



February 9, 2022

The Honorable Chair and Members  
of the Hawai'i Public Utilities Commission  
Kekuanao'a Building, First Floor  
465 South King Street  
Honolulu, Hawai'i 96813

Dear Commissioners:

Subject: Docket No. 2015-0389 – Community-Based Renewable Energy Program  
Request for Modification to Mid-Tier Standard Form Contracts for Moloka'i  
Community Based Renewable Energy Phase 2 Request for Proposals

The Hawaiian Electric Companies<sup>1</sup> respectfully request that the Commission allow a modification to be made to the Mid-Tier Standard Form Contract (“SFC”) for Moloka'i Phase 2 Community Based Renewable Energy (“CBRE”), also known as Shared Solar, Request for Proposals (“RFP”). The Companies request that the Moloka'i Mid-Tier SFC be modified to allow a CBRE Facility to achieve Commercial Operations within 24-months from the execution date of the SFC.

During the CBRE Phase 1 development, it was established that a CBRE Facility shall achieve the Commercial Operations Date within 18-months from the execution date of the SFC. The Companies desire to modify the 18-month timeframe<sup>2</sup> to 24-months for the Moloka'i Mid-Tier CBRE Projects to be consistent with the required timeframes to complete design, review and testing of such projects in accordance with Appendix H of the RFP. If approved by the Commission, this change would be reflected in the Mid-Tier SFC prior to execution. This letter filing and any subsequent direction from the Commission will be posted to the Hawaiian Electric website to notify potential bidders of the proposed modifications. In addition, all registered bidders in this Power Advocate event will be notified via email. The Companies also anticipate making similar updates to the draft Mid-Tier SFC for the dedicated Low- and Moderate-Income and Tranche 1 CBRE Phase 2 RFPs at the next opportunity.

This modification would better align the Commercial Operations Date requirement in the Mid-Tier SFC with the timeline the Companies provided in Section 4.1 of Appendix H of the Moloka'i CBRE RFP. In creating the RFP, Appendix H timeframes were reasonably set by the Companies given the anticipated response to the multiple RFPs that will be conducted for CBRE Phase 2. While recognizing that some of the durations presented in Appendix H will be conducted

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<sup>1</sup> Hawaiian Electric Company, Inc. (“Hawaiian Electric”), Hawai'i Electric Light Company, Inc. (“Hawai'i Electric Light”), and Maui Electric Company, Limited (“Maui Electric”) are collectively referred to as the “Hawaiian Electric Companies” or “Companies”.

<sup>2</sup> See Section 10.I of the Mid-Tier Standard Form Contract for Renewable Dispatchable Generation filed on February 1, 2022.

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in parallel, and that the execution date of the SFC will be completed post-IRS, the process still did not support an 18-month development timeframe from contract signing to commercial operations.

The Companies believe that this revision will encourage a more robust proposer participation in the Moloka'i CBRE RFP by instituting a more achievable Commercial Operations Date requirement. Without such a change, developers may be less inclined to participate in this RFP. Modifying this requirement now would also avoid subjecting the Subscriber Organization to fees if this aggressive timeframe cannot be met and possibly resulting in more favorable pricing.

The Moloka'i RFP event was opened on November 22, 2021 and proposals are due on February 15, 2022. Due to the timing of this change, the Companies would like to propose extending the deadline for the Moloka'i CBRE RFP to March 1, 2022. This would allow all potential Proposers to account for this modification in their Proposals. The Moloka'i CBRE RFP schedule will be adjusted to account for this change. However, the Guaranteed Commercial Operations Date will not change.

The Companies appreciate the Commission's support in creating a fair and viable shared solar program that will benefit all members of the community. The Companies hereby respectfully submit the proposed modification to the Moloka'i Mid-Tier SFC.

Sincerely,

/s/ Rebecca Dayhuff Matsushima

Rebecca Dayhuff Matsushima  
Vice President, Resource Procurement

cc: Service List (with Attachments)

SERVICE LIST  
(Docket No. 2015-0389)

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