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BEFORE THE  
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

PUBLIC UTILITIES  
COMMISSION

2005 APR -4 P 2:42

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In the matter of )  
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HAWAIIAN ELECTRIC COMPANY, INC. )  
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For Approval and/or Modification of )  
Demand-Side and Load Management )  
Programs and Recovery of Program Costs )  
And DSM Utility Incentives. )  
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DOCKET NO. 05-0069  
(Energy Efficiency Docket)

MOTION TO INTERVENE AND  
BECOME A PARTY  
AND  
CERTIFICATE OF SERVICE

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MOTION TO INTERVENE AND  
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**INTRODUCTION**

Pursuant to Hawaii Administrative Rules (HAR) Section 6-61-55, this “Motion To Intervene and Become A Party” before the Public Utilities Commission (PUC) of the State of Hawaii in the matter of the Energy Efficiency Docket (Docket No. 05-0069) opened by the PUC on March 16, 2005 with its Order No. 21698, is respectfully submitted by the Hawaii Solar Energy Association (HSEA).

HSEA is a non-profit professional trade association (an organization) incorporated in the State of Hawaii in 1977 and is granted exemption from federal income tax under Section 501(c)(6) of the Internal Revenue Code of 1986. HSEA’s organizational purposes are to promote the utilization and commercialization of renewable energy resources in the State of

Hawaii, to advance consumer education and understanding of solar energy technologies, and to develop sound trade and technical practices among its member companies.

## **BASIS OF MOTION TO INTERVENE**

### **1. Nature Of Applicant's Statutory Or Other Right To Participate In The Hearing.**

Hawaii Revised Statutes (HRS) Section 269-13 provides the statutory basis for HSEA's participation in the hearing. HAR Section 6-61-55 provides the regulatory basis for HSEA's participation in the hearing. HSEA has complied with the provisions stated in HAR Section 6-61-55. Several other rights to participate in the hearing exist. HSEA has been a party to the Hawaiian Electric Company, Inc. (HECO) demand-side management (DSM) programs docket (Docket No. 00-0209). HSEA has and continues to participate in HECO's Integrated Resources Plan (IRP, Advisory Group member) and Demand-Side Management (DSM, Advisory Group member) planning processes. HSEA has participated in the Energy Efficiency Policy Task Force (member) created by the Legislature of the State of Hawaii and the Energy Policy Forum conducted by the University of Hawaii (member).

HSEA's articles of incorporation and by-laws support its right to participate in the hearing. HSEA's board of directors has authorized HSEA's participation in the hearing and has appointed Richard R. Reed or another duly appointed representative to represent HSEA before the PUC in the Energy Efficiency Docket (Docket No. 05-0069).

### **2. Nature And Extent Of Applicant's Interest In The Energy Efficiency Docket.**

Solar water heating (SWH) technology is a major component of HECO's Proposed DSM Programs in the new Energy Efficiency Docket (Docket) opened by the PUC. SWH technology has been a key aspect of HECO's existing residential DSM programs. The number of SWH

system installations has increased by more than fifty percent since the existing HECO DSM programs were approved by the PUC in 1996. HSEA represents the majority of the solar manufacturers, suppliers and contractors participating in HECO's existing DSM programs, and very likely will represent the manufacturers, suppliers and contractors participating in the Proposed DSM Programs. HSEA currently has twenty-one member companies, all of which are active participants in HECO's existing residential DSM programs. HSEA's member companies contribute over ninety percent of the sales and installations of SWH systems in HECO's existing DSM programs. In addition, the sales of SWH systems in HECO's existing DSM programs comprise the majority of total revenue earned by HSEA's member companies. As such, HSEA and its members have a strong and vested interest in the structure, optimal development and successful implementation of the Proposed DSM Programs.

**3. The Effect Of The Pending Order As To The Applicant's Interest.**

The pending order may significantly modify HECO's existing DSM programs and thereby significantly affect the Proposed DSM Programs. HSEA finds that HECO's existing DSM programs have, on balance, benefited HSEA members, ratepayers, the general public, and the State of Hawaii. However, the outcome of the Proposed DSM Programs of the extant Docket may adversely affect HSEA and other beneficiaries of HECO's existing DSM programs. In particular, the proposed use of energy efficient electric water heaters with demand-limiting controls, the inclusion of other non-water heating technologies, or the reduction in utility rebate levels offered for SWH systems could reduce the number of SWH systems installed and, therefore, adversely impact HSEA member companies and other parties.

**4. Other Means Available Whereby The Applicant's Interest May Be Protected.**

None.

**5. The Extent To Which The Applicant's Interest Will Be Represented By Existing Parties.**

None.

The current known parties to this Docket are the Hawaiian Electric Company, Federal Department of Defense, State Consumer Advocate, Life of the Land, Rocky Mountain Institute, and the County of Maui. None of these parties have interests, commercial or otherwise, that are entirely coincident with those of HSEA members. In fact, HSEA maintains that past actions and positions of one or more of these parties have adversely impacted HSEA's economic interest.

**6. The Extent To Which The Applicant's Participation Can Assist In The Development Of A Sound Record.**

HSEA is uniquely qualified to assist in the development of a sound record. Its members are primarily small business contractors and suppliers that have expertise in marketing, selling, engineering, installing, operating, and servicing solar and other water heating technologies within and without the current utility DSM program structure. This expertise was gained over the past thirty years through the installation of an estimated eighty thousand residential and commercial SWH systems. In addition, HSEA members are knowledgeable and experienced in State of Hawaii energy policy and planning, energy economics, DSM program structure, design and implementation, and PUC proceedings. HSEA provides its members with organized, professional and effective representation that will be of benefit to the Commission in providing a thorough and sound evidentiary record.

**7. The Extent To Which The Applicant's Participation Will Broaden The Issues Or Delay The Proceedings.**

None.

**8. The Extent To Which The Applicant's Interest In The Proceeding Differs From That Of The General Public.**

Please refer to our response to Number 2 above.

**9. Whether The Applicant's Position Is In Support Or Opposition To The Relief Sought.**

HSEA in general supports aggressive demand-side management and energy efficiency programs. HSEA, however, finds that some DSM programs and incentive levels may, in an unintended way, be detrimental to the increased use of solar water heating systems to reduce both the peak demand for electricity and to provide energy savings to ratepayers.

HSEA strongly supports the continuation of DSM programs for solar water heating as well as enhancements to the Proposed solar water heating DSM Programs that will increase the number of solar water heating system installations.

**CONCLUSION**

Based on the foregoing, HSEA respectfully requests that the Public Utilities Commission grant its Motion to Intervene.

Dated: April 4, 2005, Honolulu, Hawaii

A handwritten signature in cursive script, reading "Richard R. Reed", is written over a horizontal line.

Richard R. Reed, President

Hawaii Solar Energy Association

**CERTIFICATE OF SERVICE**

I hereby certify that I have this date served a copy of the foregoing Motion to Intervene upon the following parties, by causing a copy hereof to be personally served, or mailed, U.S. postage prepaid, and properly addressed to each such party.

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