SHELEE M. KIMURA
President and Chief Executive Officer

September 19, 2023

Honorable Jeff Duncan
Chair, Subcommittee on Energy, Climate and Grid Security
House of Representatives
Congress of the United States
2125 Rayburn House Office Building
Washington, DC 20515-6115

Honorable Cathy McMorris Rodgers
Chair, Committee on Energy and Commerce
House of Representatives
Congress of the United States
2125 Rayburn House Office Building
Washington, DC 20515-6115

Honorable H. Morgan Griffith
Chair, Subcommittee on Oversight and Investigations
House of Representatives
Congress of the United States
2125 Rayburn House Office Building
Washington, DC 20515-6115

Aloha Chairs Duncan, Rodgers and Griffith,

Thank you for your expressions of concern and support for the people of Maui. Our hearts break for the lives lost and the lives forever changed. Hawaiian Electric honors the memories of these people and places by continuing our restoration and rebuilding work in Lahaina and other communities affected by the windstorms and wildfires of Aug. 8, 2023 and by working with others to understand what happened and ensure this kind of tragedy does not happen again.

Seven weeks after this tragedy, Hawaiian Electric continues to operate in emergency incident response mode. The windstorm and fires destroyed nearly 1,000 poles and a substation, affecting more than 13,000 customers in West Maui. Crews restored about 80% of customers within the first few days and 95% of customers within two weeks. Today, we are continuing to bring power back to pockets of homes and businesses in and around the most heavily damaged areas of Lahaina. Rebuilding critical infrastructure in West Maui will take years.

Hawaiian Electric appreciates your efforts to "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." We also appreciate the opportunity to answer your questions with this objective in mind. In combination with many assessments and efforts by us and others, we

appreciate how your committee's work can be the start of an important national conversation on how the federal government can help keep communities safe and to recover from extreme weather events.

While Hawaiian Electric has publicly shared key facts we know about the events of Aug. 8, there are still open questions, including about the cause of the afternoon fire that burned through Lahaina. There are lessons to be learned from this tragedy and we are resolved to keep our communities safe.

The following are our answers to the questions in your Aug. 30, 2023 letter. We also look forward to answering your questions on Sept. 28 and hearing your members' thoughts on actions to address this national public safety imperative.

(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?

Response: A fire broke out at approximately 6:30 a.m. on August 8, 2023, near the intersection of Lahainaluna Road and Ho'okahua Street, where Company-owned distribution lines had fallen to the ground. At 6:30 a.m. the distribution lines around that intersection were energized. At 6:39 a.m. the last remaining transmission line serving the Lahaina area tripped off-line. After that, customers in all of West Maui did not have power, and power did not return until August 11, 2023.

The 6:30 a.m. fire spread into a nearby field on the south side of Lahainaluna Road, across from the Intermediate School. The Maui Fire Department responded to the fire and reported that, by 9:00 a.m., the fire was fully contained. Maui Fire Department personnel remained on the scene until the early afternoon and then departed. According to a subsequent interview given by the Maui Fire Chief, the Fire Department determined the fire had been "extinguished."

In the early afternoon, Hawaiian Electric emergency crews arrived at the intersection on Lahainaluna Road to make repairs to the equipment. When they arrived, they saw no fire, smoke or embers. Shortly before 3:00 p.m., after the Fire Department had left the area, the crew observed smoke coming from the field across from the Intermediate School, about 75 yards from where the morning fire was first observed.

At the time the 3:00 p.m. fire was first observed, all distribution and transmission lines in West Maui, including Lahaina, were de-energized and had been that way for several hours. Crew members immediately called 911 and reported the fire in the field. By the time the Maui County Fire Department arrived back on the scene, it was not able to contain the afternoon fire. Fueled by strong winds, the fire spread out of control toward Lahaina.

No determination as to the cause of the 3:00 p.m. fire has been made.

The wind and fire damaged many poles and lines. Prior to and during the evacuation of Lahaina, Hawaiian Electric crew members heroically acting on their own initiative or at

request of local authorities cleared downed or damaged electrical equipment from roadways when they could reach the location.

(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).

Response: Since 2013, Hawaiian Electric has addressed fire risks to the electric grid through direct actions and efforts, and indirectly as a part of overall efforts to improve grid reliability and resilience. These actions and efforts include developing a Wildfire Mitigation Plan ("WMP"), making investments, and implementing programs and processes as described below.

As part of its ongoing wildfire mitigation efforts, in 2019, Hawaiian Electric began developing a WMP to take proactive measures to address wildfire risks. While such plans are mandated in California, Hawaiian Electric developed its plan of its own volition. The current plan, finalized in January 2023, is the result of a multi-year effort with analysis and input from many facets of the company. Hawaiian Electric began implementing multiple projects contemplated in the WMP, even before the WMP was finalized.

The purpose of the WMP is to mitigate the potential for Hawaiian Electric facilities either to cause an ignition or to exacerbate the severity or size of a wildfire. The WMP provides a framework for a comprehensive and coordinated wildfire mitigation strategy across O'ahu, Maui County,[1] and Hawai'i Island. The WMP is flexible, recognizing that each island has unique transmission and delivery systems and features and distinct geographic, environmental, and resource considerations. The measures outlined in the WMP involve: 1) equipment inspections; 2) vegetation management; 3) system hardening; 4) situational awareness; and 5) operations. Each of these areas is described in more detail below. The WMP incorporates, improves, and adds to measures Hawaiian Electric has had in place for many years prior.

In June 2022, Hawaiian Electric filed an application with the Hawai'i Public Utilities Commission ("HPUC") to fund resilience enhancement measures, including a host of projects and measures identified in the WMP.[2] In April 2023, Hawaiian Electric also submitted a request for funding under the 2021 Infrastructure Investment and Jobs Act ("IIJA") for its resilience program. While the HPUC application and IIJA request were

[1] "Maui County" refers to Hawaiian Electric's service territories on the islands of Maui, Lanai, and Molokai, and includes references herein to "Maui." References to the island of Maui only are designated as "Maui Island."
[2] In 2019, Hawaiian Electric formed a Resilience Working Group ("RWG"), which engaged state and national agencies, commercial and industrial customers, and not-for-profit interest groups to develop resilience planning inputs for Hawaiian Electric's Integrated Grid Planning ("IGP") process, as well as recommendations for utilities and customers to implement outside of the IGP process. The RWG identified and prioritized hurricanes/floods/winds as a primary resilience threat to the electric grid, but also identified wildfires as a priority threat. The outcomes of these RWG discussions were incorporated into the Integrated Grid Plan as part of resilience strategy and approach, and also helped inform the development of this application to the HPUC.

pending, Hawaiian Electric proceeded to initiate a number of system hardening projects described in the WMP, including on Maui, as set forth below.

(a) Inspections:

Hawaiian Electric undertakes maintenance and inspections of facilities and equipment in Maui County through several programs to ensure the structural and operational integrity of its infrastructure. These programs address transmission and distribution facilities, including poles, structures, overhead and underground lines, substations, vaults, transformers, and switchgear, as well as the communication system required to monitor and operate the automated equipment on and within these facilities. Inspection and maintenance programs on Maui mitigating wildfire risk include pole "test and treat" inspections, aerial and driving inspections of transmission systems, and as-needed inspections and maintenance of distribution systems. Since 2013, Hawaiian Electric has spent more than $8M on Maui County inspecting transmission and distribution systems.

Hawaiian Electric performs general aerial inspections of Maui's transmissions facilities by helicopter bi-annually, and aerial inspections are also performed for storm damage assessment and system interruptions as needed. Additional patrols are conducted by vehicle and on foot in certain areas. Hawaiian Electric also recently completed infrared inspections of its transmission lines on Maui.

The wood pole test and treat program for Maui includes inspections and tests of wood pole strength, inspection of anchors, as well as treatment of poles for wood rot and termites. The results of these inspections inform decisions with regard to which poles require replacement or restoration. Since 2013, Hawaiian Electric has performed test and treat on approximately 29,000 of approximately 31,000 wood poles in Maui County.

(b) Vegetation Management:

Hawaiian Electric's vegetation management program focuses on preventive maintenance on overhead distribution and transmission lines. The vegetation management program seeks to minimize line and facilities contact, and thus reduce fire risk, by pruning or removing vegetation within easements and County and State rights-of-way from the immediate vicinity of overhead electrical conductors (concurrent with the landowner's obligation to exercise reasonable care to prevent damage to utility facilities on their property). Because land is limited in Hawai'i, utility easements are generally more restrictive as compared to the mainland U.S. in terms of the radius in which vegetation clearance is allowed.

The trimming cycle for each circuit is determined based on a combination of several factors, including inspections, reliability data, vegetation type, tree density, growth rates, and area. The current vegetation management work plan for Maui County seeks to prune transmission and distribution circuits—approximately 1000 circuit miles—every 18-24 months and to inspect each circuit six months after pruning. For Maui County, half of the overhead circuit miles trimmed in 2022 were distribution circuits. Transmission circuit trimming priorities for Maui County were determined based on data from LiDAR inspections completed in

December 2021. Since 2013, Hawaiian Electric has committed approximately $30M to vegetation management in Maui County and trimmed over 1,200 circuit miles between 2021 and August 2023.

(c) System Hardening:

The WMP includes targeted system hardening projects in identified priority areas to make Hawaiian Electric facilities more robust and mitigate the potential for wildfire ignitions. System hardening is an on-going design and implementation process. For example, Hawaiian Electric completed designs for shield wire replacement for certain transmission lines running to West Maui in order to prevent failures that could cause the shield wire to fall into energized conductor and cause sparks. In April through August of 2023, transmission structures along these same lines were also replaced to higher wind speed ratings in preparation for the shield wire replacement. Hawaiian Electric has also begun to deploy field devices, such as smart reclosers and smart fuses (both set for non-reclose), which can be used to improve fault sensitivity and detection and reduce ignition risk. Three smart fuse design packages and one reconductoring design package for priority areas identified in the WMP are also complete.

In addition to the pole replacement efforts outlined above, Hawaiian Electric spent approximately $10M over the last ten years to harden its system through transmission and distribution upgrade projects. These include reconductoring projects utilizing covered conductors in certain areas and rebuilding older areas with voltage conversion projects. Since 2019, Hawaiian Electric has installed approximately 90,000 feet of Hendrix spacer covered conductor on Maui and Moloka'i. These lines improve reliability and mitigate fire risk by reducing the likelihood of faults caused by conductors making contact with objects, and contact between phases, or swing shorts. A design project was commenced in April 2023 to replace approximately 6.4 miles of single strand copper on Maui with multi-strand aluminum conductors, which is generally stronger. Construction was slated for October. This effort will replace older solid copper conductors that were more prone to breaking.

Since March 2023, Hawaiian Electric has been inspecting and strengthening 106 transmission structures near Olowalu that supply power to the west side of Maui. The new upgraded poles are designed to withstand stronger wind gusts. This resiliency work in Olowalu to date has included replacing 61 poles, 142 anchors, and deteriorated hardware such as bolts and braces. This upgrade will improve resilience in an area identified for higher wildfire risk.

Since 2013, Hawaiian Electric has spent over $126M replacing approximately 5,200 wood poles and upgrading pole components such as crossarms, conductor, and insulators in Maui County.

(d) Situational Awareness:

As part of the WMP, Hawaiian Electric has identified and prioritized circuits for deployment of weather stations and video cameras to improve situational awareness, which will enhance the identification of dangerous weather conditions and fire confirmation capabilities.

On Maui Island, three weather stations have been installed in West Maui at the Mahinahina, Napili, and Pu'ukoli'i substations. These stations are collecting data, and procedures to incorporate the data operationally are in development. Different models and technologies of video cameras were tested and piloted on Oahu in 2021 and 2022. Five video cameras were purchased for Maui in 2023 and are slated to be installed this year. Hawaiian Electric also tested early fire detection sensors on O'ahu, which will be purchased for Maui in 2023.

(e) Operations:

The WMP recommends consideration of certain operating procedures in the event of Red Flag Warning type conditions, including the disabling of automatic reclosing capabilities for circuit breakers and reclosers. Even before the recommendation in the WMP, Maui had a reclose blocking procedure. Under this procedure, Hawaiian Electric blocks automatic reclosing on certain circuit breakers and reclosers on Maui, Moloka'i, and Lāna'i when Red Flag Warnings or High Wind Warnings are issued by the National Weather Service. These procedures reduce the likelihood of Hawaiian Electric facilities igniting a fire by preventing certain lines from attempting to reclose and reenergize in the event that a protective device operates to de-energize a line in a fault condition.

(f) Other Efforts:

Certain other efforts to improve the reliability and resilience of the electric grid on Maui also indirectly address fire risk. For example, Hawaiian Electric has on-going asset management programs for Maui County that resulted in the replacement of Transmission & Distribution system components as well as programs to enhance reliability. System upgrades that serve the grids on Maui, Lāna'i, and Moloka'i include: (1) replacing aging infrastructure by upgrading existing relays, circuit breakers and switchgears; and (2) upgrading the telecommunications infrastructure to support efficient, secure and reliable business and utility operations and to facilitate Advanced Metering Infrastructure, Distribution Automation, smart grid technologies and customer programs. Since 2013, Hawaiian Electric has spent over $20M replacing relays, circuit breakers and switchgears to modernize the grid and reduce the clearing time of faults on Maui County.

Cyber security and physical security efforts are also key aspects of resilience that are integrated with emergency response, generation/power supply resilience, transmission and

distribution resilience, and system/grid operation resilience. Indeed, the Resilience Working Group identified as priorities securing the grid from physical and cyber threats.[34]

(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.

Response: The vast bulk of invasive grasses on the island of Maui are not on land owned or controlled by Hawaiian Electric. Any invasive grasses and other vegetation on property owned by Hawaiian Electric are addressed in the normal course by Hawaiian Electric's landscaping personnel. Landscaping includes mowing, trimming and on occasion, in areas where it is permitted, use of an herbicide. Landscaping of the Kahului Base Yard is performed monthly. Interior vegetation management at Hawaiian Electric's substations is performed twice a year approximately during the months of May-June and November-December; exterior vegetation management at the substations is performed monthly.

Hawaiian Electric's overhead lines generally run over property that Hawaiian Electric does not own. Hawaiian Electric's vegetation management program within easements and rights of way is primarily focused on potential interference with overhead transmission and distribution circuits, and minimizes outages as well as associated fire risk by removing vegetation that may come into contact with overhead electrical conductors. Eliminating vegetation, such as grasses, present in easements and rights-of-way, but not tall enough to contact the lines, is not generally within Hawaiian Electric's rights. Hawaiian Electric's vegetation management work plan for Maui County is discussed more fully in response to Question #2 above.

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[3] Hawaiian Electric's cyber security program is based on National Institute of Standards and Technology ("NIST") Cyber Security Framework which incorporates continuous risk assessment and improvement. As a critical infrastructure provider for customers and the community, including the state of Hawai'i, the major branches of the military, and United States Indo Pacific Command, Hawaiian Electric is a potential target for a variety of threat actors, including nation states. Hawaiian Electric's cyber security program is based on Defense in Depth, layered security, and a continuous risk assessment and improvement based on the NIST cyber security framework. Consistent with the Department of Homeland Security's "Seven Strategies to Defend Industrial Controls Systems," Hawaiian Electric's ongoing cyber security focus areas are to expand capabilities to mitigate common exploitable weaknesses in "as-built" control systems, telecom systems, and grid modernization systems. This includes investments in highly skilled resources, new in-house capabilities, and third-party services, expanded hours of operation and extended coverage of continuous monitoring by the Network Operations and Security Center, and further segmentation of network architecture to isolate and protect critical assets.

[4] Hawaiian Electric's physical security program is designed to restrict unauthorized access to facilities, equipment and resources, and to protect personnel and property from damage or harm. Hawaiian Electric has enhanced the physical security of its assets, resources, and systems through guard services, physical patrols of high-risk facilities, and electronic security monitoring systems. As an example, Hawaiian Electric upgraded its closed-circuit television system to provide better and continuous video coverage of its facilities, and the internal software notification feature with motion sensor continuously monitors activity and provides real time alerts on suspicious activity. Hawaiian Electric also continues to liaise with local law enforcement agencies to adjust to emerging threats and provide for a quick and coordinated response.

Additionally, in Docket No. 2022-0135 (Climate Adaptation Transmission and Distribution Resilience Program), Hawaiian Electric has proposed a plan to remove off-right-of-way hazard trees that pose a danger to lines. Hazard trees outside of the right-of-way are known to be a major cause of damage to utilities exposed to severe weather events and have also been shown to pose a significant wildfire risk to utilities operating in high wildfire risk areas. Unlike routine vegetation management, hazard tree removal eliminates the risk posed by hazard trees. Hawaiian Electric has conducted LiDAR surveys of all transmission and sub-transmission lines and identified trees that are large enough to overstrike and damage lines if they were to fail. This data is then supplemented with individual risk assessments to target those trees with obvious defects for removal. Work is currently being prioritized to first address lines that both 1) are critical to system resilience, and 2) have high fall-in tree risk (based on density of hazard trees and historical outages).

Hawaiian Electric defers to the HPUC and Hawai'i State Energy Office to describe any actions that they may have taken responsive to this question.

(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.

Response: Hawaiian Electric does not track spending in the exact categories referenced in this question. However, to be responsive to the request, Hawaiian Electric determined costs incurred by Maui Electric Company, Limited, which includes all of Maui County (Maui Island, the largest and most populated, Lāna'i and Moloka'i islands) during specific years for capital expenditures (projects and programs) and Operations & Maintenance ("O&M") work. Hawaiian Electric then aggregated various costs for the period from 2013 to July 2023 into the categories listed in the question: "Utility Infrastructure," "Energy Generation," "Meeting Hawaii's Renewable Energy Mandates," and "Addressing Identified Fire Risk". Interpretations and assumptions that were made as part of categorizing the spending this way are discussed below.

Utility Infrastructure. Hawaiian Electric spent approximately $620 million for "Utility Infrastructure" for Maui County from 2013 to July 2023. Utility Infrastructure includes all capital projects and programs and O&M spending in the Energy Delivery and Telecommunications functional areas, which includes Transmission & Distribution, Substation & Meter, and Telecom infrastructure. Capital expenditures generally include projects and programs that will enhance Hawaiian Electric's ability to (i) serve customer requests, (ii) upgrade infrastructure and manage critical assets to modernize the grid and maintain reliability, and (iii) improve safety for the public and Hawaiian Electric's employees. O&M spending includes costs for vegetation management, asset management programs, inspection programs, substation preventative maintenance programs, and related activities.

Addressing Identified Fire Risks. Included in Utility Infrastructure spending, Hawaiian Electric spent approximately $200 million for Maui County activities identified in the response to Question #2 above from 2013 to July 2023. As noted above, this includes capital

expenditures for investments in grid hardening ranging from pole replacements, conductor replacements, sensors and cameras, as well as approximately $30 million for vegetation management costs across Maui County. This also includes spending for inspections for test and treat programs and routine quarterly inspections of Hawaiian Electric's circuits.

Energy Generation. Hawaiian Electric spent $2 billion for "Energy Generation" from 2013 to July 2023 for Maui County. Energy Generation includes costs to operate, maintain, design, construct, and selectively retire generation resources. Also included in the Energy Generation category is the cost of fuel consumed by Hawaiian Electric's electric generation facilities. Fuel costs of $1.6 billion are included in the total Energy Generation amount and are the largest category of spending. The cost of imported petroleum fuel is a primary factor determining current electricity prices for Maui County customers. Environmental compliance costs are also included in this category and include spending associated with all environmental regulations including annual fees, monitoring emissions and other testing requirements as defined by the EPA.

Meeting Hawaii's Renewable Energy Mandate.[5] Hawaiian Electric spent approximately $630 million for costs associated with "Meeting Hawaii's Renewable Energy Mandate" for Maui County from 2013 to July 2023. The spending in the Meeting Hawaii's Renewable Energy Mandate category includes (i) developing and supporting long-range resource plans; (ii) supporting demand response programs; (iii) developing and administering customer-distributed energy resource programs; (iv) soliciting and implementing renewable purchase power contracts; (v) administering purchase power contracts; (vi) interconnecting more renewable distributed energy resources, and (vii) purchasing energy under the related renewable purchase power agreements (PPAs). The cost of the energy from the renewable PPAs is $540 million, for various independent power producers across Maui County.

(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?

Response: There are three proceedings pending before the HPUC that have elements relevant directly and indirectly to wildfire risk mitigation. They are:

Docket No. 2019-0327: Phase 2 Grid Modernization Project. In relevant part, Hawaiian Electric's application seeks approval to deploy field devices and acquire an Advanced Distribution Management System (ADMS) to more fully implement Hawaiian Electric's Grid Modernization Strategy. The field devices include voltage control technologies, line sensors, remote fault indicators, and remote intelligent switches such as reclosers and smart fuses to enable better grid management, improve reliability, enhance resiliency, mitigate wildfire risk, and enhance circuit/system protection. ADMS and attendant devices will improve situational awareness and enable grid operators to better coordinate operational changes during emergency situations such as hazardous weather events.

[5] Hawaii's renewable energy initiative can be traced back to 2008 under the Hawaii Clean Energy Agreement, which was focused on reducing on Hawaii's dependence on imported oil, and was supported by the U.S. Department of Energy under President George W. Bush.

Status: The docket is still in the discovery phase.

Docket No. 2022-0135: Climate Adaption Transmission and Distribution Resilience Program. In relevant part, Hawaiian Electric's application seeks approval to make investments to create a more resilient power system that will reduce the severity of damage when major events happen and allow service to be restored to customers more quickly. The investments are targeted to address the highest-value projects that will focus on the biggest vulnerabilities in the most cost-effective way including in relevant part: strengthening the most critical transmission lines to withstand extreme winds; bolstering distribution lines serving critical community lifeline facilities such as hospitals, military facilities, communications infrastructure, water and wastewater facilities, and emergency response facilities; hardening targeted utility poles in order to reduce restoration times after a severe event; removing especially hazardous trees to prevent them from falling onto lines in a severe event; strengthening lines and deploying devices to help prevent and respond to wildfires; and installing distribution feeder ties at isolated substations on Maui that will allow power to be restored more quickly in the event of an outage.

Status: The procedural steps for the parties have been completed as of April 28, 2023. Upon completion of the issuance and answering of any remaining information requests from the HPUC, the docket will be ready for decision making.

Docket No. 2018-0165: Integrated Grid Plan Final Report. This proceeding was initiated to investigate and consider an integrated grid planning process proposed by Hawaiian Electric and to develop an Integrated Grid Plan with input from customers, stakeholders and community members, to forecast and meet future energy needs. The integrated grid planning process engaged industries and governmental agencies through a Resilience Working Group. That Working Group identified and prioritized hurricanes/floods/winds as a primary resiliency threat but also identified wildfires as a priority threat. The outcomes of these Resilience Working Group discussions were incorporated into the Integrated Grid Plan as part of resilience strategy and approach. The Integrated Grid Plan was filed with the HPUC on May 12, 2023.

Status: The procedural steps for the parties have been completed as of June 30, 2023. Upon completion of the issuance and answering of any remaining information requests from the HPUC, the docket will be ready for decision making.

(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.

Response: Hawaiian Electric respectfully defers to the Hawai'i State Energy Office to describe any involvement it may have had in grid modernization, hardening, and resilience efforts by Hawaiian Electric.

(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?

Response: The County of Maui Cost of Government Commission issued its Report on Wildfire Prevention and Cost Recovery on Maui in July of 2021 (attached to this response). The Report recommended actions to personnel in the County of Maui to pursue to reduce the frequency, magnitude, and threat of wild/brush/forest fires on Maui Island. While Hawaiian Electric was not involved in the development of this Report, it has identified one relevant recommendation regarding the electric grid out of eight of total recommendations from the July 2021 Report:

> *7. Above ground power lines that fail, short, or are low hanging can cause fire ignition (sparks) that could start a wildfire, particularly in windy or stormy conditions. This condition is exacerbated by overgrown areas in the rights of way beneath the lines.*
>
> ***Action**: Routinely inspect power transmission lines and rights of way. Task County and the electric utility companies with corrective actions. (See p. 12).*

The report also included the following additional recommendation:

> 7. *Above ground power lines are vulnerable to wildfire and can provide the ignition (sparks) that could start a wildfire, particularly in windy or stormy conditions. There are long-term solutions for reducing power line-related wildfire hazards such as infrastructure upgrades. More immediate solutions include fuels reduction and firebreaks around power infrastructure in "hotspot" areas whichever the source of ignition.* (See p. 13).

The County of Maui, as far as Hawaiian Electric is aware, did not task Hawaiian Electric with taking any action in response to these recommendations. Nevertheless, Hawaiian Electric's actions to address fire risks, as described in response to questions 2, 3 and 5 above are also responsive to this question no. 7.

(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?

Response: Hawaiian Electric respectfully defers to the Hawaii Public Utilities Commission on what orders it has issued or actions it has 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?

Response: The windstorm and fires on August 8, 2023 damaged a significant volume of Hawaiian Electric equipment. After the fire, some of that damaged equipment remained in place; other equipment had been cleared during the evacuation process on August 8 or otherwise to support public safety that day. Some equipment that may be evidence in ongoing or future litigation was documented and is being preserved as described more fully below. Other equipment is being removed in coordination with relevant authorities as part of the ongoing cleanup and safety efforts in and around Lahaina.

Hawaiian Electric does not own or control the streets or land around or beneath its facilities in the area where the Lahaina Fire is thought to have ignited, and no government authority cordoned off any of the facilities or otherwise secured the area. Hawaiian Electric, therefore, took prompt and prudent steps to secure, document and preserve pieces of its equipment that may be relevant to future litigation. Specifically, Hawaiian Electric engaged a third party with expertise in physical evidence documentation, collection, and preservation, which documented, tagged, and moved such equipment to a secure warehouse operated by the third-party vendor. The vendor is preserving that equipment in that secure warehouse. In coordination with the vendor, Hawaiian Electric promptly made that equipment available to an investigator from the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), who conducted an examination of the material in that warehouse over three days. At the request of the ATF, the vendor took two additional items into the secure warehouse on August 29 for preservation.

Hawaiian Electric continues to preserve the equipment in the secure warehouse and will make it available in the future, as appropriate, to government investigators and other parties to legal proceedings. In total, there are approximately 100 pieces of equipment that Hawaiian Electric is preserving. A photograph showing some of the equipment being preserved by the vendor is shown below.

Equipment being preserved in the secure warehouse.

Following the initiation of litigation, the Court in the first-filed action held a conference that included counsel for Hawaiian Electric and counsel for a putative class. The Court asked the parties to discuss steps to formalize the terms on which Hawaiian Electric would preserve evidence, and following submission of proposals from the parties, the Court entered an Interim Discovery Order dated August 18, 2023, governing, among other things, the procedures for Hawaiian Electric's removal and storage of damaged equipment from Lahaina. In particular, the Court ordered Hawaiian Electric to document removal of all equipment from Lahaina and to keep all such equipment, regardless of whether the equipment may or may not be relevant to future litigation. This is an enormous undertaking. Hawaiian Electric is unaware of such a large preservation burden ever having been imposed on a private party. Hawaiian Electric has been complying in good faith with the Interim Discovery Order as cleanup and safety work continues. On August 22, 2023, Hawaiian Electric provided notice of the Interim Discovery Order to counsel in all cases that had been filed concerning the fires; that communication detailed steps Hawaiian Electric intended to follow in compliance with the Interim Discovery Order, including with respect to the removal and storage of damaged equipment. A copy of the August 22, 2023 Notice, which includes the Interim Discovery Order, is attached hereto as Exhibit 1.

(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.).

Response: Hawaiian Electric has not received any funds under the Infrastructure Investment and Jobs Act of 2021 or the Inflation Reduction Act of 2022. However, on August 29, 2023, Hawaiian Electric was notified that the U.S. Department of Energy ("DOE") has recommended for award, subject to negotiation of the terms of financial assistance, Hawaiian Electric's application for $95 million in Infrastructure Investment and Jobs Act of 2021 funding for the Companies' Climate Adaption Program ("Resilience Program"). This award would provide federal matching funds for approximately 50% of the cost for the Resilience Program. In its selection letter to Hawaiian Electric, the DOE indicated that it would soon begin the negotiation process and the necessary requirements to finalize the award based on this application.

Sincerely,

Shelee Kimura
President & CEO