

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAI'I

In the Matter of the Application of

HAWAIIAN ELECTRIC COMPANY, INC.  
HAWAI'I ELECTRIC LIGHT COMPANY, INC.  
MAUI ELECTRIC COMPANY, LIMITED

To Institute a Proceeding Relating To  
Competitive Procurement of Grid-Scale  
Resources, Non-Wires Alternatives, and Grid  
Services.

DOCKET NO. 2024-0258

**HAWAIIAN ELECTRIC COMPANY, INC.,**  
**HAWAI'I ELECTRIC LIGHT COMPANY, INC.,**  
**AND MAUI ELECTRIC COMPANY, LIMITED'S**  
**MOTION FOR LEAVE TO FILE SUPPLEMENT TO**  
**REPLY STATEMENT OF POSITION**

**EXHIBIT 1**

**AND**

**CERTIFICATE OF SERVICE**

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HAWAIIAN ELECTRIC COMPANY, INC.  
HAWAI'I ELECTRIC LIGHT COMPANY, INC.  
MAUI ELECTRIC COMPANY, LIMITED

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**REPLY STATEMENT OF POSITION**

Hawaiian Electric Company, Inc., Hawai'i Electric Light Company, Inc., and Maui Electric Company, Limited (collectively, the "Hawaiian Electric Companies" or the "Companies"), pursuant to Hawaii Administrative Rules ("HAR") §§ 16-601-41 and 16-601-43, hereby file their Motion for Leave ("Motion") to File Supplement ("Supplement") to Reply Statement of Position ("Reply" or "RSOP") filed on May 2, 2025, in the instant proceeding.

The Companies respectfully request that the Commission grant this Motion and allow the Supplement, attached hereto as Exhibit 1, into the record. Pursuant to HAR § 16-601-43, the Commission has wide discretion to admit evidence that will aid in developing a sound record in a proceeding, limited only by considerations of relevancy, materiality, and repetition by the rules of privilege recognized by law, and with a view to doing substantial justice. The Companies submit that their Supplement is relevant, material, non-repetitive, and will aid in the development

of a sound record for the Commission’s decision-making with respect to the Integrated Grid Planning Requests for Proposals (“IGP RFP”).

As discussed in the Supplement, the Companies have added and revised a few terms in the proposed draft IGP RFP since it was submitted with the Companies’ RSOP on May 2, 2025. These additional terms are the result of important discussions between the Companies and representatives of local unions whose members and affiliates represent the vast majority of Hawai‘i’s construction trade groups. Discussions commenced prior to filing of the RSOP, and centered on labor challenges that are inherent in large-scale construction projects, such as the predictability of time and costs, the availability and access to a local workforce of skilled and trained labor, and the necessity of maintaining a safe and secure workplace associated with such projects. Discussions ultimately resulted in the Companies and the unions entering into a Memorandum of Agreement on June 6, 2025, as further discussed in the Supplement.

The Companies submit that the resulting additional revisions to the proposed draft IGP RFP are important to include, as they will help to prevent the labor challenges described above, and are intended to ensure that IGP RFP projects are successfully completed safely, on-time and on-budget. The Companies submit that the proposed changes, which are the result of discussions with local unions, align with the Governor’s and the Commission’s emphasis on collective efforts between and among the Companies, government agencies, and third-party resources to accelerate the State’s renewable energy goals. Facilitating the use of local labor for the first round of IGP RFP projects would also benefit the community and the State by ensuring payment of prevailing wage rates, and creating jobs for Hawai‘i residents. The proposed changes to the draft IGP RFP are therefore intended to ultimately benefit customers, the overall community, and

align with State policy by helping to progress the State towards its 100% renewable energy goals at reasonable rates, as more fully discussed in the Supplement.

For these reasons, the Companies submit there is good cause to grant their Motion and request the Commission do so and allow the Supplement into the record.

No hearing is requested on this Motion.

DATED: Honolulu, Hawai'i, June 6, 2025.

/s/ Tracie M.K. Black

Tracie M.K. Black

Attorney for  
HAWAIIAN ELECTRIC COMPANY, INC.  
HAWAI'I ELECTRIC LIGHT COMPANY, INC.  
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SUPPLEMENT TO REPLY STATEMENT OF POSITION**

Hawaiian Electric Company, Inc., Hawai‘i Electric Light Company, Inc., and Maui Electric Company, Limited (collectively, the “Hawaiian Electric Companies” or the “Companies”), hereby submit their Supplement (“Supplement”) to Reply Statement of Position (“Reply” or “RSOP”) filed on May 2, 2025, in the instant proceeding, which includes a further proposed updated version of the Integrated Grid Planning Requests for Proposals (the “Draft IGP RFP”) attached as Attachment A to this Supplement.<sup>1</sup>

**I. Discussion**

As noted in their RSOP, which the Companies incorporate by reference herein, the Companies appreciate the broad support for approval of the initial draft versions of the IGP RFP. Given the public comments and Statements of Position filed after the Companies’ prior submission of the IGP RFP on April 3, 2025, the Companies attached an updated version of the

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<sup>1</sup> Attached as Attachment B is a redline version of the updated Draft IGP RFP which includes any appendices that were revised since the Companies’ May 2, 2025 filing of their last version of the Draft IGP RFP.

draft IGP RFP to their Reply. Before filing their Reply on May 2, 2025, the Companies engaged in important discussions with representatives of local unions whose members and affiliates represent the vast majority of Hawai‘i’s construction trade groups, including the International Brotherhood of Electrical Workers, Local 1260 (“IBEW 1260”), the Bricklayers & Allied Craftworkers, Local Union 1, the Operating Engineers, Local Union 3, District Council 50 (Local Union 1791, Local Union 1889, Local Union 1926, and Local Union 1944), the Elevator Constructors, Local Union 126, the Heat & Frost Insulators & Allied Workers, Local Union 132, the United Union of Roofers, Waterproofers & Allied Workers, Local Union 221, the International Association of Sheet Metal, Air, Rail & Transportation Workers, Local Union 293, the Laborers International Union of North America, Local Union 368, the Iron Workers, Local Union 625, the International Brotherhood of Boilermakers, Local Union 627, the Operative Plasterers and Cement Masons, Local Union 630, the Plumbers and Fitters, Local Union 675, the Hawaii Teamsters & Allied Workers, Local Union 996, and the International Brotherhood of Electrical Workers, Local Union 1186 (collectively, the “Unions”).<sup>2</sup>

Discussions focused on labor challenges that are inherent in large-scale construction projects, such as the predictability of time and costs, the importance of availability and access to a local workforce of skilled and trained labor, and the necessity of maintaining a safe and secure workplace associated with such projects. The parties considered how to prevent such challenges through project labor agreements (“PLA”), which would be intended to promote safety, harmony and efficiency between various construction trades performing work on large-scale construction projects, such as the renewable projects procured through the IGP RFP, and seek to ensure that such projects are successfully completed safely, on-time and on-budget. Facilitating the use of

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<sup>2</sup> The Companies’ discussions with the Unions were facilitated by IBEW 1260.

local labor for IGP RFP projects would also benefit the community and the State by ensuring payment of prevailing rates, and creating jobs for Hawai‘i residents.

Furthermore, the parties considered how requiring PLAs for projects procured in the IGP RFP aligns with Governor Josh Green, M.D.’s Executive Order No. 25-01, issued on January 27, 2025<sup>3</sup> (“EO 25-01”), which sets forth collective actions to accelerate the State’s decarbonization, stabilize and reduce energy costs, lower the State’s carbon footprint, and strengthen energy security, and the Commission’s 2024 Inclinations on the Future of Energy in Hawaii, issued on December 31, 2024<sup>4</sup> (“2024 Inclinations”), which, among other things, emphasized the fundamental purpose of utilities to act in the public interest by providing reliable, safe, utility services at reasonable rates.

The Companies submit that these discussions with the Unions remained consistent with the Governor’s and the Commission’s emphasis on collective efforts between and among the Companies, government agencies, and third-party resources to accelerate the State’s renewable energy goals.<sup>5</sup> Specifically, the Commission urged utilities to “be creative, engaging, proactive and generous in their work”<sup>6</sup> and to “engag[e] new participants (such as government agencies, community leaders and entrepreneurs) whose resources and abilities amplify the collective efforts.”<sup>7</sup> These discussions built upon the efforts in the Companies’ Stage 3 Requests for Proposals (“Stage 3 RFP”) that gave preference to Proposals that indicated a Proposer’s

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<sup>3</sup> [https://governor.hawaii.gov/wp-content/uploads/2025/01/2501085\\_Executive-Order-No.-25-01.pdf](https://governor.hawaii.gov/wp-content/uploads/2025/01/2501085_Executive-Order-No.-25-01.pdf)

<sup>4</sup> [https://puc.hawaii.gov/wp-content/uploads/2025/01/Hawaii-PUC-Energy-Inclinations-White-Paper-FINAL.12.31.24\\_signed.pdf](https://puc.hawaii.gov/wp-content/uploads/2025/01/Hawaii-PUC-Energy-Inclinations-White-Paper-FINAL.12.31.24_signed.pdf)

<sup>5</sup> See EO 25-01 at 3 (“To provide the lowest cost to ratepayers, this requires collective action and shared accountability to maximize end-use efficiency, demand response, and fuel switching to balance new renewable energy projects with affordability, reliability, land use, and resilience.”); see also 2024 Inclinations at 2 (“success depends on the sustained willpower of utilities and government agencies, including the Commission, to establish and meet specific milestones for the development and energization of new projects”).

<sup>6</sup> 2024 Inclinations at 8.

<sup>7</sup> *Id.* at 14.

commitment to pay prevailing wages and hire qualified construction and operations and maintenance workers from the County a proposed Project is sited and the State<sup>8</sup> and was also included in previously filed versions of the draft IGP RFP.<sup>9</sup> Moreover, the Companies believe that collaboration with the Unions will assist in developing a more robust construction industry in Hawai‘i through job creation in support of renewable energy projects procured in the IGP RFP, consistent with the direction in EO 25-01.<sup>10</sup>

These discussions ultimately resulted in the Companies entering into a Memorandum of Agreement with the Unions, which was executed on June 6, 2025 (“Memorandum of Agreement”), after the Reply was filed. A copy of the Memorandum of Agreement is attached as Attachment C. This Memorandum of Agreement provides for proposed additional terms to the Draft IGP RFP and IGP Contracts<sup>11</sup> that the Companies submit are intended to benefit customers, the community, and the State for the reasons described above. More specifically, these additional revisions include:

IGP RFP:

- Additional Eligibility Requirement in Section 4.2 to reference that all of a Proposer’s contractors must enter into a PLA with the Covered Entities for work that the Covered Entities historically or customarily perform, but allows a Proposer or the Company to utilize its own employees.
- This same PLA requirement in Section 3.11.8.

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<sup>8</sup> See Stage 3 RFP at Section 4.4.2.1 Non-Price Criteria and Scoring, Community Outreach (“Preference will be given to a Proposer’s commitment that eighty percent (80%) of non-supervisory construction and operations workers’ hours associated with project construction or repowering of a project will be paid at prevailing wage equivalent indicated under [Hawai‘i Revised Statutes] Chapter 104 during all periods of construction; and the preference to hire qualified construction and operations/maintenance workers from the County the project is located in and the State of Hawai‘i, in that order, before hiring non-resident laborers.”).

<sup>9</sup> See Section 1.h. of Appendix N to the draft IGP RFP filed on May 2, 2025.

<sup>10</sup> See EO-25-01 at 7-8 (ordering the Hawai‘i State Energy Office to “[s]upport all state and local agencies to the extent possible in developing adequate training and apprenticeship programs to ensure a qualified local candidate for every clean energy job inclusive of utility workers”).

<sup>11</sup> Capitalized terms not defined herein shall have the meaning given to them in the Draft IGP RFP.

- Revision to Appendix N to remove the previous prevailing wage and labor requirement and instead, cross reference Section 3.11.8.
- Additional basis for disqualification for failure to comply with Section 3.11.8 in Section 3.10
- Attestation that a Proposer agrees that all its contractors will enter into a PLA with the Covered Entities added to Appendix B to the RFP.
- Addition of Appendix Q to include a model PLA for reference and use by Proposers' contractors.

IGP Contracts:

- Addition of "Covered Entities" to the Schedule of Defined Terms to identify the Unions.
- New Representation and Warranty as Section 22.2(f) in the RDG PPA and ESPA and Section 12.1(N) in the Firm PPA requiring all of Seller's contractors to enter into a PLA with the Covered Entities.
- Revision to the Reporting Milestone in Attachment L requiring EPC and general contractor agreements to allow the Company to confirm their compliance with the PLA requirement.
- Revision to Attachment S to align with the revised Reporting Milestone in Attachment L.

The Companies respectfully submit that these further revisions to the Draft IGP RFP are relevant and material, and will help to prevent the aforementioned challenges inherent in large-scale construction projects. Similarly, the additional revisions to the Draft IGP RFP are intended to ultimately benefit customers and the community by addressing the affordability of large-scale projects and help the State progress toward its 100% renewable energy goals. In particular, the Companies proffer that the proposed revisions to the Draft IGP RFP will assist the Companies

and independent power producers in accelerating efforts to develop renewable energy projects, as emphasized in the 2024 Inclinations<sup>12</sup> and EO 25-01.<sup>13</sup>

## II. Conclusion

For the reasons described herein and in the Companies' RSOP as incorporated by reference, the Hawaiian Electric Companies respectfully submit that:

- The Draft IGP RFP procurement targets adequately address the Companies' grid needs;
- The Draft IGP RFP satisfies the requirements of the Competitive Bidding Framework; and
- The Draft IGP RFP reasonably incorporates feedback received from the Commission and stakeholders.

Based on the foregoing, the Hawaiian Electric Companies respectfully request that the Commission approve the Draft IGP RFP, attached hereto as Attachment A. The Companies look forward to working with the Commission, the Independent Observer, the Independent Engineer, and stakeholders on a competitive and successful procurement.

DATED: Honolulu, Hawai'i, June 6, 2025.

/s/ Tracie M.K. Black

Tracie M.K. Black

Attorney for  
HAWAIIAN ELECTRIC COMPANY, INC.  
HAWAI'I ELECTRIC LIGHT COMPANY, INC.  
MAUI ELECTRIC COMPANY, LIMITED

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<sup>12</sup> See 2024 Inclinations at 1 (providing for a Roadmap to guide and track the completion of “urgent and substantial energy infrastructure upgrades for public safety, reliability and resiliency, including . . . [e]xpeditious replacement of old, inflexible fossil fuel generation with more efficient and reliable technologies that fully support the transition to 100 percent renewable energy”) and 2 (citing the “compelling public need” to truncate the timeframe for “critical energy infrastructure development”).

<sup>13</sup> See EO 25-01 at 3 (declaring “collective actions to accelerate the State’s decarbonization, stabilize and reduce energy costs, lower the States’ carbon footprint, fortify energy security, and gain access to capital for the energy transition”).