

EXECUTIVE ORDER 21-01
Powering Past Coal Task Force

By the authority vested in me by the Constitution and laws of the State of Hawai'i, including but not limited to section 196-72(d), Hawai'i Revised Statutes, I, DAVID Y. IGE, Governor of the State of Hawai'i, hereby approve and order as follows:

WHEREAS, the large stationary combustion energy facilities in Hawai'i accounted for 40% of the total greenhouse gas (GHG) emissions in Hawai'i in 2016 according to the December 2019 Hawai'i Greenhouse Gas Emissions Report published by the Hawai'i Department of Health;

WHEREAS, O'ahu's only coal plant was the second largest stationary combustion energy facility source of GHG in Hawai'i in 2016, accounting for 20% of the total GHG emitted by large stationary combustion energy facilities according to the December 2019 Hawai'i Greenhouse Gas Emissions Report;"

WHEREAS, as Governor, I signed on to the Powering Past Coal Alliance on September 4, 2018, in a pledge to end the use of coal in Hawai'i;

WHEREAS, Act 23, passed by the Legislature and signed into law by me on September 15, 2020, effectively banned the use of coal for electrical power generation in Hawai'i after September 1, 2022, the expiration date of the coal plant's power purchase agreement with O'ahu's electric utility;

WHEREAS, Act 23 was passed without opposition by the Hawai'i Senate and the House of Representatives;

WHEREAS, the coal plant generates firm electrical power for O'ahu's grid and is O'ahu's second largest power plant, providing 16% of O'ahu's electrical energy and 180 MW of capacity in 2020;

WHEREAS, replacing the coal plant's electrical energy and capacity at a cost-competitive price will require Stage 1 and 2 renewable energy projects on O'ahu approved by the Hawai'i Public Utilities Commission (PUC) to be on line, in addition to other potential measures such as approved community-based renewable energy projects, grid services contracts, and distributed energy resources;

WHEREAS, numerous renewable energy projects that are intended to replace the electricity from the coal plant are experiencing delays that cause concern about cost and reliability, particularly for fall 2022 and summer 2023;

WHEREAS, the reviews and implementation of the identified measures on O‘ahu can be facilitated by a coordinated stakeholder effort involving those entities with a key role in project permitting, including community engagement;

WHEREAS, under section 196-71(b)(3), Hawai‘i Revised Statutes, one of the missions of the Hawai‘i State Energy Office is to “[p]rovide renewable energy... project deployment facilitation to assist private sector project completion when aligned with state energy goals;” and

WHEREAS, under section 196-72(d)(15), Hawai‘i Revised Statutes, one of the duties of the Chief Energy Officer is to facilitate the efficient, expedited permitting of renewable energy and energy resiliency projects by coordinating and aligning state and county departments and agencies to support, expedite, and remove barriers to deployment of energy initiatives and projects;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai‘i, hereby approve and order the establishment of the Powering Past Coal Task Force (PPCTF), as follows.

- I. **Purpose.** The purpose of the task force shall be to convene stakeholders to increase transparency, coordination, collaboration, and urgency to timely facilitate, coordinate, and align project development and reviews by Hawaiian Electric, state, and county agencies for those measures anticipated to provide electricity for O‘ahu to replace the coal plant’s electricity, including the Stage 1 and 2 renewable energy projects for which power purchase agreements (PPAs) have been approved by the Public Utilities Commission. The task force focus is on implementation and problem solving; it shall not be a policy-making body or pursue statutory or administrative rule changes; and it shall not replace the independent review of participating agencies for permitting or regulation. The primary activity of the task force is to develop a common operating picture of the overall progress of the portfolio of measures to track through a master schedule of projects, reviews, and critical dependencies from the present to 2023.
- II. **Members.** Membership in the PPCTF is comprised of two groups: (a) a representative from each state agency with which consultation, permitting, licensing, or other regulatory processing occurs for the relevant project to be

coordinated; and (b) an invited representative from non-state government entities as detailed below. The Chief Energy Officer of the Hawai'i State Energy Office shall serve as Chair.

A. It is expected that the director or principal agent of the following agencies and governmental offices, or such director's or principal agent's designated representative, attend every meeting convened:

1. Public Utilities Commission
2. Hawai'i Natural Energy Institute
3. Consumer Advocate
4. Department of Commerce and Consumer Affairs
5. Department of Business, Economic Development, and Tourism
6. Department of Land and Natural Resources

Upon request of the Chair, a state agency not listed here but identified as requiring timely facilitation, coordination, or alignment to achieve the purpose of the PPCTF is expected to participate as requested by the Chair.

B. In addition to state agencies, non-state entities having critical and necessary roles in achieving the purpose of the PPCTF are invited to participate. Upon acceptance of the invitation, the following are requested to attend every meeting convened:

1. Elected officials responsible for state energy policy and the implementation of county energy measures:
 - i. Chair of the Senate Committee on Energy, Economic Development, and Tourism
 - ii. Chair of the House Committee on Energy and Environmental Protection
 - iii. Mayor of the City and County of Honolulu
2. City and County of Honolulu agencies with which consultation, permitting, licensing, or other regulatory processing occurs for measures within the scope of the PPCTF:
 - i. Department of Planning and Permitting of the City and County of Honolulu
3. The electric utility, Hawaiian Electric

4. Companies implementing measures identified and approved by the Public Utilities Commission as necessary to the purpose of the PPCTF, including but not limited to:
 - i. 174 Power Global
 - ii. Clearway Energy Group
 - iii. Longroad Energy
 - iv. The AES Corporation
 5. Energy-related public interest groups focused on community engagement regarding the implementation and coordination of the specific measures identified here:
 - i. Earthjustice
 - ii. Life of the Land
 - iii. Sierra Club of Hawai'i
- C. By accepting the invitation to participate in the PPCTF, members commit to be present, empowered to take action, and be accountable. Members commit to proactively and collaboratively coordinate and problem solve. Members are encouraged to give consideration to the "Aloha Spirit" as set forth in section 5-7.5(b), Hawai'i Revised Statutes.

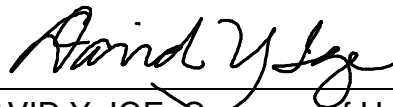
III. Procedure.

- A. The Chief Energy Officer of the Hawai'i State Energy Office (the Chair), or the Chair's designee, shall convene every meeting of the PPCTF at the Chair's own instance (or in the Chair's discretion, at the instance of any other member or members), and will chair every such meeting convened. The Chair shall determine the agenda for each such meeting, and may add items to the agenda suggested by other members, in the Chair's discretion.
- B. The opening meeting shall be convened on March 31, 2021, and will be conducted electronically. All members shall receive an individual invitation with a sign-on identity and password to attend the opening meeting. Future meetings will be conducted at times and in a manner set by the Chair.
- C. Meetings shall be restricted in attendance to its members, and any representative or designee of a member must be able to verify his or her authority to represent the member who has designated him or her, to the satisfaction of the Chair. Multiple representatives from a given entity

implementing a measure may be permitted in the Chair's discretion upon a showing of relevance and need.

- D. It shall not be the intent of the Chair for material that is deemed confidential by a member or a trade secret of any member to be discussed or otherwise published, either on the meeting agenda or in the course of discussions during any meeting. If confidential information with regard to any measure properly before the PPCTF is nevertheless referred to or released to another member or members during a meeting, such information shall remain confidential, and any member receiving such confidential information shall not share it with any other person outside the PPCTF, except with the express permission of the member who is the source of such information.
- E. Should the Public Utilities Commission identify and approve additional measures to support retirement of the coal plant that require the assistance of the PPCTF, the Chair may include such measures and relevant members in the work of the PPCTF in a manner determined by the Chair.

Done at the State Capitol, Honolulu,
State of Hawai'i, this 30th day of
March, 2021.



DAVID Y. IGE, Governor of Hawai'i

APPROVED AS TO FORM:



Clare E. Connors
Attorney General