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RANKING MEMBER

ONE HUNDRED EIGHTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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WASHINGTON, DC 20515-6115
Majority (202) 225-3641
Minority (202) 225-2927

August 30, 2023

Ms. Shelee Kimura
President & CEO
Hawaiian Electric
820 Ward Avenue
Honolulu, HI 96814

Mr. Leodoloff R. Asuncion, Jr.
Chairman
Hawaii Public Utilities Commission
Kekuanao'a Building
465 South King Street, Suite #103
Honolulu, HI 96813

Mr. Mark B. Glick
Chief Energy Officer
Hawai'i State Energy Office
235 S. Beretania Street, 5th Floor
Honolulu, HI 96813

Dear Ms. Kimura, Mr. Asuncion, and Mr. Glick:

We write regarding the recent events of Tuesday, August 8, 2023, in which a series of deadly fires broke out on the island of Maui and in the town of Lahaina, resulting in the tragic loss of many lives and the destruction of entire communities. Our hearts are with the people of Maui as they confront immense grief, sadness, and despair, especially for those who are still searching for their missing loved ones. The pain is unimaginable and the road to recovery is long. We must 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.

Certain evidence of a downed power line sparking dry grass in Lahaina indicates that Hawaiian Electric equipment may have been the cause.¹ We understand that Hawaiian Electric, as well as the Hawaii attorney general, are conducting investigations into the deadly fire. Further, the County of Maui has sued Hawaiian Electric, alleging among other things, that the

¹ See Katherine Blunt et al, "Hawaiian Electric Knew of Wildfire Threat, but Waisted Years to Act," The Wall Street Journal, Aug. 17, 2023, <https://www.wsj.com/us-news/wildfire-risk-maui-hawaiian-electric-7beed21e>.

utility removed power lines and other equipment after the fire and before relevant investigations had been completed.²

Information is also coming to light about actions taken – or not taken – by implicated entities in hardening and modernizing the electric grid of Maui. According to the Hawaii Wildfire Management Organization, the risk of wildfire on Maui has been growing in recent years, with the number of acres burned going from 150 in 1999, to 39,000 in 2019.³ The amount of invasive grasses and shrubs in Hawaii has been increasing in recent years too.⁴ According to reports, “[c]ounty and state authorities failed to act on years of reports warning about the dangers of the grasses,” plus at least one preliminary analysis post-fire has found that the buildup of vegetation around Lahaina contributed to ‘catastrophic fire spread’.⁵

After the 2019 fires in Maui, Hawaiian Electric issued a press release on November 5, 2019, outlining multiple initiatives that it planned on taking to prevent wildfires, including “installing heavier, insulated conductors ... to stop from slapping and sparking in areas prone to high winds”, “installing smart switches and smart fuses to minimize sparks created when lines come into contact with each other, and with vegetation”, “applying fire retardants on poles identified in fire hazard areas...”, and “looking into using weather sensors, cameras and thermal imagers to give more precise locations on localized wind gusts, relative humidity and temperatures.”⁶

Based upon filings still pending at the Hawaii Public Utilities Commission, it appears that Hawaiian Electric did not seek to harden and modernize Maui’s electric grid for wildfire risks until just the last couple of years. In particular, the utility asked for rate recovery for “removing potentially hazardous trees, replacing and upgrading power lines, and other protective measures, many of which have been undertaken by other utilities throughout the West.”⁷

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:

² Brianna Sacks and Allyson Chiu, “Maui Utility May Have Compromised Evidence in Fire Probe, Lawyers Say,” The Washington Post, Aug. 24, 2023; <https://www.washingtonpost.com/climate-environment/2023/08/24/maui-fires-power-utility-lahaina-investigation/>

³ *Id.*

⁴ *Id.*

⁵ Dan Frosch et al, “Everybody Knew the Invasive Grass of Maui Posed a Deadly Fire Threat, but Few Acted,” The Wall Street Journal, Aug. 25, 2023; <https://www.wsj.com/us-news/climate-environment/maui-fire-invasive-grass-cf6dbca2>

⁶ See Hawaiian Electric Companies to conduct drone surveys as part of overall wildfire mitigation planning, *press release*, Nov. 5, 2019; <https://www.hawaiianelectric.com/hawaiian-electric-companies-to-conduct-drone-surveys-as-part-of-overall-wildfire-mitigation-planning>

⁷ The Wall Street Journal, *op. cit.*

- (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?
- (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).
- (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.
- (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.
- (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?
- (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.
- (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?
- (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?
- (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?
- (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.).

Kimura, Asuncion, Glick

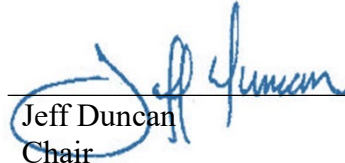
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We look forward to your responses. If you have any questions about these requests or need additional information, please contact Mary Martin (Mary.Martin@mail.house.gov), or Sean Brebbia (Sean.Brebbia@mail.house.gov) with Majority staff.

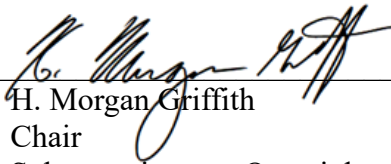
Sincerely,



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