

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. )  
\_\_\_\_\_ )

ORDER NO. 39131

APPROVING THE HAWAIIAN ELECTIC'S PROPOSED MODIFICATION  
TO THE eBUS MAKE-READY INFRASTRUCTURE PILOT

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APPROVING THE HAWAIIAN ELECTIC'S PROPOSED MODIFICATION  
TO THE eBUS MAKE-READY INFRASTRUCTURE PILOT

By this Order,<sup>1</sup> the Public Utilities Commission ("Commission") approves the Companies' proposed modification to the implementation schedule of the eBus Make-Ready Infrastructure

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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).

Pilot (“eBus Pilot”), submitted on February 28, 2023,<sup>2</sup> pursuant to the Commission’s expedited pilot process (“Pilot Process”).<sup>3</sup>

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 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

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<sup>2</sup>See 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’ Annual Pilot Update Report, filed on February 28, 2023 (“Pilot Update Report”).

<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.

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

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 ("Pilot Categories").<sup>6</sup>

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

On February 28, 2023, Hawaiian Electric submitted its Pilot Update Report. Within its Pilot Update Report, the Companies described challenges it has encountered implementing the eBus Pilot which have led the Companies to propose a material change to the Pilot.<sup>7</sup> For example, the Companies report that there has been lower than expected enrollment in the Pilot, which may be attributed to a number of factors, including lingering effects of the COVID-19 pandemic on bus operators, delay in bus fleet

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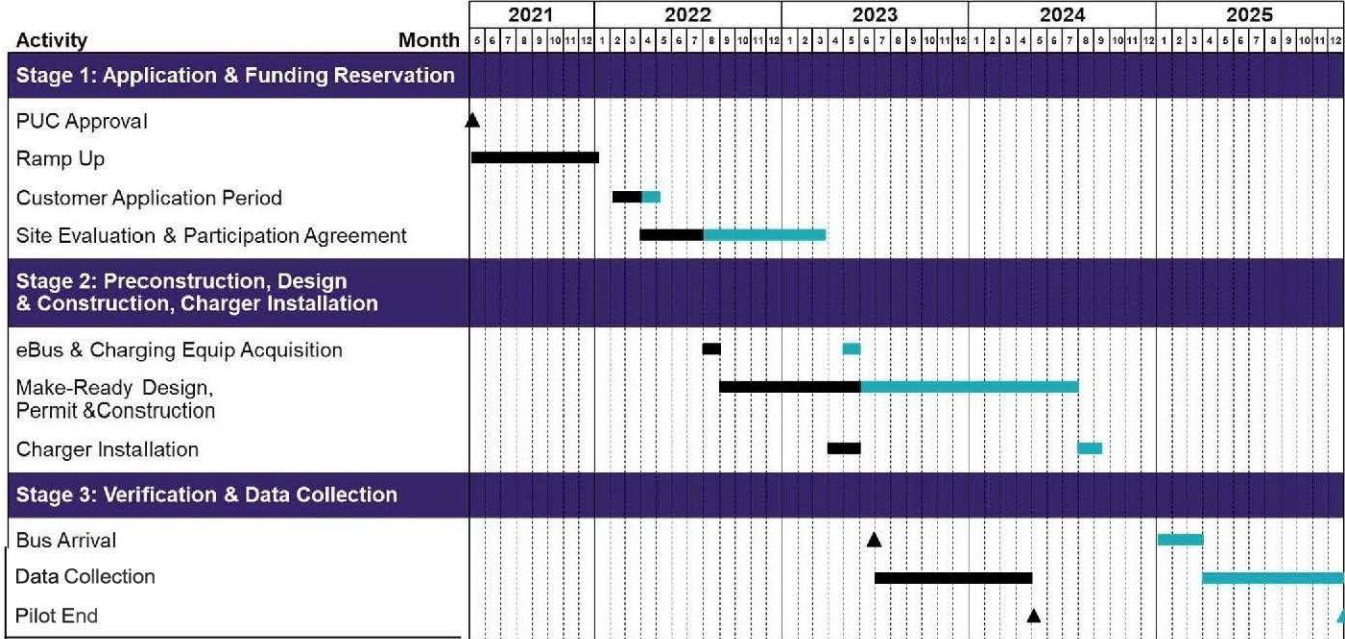
<sup>6</sup>See Docket No. 2018-0088, Letter From: K. Katsura To: Commission Re: Docket No. 2018-0088, Instituting a Proceeding to Investigate Performance-Based Regulation; Hawaiian Electric Companies' Innovation Pilot Framework Workplan, filed on November 12, 2021. See also Docket No. 2018-0088, Order 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 Pilot Update Report, Attachment 1 at 11-14.

conversion, infrastructure limitations, and concerns related to eBus rate structures.<sup>8</sup>

As a result, the Companies propose adjusting the deadlines for all three stages of the implementation schedule, as well as extending the Pilot deadline from May 7, 2024, to December 31, 2025 “with a Final Report in the first quarter of 2026.”<sup>9</sup> The specific deadline adjustments are reflected in the following:<sup>10</sup>

**Figure 2. Implementation Schedule**



- Original Implementation Schedule
- Adjusted Implementation Schedule

<sup>8</sup>See Pilot Update Report, Attachment 1 at 11-12.

<sup>9</sup>Pilot Update Report, Attachment 1 at 14.

<sup>10</sup>Pilot Update Report, Attachment 1 at 5.

Under the Pilot Process, within fifteen (15) days of the submission of a notice of proposed material change to a pilot, "the Consumer Advocate and any interested stakeholders or members of the public may file responsive comments in this docket for the Commission's consideration."<sup>11</sup> The Commission did not receive any responsive comments to the Companies' request to modify the eBus Pilot.

Pursuant to the 45-day period incorporated into the Pilot Process, absent affirmative Commission action by April 14, 2023, the Companies' proposed material change to the eBus Pilot is considered approved as submitted.<sup>12</sup>

## II.

### DISCUSSION

Upon review of the Pilot Update Report, the Commission finds the proposed change to the eBus Pilot's implementation schedule reasonable. Due to the challenges the Companies have experienced to date with implementing the Pilot, the Commission finds that allowing the Companies this reasonable amount of additional time to implement the Pilot will allow them to incorporate lessons learned to date and the opportunity to increase

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<sup>11</sup>Order No. 38663 at 12-13.

<sup>12</sup>See Order No. 38663 at 10-11.

enrollment in the Pilot. This, in turn, should help ensure that the Pilot provides a more realistic assessment of its objectives.<sup>13</sup>

III.


ORDERS

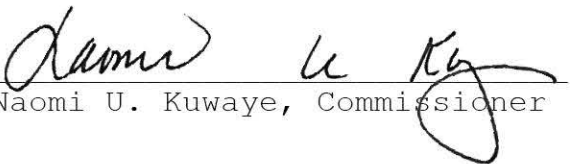
THE COMMISSION ORDERS:

Hawaiian Electric's request to modify the implementation schedule for the eBus Pilot, as set forth in the Pilot Update Report, filed on February 28, 2023, is approved.

DONE at Honolulu, Hawaii APRIL 11, 2023.

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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<sup>13</sup>See Pilot Update Report, Attachment 1 at 2-3.

CERTIFICATE OF SERVICE

The foregoing Order was served on the date it was uploaded to the Public Utilities Commission's Document Management System and served through the Document Management System's electronic Distribution List



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COMMISSION

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