

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

----- In the Matter of ----- )  
 )  
PUBLIC UTILITIES COMMISSION )  
 )  
Instituting Proceedings )  
Relating to the Establishment )  
of a One Call Center to )  
Coordinate the Location of )  
Subsurface Installations and )  
to Provide Advance Notice to )  
Subsurface Installation )  
Operators of Proposed )  
Excavation Work. )  
\_\_\_\_\_ )

DOCKET NO. 04-0195

ORDER NO. 21221

Filed August 6, 2004  
At 10 o'clock A .M.

Karen Higashi.  
Chief Clerk of the Commission

ATTEST: A True Copy  
KAREN HIGASHI  
Chief Clerk, Public Utilities  
Commission, State of Hawaii.

K. Higashi.

DIV. OF CONSUMER ADVOCACY  
DEPT. OF COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

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Order

I.

Background

The Legislature of the State of Hawaii passed Act 141, 2004 Session Laws of Hawaii, ("Act 141" or "One Call Center law") which took effect on July 1, 2004. Among other things, Act 141 calls for the establishment of a one call center ("One Call Center") to coordinate the location of subsurface installations and to provide advance notice to subsurface installation operators of proposed excavation work.

Act 141 also requires the commission to establish a One Call Center advisory committee ("Committee") as a governmental entity, as defined under Hawaii Revised Statutes ("HRS") Chapter 662D, to advise the commission in implementing Act 141. Nine (9) members of the Committee shall be appointed by

the commission as follows:<sup>1</sup> (1) one member from the gas utility industry; (2) one member from the electric utility industry; (3) one member from the telecommunications utility industry; (4) one member from the pipeline operator industry; (5) two members from the General Contractors Association of Hawaii ("GCA"); (6) two members from the Building Industry Association of Hawaii ("BIA"); and (7) one member from the cable service industry.

By letter dated July 26, 2004, a copy of which is attached hereto as Exhibit A, to the Utilities Damage Task Force ("Task Force"),<sup>2</sup> which consists of members of the industries noted above, the commission requested recommendations from the Task Force for suitable representatives to fill the nine (9) seats on the Committee, described above, in accordance with Act 141.

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<sup>1</sup>Act 141 specifies that these nine (9) members shall be appointed by the commission to serve until successors are appointed by the commission and that six (6) additional members of the Committee will be: (1) the Director of the State Department of Transportation; (2) the Executive Director of the Division of Consumer Advocacy; and (3) one member each, designated by the mayors of the counties of Maui, Kauai, Hawaii and the city and county of Honolulu.

<sup>2</sup>The Task Force, formed after the 2002 Hawaii State Legislative Session, is a joint effort by members of the public utilities, pipeline operators, cable television providers, the BIA, the GCA and the Hawaii Insurers Council to develop initiatives to minimize damage to underground facilities. In particular, during the 2004 Legislative Session, the Task Force advocated for the promulgation of a One Call Center law to coordinate the verification of locations and marking of existing underground facilities.

## II.

### Establishment of Committee

Pursuant to Act 141 and HRS § 269-7, the commission will institute a proceeding to establish the Committee, as envisioned by the Legislature, and appoint the necessary members of the Committee. The DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY ("Consumer Advocate") shall be made a party to this proceeding.

Due to the nascent nature of the One Call Center law, and to ensure a fair and objective process in the appointment of members to the Committee, the commission invites all interested public utilities, business, building or construction groups, trade or contractor associations and community or civic groups to participate in this docket as intervenors, or participants without intervention, so long as these persons or entities satisfy and adhere to the commission's administrative rules (aka, Hawaii Administrative Rules ("HAR") Chapter 6-61, Rules of Practice and Procedure Before the Public Utilities Commission) governing intervention and participation in commission proceedings. See HAR §§ 6-61-55 and 6-61-56. In particular, motions to intervene or participate without intervention must be filed with the commission no later than twenty (20) days from the filing of this order. HAR § 6-61-57(3)(B).

### III.

#### Task Force's Recommended Members and Appointment Criteria

On August 3, 2004, the Task Force submitted its recommended nominees for Committee members with the commission. Those recommended nominees are as follows: (1) Steven Golden, The Gas Company, LLC, representing the gas utility industry; (2) Ken T. Morikami, Hawaiian Electric Company, Inc., representing the electric utility industry; (3) Calvin Choy, Verizon Hawaii Inc., representing the telecommunications industry; (4) Don Grimes, the Airport Group, representing the pipeline operators industry; (5) Leonard Leong, Royal Contracting Co., Ltd., and Sidney Quintal, Grace Pacific Corp., representing the GCA; (6) John Cheung, CC Engineering, and Ron Oshiro, Ron's Construction, representing the BIA; and (7) Lance Ono of Oceanic Time Warner Cable representing the cable service industry.

The commission will also accept other nominations for Committee members, in addition to any comments relating to these nominations from all interested persons. All nominations shall be filed with the commission within twenty (20) days from the date of this order. The commission's appointment of the nine (9) members will be based on: (1) the nominee's experience as either an excavator and/or operator; (2) the nominee's knowledge and expertise in operating a one call center; and (3) other factors deemed relevant to the commission.

IV.

Orders

THE COMMISSION ORDERS:

1. A proceeding is initiated to establish the Committee and appoint the necessary members of the Committee, pursuant to Act 141 and HRS § 269-7.

2. The Consumer Advocate shall be made a party to this docket.

3. Any persons desiring to intervene as a party or to participate without intervention in this proceeding shall file a motion to intervene or participate without intervention not later than twenty (20) days from the filing of this order. Motions to intervene or participate without intervention shall comply with HAR Chapter 6-61, Rules of Practice and Procedure Before the Public Utilities Commission.

4. All comments concerning the instant docket, along with other nominees for Committee members, shall be filed with the commission within twenty (20) days from the date of this order.

DONE at Honolulu, Hawaii AUG 06 2004.

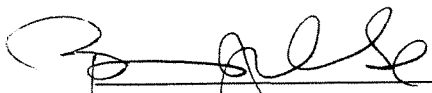
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
Wayne H. Kimura, Commissioner

By   
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

  
Benedyne S. Stone  
Commission Counsel

onecall.sl

LINDA LINGLE  
GOVERNOR



**STATE OF HAWAII**  
**PUBLIC UTILITIES COMMISSION**  
**DEPARTMENT OF BUDGET AND FINANCE**  
465 S. KING STREET, #103  
HONOLULU, HAWAII 96813

CARLITO P. CALIBOSO  
CHAIRMAN

WAYNE H. KIMURA  
COMMISSIONER

JANET E. KAWELO  
COMMISSIONER

July 26, 2004

John Cheung, Chairman  
Utilities Damage Task Force  
c/o Building Industry Association of Hawaii  
1727 Dillingham Boulevard  
Honolulu, Hawaii 96819-4019

Re: One Call Center Advisory Committee – Request for Recommendations by the  
Utilities Damage Task Force

Dear Mr. Cheung:

As you are aware, on July 1, 2004, Act 141, establishing a One Call Center in the State of Hawaii, went into effect. The enactment of Act 141 is due in part to the commitment and hard work of the Utilities Damage Task Force and its members who attended the legislative hearings and supported the One Call Center legislation.

Pursuant to Act 141, the Public Utilities Commission ("Commission") is to, among other things, establish a One Call Center Advisory Committee ("Committee") which will advise the Commission on implementation matters. Of the fifteen (15) voting members of the Committee, the Commission is to appoint nine (9) members as follows:

- One from the gas utility industry;
- One from the electric utility industry;
- One from the telecommunications utility industry;
- One from the pipeline operator industry;
- Two from the General Contractors Association of Hawaii;
- Two from the Building Industry Association of Hawaii; and
- One from the cable service industry.<sup>1</sup>

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<sup>1</sup>Act 141 specifies that the remaining six (6) members of the Committee will be the Director of the State Department of Transportation; the Executive Director of the Division of Consumer Advocacy; and one representative each from the City and County Honolulu, the County of Hawaii, the County of Maui, and the County of Kauai, all of whom will be designated by their respective mayors.



John Cheung  
July 26, 2004  
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In order to assist the Commission with the appointment of these nine members, please provide names and relevant background information of individuals whom the Utilities Damage Task Force recommends as suitable representatives to fill the nine seats on the Committee. Given the various prerequisites for establishment of the One Call Center by January 1, 2006, the Commission would appreciate receiving the Utilities Damage Task Force's recommendations by August 2, 2004.

Thank you for your assistance. Should you have any questions on this matter, please contact Benedyne Stone at 586-2047.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carlito P. Caliboso".

Carlito P. Caliboso  
Chairman

CPC:LYK:ac

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21221 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
DIVISION OF CONSUMER ADVOCACY  
P. O. Box 541  
Honolulu, HI 96809

  
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Karen Higashi

DATED: AUG 06 2004