</sup>See In re Hawaii Gas, 147 Hawaii at 202, 695 P.3d at 649.

manner that would allow th[e] court to track the steps by which [the Commission] reached its decision.”<sup>98</sup>

In this docket, Hawaiian Electric submitted GHG emissions information for the proposed 46 kV transmission line extension through its GHG Analysis, as well as for the underlying Kupono Solar Facility through a previous filing in this docket.<sup>99</sup>

The Consumer Advocate does not dispute Hawaiian Electric’s GHG emissions information, nor does it assert that the proposed 46 kV transmission line extension is inconsistent

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<sup>98</sup>See In re Hawaii Gas, 147 Hawaii at 202, 695 P.3d at 649 (“In this case, the [Commission] similarly restated [Hawaii Gas’] representation that its [liquid natural gas] projects will decrease GHG emissions, but it did not substantiate those findings in a manner that would allow this court to track the steps by which it reached its decision.”); id. (observing that, in In re Hawaii Elec. Light Co., Inc., 145 Hawaii 1, 445 P.3d 673 (2019)), the Court held that the Commission “needed to do more than restate HELCO’s representation about energy savings; instead this court required the [Commission] to ‘substantiate this finding by addressing the hidden and long-term environmental and public health costs of reliance on energy produced at the proposed facility’”).

In In re Hawaii Gas, the Hawaii Supreme Court held that the Commission could not have explicitly considered the effect of the State’s reliance on fossil fuels with regard to the level of GHG emissions because “[t]here is no GHG emissions information about the [liquid natural gas that Hawaii Gas] uses.” 147 Hawaii at 202, 695 P.3d at 649.

<sup>99</sup>Letter From: M. Chun To: Commission Re: Docket No. 2022-0007 – Hawaiian Electric Power Purchase Agreement for Renewable Dispatchable Generation with BCE Kupono Solar, LLC Greenhouse Gas Emissions Analysis, filed on February 17, 2022 (“Facility GHG Analysis”).

with HRS § 269-6(b).<sup>100</sup> Rather, the Consumer Advocate offers that the 46 kV transmission line extension should not be considered separately from the Kupono Solar Facility, for purposes of evaluating GHG emissions under HRS § 269-6(b).<sup>101</sup> In this regard, the Consumer Advocate notes that the Kupono Solar Facility is estimated to result in a net GHG emissions reduction of approximately 685,431 MT CO<sub>2</sub>e over the facility's lifecycle, in addition to other benefits, such as lower rates and contributing to the State's RPS goals.<sup>102</sup>

Based on the record in this docket, the Commission finds:

1. As recounted above, the proposed 46 kV transmission line extension is estimated to produce a total of 27 MT CO<sub>2</sub>e of GHG emissions over the 20-year lifecycle of the transmission line.<sup>103</sup>

2. The proposed 46 kV transmission line, itself, is expected to produce a relatively small amount of GHG emissions during its operation (i.e., approximately 1.3 MT CO<sub>2</sub>e),<sup>104</sup> and are attributed to the use of "small trucks" to commute to the

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<sup>100</sup>See CA SOP at 13-14.

<sup>101</sup>CA SOP at 13-14.

<sup>102</sup>CA SOP at 13-14.

<sup>103</sup>GHG Analysis at 2, Table 1.

<sup>104</sup>GHG Analysis at 2, Table 1.

transmission line to "perform routine operations and management procedures."<sup>105</sup>

3. The vast majority of the GHG emissions associated with the lifecycle of the proposed 46 kV transmission line extension is connected with the upstream stage of the lifecycle; i.e., 24.77 MT CO<sub>2</sub>e of the transmission line's total 27 MT CO<sub>2</sub>e are associated with raw materials extraction and manufacturing, transportation, and construction of the 46 kV transmission line.<sup>106</sup> Once the proposed 46 kV transmission line extension is constructed and placed into service, the GHG emissions associated with the upstream stage of the lifecycle will end, and the remaining GHG emissions estimated for the operational and downstream stages are comparatively minimal; i.e., 2.71 MT CO<sub>2</sub>e.<sup>107</sup>

4. Comparatively, the Kupono Solar facility is estimated to reduce GHG emissions by approximately 685,431 MT CO<sub>2</sub>e over the term of the PPA.<sup>108</sup> These avoided GHG emissions will be derived from Hawaiian Electric's reduced fuel consumption as a result of the Project's renewable energy being added to Hawaiian Electric's system. Specifically, according to

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<sup>105</sup>GHG Analysis Appendix A4, n.2.

<sup>106</sup>GHG Analysis at 2, Table 1.

<sup>107</sup>GHG Analysis at 2, Table 1.

<sup>108</sup>See D&O No. 38519 at 69-70.

Hawaiian Electric, the Kupono Solar facility is expected to displace approximately 1,674,161 barrels of fossil fuel over the term of the PPA.<sup>109</sup>

5. Further, the Kupono Solar Facility is expected to contribute an average of 0.89 percentage points to Hawaiian Electric's RPS over the term of the PPA, and an average of 0.67 percentage points to the RPS of the consolidated Hawaiian Electric Companies.<sup>110</sup>

6. The purpose of Hawaiian Electric's proposed 46 kV transmission line extension is to interconnect the Kupono Solar facility to Hawaiian Electric's system.

7. The Commission thus finds that the total 27 MT CO<sub>2</sub>e emissions over the lifecycle of the Project, the vast majority of which is associated with the upstream stage of the lifecycle, is reasonable and consistent with the public interest pursuant to HRS § 269-6(b) because:

A. The estimated 27 MT CO<sub>2</sub>e emissions over the lifecycle of the transmission line extension is dwarfed by the

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<sup>109</sup>See Application at 4-5.

<sup>110</sup>See CA SOP at 13-14 (the Consumer Advocate notes that the estimated RPS contribution for the Kupono Solar Facility has changed since the filing of HECO's Application, based in changes in how the RPS is calculated, with it now being based on a percentage of net electricity generation, rather than as a percentage of net electricity sales. Compare Application at 4.).

approximately 685,431 MT CO<sub>2</sub>e of estimated avoided GHG emissions from the Kupono Solar Facility.

B. Without the 46 kV transmission line extension, the benefits of the Kupono Solar Facility will not be available to Hawaiian Electric and its customers.

8. As to the remaining considerations under HRS § 269-6(b), the Commission finds that approving Hawaiian Electric's request to construct the 46 kV transmission line extension above the surface of the ground will have a positive impact on decreasing the State's reliance on fossil fuels in relation to price volatility, export of funds for fuel imports, and fuel supply reliability risk because the transmission line will be used to interconnect a renewable energy project to Hawaiian Electric's system. In other words, the Commission incorporates by reference its findings on these statutory matters from D&O No. 38519,<sup>111</sup> and continues to find, upon consideration of the specified criteria in HRS § 269-6(b) (price volatility, fuel supply reliability risk, and export of funds for fuel imports) that the Kupono Solar Facility, which will be interconnected to Hawaiian Electric's system through the proposed 46 kV transmission line extension, is reasonable and in the public interest because the PPA overall advances Hawaii's goal of reducing reliance on

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<sup>111</sup>D&O No. 38519 at 94-97.

fossil fuels through energy efficiency and increased renewable energy generation, and does so at a price that is estimated to result in savings for Hawaiian Electric's ratepayers during the term of the PPA.

V.

ORDERS

THE COMMISSION ORDERS:

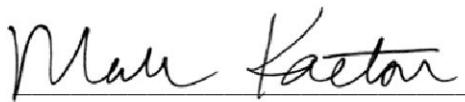
1. Hawaiian Electric's request to construct the 46 kV transmission line extension above the surface of the ground pursuant to HRS § 269-27.6(a) is approved.
2. This docket is closed unless otherwise ordered by the Commission.

DONE at Honolulu, Hawaii MAY 3, 2023.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By  By   
Leodoloff R. Asuncion, Jr., Chair Naomi U. Kuwaye, Commissioner

APPROVED AS TO FORM:

 By   
Mark Kaetsu Colin A. Yost, Commissioner  
Commission Counsel

2022-0007.ljk

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COMMISSION

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