Documents for the Record

Subcommittee on Oversight and Investigations

09.28.23

1. Griffith:
   a. Letters to Chair – 09.28.23 House Catastrophic Fire Hearing
   b. House CEC response
   c. Hawaii PUC Response 09.19.23
   d. EnC Response Letter 09.19.23

2. Duncan:
   a. Institute for Energy Research Article
   b. Final EEI Statement for the Record

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RE: WRITTEN TESTIMONY FROM MAUI FIRE VICTIMS FOR 9/28/23 U.S. HOUSE ENERGY & COMMERCE COMMITTEE OVERSIGHT AND INVESTIGATIONS SUBCOMMITTEE HEARING: "INVESTIGATING THE ROLE OF ELECTRIC INFRASTRUCTURE IN THE CATASTROPHIC MAUI FIRE"

Dear Chairpersons,

My name is Anne Andrews and I am Founding/Managing Partner of Andrews & Thornton law firm in Newport Beach, CA. Together with our co-counsel, Bickerton Law Group LLLP of Honolulu, HI, we represent victims of the Maui wildfires, eight of whom are here to attend the U.S. House Energy & Commerce Committee Oversight and Investigations Subcommittee Hearing: "Investigating the Role of Electric Infrastructure in the catastrophic Maui Fire." Although they have not been invited to speak at this hearing, we have attached their written testimonies for you to nonetheless hear their stories. We intend to seek justice for and amplify the voices of the people who lost their homes, families, lives, and much else, due to the incompetence and overall failure of responsible parties to protect the Hawaiian public.

Together, with our co-counsel, Bickerton Law Group, LLLP, we have extensive experience helping accident, fire, and malpractice victims, injured consumers, employees, and public figures navigate the legal system. Since 1989, Bickerton Law Group has been respected as one of Hawaii's premier litigation firms, deeply committed to the islands.

We know that no amount of evidence or testimony from other sources can replace the impact of hearing directly from the survivors of the catastrophe. Each of these victims have unique histories in Lahaina and suffered profound losses because of the fires. Brian Kinley, U.S. Veteran and former police officer, was thrust back into the role of hero as he helped his family, visiting friends, and a family of strangers flee the flames that were overtaking their vacation accommodations. Andrea and Doc Ellis Pekelo lived in fear at their home in Lahaina since the Maui wildfires of 2018, only to run for their lives as their fears came to fruition. Now, like countless others, Andrea and Doc Ellis have been internally displaced. Jim, a retired marine pilot based in Hawaii and longtime homeowner, and his wife, Elsa Eberle worried for the safety of their daughter and son in law, and lost their sense of security and confidence in a life lived in Maui. As prominent members of the Lahaina community, they witnessed how many of their friends and family have lost everything.

Three of our clients are here today who have experienced the devastating loss of their beloved family members. Kathleen Hennricks, Jon Gloege, and Andrea Wheeler have all endured the unimaginable pain of losing their loved ones, Doug Gloege and Rebecca Rans. These two souls were tragically consumed by the fires and endured excruciating agony as they faced the horrors of being burned alive. Their lifeless bodies were discovered just a few blocks away from their now-destroyed home, where they had fled in a desperate attempt to escape the flames.

With each testimony, you are sure to learn more of the acute terror Lahaina inhabitants experienced because of the hazardous conditions that were permitted to develop in Lahaina due to the inadequacy of Maui's infrastructure and emergency preparedness. Furthermore, it will allow you to scratch the surface of understanding the breadth and depth of the losses the overall community of Lahaina, Maui and Hawaii have suffered.

As you will hear in the statements, the tragedy in Lahaina was completely predictable, and therefore unequivocally avoidable. We appreciate the committee for allowing us to submit our clients' testimonies and taking the time to read them in lieu of live testimony, but also acknowledge that reading them alone is simply not enough. We hope that you elect to hear from them in the future at another hearing as the discussion evolves.

Sincerely,

BICKERTON LAW GROUP LLLP

JAMES BICKERTON

ANDREWS & THORNTON

ANNE ANDREWS

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Honorable Members of the U.S. House Energy and Commerce Committee,

Hello, my name is Kathleen Hennricks and I am here today to address the U.S. House Energy and Commerce Committee during this Oversight And Investigations Subcommittee Hearing: "Investigating The Role Of Electric Infrastructure In The Catastrophic Maui Fire". I am accompanied by my attorney, Anne Andrews, of Andrews & Thornton in Newport Beach, who represents me alongside her co-counsel, Bickerton Law Group LLLP of Honolulu. Though I would have liked to testify before you in person, I submit this written testimony as a substitute, though I plan to be there in-person to watch the hearing and will be interested in the answer to every question. If officers of Hawaiian Electric and representatives of the state of Hawaii are allowed to participate in this hearing, then we who have suffered so much at their hands deserve to participate as well.

My sister, Rebecca Ann Rans, was 57 years-old at the time of her death. I'm here to share the heartbreaking truth I've learned about my sister's untimely death and to urge the committee to take immediate action in response. My sister died alongside her loving partner of twelve years, Doug Gleoge, just a few blocks from their home as they attempted to escape the fires that ravaged their beloved Maui. The biggest tragedy is that my sister's deaths and the losses to our family were completely preventable. My sister's death was unnecessary, but please do not let it be meaningless. Steps *must* be taken *now* to prevent yet another fire on Maui.

My sister died in the most horrific manner, trying to escape the Lahaina fire. My family and spent ten agonizing days searching for her while we watched this tragedy unfold on national television and social media. We contacted hospitals and shelters. We tried to reach her friends on the island as best as we could, since cell service was initially down and then spotty at best.

On August 18, 2023 at 10:45 PM, two FBI agents knocked at my door. I invited them in, and the moment they showed their badges, I knew in my heart why they were there. They informed me that my sister had been found deceased, in the arms of her partner, Doug Gloege, and her identity had been confirmed. My sister's body was so severely burned that the medical examiner urged us against an open casket funeral, instead recommending cremation. We cannot even say our final goodbye as a family. The agents shared that the only items that remained of my sister were her bracelet that says "Ku'uipo", meaning "sweetheart", and one burnt slipper on her left foot. She suffered from severe arthritis, so we believe that her partner, Doug, stayed by her side to help her escape, only for them to pass away together.

This is a painting my sister painted and lives in my memory of her one big, pure heart.

Knowing the details of her death, I can only imagine what the last few moments of her life were like. It is agonizing to think of the pain and terror she must have felt while trying desperately to escape.

Having lived on Maui for over 20 years, my sister loved the island and its people. She was a daughter to my father, a sister to me and my three surviving siblings, and a friend to countless others. Rebecca was a generous soul, and the community knew it. Many would reach out when down on their luck, and would spare anything she could, be it food, housing, or anything else. Becky loved to paint and was a talented traditional Hawaiian Poi dancer (fire dancer). She embodied Hawaiian culture and enjoyed sharing her love for it by educating visitors on the Hawaiian language. She loved teaching people that the word "Aloha" is a combination of three words in Hawaiian, together meaning *giving and receiving friendship makes present the breath of life*. My sister truly had the "aloha spirit."

Her beauty radiated from the inside-out, and her love for her family and friends was unparalleled. Like the island and community she loved so much, she can never be replaced and will forever be missed. Her death has left a void in our hearts that can never be filled.

It is imperative that as victims and families of victims we find out why this was allowed to happen, especially with Maui's wildfires in 2018 to forewarn the responsible parties. We cannot let history repeat itself for a third time. No one should have to go through what my sister went through, and no one should have to deal with the loss of their family or loved one like our family has. While we thank you for having the hearing today, we know and trust that this hearing is just the beginning.

Respectfully submitted as my testimony,

Kathleen Hennricks

Honorable Members of the U.S. House Energy and Commerce Committee,

My name is Jon Gloege, and my sister, Andrea Wheeler, and I are here today to present this written testimony on behalf of our deceased father, Doug Gloege, who cannot attend this U.S. House Energy and Commerce Committee during this Oversight and Investigations Subcommittee Hearing: "Investigating the Role of Electric Infrastructure In The Catastrophic Maui Fire". We are accompanied by our attorney, Anne Andrews, of Andrews & Thornton in Newport Beach, who represents us alongside her co-counsel, Bickerton Law Group LLLP of Honolulu.

Andrea and I come before you not only as grieving children but as a voice for the countless lives shattered by the tragic Maui fires of 2023. We would like to share with you the story of our father, Doug Gloege, whose life was tragically taken in those devastating flames. Beyond our personal loss, we are here to emphasize a crucial point: this catastrophe was preventable, with those responsible failing to take the necessary precautions to avert this disaster.

Our dad's connection to the island of Maui was profound. His family were fourth-generation homeowners on that very land, a place where our roots run deep. Our father eventually made the move to Maui, drawn by the magnetic pull of our family history and the deep-seated connection we all felt to this place. It was a place of familiarity, comfort, and cherished memories spanning generations.

Doug lived on Maui for over two decades. He was a dedicated and hardworking man, a skilled professional in the construction industry, and was always ready to lend a helping hand to those in need. He had a close-knit circle of friends and acquaintances, earning respect and admiration from many, including industry peers who reached out to me in support during the search for him. He always wore an unforgettable smile on his face and his positive aura was contagious to everyone around him. Despite the miles that separated all of us, Andrea and I both maintained a strong bond with our Dad, and we have been brought closer together than ever by his passing.

The heart-wrenching news of my father's passing arrived when FBI agents knocked on my door. The relief of finally receiving some response on my father's location was overshadowed by the crushing reality of his loss. Both of our family's homes were destroyed in the fire and he and his partner, Rebecca Rans, were found in each other's arms just three blocks from our house, headed west. The details of their escape, whether through a service yard or a residential zone, remain shrouded in uncertainty.

Perhaps the most excruciating aspect of this ordeal has been the condition of our dad's remains. The fire's ferocity left his body unrecognizable, rendering viewing impossible. The weight of this reality is one that we both continue to grapple with daily.

In this dark hour of profound loss, Andrea and I are determined to seek justice for this devastating tragedy. Doug Gloege was a remarkable man, beloved by those whose lives he touched. His memory will forever be etched in our hearts.

While we thank you for having this hearing, we are disappointed and angry that you did not feel it necessary to hear the voice of even one victim. Perhaps that's because it was not you or a loved one who was in Maui, and it is easier for you to sit here thousands of miles away and pretend like you care. Caring would be giving time to hear at least one or two stories. Therefore, while I attend this hearing, I do so embarrassed for you.

Let our father's story serve as a stark example of the lives lost and the suffering caused by this preventable disaster. We must remember that this tragedy was avoidable; it should never have happened. We owe it to our father, to our community, and to all those who perished to ensure such a tragedy is never repeated.

Respectfully submitted as our testimony,

Jon Gloege and Andrea Wheeler

Honorable Members of the U.S. House Energy and Commerce Committee,

Hello, my name is Andrea Pekelo, and I am here today with my husband, Doc Ellis Pekelo, to address the U.S. House Energy and Commerce Committee during this Oversight and Investigations Subcommittee Hearing: "Investigating The Role Of Electric Infrastructure In The Catastrophic Maui Fire." We would have preferred to verbally testify in person, but we submit this written testimony in the alternative. Truthfully, we are aggrieved knowing that no victims of this tragedy will be heard at this hearing, including ourselves, but we plan to be there regardless to watch these proceedings and will be interested in the answer to all questions posed. We are accompanied by my attorney, Anne Andrews, of Andrews & Thornton in Newport Beach, who represents me alongside her co-counsel, Bickerton Law Group LLLP of Honolulu.

My husband and I have lived in fear for these past five years since the fires that consumed Maui in 2018. I am a lifelong resident of Lahaina, and my husband is a native Hawaiian with roots going many, many generations back to the sacred town of Lahaina, where his ancestors lived and are buried. This land that we have loved and cherished for so long has become a toxic, burnt wasteland as a result of these fires. Our neighborhood is a disaster site closed to the public, preventing us from living in our home. Even the water there is currently not potable, and we do not know when it will be restored.

We personally witnessed the destruction of the Maui wildfires that took place in 2018, and we hoped we would never have to see something like that again. To our despair, our worst nightmare repeated itself. I saw with my own eyes that much of the damage caused to people's homes, livelihoods, and more, could have been avoided if those responsible had applied the lessons learned in the 2018 Maui Fires. We believe that sharing with the committee what we witnessed both in 2018 and now in 2023 is the only way for this nightmare to end, and for the responsible parties to make necessary change. Our family feels strongly that if officers of Hawaiian Electric and representatives of the state of Hawaii are allowed to participate in this hearing, then we who have suffered so much by their inaction should be able to participate as well. We want Congress and this Committee to know that this fire was preventable and that we have a responsibility to ensure it never happens again.

On August 8th, 2023, I was at my home located in central Lahaina, on the Makai side of the Lahaina Bypass, along with my three dogs and guinea pig. I had serious concerns that an evacuation from the fire would be difficult because I remembered the chaos caused by the limited exit routes and bottlenecks of traffic that formed during evacuations for the 2018 fires. My fears ultimately became a reality when I only narrowly escaped the fire with my life.

I began packing my bags as quickly as I could when I saw the wall of smoke down the street from my house. Our neighborhood received its evacuation order when a police car started racing up the street with its sirens blasting and warned us over a megaphone to leave our homes right away. I put my bags and pets in the car to leave while the smoke thickened and the wind continued to whip against me. I only made it a block or two from my home before traffic trapped me below the Lahaina Bypass. By this time, the fire had begun to burn through homes in my neighborhood and was only four houses down from where my car was parked before the combined efforts of neighbors and a police car managed to break down a fence to allow myself and others to

escape. A brave neighbor stood outside and hosed down the cars passing by so they would be less likely to catch fire. In fear of this day, my family and I devised an emergency plan for ourselves to reconvene in the north, but because of the lack of preparation made by the responsible parties, it was impossible for me to reach our rendezvous point. Abandoning our plan, I desperately drove south to place as much distance between myself and the fire as I could.

The trauma of that day changed me, and I will never be the same again. Our ancestry and our lives are deeply intertwined with Lahaina; Lahaina is sacred to us, our family history, and our Hawaiian culture. Watching it burn and knowing that others could have prevented its destruction is indescribable. We must honor its importance, recognize the cultural loss, and do our best to rebuild and protect it for past, present, and future generations. The Hawaiian people deserve to have governmental protections and institutions they can rely on to take responsibility and prevent further losses from inevitable future fires. It will be a long journey to rebuild Lahaina, but we will be here for it. Let us move forward with strength; *imua* and *aloha*. Thank you for your consideration.

Respectfully submitted as our testimony,
Andrea and Doc Ellis Pekelo

Honorable Members of the U.S. House Energy and Commerce Committee,

Hello, I am Brian Kinley, owner of Azimuth Scuba, a diving shop located in Rockford, Illinois, and I am a witness to the tragedy that took place in Maui this August. As a U.S. Veteran and former police officer, it is truly shocking to me that it was deemed unnecessary to hear from survivors of this national disaster during this hearing. Although I would prefer to speak before you in person, I submit this written testimony in lieu of oral testimony. I am here with my attorney, Anne Andrews, of Andrews & Thornton in Newport Beach, who represents me alongside her co-counsel, Bickerton Law Group LLLP of Honolulu.

I decided to take a trip to Lahaina, Hawai‘i along with some other divers (all of which are volunteers at my dive shop as instructional divers) and their families. We were a total of 13 people. We arrived at Lahaina on Friday, August 4 and planned to stay until Friday, August 11. Our group was staying at a local condominium complex for rent in central Lahaina, on the inland side of the Honoapiilani Highway. What should have been a wonderful trip to celebrate the success of two newly trained diving instructors became a nightmarish fight for our lives.

The day began with high winds so severe that roofs had blown off of buildings, so the group decided to stay in their condos for safety. In the early afternoon, I noticed smoke outside and went out to investigate with some other members of the group. At first, the fire seemed extremely far away, but a change in the wind quickly altered the situation such that I hastily notified everyone in my group to evacuate immediately. By the time we started to gather our things into the cars and leave, the fire was just on the other side of the condo’s northwest retaining wall and was starting to burn the condo complex as we left.

While leaving through the southwest exit of the complex, we noticed a family of three, including their two-year-old child, who was also staying at the same condo complex. They were stranded, so we managed to pack them in one of the cars. We all quickly made our escape heading south through unimaginable traffic. We made it to relative safety camping outside of a Walmart near the airport. Our group eventually had to split up to take seats on emergency flights out of Maui throughout the night and early morning.

Our group received absolutely no assistance from state or HECO officials regarding notice of the fire or when or how to evacuate. We were very fortunate that we could all work together to help one another escape at the last possible moment, but not all people were so lucky. We, like many other visitors, are afraid to ever return to Maui because of what we experienced. Beyond the terrible destruction we saw happen at an impossibly rapid pace, it adds a layer of sadness knowing that by us visitors not returning, Maui is bound to lose the revenue from tourism that it relies on and will desperately need to rebuild. The most upsetting truth is knowing firsthand that additional efforts by state or HECO officials to warn the public of the approaching fire would have resulted in many lives being saved. Simply warning the public to be better prepared for an evacuation would have made a world of difference. It’s important that we collectively determine who was at fault and what measures must be taken to prevent it from ever happening again.

Respectfully submitted as my testimony,

Brian Kinley

Honorable Members of the U.S. House Energy and Commerce Committee,

Even though we are unable to speak before you all, my wife Elsa and I would like to thank you for the opportunity to submit this testimony to be reviewed on September 28th, 2023, during the "Role of Electric Infrastructure in the Catastrophic Maui" hearing.

Although no victims were called to speak before congress today, we submit this statement to ensure that the voices of Lahaina are still heard. We write this with a profound sense of sorrow, as we attempt to convey the devastating impact of the catastrophic Maui Fire on the cherished community of Lahaina, a place we have called home in our hearts for many years.

Our connection to Lahaina dates back to when we first exchanged vows at the beautiful Maria Lanakila Church, decades ago. Although we later moved away, we could never truly sever the bond we had formed with this enchanting island. Our two children were born in California, but they spent every summer in Lahaina, captivated by its natural beauty and the warmth of its people. As parents, we always believed our kids would ultimately find their way back to Hawai'i.

For Elsa, the ties to Lahaina are even more profound. She, her parents, and her sister immigrated to the United States from the Philippines in the 1960s. Her father toiled in the cane fields, and her mother worked in the hotels. Lahaina, to them, was a place of opportunity and hope, where they could build a life for their family. They, like so many others in this neighborhood, came here seeking the American Dream. English was a second language for many, but the Lahaina community embraced them, and they became part of the rich tapestry of families who have called this place home for generations.

It is with a heavy heart that we emphasize the true nature of this neighborhood: a close-knit community of immigrant families who have persevered for decades. They have faced adversity together, celebrated life's joys together, and created a web of cultures and histories that make Lahaina a unique and vibrant place. It is a tragedy beyond words to see these people, who may not ever fully comprehend the lasting disaster this is, grappling with the loss of not just their homes but their entire history, which was erased in an instant.

The recent Maui Fire has not only destroyed homes and livelihoods but has inflicted deep emotional wounds that may never fully heal. The citizens of Lahaina are highly traumatized, and the scars of this tragedy run deep. They have lost not only their material possessions but, more painfully, their friends, family, and the very sense of community that defined their lives. We saw this trauma firsthand during the 2018 Maui Fires when we almost lost our beloved daughter Andrea, and her husband, Doc Ellis. The pain, the fear, and the sense of déjà vu during the recent catastrophe were excruciatingly tormenting.

As Lahaina residents, we thank this committee for having the hearing today regarding the role of electric infrastructure in this devastating fire. But we view this hearing as a start, not an end; we believe that understanding the causes are essential steps in preventing such a catastrophe from befalling this beautiful community again. The resilient Lahaina community deserves nothing less. Lahaina is more than a place; it is a living testament to aloha culture and the spirit of unity that should bind us all.

Elsa and I will both be attending the hearing, along with our representation, Anne Andrews of Andrews & Thornton, and her Honolulu-based co-counsel, Bickerton Law Group. We also look forward to hopefully meeting with you individually after the hearing.

Respectfully submitted as my testimony,

Jim and Elsa Eberle

SHELEE M. KIMURA
President and Chief Executive Officer

September 19, 2023

Honorable Jeff Duncan
Chair, Subcommittee on Energy, Climate and Grid Security
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Honorable Cathy McMorris Rodgers
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Honorable H. Morgan Griffith
Chair, Subcommittee on Oversight and Investigations
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Aloha Chairs Duncan, Rodgers and Griffith,

Thank you for your expressions of concern and support for the people of Maui. Our hearts break for the lives lost and the lives forever changed. Hawaiian Electric honors the memories of these people and places by continuing our restoration and rebuilding work in Lahaina and other communities affected by the windstorms and wildfires of Aug. 8, 2023 and by working with others to understand what happened and ensure this kind of tragedy does not happen again.

Seven weeks after this tragedy, Hawaiian Electric continues to operate in emergency incident response mode. The windstorm and fires destroyed nearly 1,000 poles and a substation, affecting more than 13,000 customers in West Maui. Crews restored about 80% of customers within the first few days and 95% of customers within two weeks. Today, we are continuing to bring power back to pockets of homes and businesses in and around the most heavily damaged areas of Lahaina. Rebuilding critical infrastructure in West Maui will take years.

Hawaiian Electric appreciates your efforts to "come to a complete understanding of how this disaster started to ensure Hawaii and other states are prepared to prevent and stop other deadly wildfires." We also appreciate the opportunity to answer your questions with this objective in mind. In combination with many assessments and efforts by us and others, we

appreciate how your committee's work can be the start of an important national conversation on how the federal government can help keep communities safe and to recover from extreme weather events.

While Hawaiian Electric has publicly shared key facts we know about the events of Aug. 8, there are still open questions, including about the cause of the afternoon fire that burned through Lahaina. There are lessons to be learned from this tragedy and we are resolved to keep our communities safe.

The following are our answers to the questions in your Aug. 30, 2023 letter. We also look forward to answering your questions on Sept. 28 and hearing your members' thoughts on actions to address this national public safety imperative.

(1) What is your understanding of the sequence of events and actions on August 8, 2023, involving the Lahaina fire, including actions taken by Hawaiian Electric?

Response: A fire broke out at approximately 6:30 a.m. on August 8, 2023, near the intersection of Lahainaluna Road and Ho'okahua Street, where Company-owned distribution lines had fallen to the ground. At 6:30 a.m. the distribution lines around that intersection were energized. At 6:39 a.m. the last remaining transmission line serving the Lahaina area tripped off-line. After that, customers in all of West Maui did not have power, and power did not return until August 11, 2023.

The 6:30 a.m. fire spread into a nearby field on the south side of Lahainaluna Road, across from the Intermediate School. The Maui Fire Department responded to the fire and reported that, by 9:00 a.m., the fire was fully contained. Maui Fire Department personnel remained on the scene until the early afternoon and then departed. According to a subsequent interview given by the Maui Fire Chief, the Fire Department determined the fire had been "extinguished."

In the early afternoon, Hawaiian Electric emergency crews arrived at the intersection on Lahainaluna Road to make repairs to the equipment. When they arrived, they saw no fire, smoke or embers. Shortly before 3:00 p.m., after the Fire Department had left the area, the crew observed smoke coming from the field across from the Intermediate School, about 75 yards from where the morning fire was first observed.

At the time the 3:00 p.m. fire was first observed, all distribution and transmission lines in West Maui, including Lahaina, were de-energized and had been that way for several hours. Crew members immediately called 911 and reported the fire in the field. By the time the Maui County Fire Department arrived back on the scene, it was not able to contain the afternoon fire. Fueled by strong winds, the fire spread out of control toward Lahaina.

No determination as to the cause of the 3:00 p.m. fire has been made.

The wind and fire damaged many poles and lines. Prior to and during the evacuation of Lahaina, Hawaiian Electric crew members heroically acting on their own initiative or at

request of local authorities cleared downed or damaged electrical equipment from roadways when they could reach the location.

(2) Please describe all actions taken by Hawaiian Electric to address fire risks to the electric grid on Maui prior to August 8, 2023 (going back through 2013).

Response: Since 2013, Hawaiian Electric has addressed fire risks to the electric grid through direct actions and efforts, and indirectly as a part of overall efforts to improve grid reliability and resilience. These actions and efforts include developing a Wildfire Mitigation Plan ("WMP"), making investments, and implementing programs and processes as described below.

As part of its ongoing wildfire mitigation efforts, in 2019, Hawaiian Electric began developing a WMP to take proactive measures to address wildfire risks. While such plans are mandated in California, Hawaiian Electric developed its plan of its own volition. The current plan, finalized in January 2023, is the result of a multi-year effort with analysis and input from many facets of the company. Hawaiian Electric began implementing multiple projects contemplated in the WMP, even before the WMP was finalized.

The purpose of the WMP is to mitigate the potential for Hawaiian Electric facilities either to cause an ignition or to exacerbate the severity or size of a wildfire. The WMP provides a framework for a comprehensive and coordinated wildfire mitigation strategy across O'ahu, Maui County,[1] and Hawai'i Island. The WMP is flexible, recognizing that each island has unique transmission and delivery systems and features and distinct geographic, environmental, and resource considerations. The measures outlined in the WMP involve: 1) equipment inspections; 2) vegetation management; 3) system hardening; 4) situational awareness; and 5) operations. Each of these areas is described in more detail below. The WMP incorporates, improves, and adds to measures Hawaiian Electric has had in place for many years prior.

In June 2022, Hawaiian Electric filed an application with the Hawai'i Public Utilities Commission ("HPUC") to fund resilience enhancement measures, including a host of projects and measures identified in the WMP.[2] In April 2023, Hawaiian Electric also submitted a request for funding under the 2021 Infrastructure Investment and Jobs Act ("IIJA") for its resilience program. While the HPUC application and IIJA request were

[1] "Maui County" refers to Hawaiian Electric's service territories on the islands of Maui, Lanai, and Molokai, and includes references herein to "Maui." References to the island of Maui only are designated as "Maui Island."
[2] In 2019, Hawaiian Electric formed a Resilience Working Group ("RWG"), which engaged state and national agencies, commercial and industrial customers, and not-for-profit interest groups to develop resilience planning inputs for Hawaiian Electric's Integrated Grid Planning ("IGP") process, as well as recommendations for utilities and customers to implement outside of the IGP process. The RWG identified and prioritized hurricanes/floods/winds as a primary resilience threat to the electric grid, but also identified wildfires as a priority threat. The outcomes of these RWG discussions were incorporated into the Integrated Grid Plan as part of resilience strategy and approach, and also helped inform the development of this application to the HPUC.

pending, Hawaiian Electric proceeded to initiate a number of system hardening projects described in the WMP, including on Maui, as set forth below.

(a) Inspections:

Hawaiian Electric undertakes maintenance and inspections of facilities and equipment in Maui County through several programs to ensure the structural and operational integrity of its infrastructure. These programs address transmission and distribution facilities, including poles, structures, overhead and underground lines, substations, vaults, transformers, and switchgear, as well as the communication system required to monitor and operate the automated equipment on and within these facilities. Inspection and maintenance programs on Maui mitigating wildfire risk include pole "test and treat" inspections, aerial and driving inspections of transmission systems, and as-needed inspections and maintenance of distribution systems. Since 2013, Hawaiian Electric has spent more than $8M on Maui County inspecting transmission and distribution systems.

Hawaiian Electric performs general aerial inspections of Maui's transmissions facilities by helicopter bi-annually, and aerial inspections are also performed for storm damage assessment and system interruptions as needed. Additional patrols are conducted by vehicle and on foot in certain areas. Hawaiian Electric also recently completed infrared inspections of its transmission lines on Maui.

The wood pole test and treat program for Maui includes inspections and tests of wood pole strength, inspection of anchors, as well as treatment of poles for wood rot and termites. The results of these inspections inform decisions with regard to which poles require replacement or restoration. Since 2013, Hawaiian Electric has performed test and treat on approximately 29,000 of approximately 31,000 wood poles in Maui County.

(b) Vegetation Management:

Hawaiian Electric's vegetation management program focuses on preventive maintenance on overhead distribution and transmission lines. The vegetation management program seeks to minimize line and facilities contact, and thus reduce fire risk, by pruning or removing vegetation within easements and County and State rights-of-way from the immediate vicinity of overhead electrical conductors (concurrent with the landowner's obligation to exercise reasonable care to prevent damage to utility facilities on their property). Because land is limited in Hawai'i, utility easements are generally more restrictive as compared to the mainland U.S. in terms of the radius in which vegetation clearance is allowed.

The trimming cycle for each circuit is determined based on a combination of several factors, including inspections, reliability data, vegetation type, tree density, growth rates, and area. The current vegetation management work plan for Maui County seeks to prune transmission and distribution circuits—approximately 1000 circuit miles—every 18-24 months and to inspect each circuit six months after pruning. For Maui County, half of the overhead circuit miles trimmed in 2022 were distribution circuits. Transmission circuit trimming priorities for Maui County were determined based on data from LiDAR inspections completed in

December 2021. Since 2013, Hawaiian Electric has committed approximately $30M to vegetation management in Maui County and trimmed over 1,200 circuit miles between 2021 and August 2023.

(c) System Hardening:

The WMP includes targeted system hardening projects in identified priority areas to make Hawaiian Electric facilities more robust and mitigate the potential for wildfire ignitions. System hardening is an on-going design and implementation process. For example, Hawaiian Electric completed designs for shield wire replacement for certain transmission lines running to West Maui in order to prevent failures that could cause the shield wire to fall into energized conductor and cause sparks. In April through August of 2023, transmission structures along these same lines were also replaced to higher wind speed ratings in preparation for the shield wire replacement. Hawaiian Electric has also begun to deploy field devices, such as smart reclosers and smart fuses (both set for non-reclose), which can be used to improve fault sensitivity and detection and reduce ignition risk. Three smart fuse design packages and one reconductoring design package for priority areas identified in the WMP are also complete.

In addition to the pole replacement efforts outlined above, Hawaiian Electric spent approximately $10M over the last ten years to harden its system through transmission and distribution upgrade projects. These include reconductoring projects utilizing covered conductors in certain areas and rebuilding older areas with voltage conversion projects. Since 2019, Hawaiian Electric has installed approximately 90,000 feet of Hendrix spacer covered conductor on Maui and Moloka'i. These lines improve reliability and mitigate fire risk by reducing the likelihood of faults caused by conductors making contact with objects, and contact between phases, or swing shorts. A design project was commenced in April 2023 to replace approximately 6.4 miles of single strand copper on Maui with multi-strand aluminum conductors, which is generally stronger. Construction was slated for October. This effort will replace older solid copper conductors that were more prone to breaking.

Since March 2023, Hawaiian Electric has been inspecting and strengthening 106 transmission structures near Olowalu that supply power to the west side of Maui. The new upgraded poles are designed to withstand stronger wind gusts. This resiliency work in Olowalu to date has included replacing 61 poles, 142 anchors, and deteriorated hardware such as bolts and braces. This upgrade will improve resilience in an area identified for higher wildfire risk.

Since 2013, Hawaiian Electric has spent over $126M replacing approximately 5,200 wood poles and upgrading pole components such as crossarms, conductor, and insulators in Maui County.

(d) Situational Awareness:

As part of the WMP, Hawaiian Electric has identified and prioritized circuits for deployment of weather stations and video cameras to improve situational awareness, which will enhance the identification of dangerous weather conditions and fire confirmation capabilities.

On Maui Island, three weather stations have been installed in West Maui at the Mahinahina, Napili, and Pu'ukoli'i substations. These stations are collecting data, and procedures to incorporate the data operationally are in development. Different models and technologies of video cameras were tested and piloted on Oahu in 2021 and 2022. Five video cameras were purchased for Maui in 2023 and are slated to be installed this year. Hawaiian Electric also tested early fire detection sensors on O'ahu, which will be purchased for Maui in 2023.

(e) Operations:

The WMP recommends consideration of certain operating procedures in the event of Red Flag Warning type conditions, including the disabling of automatic reclosing capabilities for circuit breakers and reclosers. Even before the recommendation in the WMP, Maui had a reclose blocking procedure. Under this procedure, Hawaiian Electric blocks automatic reclosing on certain circuit breakers and reclosers on Maui, Moloka'i, and Lāna'i when Red Flag Warnings or High Wind Warnings are issued by the National Weather Service. These procedures reduce the likelihood of Hawaiian Electric facilities igniting a fire by preventing certain lines from attempting to reclose and reenergize in the event that a protective device operates to de-energize a line in a fault condition.

(f) Other Efforts:

Certain other efforts to improve the reliability and resilience of the electric grid on Maui also indirectly address fire risk. For example, Hawaiian Electric has on-going asset management programs for Maui County that resulted in the replacement of Transmission & Distribution system components as well as programs to enhance reliability. System upgrades that serve the grids on Maui, Lāna'i, and Moloka'i include: (1) replacing aging infrastructure by upgrading existing relays, circuit breakers and switchgears; and (2) upgrading the telecommunications infrastructure to support efficient, secure and reliable business and utility operations and to facilitate Advanced Metering Infrastructure, Distribution Automation, smart grid technologies and customer programs. Since 2013, Hawaiian Electric has spent over $20M replacing relays, circuit breakers and switchgears to modernize the grid and reduce the clearing time of faults on Maui County.

Cyber security and physical security efforts are also key aspects of resilience that are integrated with emergency response, generation/power supply resilience, transmission and

distribution resilience, and system/grid operation resilience. Indeed, the Resilience Working Group identified as priorities securing the grid from physical and cyber threats.[34]

(3) Please describe all actions taken by Hawaiian Electric, Hawaii Public Utilities Commission, Hawai'i State Energy Office and any other applicable entities to mitigate invasive grasses and other vegetation on the island of Maui, in order to prevent or minimize fire risks.

Response: The vast bulk of invasive grasses on the island of Maui are not on land owned or controlled by Hawaiian Electric. Any invasive grasses and other vegetation on property owned by Hawaiian Electric are addressed in the normal course by Hawaiian Electric's landscaping personnel. Landscaping includes mowing, trimming and on occasion, in areas where it is permitted, use of an herbicide. Landscaping of the Kahului Base Yard is performed monthly. Interior vegetation management at Hawaiian Electric's substations is performed twice a year approximately during the months of May-June and November-December; exterior vegetation management at the substations is performed monthly.

Hawaiian Electric's overhead lines generally run over property that Hawaiian Electric does not own. Hawaiian Electric's vegetation management program within easements and rights of way is primarily focused on potential interference with overhead transmission and distribution circuits, and minimizes outages as well as associated fire risk by removing vegetation that may come into contact with overhead electrical conductors. Eliminating vegetation, such as grasses, present in easements and rights-of-way, but not tall enough to contact the lines, is not generally within Hawaiian Electric's rights. Hawaiian Electric's vegetation management work plan for Maui County is discussed more fully in response to Question #2 above.

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[3] Hawaiian Electric's cyber security program is based on National Institute of Standards and Technology ("NIST") Cyber Security Framework which incorporates continuous risk assessment and improvement. As a critical infrastructure provider for customers and the community, including the state of Hawai'i, the major branches of the military, and United States Indo Pacific Command, Hawaiian Electric is a potential target for a variety of threat actors, including nation states. Hawaiian Electric's cyber security program is based on Defense in Depth, layered security, and a continuous risk assessment and improvement based on the NIST cyber security framework. Consistent with the Department of Homeland Security's "Seven Strategies to Defend Industrial Controls Systems," Hawaiian Electric's ongoing cyber security focus areas are to expand capabilities to mitigate common exploitable weaknesses in "as-built" control systems, telecom systems, and grid modernization systems. This includes investments in highly skilled resources, new in-house capabilities, and third-party services, expanded hours of operation and extended coverage of continuous monitoring by the Network Operations and Security Center, and further segmentation of network architecture to isolate and protect critical assets.

[4] Hawaiian Electric's physical security program is designed to restrict unauthorized access to facilities, equipment and resources, and to protect personnel and property from damage or harm. Hawaiian Electric has enhanced the physical security of its assets, resources, and systems through guard services, physical patrols of high-risk facilities, and electronic security monitoring systems. As an example, Hawaiian Electric upgraded its closed-circuit television system to provide better and continuous video coverage of its facilities, and the internal software notification feature with motion sensor continuously monitors activity and provides real time alerts on suspicious activity. Hawaiian Electric also continues to liaise with local law enforcement agencies to adjust to emerging threats and provide for a quick and coordinated response.

Additionally, in Docket No. 2022-0135 (Climate Adaptation Transmission and Distribution Resilience Program), Hawaiian Electric has proposed a plan to remove off-right-of-way hazard trees that pose a danger to lines. Hazard trees outside of the right-of-way are known to be a major cause of damage to utilities exposed to severe weather events and have also been shown to pose a significant wildfire risk to utilities operating in high wildfire risk areas. Unlike routine vegetation management, hazard tree removal eliminates the risk posed by hazard trees. Hawaiian Electric has conducted LiDAR surveys of all transmission and sub-transmission lines and identified trees that are large enough to overstrike and damage lines if they were to fail. This data is then supplemented with individual risk assessments to target those trees with obvious defects for removal. Work is currently being prioritized to first address lines that both 1) are critical to system resilience, and 2) have high fall-in tree risk (based on density of hazard trees and historical outages).

Hawaiian Electric defers to the HPUC and Hawai'i State Energy Office to describe any actions that they may have taken responsive to this question.

(4) Please provide Hawaiian Electric spending on Maui for the past ten years, including, but not limited to, specific spending for utility infrastructure, for energy generation, to meet Hawaii's renewable energy mandates, and to address identified fire risks.

Response: Hawaiian Electric does not track spending in the exact categories referenced in this question. However, to be responsive to the request, Hawaiian Electric determined costs incurred by Maui Electric Company, Limited, which includes all of Maui County (Maui Island, the largest and most populated, Lāna'i and Moloka'i islands) during specific years for capital expenditures (projects and programs) and Operations & Maintenance ("O&M") work. Hawaiian Electric then aggregated various costs for the period from 2013 to July 2023 into the categories listed in the question: "Utility Infrastructure," "Energy Generation," "Meeting Hawaii's Renewable Energy Mandates," and "Addressing Identified Fire Risk". Interpretations and assumptions that were made as part of categorizing the spending this way are discussed below.

Utility Infrastructure. Hawaiian Electric spent approximately $620 million for "Utility Infrastructure" for Maui County from 2013 to July 2023. Utility Infrastructure includes all capital projects and programs and O&M spending in the Energy Delivery and Telecommunications functional areas, which includes Transmission & Distribution, Substation & Meter, and Telecom infrastructure. Capital expenditures generally include projects and programs that will enhance Hawaiian Electric's ability to (i) serve customer requests, (ii) upgrade infrastructure and manage critical assets to modernize the grid and maintain reliability, and (iii) improve safety for the public and Hawaiian Electric's employees. O&M spending includes costs for vegetation management, asset management programs, inspection programs, substation preventative maintenance programs, and related activities.

Addressing Identified Fire Risks. Included in Utility Infrastructure spending, Hawaiian Electric spent approximately $200 million for Maui County activities identified in the response to Question #2 above from 2013 to July 2023. As noted above, this includes capital

expenditures for investments in grid hardening ranging from pole replacements, conductor replacements, sensors and cameras, as well as approximately $30 million for vegetation management costs across Maui County. This also includes spending for inspections for test and treat programs and routine quarterly inspections of Hawaiian Electric's circuits.

Energy Generation. Hawaiian Electric spent $2 billion for "Energy Generation" from 2013 to July 2023 for Maui County. Energy Generation includes costs to operate, maintain, design, construct, and selectively retire generation resources. Also included in the Energy Generation category is the cost of fuel consumed by Hawaiian Electric's electric generation facilities. Fuel costs of $1.6 billion are included in the total Energy Generation amount and are the largest category of spending. The cost of imported petroleum fuel is a primary factor determining current electricity prices for Maui County customers. Environmental compliance costs are also included in this category and include spending associated with all environmental regulations including annual fees, monitoring emissions and other testing requirements as defined by the EPA.

Meeting Hawaii's Renewable Energy Mandate.[5] Hawaiian Electric spent approximately $630 million for costs associated with "Meeting Hawaii's Renewable Energy Mandate" for Maui County from 2013 to July 2023. The spending in the Meeting Hawaii's Renewable Energy Mandate category includes (i) developing and supporting long-range resource plans; (ii) supporting demand response programs; (iii) developing and administering customer-distributed energy resource programs; (iv) soliciting and implementing renewable purchase power contracts; (v) administering purchase power contracts; (vi) interconnecting more renewable distributed energy resources, and (vii) purchasing energy under the related renewable purchase power agreements (PPAs). The cost of the energy from the renewable PPAs is $540 million, for various independent power producers across Maui County.

(5) What Hawaiian Electric actions regarding fire risks to the Maui electric grid are pending before the Hawaii Public Utilities Commission? What is the status of those actions?

Response: There are three proceedings pending before the HPUC that have elements relevant directly and indirectly to wildfire risk mitigation. They are:

Docket No. 2019-0327: Phase 2 Grid Modernization Project. In relevant part, Hawaiian Electric's application seeks approval to deploy field devices and acquire an Advanced Distribution Management System (ADMS) to more fully implement Hawaiian Electric's Grid Modernization Strategy. The field devices include voltage control technologies, line sensors, remote fault indicators, and remote intelligent switches such as reclosers and smart fuses to enable better grid management, improve reliability, enhance resiliency, mitigate wildfire risk, and enhance circuit/system protection. ADMS and attendant devices will improve situational awareness and enable grid operators to better coordinate operational changes during emergency situations such as hazardous weather events.

[5] Hawaii's renewable energy initiative can be traced back to 2008 under the Hawaii Clean Energy Agreement, which was focused on reducing on Hawaii's dependence on imported oil, and was supported by the U.S. Department of Energy under President George W. Bush.

Status: The docket is still in the discovery phase.

Docket No. 2022-0135: Climate Adaption Transmission and Distribution Resilience Program. In relevant part, Hawaiian Electric's application seeks approval to make investments to create a more resilient power system that will reduce the severity of damage when major events happen and allow service to be restored to customers more quickly. The investments are targeted to address the highest-value projects that will focus on the biggest vulnerabilities in the most cost-effective way including in relevant part: strengthening the most critical transmission lines to withstand extreme winds; bolstering distribution lines serving critical community lifeline facilities such as hospitals, military facilities, communications infrastructure, water and wastewater facilities, and emergency response facilities; hardening targeted utility poles in order to reduce restoration times after a severe event; removing especially hazardous trees to prevent them from falling onto lines in a severe event; strengthening lines and deploying devices to help prevent and respond to wildfires; and installing distribution feeder ties at isolated substations on Maui that will allow power to be restored more quickly in the event of an outage.

Status: The procedural steps for the parties have been completed as of April 28, 2023. Upon completion of the issuance and answering of any remaining information requests from the HPUC, the docket will be ready for decision making.

Docket No. 2018-0165: Integrated Grid Plan Final Report. This proceeding was initiated to investigate and consider an integrated grid planning process proposed by Hawaiian Electric and to develop an Integrated Grid Plan with input from customers, stakeholders and community members, to forecast and meet future energy needs. The integrated grid planning process engaged industries and governmental agencies through a Resilience Working Group. That Working Group identified and prioritized hurricanes/floods/winds as a primary resiliency threat but also identified wildfires as a priority threat. The outcomes of these Resilience Working Group discussions were incorporated into the Integrated Grid Plan as part of resilience strategy and approach. The Integrated Grid Plan was filed with the HPUC on May 12, 2023.

Status: The procedural steps for the parties have been completed as of June 30, 2023. Upon completion of the issuance and answering of any remaining information requests from the HPUC, the docket will be ready for decision making.

(6) Has the Hawai'i State Energy Office been involved in grid modernization, hardening, and resilience efforts by Hawaiian Electric? If yes, please describe those efforts.

Response: Hawaiian Electric respectfully defers to the Hawai'i State Energy Office to describe any involvement it may have had in grid modernization, hardening, and resilience efforts by Hawaiian Electric.

(7) In July 2021, the Maui county government assessed and issued a report on the growing threat of fire to the island. Did the report involve any recommendations regarding the electric grid? If yes, what is the status of implementing those recommendations?

Response: The County of Maui Cost of Government Commission issued its Report on Wildfire Prevention and Cost Recovery on Maui in July of 2021 (attached to this response). The Report recommended actions to personnel in the County of Maui to pursue to reduce the frequency, magnitude, and threat of wild/brush/forest fires on Maui Island. While Hawaiian Electric was not involved in the development of this Report, it has identified one relevant recommendation regarding the electric grid out of eight of total recommendations from the July 2021 Report:

> *7. Above ground power lines that fail, short, or are low hanging can cause fire ignition (sparks) that could start a wildfire, particularly in windy or stormy conditions. This condition is exacerbated by overgrown areas in the rights of way beneath the lines.*
>
> ***Action**: Routinely inspect power transmission lines and rights of way. Task County and the electric utility companies with corrective actions. (See p. 12).*

The report also included the following additional recommendation:

> 7. *Above ground power lines are vulnerable to wildfire and can provide the ignition (sparks) that could start a wildfire, particularly in windy or stormy conditions. There are long-term solutions for reducing power line-related wildfire hazards such as infrastructure upgrades. More immediate solutions include fuels reduction and firebreaks around power infrastructure in "hotspot" areas whichever the source of ignition.* (See p. 13).

The County of Maui, as far as Hawaiian Electric is aware, did not task Hawaiian Electric with taking any action in response to these recommendations. Nevertheless, Hawaiian Electric's actions to address fire risks, as described in response to questions 2, 3 and 5 above are also responsive to this question no. 7.

(8) What orders has the Hawaii Public Utilities Commission issued, or actions taken, since 2018, to address fire risks to the electric grid on Maui?

Response: Hawaiian Electric respectfully defers to the Hawaii Public Utilities Commission on what orders it has issued or actions it has taken since 2018 to address fire risks to the electric grid on Maui.

(9) What actions did Hawaiian Electric take after the Maui fires on August 8, 2023, relating to the removal of any equipment, including but not limited to, damaged power lines and poles?

Response: The windstorm and fires on August 8, 2023 damaged a significant volume of Hawaiian Electric equipment. After the fire, some of that damaged equipment remained in place; other equipment had been cleared during the evacuation process on August 8 or otherwise to support public safety that day. Some equipment that may be evidence in ongoing or future litigation was documented and is being preserved as described more fully below. Other equipment is being removed in coordination with relevant authorities as part of the ongoing cleanup and safety efforts in and around Lahaina.

Hawaiian Electric does not own or control the streets or land around or beneath its facilities in the area where the Lahaina Fire is thought to have ignited, and no government authority cordoned off any of the facilities or otherwise secured the area. Hawaiian Electric, therefore, took prompt and prudent steps to secure, document and preserve pieces of its equipment that may be relevant to future litigation. Specifically, Hawaiian Electric engaged a third party with expertise in physical evidence documentation, collection, and preservation, which documented, tagged, and moved such equipment to a secure warehouse operated by the third-party vendor. The vendor is preserving that equipment in that secure warehouse. In coordination with the vendor, Hawaiian Electric promptly made that equipment available to an investigator from the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), who conducted an examination of the material in that warehouse over three days. At the request of the ATF, the vendor took two additional items into the secure warehouse on August 29 for preservation.

Hawaiian Electric continues to preserve the equipment in the secure warehouse and will make it available in the future, as appropriate, to government investigators and other parties to legal proceedings. In total, there are approximately 100 pieces of equipment that Hawaiian Electric is preserving. A photograph showing some of the equipment being preserved by the vendor is shown below.

Equipment being preserved in the secure warehouse.

Following the initiation of litigation, the Court in the first-filed action held a conference that included counsel for Hawaiian Electric and counsel for a putative class. The Court asked the parties to discuss steps to formalize the terms on which Hawaiian Electric would preserve evidence, and following submission of proposals from the parties, the Court entered an Interim Discovery Order dated August 18, 2023, governing, among other things, the procedures for Hawaiian Electric's removal and storage of damaged equipment from Lahaina. In particular, the Court ordered Hawaiian Electric to document removal of all equipment from Lahaina and to keep all such equipment, regardless of whether the equipment may or may not be relevant to future litigation. This is an enormous undertaking. Hawaiian Electric is unaware of such a large preservation burden ever having been imposed on a private party. Hawaiian Electric has been complying in good faith with the Interim Discovery Order as cleanup and safety work continues. On August 22, 2023, Hawaiian Electric provided notice of the Interim Discovery Order to counsel in all cases that had been filed concerning the fires; that communication detailed steps Hawaiian Electric intended to follow in compliance with the Interim Discovery Order, including with respect to the removal and storage of damaged equipment. A copy of the August 22, 2023 Notice, which includes the Interim Discovery Order, is attached hereto as Exhibit 1.

(10) Did Hawaiian Electric, Hawaii Public Utilities Commission, and/or the Hawai'i State Energy Office receive any funds from the Infrastructure Investment and Jobs Act of 2021 or the Inflation Reduction Act of 2022? If so, please provide the amount of money, the program under which the funding was awarded, and the type of funding (grant, loan, etc.).

Response: Hawaiian Electric has not received any funds under the Infrastructure Investment and Jobs Act of 2021 or the Inflation Reduction Act of 2022. However, on August 29, 2023, Hawaiian Electric was notified that the U.S. Department of Energy ("DOE") has recommended for award, subject to negotiation of the terms of financial assistance, Hawaiian Electric's application for $95 million in Infrastructure Investment and Jobs Act of 2021 funding for the Companies' Climate Adaption Program ("Resilience Program"). This award would provide federal matching funds for approximately 50% of the cost for the Resilience Program. In its selection letter to Hawaiian Electric, the DOE indicated that it would soon begin the negotiation process and the necessary requirements to finalize the award based on this application.

Sincerely,

Shelee Kimura
President & CEO

JOSH GREEN, M.D.
GOVERNOR

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September 19, 2023

Cathy McMorris Rodgers
Chair, Committee on Energy and Commerce

Jeff Duncan
Chair, Subcommittee on Energy, Climate, and Grid Security

H. Morgan Griffith
Chair, Subcommittee on Oversight and Investigations

Re: Hawaii Public Utilities Commission Response to US House Committee on Energy & Commerce

Dear Chairwoman Rodgers, Chairman Duncan, and Chairman Griffith:

The members and staff of the Hawaii Public Utilities Commission ("Commission" or "PUC") sincerely appreciate the outpouring of support and kind words for our communities that have been irreversibly impacted by the recent catastrophic wildfires. The Commission is devastated by this tragedy and our hearts go out to all of the victims and their loved ones. We are focused on supporting safe and efficient restoration of affected areas in the near-term, and in the long-term, we will promote rebuilding in a way that reflects community priorities and state of the art resilient infrastructure.

We appreciate the opportunity to share with your Committee the ways in which the Commission regulates utilities across Hawaii to ensure that our grid infrastructure is as reliable, safe, clean, and affordable as possible. For many years, the Commission has emphasized these critical and interconnected priorities and their importance in serving Hawaii's residents. We are steadfastly committed to public service, which necessitates addressing growing threats from natural disasters. We look forward to collaborating with you to develop the best solutions to ensure events like the Maui wildfires never occur again.

Sincerely,

Leodoloff R. Asuncion, Jr., Chair

LRA:ljk

In our capacity as Chairs of the Committee on Energy and Commerce of the U.S. House of Representatives and its respective energy policy and oversight subcommittees, we are empowered to oversee energy supply, reliability of all power, and regulation of energy resources throughout the country. To that end, we seek a fuller understanding of the role, if any, of the electric infrastructure in this tragic event. Accordingly, we respectfully request that you provide at your earliest convenience answers to the following questions regarding the August 8th Lahaina fire, as well as related actions and events prior to the fire:

1) **What is your understanding of the sequence of events and actions on August 8, 2023, involving the Lahaina fire, including actions taken by Hawaiian Electric?**

The Commission is awaiting official results from ongoing investigations into the sequence of events on August 8, 2023. The Commission does not otherwise have firsthand observations of the events and actions on August 8, 2023 involving the Lahaina fire, so the Commission cannot provide a direct response to this question at this stage. However, the Commission is lending support to existing ongoing investigations.

For example, the Commission points to the joint investigation between the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") and the Maui Fire Department ("MFD"). As part of that investigation, ATF traveled to Maui and requested resources from the Commission, and the Commission assigned two staff members who are dedicated to supporting ATF and MFD in their joint investigation. The Commission is also committed to supporting the ongoing comprehensive review by the State Attorney General's Office, as well as all other ongoing investigative efforts by expert agencies that are collecting critical information during this time.

2) **Please describe all actions taken by Hawaiian Electric to address fire risks to the electric grid on Maui prior to August 8, 2023 (going back through 2013).**

The Commission understands that Hawaiian Electric[1] will be providing a comprehensive summary of all utility actions taken to address fire risks to the electric grid on Maui going back to 2013, so the Commission will generally defer to Hawaiian Electric's response for details on this question.

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[1]Hawaiian Electric Company, Inc. or "HECO" is the utility that provides electric service on the island of Oahu, and is the parent company of Maui Electric Company, Ltd., sometimes referred to as "MECO," which provides electric service on the island of Maui, and Hawaii Electric Light Company, Inc., sometimes referred to as "HELCO," which provides electric service on Hawaii Island. Collectively, they are referred to in this response as "Hawaiian Electric" or "the Companies."

However, as part of our prior regulatory oversight of Hawaiian Electric, the Commission gained knowledge of numerous actions by Hawaiian Electric to address fire risks to the electric grid on Maui in the ten-year period prior to August 8, 2023. For example, the Commission is aware that Hawaiian Electric has standard procedures in place governing vegetation management, asset sustainment, asset inspection, and asset management.

Hawaiian Electric also regularly submits responses to inquiries from the Commission regarding resilience. For example, in 2021, Hawaiian Electric provided responses to the Commission's inquiries into actions taken by Hawaiian Electric to mitigate outages on Maui caused by high wind and wildfire events.[2] As part of those responses, Hawaiian Electric identified the following activities that were complete, in-progress, planned, or being investigated as of 2021:

- Enhanced asset inspection, repair, and replacement programs;
- Enhanced vegetation management;
- System protection reviews and improvements;
- Priority circuit reliability improvement programs, such as installation of smart reclosers or smart fuses;
- Identification and upgrading of priority infrastructure via replacement, adding guying, adding poles, reconductoring, changing pole configurations, shield wire installation, other hardware replacement, and applying fire-retardant;
- Exploration of community microgrids;
- Purchase of temporary transmission towers;
- Targeted lateral undergrounding;
- Hazard tree removal;
- Creation of a joint storm inventory facility;
- Addressing overhead conductor sag, clearance, and tension;
- De-energization and isolating faults;
- Improving situational awareness via installation and deployment of advanced distribution management system (ADMS), weather stations, cameras, secondary line monitors (some of which can detect heat and smoke), and communications-enabled fault circuit indicators for high-risk areas;
- Operational protocols for wind conditions; and
- Response plans.

[2]Please see Docket No. 2019-0327, HECO response to PUC-HECO-IR-105, filed July 13, 2021, and Docket No. 2021-0024, HECO Response to PUC-HECO-IR-06.B, filed April 12, 2021, and Supplemental Response to PUC-HECO-IR-6.B, filed May 6, 2021.

These efforts initially focused on Ma‘alaea to Kapalua, which includes the area impacted by the recent Lahaina wildfires. Hawaiian Electric specifically identified that, as of 2021, it had completed or nearly completed the installation of weather station cameras and smart fuses at three substations on Maui and planned installation of an additional weather station camera at the Lahaina Luna substation. Hawaiian Electric has also been moving to an “optimized cycle pruning approach” to vegetation management informed by routine inspections of its infrastructure.[3]

Following Hawaiian Electric’s provision of the above information in 2021, the Commission continued to inquire about Hawaiian Electric’s resilience and reliability planning and activities, including issuing follow-up information requests into the status and progress of the efforts identified above.[4] Most notably, the Commission has been engaged in an investigation of Hawaiian Electric’s overall resilience strategy in Docket No. 2022-0135, which was opened on June 30, 2022. The status of Docket No. 2022-0135 is discussed more fully in response to Question 5 below about pending actions. (Please also see the response to Question 8 for additional information, particularly as it relates to actions that directly involve the PUC.)

Finally, Hawaiian Electric has also partnered with public stakeholders, including the Commission, as part of a statewide Resilience Working Group (“RWG”) established in 2019 to develop strategies surrounding grid resilience, with particular focus on hazard planning, including wildfire mitigation.[5] The activities and findings of the RWG are described more fully in response to Question 8.

3) **Please describe all actions taken by Hawaiian Electric, Hawaii Public Utilities Commission, Hawai’i State Energy Office and any other applicable entities to mitigate invasive grasses and other vegetation on the island of Maui, in order to prevent or minimize fire risks.**

The PUC is statutorily tasked with the authority to proactively regulate the spending and reliability and resilience efforts of public utilities, including utility vegetation management practices. As part of the PUC’s oversight of utility vegetation management, the PUC does

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[3]Please see Docket No. 2021-0024, HECO Supplemental Response to PUC-HECO-IR-6.B, filed May 6, 2021.

[4]For example, please see Docket No. 2022-0135, PUC-HECO-IR-17, filed September 11, 2023.

[5]Please see Hawaiian Electric’s Resilience Working Group document repository for more information: https://www.hawaiianelectric.com/clean-energy-hawaii/integrated-grid-planning/stakeholder-and-community-engagement/working-groups/resilience-documents.

not directly manage or oversee mitigation of invasive grasses or other invasive vegetation outside of utility rights-of-way.

Vegetation management is part of the utility's regular and ongoing wildfire mitigation and reliability work. It includes tree trimming, vegetation control (herbicide spraying and cut stump treatment), emergency response work (storm restoration, tree failures, encroachments), response to customer complaints, inspections, and Light Detection and Ranging (LiDAR) surveys. Again, however, the Commission's authority to regulate the utility's vegetation management within the relevant utility rights-of-way does not extend to management of invasive vegetation more broadly on Maui.

4) **Please provide Hawaiian Electric spending on Maui for the past ten years, including, but not limited to, specific spending for utility infrastructure, for energy generation, to meet Hawaii's renewable energy mandates, and to address identified fire risks.**

The Commission understands that Hawaiian Electric will be providing detailed historical spending information to the Committee, so the Commission believes it is appropriate to defer to Hawaiian Electric's response to this question.

As part of its regulatory oversight of Hawaiian Electric, the Commission has received information about Hawaiian Electric's spending activities, which can be provided as needed.

5) **What Hawaiian Electric actions regarding fire risks to the Maui electric grid are pending before the Hawaii Public Utilities Commission? What is the status of those actions?**

The status of pending Hawaiian Electric dockets is summarized below.

Docket No. 2022-0135:

On June 30, 2022, Hawaiian Electric submitted an application to the Commission for approval to commit $189 million in funds over a five-year period toward a Climate Adaptation Transmission and Distribution Resilience Program. This project covers wildfire mitigation measures across all Hawaiian Electric service territories, including on Maui.[6] Hawaiian Electric's application identifies three major goals related to wildfire prevention and mitigation: 1) Minimize the probability that the Companies'

[6]Please see Docket No. 2022-0135, *Application of Hawaiian Electric Company, Inc., Hawai'i Electric Light Company, Inc., Maui Electric Company, Limited; Exhibits A Through L; Verification; and Certificate of Service,* at pages 49 - 52, filed June 30, 2022.

infrastructure becomes the origin or contributing source of wildfire ignition; 2) Prevent the Companies' infrastructure from contributing to the severity or breadth of wildfires; and 3) Implement operational procedures for wildfire response that maintain customer and employee safety, remain sensitive to customers' need for reliable electricity, and allow the utility to respond effectively to the wildfire. The project, which is supplemental to activities under the Grid Modernization Phase 2 docket and the Companies' ongoing asset sustainment programs, includes many measures focused on both system hardening and situational awareness. System hardening measures include identification of priority wildfire risk areas, pole and hardware upgrades, minimizing the possibility of equipment contact with vegetation via re-tensioning and other hardware solutions, replacing single-strand copper conductors, and installing reclosers. Situational awareness measures include installation of weather stations, video cameras, secondary line monitors, and fault current indicators.[7] Importantly, the project application noted that Hawaiian Electric's work on wildfire prevention and mitigation described in the application would continue prior to Commission approval of the application.[8]

In parallel with the application to the Commission, Hawaiian Electric noted that it was also applying for federal funding under the Infrastructure Investment and Jobs Act of 2021 ("IIJA"). On April 3, 2023, the PUC provided a letter of support for Hawaiian Electric's IIJA funding application, observing alignment towards State and Commission policy objectives and stating that it would make every reasonable effort to complete its review and issue a decision on Hawaiian Electric's application within 90 days of receipt of notification of IIJA funding approval.

On August 30, 2023, the Commission received notice from Hawaiian Electric that the U.S. Department of Energy had awarded Hawaiian Electric a grant of $95 million for this project pursuant to the IIJA. In light of the recent IIJA funding notice, the Commission is currently undertaking an expedited review of Hawaiian Electric's application.

Docket No. 2019-0327:

In May 2023, the Commission resumed consideration of Docket No. 2019-0327, Grid Modernization Phase 2, in which Hawaiian Electric seeks Commission approval to deploy advanced field devices, some of which could help with wildfire prevention or response, such as advanced distribution management systems (ADMS), weather station cameras, and remote intelligent switches and fuses.

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[7]Please see Docket No. 2022-0135, HECO Response to CA-IR-17, filed November 14, 2022.

[8]Please see Docket No. 2022-0135, *Application of Hawaiian Electric Company, Inc., Hawai'i Electric Light Company, Inc., Maui Electric Company, Limited; Exhibits A Through L; Verification; and Certificate of Service,* at page 52, filed June 30, 2022.

The Commission had previously suspended consideration of this application in November 2021, noting that there was significant risk of overlap in the functionality of the investments in Phase 1 (advanced metering infrastructure) and Phase 2. The suspension was intended to allow Hawaiian Electric more time to deploy advanced meters with the intent of gathering more data with which to assess the application and to ensure delivery of customer benefits from these significant investments.

Hawaiian Electric is seeking $50 million in IIJA funding for this project as well. As with the Climate Adaptation Transmission and Distribution Resilience Program described above, the Commission provided a letter of support for Hawaiian Electric's IIJA funding application on March 14, 2023. Selection notification for this application was anticipated in Summer 2023, so the Commission expects that Hawaiian Electric will receive status notification for its application shortly. The Commission's procedural schedule for this matter governing the parties' filings is set to conclude on September 28, 2023, after which time the Commission will issue its decision.

Docket No. 2018-0165

Hawaiian Electric's Integrated Grid Plan is also currently under review by the Commission in Docket No. 2018-0165. The Integrated Grid Plan includes a resilience planning strategy that is designed to inform the utility's approach to risk management and resilience investments. While the Integrated Grid Plan does not contemplate any specific requests for investment or projects for approval by the Commission because of its nature as a higher-level planning proceeding, it does outline Hawaiian Electric's high-level approach to resilience planning with four major steps: 1) Identification and prioritization of system threats; 2) Development of performance targets and rigorous decision-making methods; 3) System hardening; and 4) Residual risk mitigation.

6) **Has the Hawai'i State Energy Office been involved in grid modernization, hardening, and resilience efforts by Hawaiian Electric? If yes, please describe those efforts.**

The Commission understands that the Hawaii State Energy Office ("HSEO") will be providing a detailed response on its involvement in Hawaiian Electric's grid modernization, hardening, and resilience efforts, so the Commission believes it is appropriate to defer to HSEO's response to this question.

7) **In July 2021, the Maui County government assessed and issued a report on the growing threat of fire to the island. Did the report involve any recommendations regarding the electric grid? If yes, what is the status of implementing those recommendations?**

The July 2021 Report on Wildfire Prevention and Cost Recovery on Maui ("Report") was issued by the County of Maui Cost of Government Commission. The Report involved recommendations regarding the electric grid. Specific recommendations included (1) routine inspection of power transmission lines and rights of way, and (2) longer-term solutions such as electrical infrastructure upgrades, and fuels reduction and firebreaks around power infrastructure.

In terms of the status, the Commission would defer to Hawaiian Electric's response to this question for the most up-to-date details regarding implementation.

8) **What orders has the Hawaii Public Utilities Commission issued, or actions taken, since 2018, to address fire risks to the electric grid on Maui?**

The Commission works to provide a clear and consistent regulatory environment that allows the utility to manage its activities in a way that best serves the public interest and the State's objectives. In the most recent rate case for each of the Hawaiian Electric Companies, the Commission holistically reviewed the utilities' spending, operations, and procedures across the board, including transmission and distribution asset management, vegetation management, and insurance policies.

In 2018, the Commission opened Docket No. 2018-0165, to investigate Integrated Grid Planning for Hawaiian Electric. As part of this effort, Hawaiian Electric hosted a Resilience Working Group ("RWG"), which included representatives from the PUC. The RWG met regularly throughout 2019 and 2020 and issued a report identifying and prioritizing the critical threats to each island and recommending improvements. As noted above, Hawaiian Electric also developed an integrated resilience planning approach, which is currently under review by the Commission as a part of Hawaiian Electric's overall Integrated Grid Plan. Throughout the Integrated Grid Planning docket, the Commission has participated in RWG activities and consistently emphasized the importance of the RWG's work and identified opportunities to further the consideration of resilience priorities in grid planning efforts. The RWG's work and findings have informed the Company's proposed approach in Docket No. 2022-0135, which addresses Hawaiian Electric's application for a Climate Adaptation Transmission and Distribution Resilience Program.

In 2019, the Commission ordered a management audit of Hawaiian Electric.[9] The audit provided insights into areas of improvement for Hawaiian Electric, including vegetation management. Hawaiian Electric accepted the recommendations of the audit regarding vegetation management, which included reorganization of the Energy Delivery team's structure (which oversaw vegetation management), developing meaningful metrics for tracking success, and increasing spending on the program.[10] Since that time, the Commission has periodically requested updates on Hawaiian Electric's wildfire mitigation and vegetation management programs, spending, plans, and areas for improvement.[11]

In 2020, the Commission established the Performance-Based Regulation ("PBR") framework in Docket No. 2018-0088 to govern Hawaiian Electric's operations. Resilience was identified as one of the priority regulatory outcomes of the PBR framework. The Commission and docket Parties explored a number of different ways to report on and track the resilience of the Hawaiian Electric system. This is a challenging endeavor given the varied standards across the industry upon which to base recommendations. However, the Commission adopted requirements for Hawaiian Electric to report on employee emergency response trainings, employee incident management training certifications, and outage times for critical loads, as defined by the RWG. The Commission also noted that grid maintenance and planning metrics that are important to system resilience are captured when tracking reliability, such as outages caused by vegetation.[12]

Beyond the specific actions described above, the Commission is also generally engaged in the investigation of Hawaiian Electric's wildfire preparedness and mitigation activities in multiple venues. In Grid Modernization Phase 2 (Docket No. 2019-0327), the Commission sought information on wildfire risk mitigation projects that were completed or in progress. In Docket No. 2021-0024, opened to review Hawaiian Electric's grid interconnection process, the Commission sought information on outages on Maui caused by wind and wildfire events, as well as the actions Hawaiian Electric pursues to

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[9]Please see Docket No. 2019-0085, "Management Audit of the Hawaiian Electric Company (HECO), Final Report," filed May 13, 2020.

[10]Please see Docket No. 2019-0085, "Management Audit of the Hawaiian Electric Company (HECO), Final Report," filed May 13, 2020.

[11]For example, see Docket No. 2019-0327, PUC-HECO-IR-105, filed June 28, 2021, and Docket No. 2021-0024, PUC-HECO-IR-27 and -28, filed January 6, 2022.

[12]Please see Docket No. 2018-0088, Decision and Order No. 37787, filed May 17, 2021.

minimize the risk of its equipment starting or contributing to wildfire ignition. The Commission has also reviewed detailed information on vegetation management programs, hazard tree removal programs, and other activities related to wildfire prevention as part of its investigation in Docket No. 2022-0135.

9) **What actions did Hawaiian Electric take after the Maui fires on August 8, 2023, relating to the removal of any equipment, including but not limited to, damaged power lines and poles?**

The Commission understands that Hawaiian Electric will be providing a detailed response on its post-fire actions relating to the removal of any equipment, so the Commission believes it is appropriate to defer to Hawaiian Electric's response to this question.

On August 9, 2023, Hawaiian Electric notified the Commission that it had activated its Incident Management Team, and since then, Hawaiian Electric has provided the Commission with daily updates regarding Hawaiian Electric's response and restoration actions on Maui. The Commission understands from these updates that HECO has generally been engaged in equipment repair activities, but the Commission is not aware of specific equipment removal activities. The Commission anticipates that the ongoing investigation being conducted by ATF and MFD, discussed in the response to Question 1, above, will provide additional information regarding removal of any equipment.

10) **Did Hawaiian Electric, Hawaii Public Utilities Commission, and/or the Hawai'i State Energy Office receive any funds from the Infrastructure Investment and Jobs Act of 2021 or the Inflation Reduction Act of 2022? If so, please provide the amount of money, the program under which the funding was awarded, and the type of funding (grant, loan, etc.)?**

The PUC has not directly received any funds from the Infrastructure Investment and Jobs Act of 2021 ("IIJA") or the Inflation Reduction Act of 2022 ("IRA").

The PUC has provided letters of support on behalf of Hawaiian Electric, the Hawaii State Energy Office, and the Hawaii Green Infrastructure Authority in connection with their funding applications under the IIJA and IRA programs. For example, as detailed in response to Question 5, on April 3, 2023, the PUC provided a letter of support for Hawaiian Electric's 2022 application for IIJA funding in connection with Hawaiian Electric's Climate Adaptation Transmission and Distribution Resilience Program.

In general, the PUC continuously monitors opportunities under the IIJA and IRA programs and works with relevant agencies and organizations to support applications for funds on behalf of the State of Hawaii in connection with ongoing resilience efforts.

HAWAII STATE ENERGY OFFICE
STATE OF HAWAII

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September 19, 2023

The Honorable Cathy McMorris Rodgers
Chair, Committee on Energy and Commerce
U.S. House of Representatives

The Honorable Jeff Duncan
Chair, Subcommittee on Energy, Climate, and Grid Security
U.S. House of Representatives

The Honorable H. Morgan Griffith
Chair, Subcommittee on Oversight and Investigations
U.S. House of Representatives

Dear Chair McMorris Rodgers, Chair Duncan, and Chair Griffith:

I write on behalf of the Hawai'i State Energy Office ("HSEO") in response to the Committee's letter, dated August 30, 2023. First, I would like to thank you for the sympathies expressed in the Committee's letter. In thoroughly exploring the causes and effects of the tragic events of August 8, 2023, we are united with the people of Lāhainā in their quest to heal, grieve, and fully recover.

Second, HSEO deeply appreciates the Committee's interest in helping Hawai'i and other states prevent deadly wildfires in the future. We especially welcome the bipartisan support to improve capacity for life-saving response efforts and the long road to recovery after a disaster, and for proposals that would create non-partisan review of disaster events. By fostering a productive dialogue in this hearing, the leadership of this Committee and its subcommittees can assist communities across the nation to better prepare for extreme weather events that are becoming all too commonplace.

On behalf of the Administration of Governor Josh Green, M.D., HSEO is committed to support efforts to help the recovery of Lāhainā and all of the affected communities of Hawai'i and Maui counties. We are also committed to supporting the Committee in helping other jurisdictions mitigate similar risks in the future. I have provided answers below to the Committee's questions regarding HSEO. I look forward to working with the Committee on these important matters.

Sincerely,

Mark B. Glick
Chief Energy Officer

Question (1) What is your understanding of the sequence of events and actions on August 8, 2023, involving the Lahaina fire, including actions taken by Hawaiian Electric?

As noted in the Committee's letter, there are several inquiries currently underway into the events of August 8th. For example, the State of Hawai'i has selected the Fire Safety Research Institute of UL to lend its expertise in analyzing the events leading up to the August 8th fires and to provide "an independent, unbiased, and transparent investigation."[1]

HSEO is based in Honolulu and did not have any staff on Maui on August 8. Therefore, HSEO cannot provide any direct observations on how events unfolded that day. In the absence of direct observations, and with investigations by qualified agencies underway, it would be inappropriate for HSEO to opine on those events at this time.

Question (3) Please describe all actions taken by Hawaiian Electric, Hawaii Public Utilities Commission, Hawai'i State Energy Office and any other applicable entities to mitigate invasive grasses and other vegetation on the island of Maui, in order to prevent or minimize fire risks.

Actions taken by HSEO to mitigate invasive grasses and other vegetation on the island of Maui are embodied in policy recommendations, programs and assistance consistent with HSEO's responsibilities as prescribed by statute. The primary authorizing legislation[2] for the HSEO reads, in relevant part:

> "(b) The Hawaii state energy office shall:
> (1) Provide analysis and planning to actively develop and inform policies to achieve energy efficiency, renewable energy, energy resiliency, and clean transportation goals with the legislature, public utilities commission, state agencies, and other relevant stakeholders;
> (2) Lead efforts to incorporate energy efficiency, renewable energy, energy resiliency, and clean transportation to reduce costs and achieve clean energy goals across all public facilities;
> (3) Provide renewable energy, energy efficiency, energy resiliency, and clean transportation project deployment facilitation to assist private sector project completion when aligned with state energy goals; and
> (4) Engage the private sector to help lead efforts to achieve renewable energy and clean transportation goals through the Hawaii clean energy initiative."

HSEO is led by Hawai'i's Chief Energy Officer, whose duties are also governed by statute. In relevant part, that statute reads:

> "(d) Subject to the approval of the governor, the chief energy officer shall:

[1] https://governor.hawaii.gov/newsroom/2023-42-attorney-general-lopez-selects-uls-fire-safety-research-institute-to-conduct-thorough-investigation-into-maui-fires/
[2] Hawai'i Revised Statutes §196-71 (Hawaii state energy office; established).

(1) Formulate, analyze, recommend, and implement specific policies, strategies, and plans, in coordination with public and private sector stakeholders, to cost-effectively and equitably achieve the State's energy goals;
(4) Coordinate the State's energy programs with those of the federal government, other territory and state governments, the political subdivisions of the State, departments of the State, and governments of nations with interest in common energy resources;
(9) Develop and maintain a comprehensive and systematic quantitative and qualitative capacity to analyze the status of energy resources, systems, and markets, both in-state and in other states and countries, particularly in relation to the State's economy, and to recommend, develop proposals for, and assess the effectiveness of policy and regulatory decisions, and energy emergency planning.
(10) Develop and recommend programs for, and assist public agencies in the implementation of, energy assurance and energy resilience; … [and]
(16) Identify and recommend policies to align utility goals with those of ratepayers, including evaluating utility models that best support state energy goals."[3]

As these provisions demonstrate, one part of HSEO's broader mission is to support public and private actors in enhancing energy resilience, short of serving in any oversight or enforcement role. Consistent with Presidential Policy Directive 21 (2013),[4] HSEO takes an "all hazards" approach to resilience. This approach enables HSEO to coordinate effectively under Emergency Support Function #12 within the Federal Emergency Management Agency's (FEMA) National Disaster Recovery Framework (NDRF),[5] and pursue activities under HSEO's areas of statutory authority.

One such activity in which HSEO has been engaged is a multi-island, multi-hazard disruption exercise planned with the U.S. Department of Energy Office of Cybersecurity, Energy Security, and Emergency Response (CESER) called "Clear Path XI." DOE, HSEO, and other partners spent over a year planning this exercise, which was scheduled for August 15-16, 2023, but it has been suspended so that the participants can address the emergency response efforts in Maui.

Consistent with HSEO's statutory authority, HSEO also participated from July of 2019 to November 2021 in the Resilience Working Group established under the Integrated Grid Planning (IGP) process of Hawaiian Electric Company (HECO), as directed by the Hawai'i Public Utilities Commission (HPUC). A principal outcome of the Resilience Working Group was a Working Group Report that recommended a variety of resilience measures, including vegetation management, and evaluated different scenarios, including wildfire impacts. This effort is discussed in more detail below in the answer to Question Six, along with other activities undertaken in furtherance of energy resilience with HECO and HPUC.

[3] Hawai'i Revised Statutes §196-72 (Chief energy officer of the Hawaii state energy office; duties).
[4] https://www.energy.gov/ceser/presidential-policy-directive-21
[5] https://www.fema.gov/emergency-managers/national-preparedness/frameworks/recovery

Question (6) Has the Hawaii State Energy Office been involved in grid modernization, hardening, and resilience efforts by Hawaiian Electric? If yes please describe those efforts.

Recent HSEO efforts on grid modernization, hardening and resilience efforts with HECO and HPUC are described below. Please note that other energy stakeholders are involved as well.

1) **<u>O‘ahu Energy System and Critical Infrastructure Vulnerability and Resiliency Assessment funded by Federal Energy Management Agency’s Hazard Mitigation Grant Program (“Advance Assistance” Program Grant)</u>**

Federal Cost Share: $600,000 from FEMA HMGP, which requires 25% cost share, generally.[6]

Project Overview: The Advance Assistance program grant, entitled "Advance Assistance, Energy and Critical Infrastructure Vulnerability and Resiliency Assessment HMGP #4395-05-02, Supplement #2," includes conducting and reporting on a comprehensive inventory and baseline assessment of Oahu’s major energy supply, distribution, and demand networks, and the State’s critical infrastructures. This program grant supports Community Lifeline energy security planning as an effective means to mitigate devastating energy-sector impacts on O‘ahu communities, and potentially cascading impacts on the state resulting from natural and man-made disasters. The results will identify mitigation actions in support of the State of Hawaii Hazard Mitigation Plan and related state-level risk/vulnerability priorities. The project covers electric, liquids, and gas energy infrastructure.

HSEO – HECO Cooperation: HSEO included HECO and other energy providers in the development of a Common Operating Picture (COP) for the energy sector, which mapped the energy supply chain on O‘ahu. As the operator of the electric grid on O‘ahu, HECO was responsible for the execution of the COP consistent with the direction provided by the HPUC in docket 2020-0090.[7]

Project Goals: The overall project goals are:

1) Focusing on energy security for state-owned or operated buildings and critical infrastructure and facilities and reducing the long-term energy vulnerability of Hawai‘i residents and property to natural hazards, while conserving the State’s natural, historical, and cultural assets.
2) Prioritizing mitigation actions designed to ensure long-term energy resilience.
3) Strengthening partnerships among energy suppliers and critical facility management within City and County of Honolulu) to identify/determine appropriate energy mitigation actions.

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[6] https://www.fema.gov/fact-sheet/summary-fema-hazard-mitigation-assistance-hma-programs

[7] See HPUC Final Decision and Order 38757 in Docket 2020-0090 available at: https://hpuc.my.site.com/cdms/s/puc-case/a2G8z0000007f8lEAA/pc20796. See also HSEO’s Phase 2 Statement of Position in the same docket at page 7: “A comprehensive COP [common operating picture] is necessary and recommended in order to more fully understand the capabilities, linkages, and the impacts of a material change to these integrated elements of the energy supply system on the system as a whole; and to enable a more definitive assessment of the current state of the energy environment and the public interest on statewide energy assurance risk.”

4) Utilizing available methods, technology, and local knowledge, analyzing natural hazards and assessing energy lifeline capabilities to reduce the impact of those hazards on energy systems and capabilities in Hawaii.
5) Promoting interagency and cross sector awareness of natural hazard risks and actions to reduce the long-term risks to energy systems in Hawai‘i.
6) Providing a Hawai‘i-specific framework for robust energy sector hazard mitigation planning and mitigation strategy implementation in alignment with State and private sector planning processes to enable the implementation of mitigation strategies.

Return on Investment: This Advance Assistance project supports better informed decision-making through enhanced capacity for:

1) Sequencing response efforts including the rapid re-establishment of lifeline services or deployment of contingency response solutions to restore critical lifeline functions (energy focused),
2) Honing optimal methods to evaluate critical energy and lifeline facilities,
3) Informing an updated State Energy Security Plan required by IIJA section 40108 and improvements to on-going updates to state energy inventory data under the Energy Industry Information Reporting Program (EIIRP),
4) Rigorously identifying areas on O‘ahu to determine possible/best follow on mitigation actions,
5) Scoping and prioritizing energy hazard mitigation projects in Hawaii to incorporate sustainability, resilience, and renewable energy concepts,
6) Collecting and incorporating energy data for more accurate Benefit-Cost Analysis, which is needed to compete for funding available for advanced energy projects made available by FEMA’s Building Resilient Infrastructure and Communities (BRIC), as well as meeting other funding requirements that require historical preservation of this information.

Completion Date: This Advance Assistance project is in its final stages and scheduled for completion in October 2023.

2) **<u>Advance Assistance 2.0 – Kauai, Maui, and Hawaii Counties Energy System Resiliency Assessment Advance</u>**

Federal Cost Share: Estimated $450,000 from FEMA HMGP, which requires 25% cost share for states, generally.

HSEO – HECO Cooperation: This project will be the second phase of the Advanced Assistance project discussed above for O‘ahu, with this round of funding supporting analysis for Kaua‘i, Maui, and Hawai‘i counties. HSEO collaborated with HECO in developing the COP for the energy sector.

Project Goals: This phase of the Advance Assistance project aims to accomplish similar goals as the first phase but on different islands.

Return on Investment: The benefits for this phase of the Advance Assistance project are similar to the first phase discussed above.

Completion Date: The project has been "Identified for Further Review" by FEMA BRIC, and so an accurate assessment of both return on investment and completion date will be set at the time of award.

3) **Ko'olaupoko Critical Customer Hubs**

Federal Cost Share: Estimated $8.33M from FEMA BRIC, with 30% cost share provided by HECO; BRIC can provide up to 90% cost share.

Project Overview: The Koʻolaupoko region is one of Oʻahu's most vulnerable communities with respect to availability of electricity for critical infrastructure. This area is served by three electricity transmission lines that traverse the Koʻolau mountains from the west and central Oʻahu generating stations. The lines are at risk from high-speed winds, and can only be reached by helicopter when repairs are needed.

HSEO – HECO Cooperation: HSEO has consulted with HECO on the project proposal. The hubs are similar to microgrids, with distributed generation and associated control equipment, and would work with HECO on project implementation if awarded. Unlike many grid controls, the control systems will be mobile, so they can be pre-positioned and reallocated as needed. They can also be safely stored after use.

Project Goals: This project will develop three Critical Customer Hubs in the Koʻolaupoko region. This project will also harden the distribution infrastructure in the hub's boundary.

Return on Investment: The hubs will also reduce down-time and quickly restore power to essential critical community facilities during emergencies.

Completion Date: The project has been "Identified for Further Review" by FEMA BRIC, and so an accurate assessment of both return on investment and completion date will be set at the time of award.

4) **Grid Capacity Planning Resilience Working Group**

Federal Cost Share: None

Project Overview: HECO led an Integrated Grid Planning (IGP) effort to produce proposed investment strategies for HPUC review.

HSEO – HECO Cooperation: HECO gathered several stakeholders for the IGP effort, which was intended to produce proposed investment strategies for HPUC review. As part of the IGP effort, HSEO participated in a Resilience Working Group to support the development of resilience planning criteria for Hawaii's power system, including resource, transmission, and distribution in relation to potential societal and economic impacts.

Project Goals: The Resilience Working Group (RWG) gathered a broad cross section of industries, academia, and county, state, and federal governmental agencies that have an interest

in grid resilience, including HSEO, branches of the U.S. Department of Defense, and Maui County. The working group considered a dozen hazards, both natural and man-made. As described in the Resilience Working Group Report for Integrated Grid Planning from 2020, the RWG goals were to:

- Identify and prioritize resilience threat scenarios and potential grid impacts.
- Identify key customer and infrastructure sector capabilities and needs following a severe event and loss of power.
- Identify gaps and priorities in grid and customer capabilities following a severe event and loss of power.
- Provide recommendations and inputs for the IGP to address resilience needs.
- Recommend additional grid and customer actions to close gaps in capabilities following severe events.
- Help to identify opportunities and locations to enhance grid resilience that may provide greater public benefits.

Return on Investment: The RWG identified five threats as most relevant to grid resilience planning[8]: Hurricanes; Earthquakes and Tsunamis; Volcanos (Hawai‘i Island); Wildfires; and Physical and Cyber-attacks. The RWG recommended that utilities take the following actions:

- Continue to explore and develop advanced resilience data.
- Partner with key customers and the government to develop microgrids for power that can be isolated from the grid when needed (severe events).
- Reinforce fuel resupply options by increasing distributed storage and delivery capability for severe event emergencies sector. In general, it would be preferential to align the definition of the sectors to the extent possible with the DHS/FEMA designated functions so that there is a common language being used by all.
- Plan for additional crews during emergencies and provide more robust and regular training for emergency situations
- Expand critical resources, supplies, backup equipment, and materials to restore damaged circuits, substations, or generators more quickly following severe events.
- Plan for emergency access to additional helicopters on the islands to support repairs in remote, difficult to access sites.
- Plan for enhanced vegetation management, particularly in critical grid areas susceptible to damage from wind and falling or flying debris.
- Continue hardening or reinforcing critical transmission circuits, including upgrading wind criteria and flood mitigation, upgrading structures, and using enhanced construction methods and materials.
- Continue efforts at enhancing physical and cyber security of assets, resources, and systems.

[8] https://www.hawaiianelectric.com/clean-energy-hawaii/integrated-grid-planning/stakeholder-and-community-engagement/working-groups/resilience-documents

- Continue planning for expanding underground cables (water resistant) and locating equipment outside flood prone areas.
- Consider alternative paths for transmission circuits to increase diversity of location and enhance performance during severe events.
- Establish one or more priority circuits with enhanced restoration capabilities and greater hardening.
- Continue to require that new RFPs for renewables bids include grid-forming inverters, meaning they can provide a blackstart capability.
- Consider adopting advanced technologies in a more distributed resource approach, including grid-forming renewable energy sources, battery storage, and joint projects with key customers to provide microgrid capabilities for emergency and backup operations
- Develop wildfire mitigation strategies for worst case wildfire event at Maalaea.
- Develop and test capabilities of expanded use of drones for emergency response and regular maintenance inspections.
- Evaluate options for distribution automation, digital meters, and associated communications networks, which can be valuable in assessing system conditions, the extent of outages, and how to best prioritize recovery efforts to get key customers reenergized more quickly.
- Consider actions to reduce tsunami risk impacting generation in inundation zones on O‘ahu.

The RWG identified mitigation and resiliency recommendations for key customers and critical infrastructure sectors:

- Infrastructure owners and operators work together in close partnerships to coordinate disaster planning and recovery. Recovery and risk mitigation are shared responsibilities between the power companies, key customers, and the government.
- Key customers develop and implement load management/load curtailment capabilities to limit power usage to mission critical loads during emergencies with loss of offsite utility power.
- Key customers maintain ample onsite fuel supplies for generators during extended power outages and transportation disruptions and have in place plans and fuel supply arrangements resupply fuel for outages exceeding operational expectations; coordinate resupply plans so that multiple facilities, sectors, and geographic areas are not relying on the same fuel resources at the same time; provide backup power sources that can supply essential loads during prolonged outages and emergencies; test and exercise backup power resources.
- Under their Continuity of Operations Planning (COOP), key customers should consider relocating essential functions to alternative facilities at sites/locations with more robust infrastructure support.
- Key customers consider developing plans and arrangements for deployment of temporary emergency power generators that can be relocated to critical sites during prolonged outages.

- Key customers consider partnering with Utilities and the government to develop local microgrids for power that can be isolated from the grid when needed (during severe events); consider alternative technologies, such as renewables and storage, and other blackstart resources.
- Key customers in the transportation sector ensure availability of adequate road clearing equipment to speed recovery of key roads, ports, and airports.
- Key customers reinforce harbors and port facilities against catastrophic flooding and storm damage to ensure they can maintain maritime operations during extended power outages.
- Customers maintain training and exercise programs that address performing emergency and contingency operations with loss of utility power.

Completion Date: The RWG recap was provided on November 9, 2021.[9]

5) <u>IIJA 40101(b) Competitive Application</u>

Federal Cost Share: $59,693,753

Project Overview: HSEO has applied for a competitive award under IIJA 40101(b), DOE's Grid Resilience and Innovation Partnerships,[10] to deploy distributed energy resources with advanced controls to allow for aggregation of capacity and the provision of grid services.

- DOE funding will be used to establish a $500 per kilowatt hour (kWh) BTM battery upfront incentive, so those batteries can be installed for free in approximately 10,000 LMI customer homes.
- The project will reduce barriers to widespread adoption of resiliency and clean energy solutions by demonstrating a viable program to offer an affordable behind-the-meter (BTM) resiliency solution to low-to-moderate income (LMI) customers and increase access to clean distributed energy resources (DER).
- The project will improve the ability of LMI customers and communities to respond to outage events and work towards recovery from all hazard emergencies by supplying backup power to community centers and other emergency resource locations in disadvantaged communities (DAC), as well as reduce the LMI communities' requirements of emergency services during events.

HSEO – HECO Cooperation: Proposed as a statewide program**:** HSEO has led the application for funding under the IIJA. If awarded, both HECO and the Kaua'i Island Utility Cooperative[11] would be partners in this project. HSEO would then coordinate with both utilities in building the grid services program.

Project Goals, Return on Investment and Completion Date: This project has not been awarded and no scope has been negotiated with the U.S. Department of Energy. As submitted, the project would enable distributed energy resources to add capacity value to the grid, and

[9] https://www.hawaiianelectric.com/a/10002
[10] https://www.energy.gov/gdo/grid-resilience-and-innovation-partnerships-grip-program
[11] https://www.kiuc.coop/

enable more granular control of distributed energy resources. With the competitive application still under consideration, an accurate assessment of both return on investment and completion date will be set at the time of award.

Question (10) Did Hawaiian Electric, Hawaii Public Utilities Commission, and/or the Hawai'i State Energy Office receive any funds from the Infrastructure Investment and Jobs Act of 2021 or the Inflation Reduction Act of 2022? If so, please provide the amount of money, the program under which the funding was awarded, and the type of funding (grant, loan, etc.).

At the time of writing, the Hawai'i State Energy Office has been awarded the following under the Investing in Infrastructure and Jobs Act (IIJA):

- DOE State Energy Program formula grant funds[12] under IIJA section 40109 awarded in February 2023 totaled $3,512,680. DOE program guidance[13] provides up to $200,000 to create or update a State Energy Security Plan required by IIJA section 40108, and HSEO has allocated $150,000 for this task. The same amount of funding has been allocated to train HSEO staff to become ESF #12 responders. The results of the Advanced Assistance project described above will be incorporated.
- DOE Preventing Outages and Enhancing the Resilience of the Electric Grid Program formula grant funds[14] under IIJA section 40101(d) awarded in June 2023 totaled $6,090,547, with a state match of $913,582. This amount reflects two program years of formula grants,[15] and HSEO anticipates additional formula grant funds will be made available in the remaining three program years. This award will fund distributed energy resources and storage to households at-risk of power outages and financially unable to purchase their own standby power assets, consistent with DOE's goal to "demonstrate measurable improvements in energy resilience to all hazards."

HSEO will work with stakeholders across Hawai'i to pursue additional funding through IIJA and/or Inflation Reduction Act programs, most of which will be competitively awarded. Some additional formula grant funds, such as $756,900 in Energy Efficiency Revolving Loan Fund Capitalization under IIJA section 40502 and $1,639,120 in Energy Efficiency and Conservation Block Grant under IIJA section 40552, are also anticipated.

[12] https://www.energy.gov/scep/articles/state-energy-program-iija-formula-grant-allocations
[13] https://www.energy.gov/sites/default/files/2022-03/sep-state-energy-security-plan_alrd.pdf
[14] https://www.energy.gov/sites/default/files/2022-05/Grid-Resilience%2040101d%20Webinar%20Final%20%28web%29.pdf
[15] https://netl.doe.gov/sites/default/files/2023-05/Allocations%20for%2040101d%20Formula%20Grants%20-%20ALRD%20Amendment%20006.pdf

Hawaii Invests in Renewable Energy Rather Than Wildfire Prevention

IER**instituteforenergyresearch.org**/renewable/hawaii-invests-in-renewable-energy-rather-than-wildfire-prevention
August 23, 2023

- Politicians forced Hawaiian Electric to spend money in pursuit of a 100 percent renewable energy mandate, while ignoring its request to expend funds in wildfire prevention activities.

Hawaii, like California, has pushed electric utilities to invest in renewable energy, rather than maintaining their current transmission lines and ensuring that brush would not affect their operations. Now that Maui has had a fire that has killed over 100 people and cost tens of billions of dollars in property losses, blue state politicians and liberal newspapers like the New York Times have blamed the wildfires on climate change. Hawaii's Democratic Governor Josh Green repeatedly suggested in the wake of the disaster that climate change and its effects were the primary cause, with Governor Green stating that climate change is "the ultimate reason that so many people perished." While that is an easy scape goat, it is fake news. There are many contributing factors to the fire, but the biggest one is the left's obsession with "green energy."

According to the Wall Street Journal, four years ago, Hawaiian Electric indicated that it needed to do more to prevent its power lines from emitting sparks. The utility vowed to take steps to protect its equipment and its customers from the threat of fire. Between 2019 and 2022, it invested less than $245,000 on wildfire-specific projects on the island, according to regulatory filings. The utility did not seek state approval to raise rates to pay for broad wildfire-safety improvements until 2022 and has yet to receive approval.

Hawaiian Electric is now facing scrutiny, litigation and a financial crisis because its power lines might have played a role in igniting the fire, despite the fire's source having not yet been determined. The situation is reminiscent of California forcing Pacific Gas & Electric to pay for fires in its territory a few years back. In 2018, the downed power lines owned by the PG&E were linked to the Camp Fire that killed 85 people in and around the town of Paradise. The company agreed to pay $13.5 billion in settlement payments to victims of that fire and several others.

According to CNN, last year, Hawaiian Electric asked the state Public Utilities Commission to allow it to spend $189 million on climate resiliency efforts over the next five years, including to protect against wildfires and downed power lines. "The risk of a utility system causing a wildfire ignition is significant," the company's application stated, citing the PG&E situation. The document states Hawaiian Electric had launched wildfire "prevention and mitigation" programs in 2019 and that the company planned to upgrade hardware, replace

equipment and install video cameras, among other efforts, in wildfire-risk areas in coming years. The utility said that it would not begin the work until it had negotiated a deal with the state to recover the costs from ratepayers, which is typical for utility companies making major investments.

According to the Washington Examiner, "After the 2019 wildfire season, Hawaiian Electric even commissioned a report, which concluded that the utility should do far more to prevent its power lines from setting invasive grasses on fire. Since that report less than $245,000 was spent on wildfire projects. Instead, the utility spent millions trying to meet a 2015 mandate created by Democrats that would require 100% of the utility's electricity to come from renewable sources by 2045. Because of the Democratic Party's obsession with climate change, Hawaiian Electric devoted all its resources to renewable energy and next to nothing towards wildfire suppression. And now over 100 people are dead as a direct result."

According to Travis Fisher at the CATO Institute, "An objective look at the data does not reveal a link between CO2 emissions and wildfires, certainly not the causal link needed in a court setting. That causal link may be shown eventually, but the IPCC reports do not provide the degree of attribution certainty required in a lawsuit."

For years before the fires, government agencies understood that Western Maui, the hardest-hit area, was particularly susceptible to wildfires because of high concentrations of non-native grasses in the area. An assessment report from 2020 stated that the region had a 90 percent chance of wildfires each year on average, a percentage calculated due to the non-native dry grasses. Despite the dry grass in the region posing a threat, the state allowed it to grow without doing much to trim it or otherwise keep it under control. Grasses had taken hold as Maui's sugar plantations were closed, with the last one closing in 2016. Some had complained about the ritual of burning cane fields as part of the agricultural process, but those fires were managed, unlike the non-native invasive grasses that replaced the sugar cane farming.

According to the Daily Caller, the fires began in earnest the morning of August 8, when a downed power line reportedly sparked some dry grass and started the fire. At 1 p.m., West Maui Land Co. made a request to the state's Department of Land and Natural Resources (DLNR), asking the agency for permission to divert stream water to their reservoirs so that firefighters on the front lines could have access to more water to battle the flames. In response, the department's Commission on Water Resource Management told the company to contact a downstream farmer to ensure that a temporary diversion would not impact his taro farming operation in undesirable ways. The company tried to make contact with the farmer, but communications were spotty owing to communications breakdowns related to the fires. The agency eventually granted approval to the company at 6 p.m., about five hours after the request had been made. By that point, the fires were raging out of control, shutting down a key roadway and making it impossible for the company to access the siphon which would have allowed it to divert the water into the right places for the firefighters to access.

Conclusion

Instead of spending millions of dollars on fire prevention as was recommended, Hawaii's Public Utility Commission spent that money and more on complying with a state law that insists by 2045, the state will be 100 percent renewable energy. Now, like California and PG&E, the left wants to blame the wildfires on the utility and have them pay for damages, but the real corruption is the law that makes the spending go to renewable energy rather than maintaining the lines and discarding the brush around them. The law makers should be held responsible for making companies invest in renewable technology that is not needed, shuttering perfectly good generating plants, and then charging the utilities for the damages, while they continue to provide their mission–supplying power to their communities. To blame fires on climate change when there were clear breakdowns in the prevention of and response to the fires is simply demagoguery.

Edison Electric INSTITUTE

September 28, 2023

The Honorable Morgan Griffith
Chairman, Subcommittee on Oversight and Investigations
Committee on Energy & Commerce
United States House of Representatives
Washington, D.C. 20515

The Honorable Kathy Castor
Ranking Member, Subcommittee on Oversight and Investigations
Committee on Energy & Commerce
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Griffith and Ranking Member Castor:

Thank you for the opportunity to submit this statement for the record regarding today's hearing, "Investigating the Role of Electric Infrastructure in the Catastrophic Maui Fire." As this Subcommittee recognizes, increasingly extreme weather events, including catastrophic wildfires, are having devastating consequences and are challenging the ability of electric companies to provide reliable and affordable electricity to the customers and communities they serve.

While today's hearing is focused on the tragic events on Maui, EEI and our member electric companies across the country agree that wildfires are not just a Maui problem. The National Interagency Fire Center reported that more than 68,000 wildfires and more than 7.5 million acres burned across the country in 2022, the last full year for which data are available.[1] This includes fires on federal, state, and private lands. During this period, wildfires occurred in all 50 states and were not limited to any specific geographical area, with a notable increase in areas of the country not historically classified as high-fire risk areas.[2]

All indicia point to that fact that, due to a range of factors—many of which are beyond the control of electric companies, including extended periods of extreme heat and drought, poor forest health, and an increase of population in the wildland-urban interface—wildfires and catastrophic wildfires will continue to be a challenge facing our nation and the world.[3]

EEI's member companies are committed to developing solutions to reduce the incidence of fires and to mitigate their impacts if they do occur. They are—and have been—making proactive investments in the adaptation, hardening, and resilience of the energy grid.[4] Through a risk-based approach, electric companies are hardening their infrastructure, deploying new technologies, increasing their situational

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[1] National Interagency Fire Center, *National Interagency Coordination Center Wildland Fire Summary and Statistics Annual Report* (2022), https://www.nifc.gov/sites/default/files/NICC/2-Predictive%20Services/Intelligence/Annual%20Reports/2022/annual_report.2.pdf.

[2] *Id.*

[3] United Nations Environment Programme, *Spreading Like Wildfire: The Rising Threat of Extraordinary Landscape Fires* (2022), file:///C:/Users/efisher/Downloads/wildfire_RRA.pdf.

[4] Edison Electric Institute, *EEI Industry Capital Expenditures* (July, 2023), https://www.eei.org/-/media/Project/EEI/Documents/Issues-and-Policy/Finance-And-Tax/bar_cap_ex.pdf.

awareness, implementing operational changes, and enhancing their wildfire response capabilities. In every state, electric companies are working with policymakers, regulators, community leaders, and other key stakeholders who have an important role in prioritizing investments. They also are focused on learning lessons from Maui so that a tragedy like what happened on the island never happens again.

Recognizing the growing threat created by wildfires, the Electricity Subsector Coordinating Council (ESCC), which serves as the principal liaison between the federal government and the electric power industry on efforts to prepare for, and respond to, national-level disasters or threats to critical infrastructure, created the ESCC Wildfire Working Group (WWG) in 2020.[5]

Through the WWG, the Departments of Energy, Agriculture, and Interior, the Federal Aviation Administration, and the Federal Emergency Management Agency are working with electric companies to expedite their ability to remove vegetation within their rights-of-way that pose a threat to their infrastructure; develop and deploy wildfire mitigating technology; expand the use of drones beyond the visual line of sight for infrastructure inspection and damage assessment; and coordinate on wildfire response to restore power safely and more quickly following a wildfire incident.

However, the electric sector alone cannot mitigate the risk of wildfires, the vast majority of which are not caused by electrical equipment.[6] A holistic approach that brings together many sectors and stakeholders, working collectively and collaboratively, is needed to fully address these risks. Coordination and collaboration are required at all levels of government and with all stakeholders, including among members of Congress, state regulators and legislators, the financial community, insurers, the timber sector, and many others, to address wildfire risks in service of citizens, electricity customers, and landowners.[7]

EEI and our member companies share Hawaiian Electric's sorrow about the tragic events of August 8, and we are committed to finding out what happened, as we all work to keep customers and communities safe from future wildfire and extreme weather events. We stand ready to work with the Subcommittee, federal agencies, state government officials, and other stakeholders to address the challenges we all face.

If you or the committee staff have any questions or need additional information regarding our statement, please feel free to reach out to me or have your staff contact Eric Grey (egrey@eei.org; 202-508-5471).

Sincerely,

Thomas R. Kuhn
President & Chief Executive Officer
Edison Electric Institute

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[5] Electricity Subsector Coordinating Council's Wildfire Working Group, https://www.electricitysubsector.org/-/media/Files/ESCC/Documents/ESCC-Wildfire-Two-Pager.pdf.

[6] The two largest causes of wildfires in the U.S. are lightning strikes and human activities. Electrical equipment use is just one of the many human activities that can result in wildfires, which also include smoking, debris burning, camping, railroads, arson, fireworks, children, and other equipment use, among others. *See* Jennifer K. Balch, et al, *Human-started Wildfires Expand the Fire Niche Across the United States*, PNAS, 114 (11) 2946-2951 (Feb. 27, 2017), https://www.pnas.org/doi/10.1073/pnas.1617394114.

[7] Wildland Fire Mitigation and Management Commission, *Report to Congress* (Sept. 2023), https://www.usda.gov/sites/default/files/documents/wfmmc-final-report-09-2023.pdf