

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

----- In the Matter of ----- )  
 )  
PUBLIC UTILITIES COMMISSION ) DOCKET NO. 2022-0212  
 )  
Instituting a Proceeding Relating )  
To an Innovative Pilot Process for )  
The Hawaiian Electric Companies. )  
\_\_\_\_\_ )

DECISION AND ORDER NO. 38753

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

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PUBLIC UTILITIES COMMISSION ) DOCKET NO. 2022-0212  
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Instituting a Proceeding Relating ) DECISION AND ORDER NO. **38753**  
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DECISION AND ORDER

By this Order,<sup>1</sup> the Public Utilities Commission ("Commission") approves, subject to certain conditions, Hawaiian Electric's proposed Data Analytics Clearinghouse Pilot ("Data Clearinghouse Pilot"), submitted on October 26, 2022,<sup>2</sup> pursuant to the Commission's expedited pilot process

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<sup>1</sup>The Parties to this proceeding are HAWAIIAN ELECTRIC COMPANY, INC. ("HECO"), HAWAII ELECTRIC LIGHT COMPANY, INC. ("HELCO") and MAUI ELECTRIC COMPANY, LIMITED ("MECO") (collectively, "Hawaiian Electric" or the "Companies") and the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY ("Consumer Advocate"), an ex officio party to this proceeding, pursuant to Hawaii Revised Statutes § 269-51 and Hawaii Administrative Rules ("HAR") § 16-601-62(a).

<sup>2</sup>See "Hawaiian Electric Companies' Data Analytics Clearinghouse Pilot Notice of Intent; Exhibits A-E; and Certificate of Service," filed on October 26, 2022 ("Notice").

("Pilot Process").<sup>3</sup> The Commission's conditions of approval are discussed herein.

In addition, recognizing that this is the Companies' first submittal of, and the Commission's first experience reviewing, a pilot notice under the Pilot Process, the Commission offers guidance to the Companies to help improve the Pilot Process going forward. In this regard, the Commission clarifies that it views the Pilot Process as an iterative process that will continue to evolve and improve as the parties, Commission, and interested stakeholders gain experience with the Pilot Process.

I.

BACKGROUND

A.

Procedural History

On December 23, 2020, in Docket No. 2018-0088, the Commission issued Decision and Order No. 37507, which established a PBR Framework to govern the Hawaiian Electric Companies.<sup>4</sup> In pertinent part, the PBR Framework provides for the

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<sup>3</sup>See Order No. 38663, "Opening the Docket," filed on October 20, 2022 ("Order No. 38663"); and Docket No. 2018-0088, Decision and Order No. 37507, filed on December 23, 2020 ("Decision and Order No. 37507") at 166-181.

<sup>4</sup>See generally Decision and Order No. 37507.

Pilot Process for the Hawaiian Electric Companies “to foster innovation by establishing an expedited implementation process for pilots that test new technologies, programs, models, and other arrangements.”<sup>5</sup> Thereafter, Hawaiian Electric collaborated with parties and other stakeholders to develop a workplan to support the Pilot Process (“Pilot Workplan”). Briefly, the Pilot Workplan identifies seven categorical areas that the Companies will target for pilot development, based on discussions with stakeholders.<sup>6</sup>

Following approval of Hawaiian Electric’s Pilot Workplan, the Commission opened this docket on October 20, 2022.

On October 26, 2022, Hawaiian Electric submitted its Notice for the Data Clearinghouse Pilot.

On November 10, 2022, the deadline for public comments on the Data Clearinghouse Pilot passed.<sup>7</sup>

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<sup>5</sup>Decision and Order No. 37507 at 166.

<sup>6</sup>See Docket No. 2018-0088, Letter From: K. Katsura To: Commission Re: Docket No. 2018-0088, Instituting a Proceeding to Investigate Performance-Based Regulation; Hawaiian Electric Companies’ Innovation Pilot Framework Workplan, filed on November 12, 2021. See also Docket No. 2018-0088, Order No. 38578, “Instructing Hawaiian Electric to Supplement the Pilot Framework Workplan Filed November 12, 2021,” filed on August 29, 2022; Docket No. 2018-0088, “Hawaiian Electric Companies’ Supplement to Pilot Framework Workplan” filed on September 23, 2022; and Order No. 38654, “Approving Hawaiian Electric’s Pilot Framework Workplan,” filed on October 19, 2022 (“Order No. 38654”).

<sup>7</sup>See Order No. 38663 at 12-13.

On November 25, 2022, the Commission issued information requests ("IRs") to Hawaiian Electric, to which they responded on December 1, 2022.<sup>8</sup>

Pursuant to the 45-day period incorporated into the Pilot Process, absent affirmative Commission action by December 9, 2022, the Notice is considered approved as submitted.<sup>9</sup>

B.

Summary of the Data Clearinghouse Pilot

According to the Notice, the Data Clearinghouse Pilot will "establish a DACH, which is a cloud-based repository, to collect, store, and disseminate information, data, and metadata[,] and "will enable Pilot participants to access extensive on-line utility and utility-related data," which can support various research, analysis, advocacy, and decision-making needs.<sup>10</sup> The Pilot intends to provide "four key services . . . :

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<sup>8</sup>Letter From: D. Matsuura To: Commission Re: Docket No. 2022-0212 - Instituting a Proceeding Relating to an Innovative Pilot Process for the Hawaiian Electric Companies; Hawaiian Electric Companies' Responses to PUC-HECO-IRs 1-11, filed on December 1, 2022 ("HECO Response to PUC-HECO-IR-XX").

<sup>9</sup>See Order No. 38663 at 10-11.

<sup>10</sup>Notice at 1-2 (footnote omitted).

1) Packaged Data Sets, 2) Interactive Analytics, 3) Direct Data Access, and 4) Clearinghouse[.]”<sup>11</sup>

In particular, the Companies reference the high volume of data collected through its rollout of Advanced Metering Infrastructure (“AMI”) smart meters, which the Companies have not been able to successfully share with external stakeholders due to data challenges (e.g., downloading, processing, and utilizing).<sup>12</sup> In general, the Companies have identified challenges with the size and useability of the data and the inability of desktop computers to process and navigate such large quantities of raw data.<sup>13</sup>

The Pilot is offered as a solution. The Companies propose to build upon their internal Enterprise Data Analytics Platform (“EDAP”), which serves as a “next generation cloud data warehouse/data lake and analytics platform” and allows the Companies to process large volumes of data.<sup>14</sup> The Pilot would provide an external interface and tools to better share and navigate data in line with pilot participants needs.<sup>15</sup>

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<sup>11</sup>Notice at 2. See also, id. at 12-13.

<sup>12</sup>See Notice at 6-8.

<sup>13</sup>Notice at 10-11.

<sup>14</sup>Notice at 11-12.

<sup>15</sup>See Notice at 12-13.

Hawaiian Electric estimates the Data Clearinghouse Pilot will cost approximately \$2.76 million and proposes that it run from January 2023 through December 2024. During that time, Hawaiian Electric states it will collect feedback from pilot participants. Hawaiian Electric further proposes that participation in the Data Clearinghouse Pilot be initially limited to the Consumer Advocate, the county sustainability and resiliency offices for Honolulu, Maui, and Hawaii Island (the counties within Hawaiian Electric's service territories), Hawaii Energy, the University of Hawaii (through the Hawaii Natural Energy Institute ("HNEI") and University of Hawaii Economic Research Organization ("UHERO")), and the Hawaii State Energy Office ("HSEO").<sup>16</sup>

## II.

### DISCUSSION

#### A.

##### Compliance With Notice Filing Requirements

As set forth in Order No. 38663, a pilot notice must comply with certain filing requirements.<sup>17</sup> Upon review, the Commission finds that, on the whole, the Notice sufficiently

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<sup>16</sup>Notice at 2.

<sup>17</sup>See Order No. 38663 at 8-10.

complies with these requirements, as summarized below. In reaching this determination, the Commission considered both the supporting materials provided by the Companies, as well as the nature of the Data Clearinghouse Pilot, itself.

As it pertains to the Notice and supporting materials, the Commission finds that the Notice:

- Contains a narrative explanation of the Data Clearinghouse Pilot;<sup>18</sup>
- Offers how the Data Clearinghouse Pilot can provide benefits, both to participants and non-participants;<sup>19</sup>
- Proposes that participation in the Data Clearinghouse Pilot be capped to seven specific public agencies, based on the Companies belief that they “provide the most immediate value in shaping public policy and addressing long-term initiatives for data sharing,” and that participation should be limited “in order to control costs and minimize administrative burden[;]”<sup>20</sup>
- Explains that a subscriber cap and greenhouse gas (“GHG”) analysis were not included because the Companies do not believe either are applicable to the

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<sup>18</sup>See Order No. 38663 at 9; and Notice at 6-13.

<sup>19</sup>See Order No. 36883 at 9; and Notice 16-18.

<sup>20</sup>See Order No. 38663 at 9; and Notice at 2 (including n.3).



Data Clearinghouse Pilot, as the Companies propose a limited number of participants in the Pilot and the nature of the Pilot precludes reasonable measurement of its GHG impact;<sup>21</sup>

- Estimates that the Data Clearinghouse Pilot will cost \$2.76 million and is not intended generate any revenue at this time;<sup>22</sup>
- Provides a pilot development schedule of approximately 15 months, followed by a 9-month “Early Life Support” period;<sup>23</sup>
- Proposes utilizing a series of Minimum Viable Products (“MVPs”) to test and validate product ideas, solicit participant feedback, and refine and adjust the Data Clearinghouse Pilot to measure and improve performance;<sup>24</sup> and
- Clarifies that the Companies’ will provide the results of the Data Clearinghouse Pilot as part of its annual Pilot Update report (due in March), and will include reports on: “program increment completion,

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<sup>21</sup>See Order No. 38663 at 9; and Notice at 6, n.12.

<sup>22</sup>See Order No. 38663 at 10; and Notice at 20.

<sup>23</sup>See Order No. 38663 at 10; and Notice at 18-19.

<sup>24</sup>See Order No. 38663 at 10; and Notice at 22-23.

completion of MVP releases, progress on making the core Clearinghouse services available to Pilot Participants, the issuance of Participant surveys and documentation of Participant feedback, and the Companies' responses to Participant feedback including the Companies' efforts to address the Participants['] concerns."<sup>25</sup>

Hawaiian Electric states that a desired outcome of the Data Clearinghouse Pilot "is to transparently share data to better inform future programs that move everyone toward State policy goals."<sup>26</sup> As noted above, the Notice describes an iterative process, through which participants will routinely be engaged to identify user needs and solicit feedback. Hawaiian Electric also describes how the Data Clearinghouse Pilot can support State energy goals "by enabling efficient access to critical and voluminous data, and data sharing capabilities, which can lead to more informed policy decisions."<sup>27</sup>

Hawaiian Electric also acknowledges the potential overlap between the Data Clearinghouse Pilot and its ongoing internal development of the EDAP system as part of its efforts

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<sup>25</sup>See Order No. 38663 at 10; and Notice at 23.

<sup>26</sup>Notice at 22; see also, Order No. 38663 at 10.

<sup>27</sup>Notice, Exhibit C at 1.

related to the Grid Modernization docket (Docket No. 2018-0141) and clarifies that it will only seek to recover “incremental non-labor expenses for the additional enhanced functionality of the Clearinghouse through the Pilot Process,” and will track and record the Pilot’s costs “separately with clear distinction for the Pilot outside services . . . and maintenance expense.”<sup>28</sup> The Companies propose to allocate budgeted non-labor expenses for the Pilot 70%/15%/15% to HECO, MECO, and HELCO, respectively, “consistent with various regulatory filings and prior rate cases.”<sup>29</sup>

Regarding the Data Clearinghouse Pilot itself, the Commission finds that:

- The Data Clearinghouse Pilot is directly responsive to the category of “Data Sharing, Access, and Analytics” identified in the Pilot Workplan, and may also indirectly support other categories.<sup>30</sup>
- The Data Clearinghouse Pilot is focused on providing a product and/or services beyond the sale of basic electric service and is aligned with various

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<sup>28</sup>Notice at 21; see also Order No. 38663 at 10.

<sup>29</sup>Notice at 21.

<sup>30</sup>See Order No. 38663 at 8 (listing the seven categories for pilot notices).

State and Commission regulatory goals through making valuable system information accessible and useable to a broader range of government agencies and stakeholders.<sup>31</sup>

- Although the Data Clearinghouse Pilot does not incorporate funding from alternative sources (e.g., grants or third-party investments), Hawaiian Electric states that it has negotiated cost-savings with TEKsystems Global Services, LLC (“TEKsystems”), the vendor who will be developing the Data Clearinghouse Pilot software, who will provide outside staff resources that will not be billed to the Companies.<sup>32</sup> In addition, Hawaiian Electric states that it will not seek to recover costs associated with internal labor and associated overhead expenses for the Data Clearinghouse Pilot.<sup>33</sup>
- Although TEKsystems does not appear to be a local vendor, it has a local office in Honolulu.<sup>34</sup>

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<sup>31</sup>See Order No. 38663 at 8.

<sup>32</sup>See Order No. 38633 at 8-9; and HECO Response to PUC-HECO-IR-09.b.

<sup>33</sup>Notice, Exhibit E at 2.

<sup>34</sup>See Order No. 38663 at 9; Notice, Exhibit E at 3; and HECO Response to PUC-HECO-IR-9.a.

- Due to the nature and scope of the Data Clearinghouse Pilot Hawaiian Electric has not provided estimates for the Net Present Value ("NPV") of the Pilot. The Companies state that such estimates are difficult to provide, as the Data Clearinghouse Pilot is not expected to assess user fees or generate revenue, nor are the benefits (e.g., improved access to raw data) readily quantifiable at this time.<sup>35</sup>
- The Data Clearinghouse Pilot will be made available to certain stakeholders, including the Consumer Advocate and the Commission.<sup>36</sup>
- The Companies plan to solicit iterative feedback from Pilot participants to evaluate the overall progress of the Pilot, including potential improvements.<sup>37</sup>

Upon considering the above, the Commission finds that the Notice substantially comports with the filing requirements set forth in Order No. 38663. That being said, the Commission clarifies that its review of a pilot notice also involves a

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<sup>35</sup>See Order No. 38663 at 9; and Notice, Exhibit E at 3-4.

<sup>36</sup>See Order No. 38663 at 9; and Notice, Exhibit E at 4.

<sup>37</sup>See Order No. 38663 at 9; Notice at 22-23; and HECO Response to PUC-HECO-IR-05.

qualitative examination of the merits of pilot itself, which is provided below.

B.

Approving the Data Clearinghouse Pilot

Upon considering the Notice, the Companies' responses to the Commission's IRs, and the record for this Notice, the Commission approves the Data Clearinghouse Pilot subject to certain conditions. In so doing, the Commission finds that the Data Clearinghouse Pilot is intended to serve an identified need and is expected to provide benefits, including supporting the missions and efforts of Pilot participants, who themselves are public agencies tasked with developing, advocating, and implementing State energy goals. However, notwithstanding its approval, the Commission identifies some of its concerns with the Data Clearinghouse Pilot and imposes certain conditions to its approval.

The concept for a Data Clearinghouse Pilot was developed in collaboration with stakeholders, who identified a need to better access and analyze the Companies' data. Specifically, the Companies state that in the wake of the AMI rollout made pursuant to their Grid Modernization efforts, as it collaborated with the University of Hawaii, HSEO, the Consumer Advocate, Hawaii Energy, and the Counties, a common

identified challenge was the agencies' ability to download, process, and effectively utilize valuable data from the smart meters.<sup>38</sup> Based on this feedback, the Companies then internally developed the Data Clearinghouse Pilot.<sup>39</sup> The City & County of Honolulu Office of Climate Change, Sustainability and Resiliency, the Consumer Advocate, Hawaii Energy, HSEO, and UHERO have all provided letters of support for the Data Clearinghouse Pilot.<sup>40</sup>

The Commission appreciates the Companies' initiative in reaching out to stakeholders and organizing opportunities for discussion and feedback.<sup>41</sup> Based on the letters in Exhibit B to the Notice, there appears to be general support from certain stakeholders for the Data Clearinghouse Pilot, and the Commission can appreciate how increased and better access to utility data can improve research, analysis, and policy decisions in furtherance of State energy goals.

That being said, the Commission has also considered whether, separate and apart from being useful,

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<sup>38</sup>See Notice at 7-8.

<sup>39</sup>See Notice at 8-9.

<sup>40</sup>Notice at 9 and Exhibit B.

<sup>41</sup>The Commission notes that although it has provided certain directives for facilitating stakeholder engagement in Docket No. 2018-0088, see Order No. 38654 at 10-12, the Companies had evidently been working on this pilot concept before the Commission's order was issued.

the Data Clearinghouse Pilot is “innovative” or a true “pilot” project. For example, the concept of a data clearinghouse is not technologically novel, and the feedback cycle of the Pilot appears primarily intended to identify improvements to the software for the Pilot’s operation, but is not necessarily testing to see if the Pilot itself is feasible, effective, or desirable on a fully scaled-up basis in the future. The Commission explored these questions in its IRs to Hawaiian Electric, seeking, inter alia, to better understand why and how the Companies considered the Data Clearing House Pilot to be appropriate for the Pilot Process.<sup>42</sup>

The Companies’ responses help to clarify a number of considerations, including:

- The Data Clearinghouse Pilot is distinct from the Companies’ existing EDAP system, in that the EDAP is an internal Company resource primarily used to organize and store large amounts of data, whereas the Data Clearinghouse Pilot is intended to create an interface for external parties to review, request, and access data, similar to data warehouses provided by other government agencies.<sup>43</sup>

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<sup>42</sup>See HECO Responses to PUC-HECO-IR-01.

<sup>43</sup>HECO Response to PUC-HECO-IR-01.a.



- o Thus, even though the EDAP continues to be improved within the Companies, absent the Data Clearinghouse Pilot, external parties are unlikely to benefit from it, due to the technical limitations of their own data access and management systems (e.g., computers and applications).<sup>44</sup> In this sense, the Pilot does not reflect a “business as usual” project, in that the Companies would not otherwise be required to organize and share data with external parties to this extent outside of regulatory proceedings.
- The Data Clearinghouse Pilot would be relatively novel for the State through increased access to data among various public agencies, which can facilitate better collaboration among agencies, as well as increase transparency of data for the general public.<sup>45</sup>
  - o This is also particularly true for the State as the Companies continue with their AMI roll-out, which is generating a high volume of data that

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<sup>44</sup>See HECO Response to PUC-HECO-IR-01.a and .b.

<sup>45</sup>See HECO Response to PUC-HECO-IR-01.d.

is currently difficult to analyze by public agencies using the agencies' existing resources.

- On an agency level across other states, it appears that the issue of data access is becoming increasingly recognized, but relatively few states have implemented programs to address this, such as the Data Clearinghouse Project.<sup>46</sup>

The Companies also provided more specific examples of potential data use cases that the Data Clearinghouse Pilot could provide,<sup>47</sup> as well as more details about the frequency and nature of feedback opportunities with Pilot participants.<sup>48</sup> The Commission also received clarification about the steps the Companies will take to protect the privacy of customers as data is shared through the Pilot.<sup>49</sup>

Notwithstanding the above, the Commission still harbors some concerns with the Data Clearinghouse Pilot, including:

- The indirect and indefinite nature of Pilot benefits to non-participants, particularly customers.<sup>50</sup>

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<sup>46</sup>See HECO Response to PUC-HECO-IR-01.f.

<sup>47</sup>See HECO Response to PUC-HECO-IR-02.d.

<sup>48</sup>See HECO Response to PUC-HECO-IR-05.

<sup>49</sup>See HECO Response to PUC-HECO-IR-08.

<sup>50</sup>See HECO Response to PUC-HECO-IR-06.

- The inability to reasonably quantify the benefits of the Data Clearinghouse Pilot, in comparison to the Pilot's estimated costs of \$2.76 million.
- The lack of feedback from a larger group of stakeholders beyond those who are selected to be Pilot participants.
- The lack of more specific metrics for measuring achievement of the Pilot's outcomes.<sup>51</sup>
- The limited number of proposed Pilot participants and beneficiaries.
- The lack of plans to expand the scope of the data clearinghouse functionality to a broader pool of participants and direct beneficiaries should the pilot prove effective.

The foregoing lists of considerations are intended to be constructive and share the Commission's thinking as it reviews this initial pilot notice. The Commission recognizes that approval of a pilot notice will involve a balancing of various considerations, and that the Commission's review of pilot

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<sup>51</sup>See HECO Response to PUC-HECO-IR-05.b (describing the process for soliciting participant feedback, but not identifying specific criteria or metrics). Complicating this is the overlap and potential conflation between how to improve the Data Clearinghouse Pilot in response to participants' desires and needs and whether the Pilot itself is achieving its goals and objectives.

notices is expected to evolve as Hawaiian Electric, the Commission, and interested stakeholders gain experience with the Pilot Process.

After taking all of the above into consideration, the Commission will approve the Data Clearinghouse Pilot, but subject to the following conditions/modifications:

1. The Companies shall prioritize developing a list of "use cases" as early as possible in the Data Clearinghouse development through stakeholder feedback and provide a preliminary list in the annual Pilot Update. Such "use cases" should include a description of one or more data metrics (e.g., hourly consumption by income level), the data sources (e.g., AMI data, demographical data), the purpose of the metric, such as a trend that the data will expose or a question that the data will help answer, and the venue(s) or decisions which will be informed by the data. Additional categories may be included for each use case, such as the participant or stakeholder that suggested the use case.

2. Where relevant and to the extent feasible during the implementation of the Data Clearinghouse Pilot, Hawaiian Electric will make efforts to expand participation in and/or use of the Pilot interface to additional interested entities, including parties in Commission proceedings, commercial entities, and the general public, as appropriate.

3. As a metric of the Data Clearinghouse's efficacy, in addition to the metrics identified by Hawaiian Electric - number of visitors and volume of data being analyzed<sup>52</sup> - the Companies shall also track and report on the frequency of participants visiting and using the DACH data and participants' use of data (e.g., times and ways participants use data gained from the Data Clearinghouse Pilot and for what purpose or outcome), which can be gained through the Companies' feedback cycle (e.g., participant surveys).

Subject to the foregoing conditions, the Commission approves the Data Clearinghouse Pilot. To the extent the Companies construe this as a modification to the Pilot, the Commission clarifies potential next steps in Section II.D., below.

### C.

#### Guidance for Future Pilot Notices

The Commission appreciates that this is the first notice submitted under the Pilot Process and that the parties, the Commission, and stakeholders are still gaining familiarity with this Process. The Commission expects that the submission and review of pilot notices under the Pilot Process will evolve to incorporate improvements that are identified through experience.

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<sup>52</sup>See HECO Response to PUC-HECO-IR-05.b.

To that end, the Commission offers the following guidance to the Companies to support the development of future pilot notices:

- To the greatest extent possible, notices should describe benefits that are expected to accrue, both directly and indirectly, as a result of the pilot to both pilot participants and non-participants, and attempt to quantify them to the extent possible.
- Notices should include a discussion explaining why and how the Companies view the pilot as innovative, including: on what scale the Companies view the pilot as innovative (e.g., technologically, on a State, industry, or other level, if there are experimental design aspects incorporated or particular questions the pilot is answering, whether the pilot is testing a new concept or program, etc.); the extent to which a pilot seeks to achieve objectives not otherwise addressed through other Company initiatives or Commission proceedings; and how the pilot is clearly distinguishable from existing Company initiatives.
- Notices should clearly describe why the project or effort should be piloted, rather than pursued as a full-scale effort, including discussion of what a full-scale version of the pilot may look like and how

it will be informed by the pilot phase. This should include a clear list of metrics that the Companies will assess to determine a pilot's success, failure, or need for modification before scaling up.

- Notices should discuss how the goals and outcomes of the pilot, including the State energy goals intended to be served by the pilot, are distinguishable or overlapping with previously approved programs, utility services, or pilot notices.
- Notices should seek to reflect a broad range of stakeholder engagement and feedback, including compliance with the approved Pilot Workplan.<sup>53</sup>
- To the extent possible, notices should be supported by multiple specific use cases to help illustrate the potential application and benefits of the pilot.
- Notices should demonstrate that the pilot is designed to most efficiently and cost-effectively utilize existing resources, contracted services and project expenditures.
- Information on other similar industry efforts is welcome, but that information should be provided in the most streamlined manner possible, with a

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<sup>53</sup>See Order No. 38654.

description of why the similar effort is relevant to the Notice, specific excerpts that are relevant to substantiating the Notice against any of the above criteria, and hyperlinks to resources for additional information.

D.

Next Steps

Under the process set forth in Order No. 38663, if the Commission modifies a pilot notice, the Companies have 15 days to file a response.<sup>54</sup> As the Commission has stated that its approval is conditioned on certain requirements, the Commission will construe this as a "modification" to which Hawaiian Electric may file a response proposing an alternative or withdrawing the Pilot, to which the Commission will respond as appropriate.<sup>55</sup> If the Commission does not receive a response from Hawaiian Electric within 15 days of this Decision and Order, it will assume Hawaiian Electric does not oppose these modifications and the Data Clearinghouse Pilot may be implemented consistent with this Decision and Order.

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<sup>54</sup>See Order No. 38663 at 11.

<sup>55</sup>See Order No. 38663 at 11.



III.

ORDERS

THE COMMISSION ORDERS:


1. Hawaiian Electric's Data Clearinghouse Pilot is approved, subject to the conditions set forth above.

2. Within 15 days, Hawaiian Electric may submit a response in this docket stating whether it accepts the Commission's conditions, proposes an alternative, or withdraws the Data Clearinghouse Pilot. If the Commission does not receive a response from Hawaiian Electric within 15 days of this Decision and Order, it will assume Hawaiian Electric does not oppose these modifications and the Data Clearinghouse Pilot may be implemented consistent with this Decision and Order.

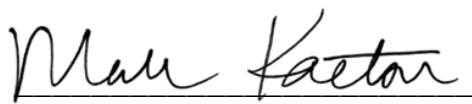
DONE at Honolulu, Hawaii DECEMBER 8, 2022.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Leodoloff R. Asuncion, Jr., Chair

By   
Naomi U. Kuwaye, Commissioner

APPROVED AS TO FORM:

  
Mark Kaetsu  
Commission Counsel

By   
Colin A. Yost, Commissioner

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CERTIFICATE OF SERVICE

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COMMISSION

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