

PUC Water Carriers Working Group Meeting

October 22, 2021, 1:00 – 2:00 p.m.

(Virtual Meeting via Zoom)

Meeting Attendees (in alphabetical order)

P = Present; A= Absent

	Name	Title	Company
A	Jay Ana	President	Young Brothers, LLC
A	Vic Angoco	SVP	Matson Navigation Company, Inc.
P	Jesse Andrade	ILWU Member/Unit 4209 Chair	International Longshore and Warehouse Union, Local 142
A	M. Andrade for Representative Aquino		House District 38 / Chair, House Committee on Transportation
A	Henry J.C. Aquino	Representative	House District 38 / Chair, House Committee on Transportation
A	Nelisa Asato for Vic Angoco		Matson Navigation Company, Inc.
A	Jayne Nantkes	Committee Clerk	Office of Representative Aquino
P	Leodoloff (Leo) R. Asuncion	Commissioner	Public Utilities Commission
A	Jade Butay	Director	Department of Transportation
A	Rick Blangiardi	Mayor	City and County of Honolulu
A	Michael Caswell	SVP	Pasha Stevedoring & Terminals L.P.
A	Catherine Awakuni Colón	Director	Department of Commerce and Consumer Affairs
P	Derek J. Chow	Deputy Director	Department of Transportation, Harbors Division
P	Stacy Crivello	Community Liaison	Maui County Mayor's Office
A	Michael Dahilig	Managing Director	Kauai County – Office of the Mayor
P	Christopher Edwards		Young Brothers, LLC
P	Mary Alice Evans	Director, Office of Planning	Department of Business, Economic Development & Tourism
A	James P. Griffin	Chair	Public Utilities Commission
A	Matthew Gonser	Chief Resiliency Officer/Director	City and County of Honolulu – Mayor's Office of Climate Change, Sustainability and Resiliency (CCSR)

P	Randy Grune (for Mike Caswell)	PASHA Managing Director	Hawaii Stevedores, Inc.
A	William “Baba” Haole IV	Division Director of Hawaii Longshore Division	International Longshore and Warehouse Union, Local 142
P	Steven Hunt	Deputy Finance Director	Hawaii County
P	Lauren Imada		Young Brothers LLC
P	Lorraine R. Inouye	Senator	Senate District 4 / Chair, Senate Committee on Water and Land, Majority Whip
A	Richard Kamoe	Vice Division Director of Hawaii Longshore Division	International Longshore and Warehouse Union, Local 142
P	Gilbert S.C. Keith-Agaran	Senator	Senate District 5 / Senate President designee
A	Mitch Roth	Mayor	County of Hawaii
A	Keith Kiyotoki	Manager of Sales and Marketing	Young Brothers LLC
P	Brad Knowlton	Committee Clerk for Senator Inouye	Senate District 4 / Chair, Senate Committee on Water and Land, Majority Whip
A	Chris Lee	Senator	Senate District 25/Chair, Senate Committee on Transportation
A	Jennifer Lim		Young Brothers LLC
A	Dr. Matthew Loke		HDOA
P	Chris Martin	Director of Operations	Young Brothers LLC
P	Reiko Matsuyama	Budget Director	Kauai County – Office of the Mayor
A	Mike McCartney	Director	Department of Business, Economic Development & Tourism
P	Kris Nakagawa	Vice President of External and Legal Affairs	Young Brothers LLC
P	Mark M. Nakashima	Representative	House District 1 / House Speaker designee
P	Dean Nishina	Executive Director / Consumer Advocate	Department of Commerce & Consumer Affairs – Division of Consumer Advocacy

P	Lisa Hiraoka		Department of Commerce & Consumer Affairs – Division of Consumer Advocacy
A	Katy Pacheco (for Sen. Chris Lee)		Senate District 25/Chair, Senate Committee on Transportation
P	Dori Palcovich (for Mike McCartney)	Administrator for the Small Business Regulatory Review Board	Department of Business, Economic Development & Tourism
A	Jennifer M. Potter	Commissioner	Public Utilities Commission
A	Fred Robins for Baba Haole		ILWU
P	Stevette Santiago	Director of HR	Young Brothers LLC
P	Phyllis Shimabukuro-Geiser	Chairperson	Department of Agriculture
P	David Veltry		Young Brothers LLC
A	Corey Robertson		Young Brothers LLC
A	Michael P. Victorino	Mayor	Maui County
P	Mike Victorino, Jr.		ILWU
	Public Utilities Commission Staff		
P	Jodi Endo Chai	Executive Officer	Public Utilities Commission
P	Michael Chapman	Economist	Public Utilities Commission
P	Layla Kilolu	Economist	Public Utilities Commission
P	Carolyn Laborte	Chief Auditor	Public Utilities Commission
P	Jacob Gandeza	District Representative – Kauai	Public Utilities Commission
P	Andrew Okabe	Utility Analyst	Public Utilities Commission
P	Anand Samtani	Supervising Economist	Public Utilities Commission
P	Gina Yi	Acting Chief Engineer	Public Utilities Commission
A	Jackie Young	Auditor	Public Utilities Commission
A	Debra Abe	Auditor	Public Utilities Commission
A	Caroline Ishida	Chief Counsel	Public Utilities Commission
P	Dave Parsons	Chief, Policy and Research	Public Utilities Commission
P	Keira Kamiya	PUC Attorney	Public Utilities Commission

	Independent Facilitation		
P	Donna R. Ching	Facilitator	Pacific Center for Collaboration
P	Jennifer Cornish Creed	Recorder	Hawaii Alliance for Nonprofit Organizations (Director of Professional Development)

Welcome

Leo welcomed attendees to the thirteenth meeting of the Water Carriers Working Group (WCWG) and thanked them for their time.

He noted that the group was sent the packet with the agenda and pre-final report. There are a couple of edits that have been shared so far and we'll make those corrections for the final version. In addition, the group received a copy of the Resolution that Senator Inouye will be introducing on November 5 to the NCSL towards jump-starting one of our recommendations regarding subsidies.

Housekeeping

Group Memory

Donna asked if there were any corrections to the group memory from the September 16 meeting. There were no corrections noted.

Status Reports for Small Groups/Subcommittees

The groups were invited to share any updates to their recommendations since the last meeting.

Derek (DOT):

Thanks to Senator Inouye, who created the Resolution that Leo mentioned. Essentially, we are encouraging Congress to create a program that would provide broad subsidies for trans-Pacific, trans-Atlantic, and interisland waterborne cargo to improve affordability of imported goods. So, this will apply beyond Hawaii.

We will follow up with Hawaii's Congressional delegation and other relevant members of Congress.

Leo thanked Derek for such a quick response time and his help preparing the Resolution. It was done over a weekend.

Senator Inouye shared that, prior to the final vote on last day of the NCSL conference with all the delegates, there will be a presentation to a Committee as well. There are 5,000 members in the NCSL across the 50 states. At the Committee level, other states may want to add language to our resolution. She was sure that Puerto Rico will be there. If something gets added that she doesn't like, she'll address it so we can get this passed. She noted that Speaker

Saiki is going to be the incoming President of the NCSL. The NCSL hasn't met for the last two years due to COVID so she's not sure how long his term will be.

Discussion of WCWG Pre-Final Report

Donna commended the groups for getting their summaries submitted and noted that it's often harder to be concise than to write a longer statement. She asked if there were any comments or questions on these summaries. Does everything represent what each small group discussed during their meetings?

None were noted.

Donna reminded the group that the goal all along has been that the WCWG members will be in agreement on the substantive issues and all recommendations of the Report that will be forwarded to the Legislature. Toward that end, we worked to avoid violating anyone's strong principles by encouraging everyone to make accommodations so that agreement could be achieved. After today's meeting, only small formatting or grammatical corrections will be considered.

Participants were invited to share any comments or questions on the Pre-Final Report.

Q&A

- **Q = Question, A = Answer, C = Comment**

Q: (Dean) On page A-12, in the Subsidies Small Group section, where it says:

To reduce the cost of goods, a broad subsidy for trans-Pacific and interisland cargo is recommended. Sources of the subsidies may be from existing or newly created federal, State, and county government programs.

Given that this group's focus was on inter-island water carriers, should the trans-Pacific statement remain?

A: (Derek) I don't disagree with you, but if we're going to have the best chance of getting these subsidies (on the Federal level) we need to keep it broad. We're going to potentially miss out on opportunities if we don't include trans-Pacific travel as well.

C: (Donna) Dean, can you support Derek's comment?

A: (Dean) Yes.

C: (Randy) Regarding the cover, I like the aerial photos. Thanks to Derek for providing those. I'm not a graphic artist, but if someone could work on it, I think it would be great to do a bit more graphic work on the cover. One idea I had was to put the Honolulu photo in the center, with other harbors around it and edit so that the photos are circles or hexagons clustered around Honolulu (like constellations). I think we should label all the harbors so

people know what each photo is. Also, there is an error where it identifies the photos left to right. It should say right to left.

C: (Derek) I agree with Randy. I'll work with Leo and Andrew in formatting this better.

C: (Senator Inouye) I agree as well.

C: (Randy) My staff also suggested that you can use Photoshop to crop and eliminate the big black areas better so that it's not as distracting to the eye (e.g., Kaumalapau Harbor).

Q: (Senator Agaran via Chat box) Why should Honolulu harbor be in the center?

A: (Randy) I was basing it on volume. 80% of the volume comes through Honolulu.

Donna asked if there were any other comments.

Q: (Dean) In Appendix C3, the Rates Small Group Final Report, under the second paragraph, there are four bullet points. I have a question about the fourth bullet point. Is everyone on the same page about what it means? It might suggest that the WCWG would be making final recommendations about rate increases.

C: (Donna) Which actually isn't correct since the WCWG's mandate will be over once we finish this report.

C: I think it should be reworded. If you look at the date (May 20), it represents an ongoing discussion by the particular group. We should now add language that clarifies things.

C: If this is taken out of context, this would be a problem.

The following clarifying language was offered:

The report from this group will be shared with the full WCWG and they will make the final determination relative to this recommendation prior to the final report.

Donna asked if the Rates group was okay with that revision.

A: (Steven) Yes, I think that accurately describes the process. We punted it back to the larger group because we couldn't get consensus.

A: (Phyllis) I'm good with it. I do want to share that I was on Maui with the WAM Committee, the Mayor and Maui delegation and there was a lot of conversation about the impact of transportation issues on ag. So, I'm ok with it, but not enthusiastic because there are still concerns about affordability.

C: (Senator Inouye) In answer to Phyllis' concerns, we didn't forgo any discussions, as shown in Appendices C-4, C-9, C-11, C-12. We are all concerned and will continue on the work relative to subsidies.

C: (Phyllis) On Maui, we met at Mahi Pono. They said it was cheaper to send goods to the mainland than to Hawaii Island. I hope that they are able to succeed. There's a lot of potential there with the former sugar lands.

A: (Senator Inouye) Yes, we've heard that same issue cited before. It isn't new. We're aware of it.

C: (Mary Alice) The summary in the appendix for the Sustainability and Profitability group is the earlier one, not the one I submitted last week. I would ask that the shorter, more succinct one be swapped in (page C-12, March 18 report).

C: (Leo) We will send the group a copy of the latest Sustainability and Profitability final report so the Committee members can take a look at it. If you have any questions or concerns about what will be dropped in, let Donna and me know.

C: You should do a timetable on it. Give us 2-3 days.

C: (Donna) Yes, let's make it no later than next week Wednesday, October 27 for ANY changes.

C: Can you send us send Mary Alice's version right now so we can look at it now?

Mary Alice went over the revised version:

- I rearranged the order so that the proposed solutions follow – they were a bit mixed in between before.
- In the middle of page 2 the goal is listed.
- We included a number of scenarios describing what might happen in if WC's are not profitable for Hawaii.
- The goal is the same as the main body of the report.
- As you know we got merged with the Rates group (re: AFRA issues). We've also included actions and strategies that are more granular, more detailed. We do call out the subsidy idea.
- We support the premise that the WC needs to be profitable and sustainable for some very specific items – for example eggs and milk for neighbor islands. This is not high concept but rather requirements for daily living on neighbor islands.
- The section about “making unprofitable activities more efficient” was before we merged with Rates.
- We looked at subsidies for things that can't be made more efficient and addressed those that can be made more efficient.

C: (Donna) This is very thorough. This is good. Since we hope there will be another group that picks up where we leave off, it is good to have the summary reports at the beginning and also include the more detailed discussions, so people who use the report will have both. This way, they will already have some detailed suggestions that the small group generated.

Donna asked the group if they had any comments or questions on the updated version from Mary Alice.

C: (Dean) It seems like there are a lot of similarities between the two versions. In the last version in the Pre-Final WCWG Report (Appendix C-5) "Prioritized List of Actions or Strategies to Address Goal or Objective" ...that isn't in the revised summary just circulated a few minutes ago. We went from 4 pages to 3 pages. (Note: the section was retitled "Actions or Strategies to Address Goal" with the section contents/text remaining the same.)

C: (Mary Alice) Is the heading helpful? I can add it back in.

A: Yes, it gives an indication that you did take a first cut. Maybe that should be added back in.

C: Towards the end, the last 4 bullets include language.

C: (Donna) We can mention that this is a step the group took as a first run at it.

C: (Mary Alice) Where are the notes from the farmers and ranchers meeting?

A: (Leo) I wasn't sure where to put it. Somewhere in the beginning?

C: We had the non-ag conversation in December and the ag conversation in January. Both were information gathering.

C: (Donna) Initially we did the Force Field Analysis and then we did information gathering. It should go in the information gathering section.

C: (Senator Inouye) How about on page 2, under Desired Needs, Meeting Client Needs?

C: (Donna) Yes, that's where I was thinking. Page 2 in the Identify Gaps section. This is part of the FFA discussion. We can put in a paragraph that we did this additional discussion outside of the small group because it was important to listen to farmers and ranchers and hear their concerns.

C: (Leo) I'll create a new App C-1 with this information so everything will shift by 1.

Donna asked if Leo could highlight in yellow this next round of changes in the report and send it out once more. Leo agreed that he would make the changes in the second pre-final report, highlight revisions, and send back to the group to review.

Next Steps

Leo shared the next steps:

- If there are any other edits, please submit them by next week Wednesday, Oct. 27th and we'll add them in and turn around the next revision of the report back to the WCWG (we'll try to get it back to you by Thursday afternoon, Oct. 28th and ask you to get any final corrections back to us by Monday, Nov. 1st).

- Derek and his staff will work on the cover.
- We'll make the other changes noted today (citation correction, making the edits to Appendix C-3 Rates group (4th bullet on page C-6), and dropping into Appendix C-5 the later version of Mary Alice's group's recommendation.
- As well as any additional changes submitted.
- We'll finalize the report. The goal is to get it done by mid-November (prior to Thanksgiving). We need to figure out how to transmit it. In terms of digital submission, everything is not set up for the next Legislative session yet, but we'll work with the Legislative guys to figure out how to submit it electronically. We'll work with our PUC team and the Legislative team to get this done.
- The WCWG will receive a copy of the final report as well.
- There will be an insert that will go into the final report – the website where this document and all handouts will reside for some period of time.
- Then that will be it for this working group. We will continue to work with Derek and we may continue this group under DOT with a focus on the subsidies, etc. We'll be in conversation about what the next incarnation of this group and the focus of it should be.

Donna shared that the group that continues this work will be considering how folks at the federal, state AND county levels can contribute to subsidies.

Closing Thoughts

Donna thanked the group members for all their hard work and their time.

Phyllis noted that it has been a real challenge but in a good way, a lot of exchanging ideas. She thanked Senator Inouye for the Resolutions. They provide hope to ag folks.

Leo thanked the entire group and noted that the work has occurred over 14 months and 13 meetings. He affirmed that the group is meeting the deadline as requested by Senator Lee a couple months ago and will have the report in to the Governor by November. He asked WCWG members to thank their staff – while some folks have been here on these calls, others have been working hard behind the scenes! He asked the group to stay tuned. The Working Group may continue on with a different focus. He noted that for the PUC folks, the report has some recommendations that they want to implement (in due time) so that WC can continue to operate and are sustainable and profitable.

Senator Inouye recognized and appreciated the PUC staff and Dean. She also thanked Donna and Jennifer and noted that Donna was the perfect fit as a facilitator for this group since she has a history with the University of Hawaii and ag work. She also thanked the folks in the Counties and government agencies.

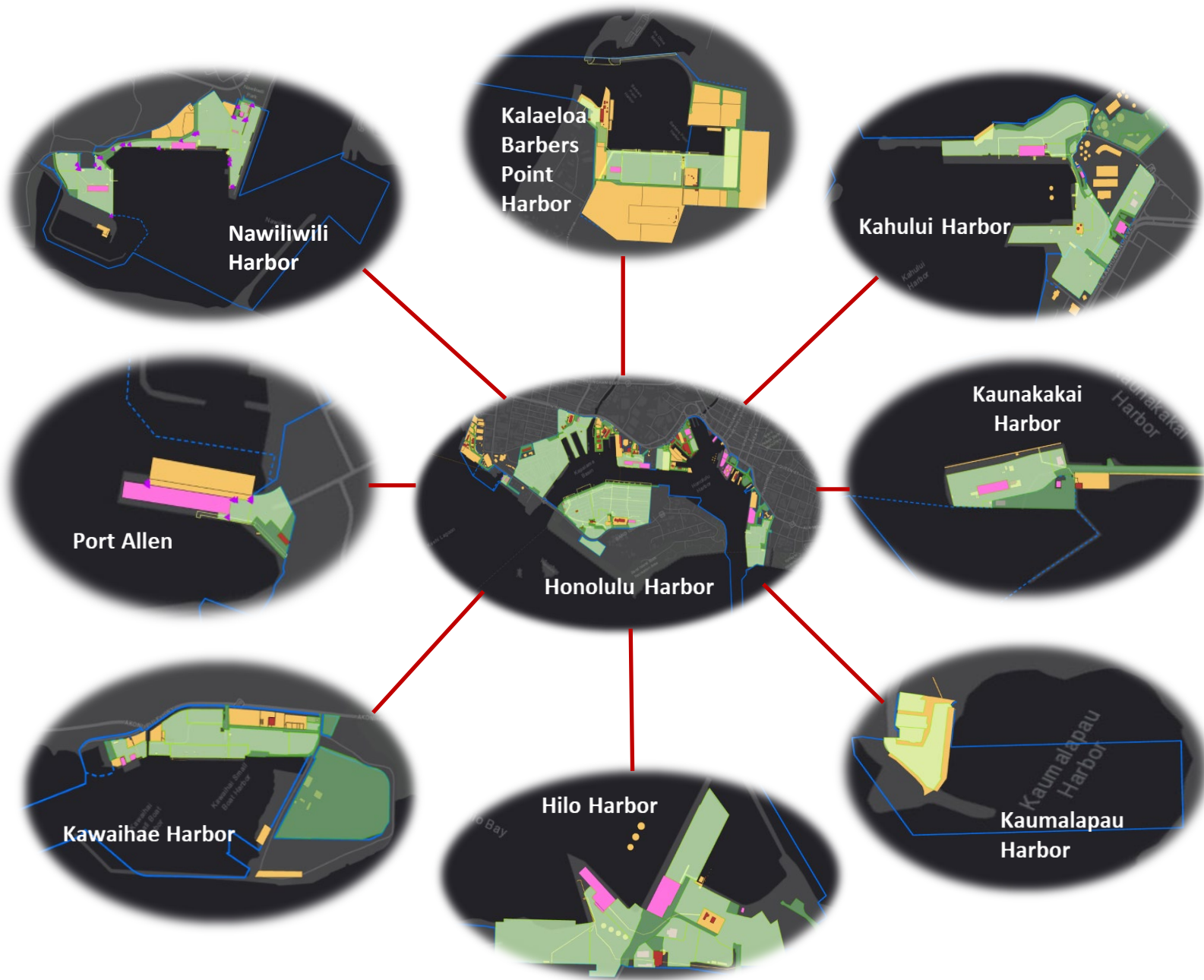
GROUP AGREEMENTS:

(Listed in **blue** in the document)

- There were no specific actions identified at this meeting.

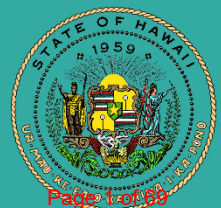
ACTIONS:

- There were no specific actions identified at this meeting.



**REPORT TO THE HAWAII STATE LEGISLATURE
IN RESPONSE TO
SENATE RESOLUTION NO. 125, S.D. 1 (2020)**

**SECOND PRE-FINAL – NOV 9, 2021
WATER CARRIERS WORKING GROUP**



WATER CARRIERS WORKING GROUP

Sen. Ronald Kouchi, Senate President Sen. Gilbert Keith-Agaran, Designee	Rep. Scott Saiki, Speaker of the House Rep. Mark Nakashima, Designee
Sen. Lorraine Inouye, Chair, Senate Committee on Water and Land	Sen. Chris Lee, Chair, Senate Committee on Transportation
Rep. Henry Aquino, Chair, House Committee on Transportation	Rick Blangiardi, Mayor, City and County of Honolulu Matthew Gonser, Designee
Derek Kawakami, Mayor, County of Kauai Reiko Matsuyama/Michael Dahilig, Designees	Michael Victorino, Mayor, County of Maui Stacy Crivello, Designee
Mitch Roth, Mayor, County of Hawaii Steven Hunt, Designee	Leo Asuncion, Commissioner, Public Utilities Commission
Dean Nishina, Executive Director, Office of the Consumer Advocate Lisa Hiraoka, Designee	Mike McCartney, Director, Dept. of Business, Economic Development & Tourism (DBEDT) Mary Alice Evans/Dori Palcovich, Designees
Jade Butay, Director, Dept. of Transportation Derek Chow, Designee	Phyllis Shimabukuro-Geiser, Chairperson, Dept. of Agriculture
Jay Ana, President, Young Brothers, Ltd. Kris Nakagawa, Designee	Vic Ancogo, Vice President Matson Navigation Co., Inc.
Michael Caswell, Senior VP Pasha Hawaii Randy Grune, Designee	Donna Domingo, President, ILWU Local 142 William “Baba” Haole, Designee

Executive Summary

Senate Resolution 125, S.D. 1 (“SR 125”) was adopted by the Hawaii State Senate on July 8, 2020, and included two requests: 1) That the Department of Transportation provide funding to water carriers for the purpose of providing financial assistance to maintain routes and lines of services within the State and 2) the convening of a working group by the Public Utilities Commission to recommend mid- and long-term solutions to ensure continuous water carrier service throughout the State with the need for water carriers to maintain financial sustainability.

Members of the Water Carriers Working Group (WCWG) included representatives of the Senate, House of Representatives, the counties of Kauai, Honolulu, Maui, and Hawaii, the Public Utilities Commission, the Division of Consumer Advocacy, Department of Business, Economic Development, and Tourism, Department of Transportation, Department of Agriculture, Young Brothers, Ltd., Matson Navigation Co., Inc., Pasha Hawaii, and the International Longshore and Warehouse Union.

The WCWG met a total of thirteen times over the past year, with meetings from July through December 2020 focused on receiving background information, preliminary discussion of various issues, and organizing themselves to effectively and efficiently develop near-, mid-, and long-term recommendations. Meetings in the 2021 calendar year focused on discussions within and among small groups/subcommittees, development of recommendations, identification of key areas of recommendations, finalization of recommendations, and drafting of this report to the Legislature and Governor. All meetings of the WCWG were facilitated.

The WCWG followed the process outlined below to identify issues and develop recommendations:



After identifying gaps, critical areas, and topic areas, the WCWG engaged in Force Field Analysis in order to develop its draft recommendations.

Force Field Analysis (FFA) is a tool that can quickly help an organization collectively identify a desired future while highlighting many of the elements it needs to address to achieve that future. During this analysis, appropriate problems and challenges are only identified in the context of achieving the desired future. FFA provides a cursory analysis and does not take the place of an in-depth strategic planning effort.

Using FFA, the WCWG developed six desired futures for Water Carriers:

- Being able to understand what cargo is going to show up, in what dimensions, where.
- Incremental adjustments to rates.
- Standardized and streamlined ratemaking that factors in ports and cargo types that are negative earners.
- All carriers involved in the movement of cargo have the ability to be sustainable and profitable.
- Adjust service offering to create higher efficiency to improve cargo flow.
- Use of available space on piers are optimized.

Moving forward, Small Groups were formed for each of the following Topic Areas - Cargo Carrier Services, Pier Space, Rates, Subsidies, and Sustainability and Profitability. These Small Groups met to discuss and formulate recommendations that would be discussed by the Working Group as a whole. After a number of months and with draft recommendations being developed by the Small Groups and discussed by the WCWG, the following mid- and long-term recommendations are being made and are discussed fully in the report herein:

- A two-tiered interim annual rate adjustment for regulated cargo rates along with the requirement for the water carrier to submit a general rate case every three years.
- Enhancing the water carrier's reservation system to cover all lines of services which will improve the accuracy of booking reservations and improving the overall customer experience.
- Establishment of a broad subsidy for trans-Pacific and interisland cargo, the source of which may come from existing or newly created federal, state, and county government programs.

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Introduction

Background

Senate Resolution 125, S.D. 1 (2020)

Senate Resolution 125, S.D. 1 (“SR 125”) was adopted by the Hawaii State Senate on July 8, 2020. The resolution requested the Department of Transportation to provide funding to water carriers for the purpose of providing financial assistance to maintain routes and lines of services within the State and to convene a working group to recommend mid- and long-term solutions to ensure continuous water carrier service throughout the State with the need for water carriers to maintain financial sustainability.

Pursuant to SR 125, the Public Utilities Commission, in collaboration with the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy and any interisland water carriers operating in the State, was requested to convene the working group on or before August 1, 2020, to carry out the task of recommending mid- and long-term solutions to ensure water carrier service via a final report of its findings and recommendations, including any proposed legislation, to the Legislature and the Governor no later than twenty days prior to the convening of the Regular Session of 2022.

The members of the Water Carriers Working Group (WCWG), along with their designees, are listed on the inside cover.

Meetings of the Water Carriers Working Group

The WCWG met a total of thirteen times over the past year, and at the outset met to receive background information, discuss issues, and organized themselves to effectively and efficiently develop near-, mid-, and long-term recommendations.

All meetings of the WCWG were facilitated, with meetings held in 2020 primarily as an opportunity for the working group to gather background information on water carriers, Hawaii’s harbor system, regulatory oversight of water carriers, identify potential issues and topic areas, establish small groups/subcommittees for each topic area, and to have initial discussion on the development of recommendations.

WCWG MEETING DATES

July 31, 2020
 September 17, 2020
 October 15, 2020
 November 19, 2020
 December 17, 2020
 January 21, 2021
 March 18, 2021
 May 20, 2021
 June 17, 2021
 July 15, 2021
 August 19, 2021
 September 16, 2021
 October 22, 2021

Meetings held in 2021 focused on discussions within and among small groups/subcommittees, development of recommendations, identification of key areas of recommendations, finalization of recommendations, and drafting of this report to the Legislature and Governor.

All meeting material (agendas, handouts, presentations) as well as the group memory of each meeting can be found at [\[Insert Link to Website\]](#)

Process Followed by Working Group

The WCWG followed the process outlined below to identify issues and develop recommendations:



Identify Gaps/Critical Areas

At the initial meetings of the WCWG, members were asked to identify desired needs and elements that a water carrier should exhibit. The following list summarizes the working group's thoughts and discussion on this exercise:

Desired Needs

Affordability

- Affordable pricing
- Competitive pricing
- Economic Viability
- Streamlined rate making process
- Fair and equitable evaluation of annualized increase
- Reasonable and affordable rates

Reliability

- Reliable, unwavering freight service schedule with known capacities
- No interruption of service except for weather
- Uninterrupted schedule
- Reliable and efficient transportation of goods between islands that meet or exceed customer expectations
- Consistent sailing schedules, gate hours and operations

Meet Client Needs

- Provide freight service needs of the Neighbor Islands
- Continue to service freight of all kinds
- Options—want other options to be considered for services that will allow competitive pricing for comparable services
- Extend and organize gate hours

Service

- Customer service and outreach
- Service
- Quality customer service
- Operational Excellence
 - Staging and overall efficiency
 - Higher costs = expectation of better delivery of services or carrier to provide something "new" that is not the case today
 - Empowered with flexibility to nimbly respond to changing conditions

Unique Items

- Safety (especially in re: animals)
- Independent auditor to review Young Brothers finances
- Provide State funding for those commodities that are granted discounts
- Current regulatory framework reviewed and updated and restore regulatory parity w/unregulated service providers
- Adequate support (e.g., grants, subsidies) to incentivize water carrier(s) to provide the breadth of desired services when some are not compensatory

Desired Elements**Meeting Client Needs (many of these are examples)**

- Demonstrate constant improvement in service and a desire to meet the needs of its customers throughout the process from initiation of shipping, tracking and retrieval of cargo

- Expediency of the processes by which customers can drop off and pick up freight and cargo at the docks
- Ability to check availability of shipping dates and make reservations online, with available customer service for follow-ups
- A new and/or improved tracking system for tracking goods through the shipping process
- Allow for transport of trucks and smaller vehicles between islands; not require always moving entire barge
- Continuance of less than container loads (LCLs) and offer affordable shipping rates with minimal rate increases. Rates that reflect the cost that producers take on by owning and maintaining their own shipping containers

Flexibility and Efficiency

- Regulatory and operational flexibility
- New vessels that are more economical/adaptable to flexible load configurations and needs
- Barge schedule flexibility based on cargo availability for all regulated and non-regulated cargoes with supporting metrics
- Maximize the inbound and outbound container space utilization

Financial Viability

- Regular/Annual and equitable rate adjustments to keep pace with annual cost increases, enabling a financially healthy carrier
- Financial segregation and treatment of regulated/non-regulated cargoes for mixed barge movements, with open opportunity/support of additional water carriers to decrease dependency on a single carrier. This could include utilization/support of other water carriers' current routings to Neighbor Islands

Safety

- Delivery of agricultural products and livestock in a safe, timely manner and ensuring they arrive in good, healthy condition

Unique Items

- Improve infrastructure and consistent availability of properly maintained equipment
- Regulatory parity

With needs and desired elements identified, the working group members were asked to identify gaps that needed to be addressed in order for the working group to complete its tasks moving forward.

The gaps identified included information needed from Young Brothers, Ltd. (YB), clarification on Stop In Transit (SIT), stakeholder input, operational information from all water carriers, information from Department of Transportation, Harbors Division (DOT-Harbors) on ports and baseyard facilities, and exploration on additional financial resources (i.e., government grants).

Critical areas were also noted by the WCWG – Financial Viability, Regulatory, and Operations (including Safety and Customer Service) – that were key to the development of recommendations.

In addition, listening sessions were held with Agricultural and Non-Agricultural sectors on December 9, 2020, and January 29, 2021, respectively. These sessions gathered input from the agricultural sector (primarily ranchers) and the business sector (primarily island Chambers of Commerce and the ILWU Local 142) and resulted in a number of topic areas and preliminary recommendations for the Small Groups to discuss and consider in developing potential recommendations to forward to the WCWG. Group memories of both meetings can be found in Appendix D.

Identify Topic Areas

Subsequently, working group members were asked to categorize the above needs and desires in order to identify topic areas under which further discussion between small group/subcommittee participants would take place, all towards the development of recommendations.

The topic areas identified by the WCWG are as follows:

- Cargo Services – Addressing improvements to cargo services via multiple means.
 - Members: Young Brothers, DBEDT, County of Hawaii, ILWU
- Pier Space – Examining the availability of space for the water carrier to efficiently move, load and unload cargo between the islands.
 - Members: Young Brothers, Matson, ILWU, DOT-Harbors
- Rates – Providing fair and predictable cargo rates that are affordable to customers for intrastate services that meet customers' needs, and ensuring the long-term financial sustainability and profitability of the water carrier by establishing rate structures for affordable intrastate services in parallel with the State's and customers' needs and other holistic operational changes.
 - Members: Young Brothers, ILWU, County of Hawaii, County of Maui, Senate
- Subsidies – Exploring, if not securing through identified actions, federal, state, and county subsidies for the transport of goods to the neighbor islands.

- Members: County of Maui, ILWU, DOT-Harbors, Dept. of Agriculture, Young Brothers, Senate
- Sustainability and Profitability – Exploring the means to ensure that the water carrier is provided a reasonable opportunity to be profitable to support the sustainability of the water carrier.
 - Members: DOT-Harbors, Young Brothers, ILWU, DBEDT

Force Field Analysis

Force Field Analysis (FFA) is a tool that can quickly help an organization (or in this case the Water Carriers Working Group) collectively identify a desired future while highlighting many of the elements it needs to address to achieve that future. During this analysis, appropriate problems and challenges are only identified in the context of achieving the desired future. FFA provides a cursory analysis and does not take the place of an in-depth strategic planning effort.

The FFA template is provided below. It was used to help the WCWG focus on identifying the different elements during its analysis.

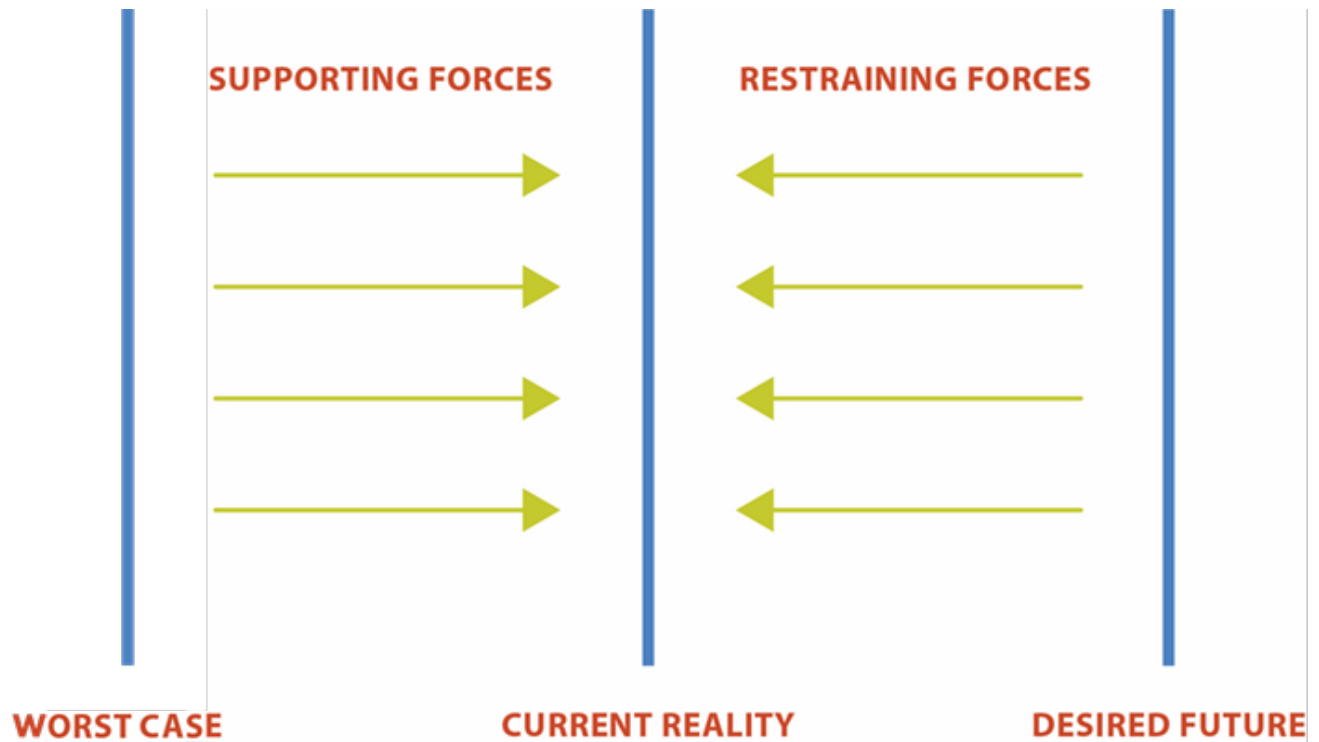


Figure 1 - Force Field Analysis Template

The framing question used in performing the analysis is: **What would it look like if we were able to successfully ensure effective, efficient, and continuous water carrier service throughout the State of Hawaii?**

Desired Future: Initially, the WCWG brainstormed the key elements of its desired future, i.e., an effective, efficient, and continuous water carrier service throughout the State.

Almost always, groups work in a vacuum not understanding what they are ultimately trying to collectively accomplish. The WCWG needed to collectively develop clarity about the desired future they were trying to achieve in order to help each WCWG member understand how their work contributes to achieving that future. When people see their work in the context of what they are trying to collectively achieve, they can identify opportunities to move the group closer to that future. Also, synergy is more possible as members work together to create more efficacy than a single person could create working alone.

Current Reality: Next, the WCWG brainstormed its current reality. Using a phrase or short sentence, it needed to describe what the situation looks like currently.

Worst Case Scenario: The WCWG then brainstormed the worst-case scenario. Using a phrase or short sentence, it needs to describe what the situation will look like if achievement of the desired future completely fails.

Supporting Forces: The next step involved WCWG members identifying things they are doing to move the situation closer to the desired future. Also, this is the time when members can think outside the box about things they can do or opportunities they can take (often with external partners not in the WCWG) to move them closer to their desired future.

Restraining Forces: Finally, the group generates (i.e., brainstorms) a list of things that prevent them from moving their current reality toward their desired future. These are sometimes viewed as problems, challenges, or constraints.

Planning Strategically: Subsequently, the WCWG moved to the planning stage of the analysis, which involves:

- **Desired Future:** From the brainstormed list of the desired future, reduce redundancy (i.e., items that are so similar that they overlap) by clustering like items. Then, select the two or three clusters that really resonate with the group. These are the elements that represent the important core of the group's desired future.
- **Supporting Forces:** From the brainstormed list of the supporting forces, reduce redundancy (i.e., items that are so similar that they overlap) by clustering like items. Then, select the one or two clusters that they are already doing that need to be enhanced or strengthened because they can significantly close the gap between the current reality and the desired future. Use the same process to identify the one or two opportunities (with external partners) they need to take that will enhance their ability to achieve their desired future.
- **Restraining Forces:** From the brainstormed list of the restraining forces, reduce redundancy (i.e., items that are so similar that they overlap) by clustering like items. Then, select the one or two clusters to address (e.g., solve) from this list that significantly prevent their organization from achieving its desired future. As a result, problems and challenges are not viewed in a vacuum, but instead are viewed in the context of enabling the group to achieve its desired future.

Additional information on Force Field Analysis can be found in Appendix B.

Summary of Six Desired Futures

Desired Future 1

Being able to understand what cargo is going to show up, in what dimensions, where.

- Like an online airline reservation system where customers can see available blocks and make reservation.
- Reservations that can be depended on so that the carrier can make their schedule with confidence and there is reliability on both sides.
- Having pre-determined capacities for LCL, etc. to create efficiencies.
- Expenses and Revenue breakouts based on Commodity type / Cargo type.

Supporting Forces

- Improve customer outreach and communications to support: 1) consistent application of rules; 2) availability of services; and 3) improve customer satisfaction.
- Adopt new technologies and practices to improve efficiencies.

Restraining Forces

- Demand dynamics between outbound and inbound cargo are not uniform, which results in inefficiencies.
- The mandated routes may be inherently inefficient.
- Availability of scheduled shipments for specific items.

Desired Future 2

Incremental adjustments to rates.

- Have rate built in with some sort of a COLA – Consumer Price Index Unit adjustment so the carrier could make the argument to reset the base rate when necessary.

Supporting Forces

- Review services to determine what should continue to be provided as a regulated service or what could be provided by a competitive market.
- Financial stability of the Utility will drive capital investments resulting in customer satisfaction and operational efficiencies.
- Tax credits allowed by the Legislature.
- Other Options to subsidize shipping.

Restraining Forces

- YB is operating a regulated service in a competitive environment (others are pricing their product at a market rate).
- The cost of providing LCL services is greater than the revenue because of the labor, fees, equipment, and infrastructure.

Desired Future 3

Standardized and streamlined ratemaking that factors in ports and cargo types that are negative earners

Supporting Forces

- Increased flexibility in implementation of current rate design to address less profitable regulated services/ports/routes.
- Financial stability of the Utility will drive capital investments resulting in customer satisfaction and operational efficiencies.
- Potential incorporation of rate adjustment mechanisms.

Restraining Forces

- The cost of providing LCL services is greater than the revenue because of the labor, fees, equipment, and infrastructure.
- The mandated routes may be inherently inefficient.
- Regulatory burden and lag.

Desired Future 4

All carriers involved in the movement of cargo have the ability to be sustainable and profitable.

Supporting Forces

- Increased flexibility in implementation of current rate design to address less profitable regulated services/ports/routes.
- Review services to determine what should continue to be provided as a regulated service or what could be provided by a competitive market.

• Restraining Forces

- The need to service the broad customer needs creates inefficiency and development of a niche.
- YB is operating a regulated service in a competitive environment (others are pricing their product at a market rate).

Desired Future 5

Adjust service offerings to create higher efficiency and improved cargo flow.

- Potential low hanging fruit with customers seeing quick benefits (also have some medium term).

Supporting Forces

- Make Kapalama Container Terminal (KCT) operational as soon as possible.
- A dynamic carrier website or phone app for scheduling rates that are updated hourly.

• Restraining Forces

- The need to service the broad customer needs creates inefficiency and development of a niche.
- Mandated rates may be inherently inefficient.

- Availability of scheduled shipments for specific items.

Desired Future 6

Use of available space on piers is optimized

Supporting Forces

- Make KCT operational as soon as possible.
- Review services to determine what should continue to be provided as a regulated service or what could be provided by a competitive market.

• Restraining Forces

- When LCL stays on dock, it isn't the most operationally efficient and is labor intensive.
- Mandated routes may be inherently inefficient.

Recommendations

Recommendations from Small Groups – Topic Areas

Small Groups/Sub-Committees were formed for each of the Topic Areas noted above, with each Small Group meeting to discuss and formulate recommendations that would be discussed by the Working Group as a whole. The Working Group would then finalize the recommendations to be forwarded to the Legislature and Governor in accordance with SR 125 (2020).

The following is a summary of reports from each of the Small Groups provided to the Working Group to discuss proposed recommendations. Full status reports from each Small Group can be found in Appendix C.

Cargo Carrier Services Small Group

This Small Group respectfully recommends enhancing the water carrier's reservation system to cover all lines of services. Preliminarily, this subgroup anticipates an initial start-up cost estimated at \$400,000 and monthly maintenance fees of \$10,000 to \$15,000.

The enhanced reservation system will, among other things, improve the accuracy of booking reservations (as it is intended to now allow for bookings for all lines of service); thus improving the overall customer experience. Subsequent to the deployment of such system, this subgroup anticipates increased operational efficiencies, better visibility on scheduled gate hours and service offerings, improved cargo tracking, and an enhanced ability to determine equipment availability to meet customer's needs of such equipment. The specific requirements of the system will ultimately be based on both customer and company needs in order to maintain a sustainable and viable economic future.

Overall, the enhanced reservation system will accommodate all cargo types to be implemented in phases, and that will enhance shipping efficiencies and improve cargo movement transparency for all customers utilizing the interisland water carrier services.

Pier Space Small Group

The goal of the Pier Space Small Group was to discuss the availability of space for the water carrier to efficiently transport cargo between the islands, and to clarify the use of Pier 41 and surrounding yard space.

The Department of Transportation Harbors Division (DOT-H) noted that it has the authority to allocate cargo space through its rules and statutes. The DOT-H further noted that it had made a portion of the Kapalama Container Terminal (KCT) available to the water carrier, and that, when

complete, it will allocate space for the use of Pier 41. The DOT-H discussed how it plans to schedule water carriers at Pier 41, stating that it will use the DOT-H's web-based vessel scheduling system, Portcall.com.

Rates Small Group

The Rates Small Group recommends a two-tiered interim annual rate adjustment for regulated cargo rates ("the "Water-carrier Inflationary Cost Index" or "WICI") along with the requirement for the water carrier to submit a general rate case every three years. The first tier is an annual rate adjustment tied to the Gross Domestic Product Price Index to address the impact of inflation on certain operating expenses. The second tier allows a water carrier to request an additional rate adjustment provided that the water carrier submits additional information and data on performance measures to justify the need for the second tier and to demonstrate the water carrier's performance is deserving of the second tier adjustment.

The WICI allows for a timelier recovery for certain changes in costs between rate cases, reduces the administrative burden to the water carrier for rate adjustments and supports the profitability and sustainability of the water carrier. To mitigate the impact to customers and prevent significant annual increases, the annual WICI adjustment factor will not exceed 5% per year.

Subsidies Small Group

Hawaii's communities are mostly dependent on the import of goods. Over 80% of goods consumed in Hawaii are imported, of which over 98% is transported as waterborne cargo. Consequently, Hawaii consumers generally pay a higher cost for goods than consumers in the continental US, in part due to the limited means to transport goods to Hawaii and the limited local manufacturing or growing of consumed goods.

Hawaii relies on its transport of goods by water carrier. While there are agricultural specific and aircraft to remote destination subsidies, subsidies do not currently exist for general cargo transport to and within Hawaii. To reduce the cost of goods, a broad subsidy for trans-Pacific and interisland cargo is recommended. Sources of the subsidies may be from existing or newly created federal, State, and county government programs.

Sustainability and Profitability Small Group

The Sustainability and Profitability Small Group began their discussions with the premise that water carriers must be profitable to be sustainable or face significant and adverse impacts not only to itself, but to the State's and neighbor island economies. Therefore, solutions should balance the need to enable an intrastate water carrier to be profitable without adversely affecting customers and the economies of the neighbor islands and the entire State.

While this Small Group did not develop specific recommendations, most of their suggested recommendations overlapped recommendations being developed in other Small Groups, particularly those from the Rates and Subsidies Small Groups.

Customer Service Small Group

This Small Group was originally considered by the WCWG when all other Small Groups were formed. However, YB informed the WCWG that a similar group was already formed within the company to address YB's Customer Service Strategy, which was required as a condition in YB's 2020 Test Year Rate Case (PUC Docket No. 2019-0117). The WCWG acknowledged the formation of the internal company group, and forming a Customer Service Small Group as part of the WCWG would be duplicative of the on-going work surrounding customer service.

Nonetheless, YB provided the following status on the progress of its internal group is making on the topic of customer service:

YB assembled an internal working group of team members from departments across the company who interact with customers or influence their experience. As part of this internal working group's sessions that started in September 2020, and after reviewing, among other things, data/feedback derived from customers, YB developed the following six (6) initiatives:

- o Develop a new training program
- o Develop a Customer Experience Ombudsman Role
- o Invest in customer-focused technology
- o Hold regular internal and external listening sessions
- o Expand customer communications
- o Designate Customer Experience management committee

As part of its CS Strategy, YB's internal working group also developed action plans and timelines for each of the above initiatives, as well as a customer focused vision statement as follows: "Connecting Hawaii with Efficiency and Aloha."

YB's Customer Service Strategy is intended to be a "living document," so many of the above initiatives and vision statement are subject to additions and/or modifications, particularly after receiving additional feedback or input from YB's employees and customers. In addition, many of the specifics reflected in the applicable action plans/timelines for each of the initiatives will also be subject to additions and/or modifications given that some of these initiatives reflected in the action plans may either not be feasible or effective at that time or may require substantial capital investments and/or expenditures.

YB has provided quarterly updates to its Customer Service Strategy in PUC Docket No. 2019-0117. All of these filed quarterly updates can be viewed at the PUC DMS at <https://dms.puc.hawaii.gov/dms/dockets?action=search&docketNumber=2019-0117>.

Near-Term Recommendations

Although the WCWG' task was to develop mid- and long-term recommendations, a number of near-term recommendations or actions were identified in order to take preliminary steps and continue work on the mid- and long-term recommendations found below.

As of the drafting of this report, the following near-term recommendations or actions have been taken:

- Working with the Department of Transportation – Harbors Division, a resolution has been introduced to the National Conference of State Legislatures (NCSL) by Working Group member Sen. Lorraine Inouye to advance the recommendation for subsidies for general cargo transport to and within U.S. island states and territories (See Recommendations No. 4 and 5 below).
 - The resolution would urge the Department of Transportation to develop and implement a federal waterborne cargo subsidies program.
 - On November 5, 2021, the NCSL passed the resolution.

WCWG Recommendations Forwarded to Legislature and Governor

Recommendation No. 1: Two-Tiered Interim Annual Rate Adjustment

Summary of Recommendation

The Rates/Sustainability & Profitability Small Groups recommend a two-tiered interim annual rate adjustment for regulated cargo rates along with the requirement for the water carrier to submit a general rate case every three years. The two-tiered annual adjustment factor, which the committee named the Water Carrier Inflationary Cost Index (WICI), will have an automatic rate adjustment component that is tied to the annual percent change in the Gross Domestic Product Price Index (GDPPI) as the first tier and an expense justified second tier that must be applied for by the water carrier and approved by the Hawaii Public Utilities Commission (HPUC). The automatic annual adjustment factor shall be applied to the regulated cargo rates regardless of whether the factor is a positive or negative percentage change. The second-tier adjustment will require additional justification from the water carrier to recapture costs as well as their submission of performance measures showing there has been no material decline in levels of operation, safety, or customer

service. The total annual WICI adjustment factor shall not exceed 5% per year. Fuel surcharges will continue to be separate and apart from the WICI adjustment and will not be counted against the 5% annual adjustment ceiling. Similarly, should the water carrier, for any reason, find it necessary to seek a temporary/emergency rate adjustment, that application process to the HPUC shall remain separate from the 3-year general rate case submission requirement. WICI does not account for a water carrier's new capital investment.

Justification/Compelling Reason

General rates cases tend to be time consuming to both the water carrier and the HPUC. As a result, regulated cargo rates do not typically get adjusted annually and are sometimes subject to relatively large rate increases when the cases are completed. Having the WICI interim rate adjustment combined with a regular cadence for general rate case submissions will reduce the administrative burden to the water carrier and provide a more contemporaneous means of pairing regulated cargo rates with inflation adjusted expenses. One of our Small Groups' primary objectives was to ensure the profitability and sustainability of the water carrier. We believe implementing these recommendations will be a significant step forward with respect to achieving the profitability and sustainability of the water carrier.

Mid-term or Long-Term

Our committee sees these recommendations as a potential solution for not only the short-term, but also for the mid- and long-term as well. General rate cases tend to be a good mechanism for setting (or resetting) regulated cargo base rates; however, the process is a bit cumbersome and does not work well in responding to inflationary changes in a timely manner.

Pros:

- First-tier provides an automatic adjustment, that if sufficient to annual expense changes, can be implemented without substantial efforts to the water carrier.
- Second-tier allows the water carrier to also address expenses that are real, such as labor and fringe costs, but may (or may not) follow changes in annual inflation-based indices such as the GDPPI.
- It's a timelier response to operational expense changes as compared with the less periodic general rate cases.
- Mitigates the likelihood of sometimes large increases to rates.
- Most importantly, it provides an opportunity for a water carrier to become financially sustainable and potentially profitable.

Cons:

- Recommendations may be perceived as a disincentive for management to actively control costs if those increases can be recaptured through the WICI adjustment factor.
- Recommendations may be perceived as a disincentive for management to seek volume growth.

- Public may feel that rate increases have become “rubber stamped” by the HPUC.
- Labor is typically not something that is subject to an annual index for public utilities.
- WICI increases may impact consumers’, particularly farmers’ and ranchers’, ability to afford services.
- WICI increases may result in above authorized rate of return between general rate cases.

Identify any proceeding steps to undertake or outstanding items to address, if any

The two aforementioned recommendations could be implemented by amendments to the Hawaii Revised Statutes, Legislative Resolutions, Hawaii Administrative Rules, or by HPUC order. The committee considers implementation by HPUC order to be the most expedient method of effectuating our recommendations.

Impact to agencies/entities

Impacts to those agencies and entities involved are unknown at this time.

Costs (if any or readily estimated)

Unknown.

Recommendation No. 2: Improvement of Current Reservation System

Summary of Recommendation

The Cargo Services Small Group recommends improving the current reservation system to accommodate all cargo types (e.g., straightload equipment, automobiles, and roll-on roll-off equipment, and less than container load cargo). The Small Group arrived at this recommendation through various meetings and felt that implementation would enhance the overall customer experience when shipping with Young Brothers, as well best serve the community by continuing the present line of services (e.g., straightload equipment, automobiles, and roll-on roll-off equipment, and less than container load cargo). The Small Group also felt that this recommendation would improve the water carrier’s ability to forecast cargo volume and also provide cargo visibility for its customers.

Justification/Compelling Reason

Improving the current reservation system to accommodate all cargo types will enhance shipping efficiencies and improve cargo movement and transparency for consumers. The improved reservation system should be flexible, implemented in phases and will improve cargo visibility to both the consumer and the carrier.

Mid-term or Long-Term

Mid to Long-term solution.

Pros:

Operational efficiencies with implemented new and/or updated policies will assist with the accuracy of booking reservations, ultimately resulting in a committed customer base as well as seeing an overall improvement in cargo tracking and the scheduling of gate hours and service offerings. Reservations for all cargo will provide the water carrier with cargo data to analyze and improve upon the inefficiencies where customers currently show up half days.

Overall improvement of the customer service experience will be provided through known availability for both shipping and transporting. Tracking will be a benefit so customers can schedule when to drop-off and pickup cargo. This is expected to assist in real time tracking and availability to help save and schedule time, and will allow for planning and scheduling in terms of the amount of time customers must wait in port. The improved reservation system will provide an incentive for customers to schedule reservations, as it would provide them with a shorter waiting line for drop-offs and a resulting commitment from them.

Cons:

Cost will be initially high to develop and implement. The reservation system will incur long term costs to maintain and have continuous improvement as the business and industry changes. Customers, especially one-time customers will need time to adjust.

The water carrier will be required to identify any proceeding steps to undertake or outstanding items to address if any. This may include developing a customer survey that will assist the company in understanding customer needs, implementing a pilot program for three to six months, and gathering accurate data and feedback with minimum impact to labor costs in order to compile comprehensive and accurate information to assist in determining the best possible actions to take. Implementation will need to occur in phases to reduce the impact on customers and allow for changes and improvement throughout the project.

Impact to agencies/entities

None.

Costs (if any or readily estimated)

The initial cost to improve the current reservation system to include bookings for all lines of service along with a customer service portal would cost approximately \$400,000 in the initial startup and implementation. Monthly maintenance fees and any enhancements to improve the customer experience would be approximately \$10,000 to \$15,000.

Recommendation No. 3: Federal/State/County Subsidies Working Group

The Subsidies Small Group recommends that the State Legislature pass a resolution directing the Hawaii Department of Transportation to convene a working group(s) to create and recommend federal, state, and county subsidies for the transport of waterborne cargo and provide an update on the status of creating these programs to the Hawaii State Legislature no later than 20 days prior to the start of the 2023 legislative session.

The Small Group also recommends that draft waterborne cargo subsidy program language be submitted to the Hawaii Congressional Delegation by November 2021, and that work continues with Congressional staff in development of the program language.

Hawaii's communities are mostly dependent on the import of goods. Over 80% of goods consumed in Hawaii are imported. Of that imported, over 98% is transported as waterborne cargo.

Unlike communities in the continental U.S. that have alternative means of transporting goods by truck and rail, Hawaii relies on transport by water carrier.

The cost of shipping is reflected in the cost of imported goods consumed in Hawaii. The shipping of goods to and within Hawaii can be as much as 7.5% (per a 2015 study) of the cost of the goods and generally higher than the cost of goods in the U.S. mainland.

To reduce the cost of imported goods, a broad subsidy for trans-Pacific and interisland cargo is being sought by the Subsidies Small Group. Sources of the subsidies may be from existing or newly created federal, state, and county government programs.

Due to Hawaii's dependency on the import of goods, maritime support to ensure food security in the State is required.

Recommendation No. 4: Federal Waterborne Cargo Subsidies Program

The Subsidies Small Group recommends that the Hawaii Department of Transportation lead a committee to continue working and consulting with the U.S. Department of Transportation (USDOT) in the establishment of a federal waterborne cargo subsidies program, including the drafting of legislative language.

Justification/Compelling Reason

Hawaii's communities are mostly dependent on the import of goods. Over 80% of goods consumed in Hawaii are imported. Of that imported, over 98% is transported as waterborne cargo.

The cost of shipping is reflected in the cost of imported goods consumed in Hawaii. Shipping of goods to Hawaii can be as much as 7.5% (per a 2015 study) of the cost of the goods.

Unlike communities in the continental U.S. that have alternative means of transporting goods by truck and rail, Hawaii relies on transport by water carrier.

To reduce the cost of imported goods, a broad subsidy for trans-Pacific and interisland cargo is being sought by the Subsidies Small Group. Sources of the subsidies may be from existing or newly created federal, state, and county government programs.

The Subsidies Small Group met with representatives from the Office of the Secretary of Transportation, USDOT, U.S. Maritime Administration (MARAD), Federal Aviation Administration (FAA), and Federal Highways Administration (FHWA) to investigate whether federal subsidies for waterborne cargo are available, and if not, the steps needed to create such a federal program.

The federal representatives acknowledged there are no federal subsidies specifically for waterborne cargo. There is, however, a federal subsidy for aircraft transportation to disadvantaged areas such as the islands of Molokai and Lanai, and part of the Big Island. The USDOT Essential Air Services (EAS) Payment to Air Carrier program requires an air carrier to apply to the USDOT and win a bid for the program.

The federal representatives agreed to provide advice and assistance, where possible, in the creation of a federal program to provide broad and directed federal subsidies for waterborne cargo transportation to and within Hawaii. The program for waterborne cargo subsidies will require legislation in Congress before the USDOT makes it available.

Currently, there are federal subsidies for certain agricultural products. Agricultural subsidies programs include:

- Reimbursement Transportation Cost Payment (RTCP) www.fsa.usda.gov/Assets/USDA-FSA-Public/usdafiles/FactSheets/rtcp_facts_sheet.pdf.
- Micro-Grant Program for Small-Scale Agriculture link to the news release with information and a link to the grant portal: <https://hdoa.hawaii.gov/blog/main/small-scale-ag-grants/>
- www.fsa.usda.gov/state-offices/Hawaii/programs/index
 - Emergency Conservation Program (ECP)
 - Noninsured Crop Disaster Assistance Program (NAP)

- Livestock Forage Program (LFP)
- Livestock Indemnity Program (LIP)
- Emergency Assistance for Livestock, Honey Bees, & Farm-raised Fish (ELAP)
- Supplemental Assistance Revenue Payment (SURE)
- Tree Assistance Program (TAP)
- Conservation Reserve Program (CRP)
- Grassland Reserve Program (GRP)
- Environmental Quality Incentive Program (EQIP) administered through the USDA Natural Resources Conservation Service
- Third Coronavirus Food Assistance Program (CFAP 3) pending in March 2021.
www.farmers.gov/cfap

There is a federal subsidy for aircraft travel service to the islands of Molokai and Lanai, and small community of Kamuela on the island of Hawaii. The program is the:

- USDOT Essential Air Service program.

While there are agricultural specific and aircraft to remote destination subsidies, subsidies do not currently exist for general cargo transport to and within Hawaii. Due to Hawaii's dependency on the import of goods, maritime support to ensure food security in the State is required.

Mid-term or Long-Term

Given the need to compose legislative language in consultation with the federal agency and congressional offices, it is anticipated that the creation of a federal subsidy program will take a lot of effort and time. This is believed to be a long-term solution.

Pros:

- Reduces cost of goods for Hawaii consumers.

Cons:

- Reduced costs of goods for Hawaii cargo will be borne by the taxpayers.

Identify any proceeding steps to undertake or outstanding items to address if any

Consult with the USDOT in the preparation of a federal program and to ensure implementation is feasible.

Impact to agencies/entities

The USDOT will have to administer this program, including determining eligibility and approval. The Hawaii DOT will likely have to submit regular applications for these program grants that will also require documentation collected from the water carrier and cargo economic studies.

Costs (if any or readily estimated)

Costs of this waterborne cargo subsidy program will be determined at the implementation of such a program.

Recommendation No. 5: Congressional Delegation Bill Sponsorship

The Subsidies Small Group recommends that the Hawaii Department of Transportation lead a committee to work and consult with the Hawaii Congressional Delegation to sponsor a bill to establish a federal waterborne cargo subsidies program within the USDOT.

Justification/Compelling Reason

Hawaii's communities are mostly dependent on the import of goods. Over 80% of goods consumed in Hawaii are imported. Of that imported, over 98% is transported as waterborne cargo.

The cost of shipping is reflected in the cost of imported goods consumed in Hawaii. Shipping of goods to Hawaii can be as much as 7.5% (per a 2015 study) of the cost of the goods.

Unlike communities in the continental U.S. that have alternative means of transporting goods by truck and rail, Hawaii relies on transport by water carrier.

To reduce the cost of imported goods, a broad subsidy for trans-Pacific and interisland cargo is being sought by the Subsidies Small Group. Sources of the subsidies may be from existing or newly created federal, state, and county government programs.

The Subsidies Small Group met with representatives from the Office of the Secretary of Transportation, USDOT, MARAD, FAA, and FHWA to investigate whether federal subsidies for waterborne cargo are available, and if not, the steps needed to create such a federal program. The federal representatives acknowledged there are no federal subsidies specifically for waterborne cargo. There is, however, a federal subsidy for aircraft transportation to disadvantaged areas such as the islands of Molokai and Lanai, and part of the Big Island. The USDOT EAS Payment to Air Carrier program requires an air carrier to apply to the USDOT and win a bid for the program.

The federal representatives agreed to provide advice and assistance where possible in the creation of a federal program to provide broad and directed federal subsidies for waterborne cargo transportation to and within Hawaii. The program for waterborne cargo subsidies will require legislation in Congress before the USDOT makes it available.

While there are agricultural specific and aircraft to remote destination subsidies, subsidies do not currently exist for general cargo transport to and within Hawaii. Due to Hawaii's dependency on the import of goods, maritime support to ensure food security in the state is required.

Mid-term or Long-Term

Given the need to compose legislative language in consultation with the federal agency and congressional offices, it is anticipated that the creation of a federal subsidy program will take a lot of effort and time. This is believed to be a long-term solution.

Pros:

- Reduces cost of goods for Hawaii consumers.

Cons:

- Reduced costs of goods for Hawaii cargo will be borne by the taxpayers.

Identify any proceeding steps to undertake or outstanding items to address if any

Consult with the USDOT in the preparation of the federal program and to ensure implementation is feasible.

Impact to agencies/entities

The USDOT will have to administer this program, including determining eligibility and approval.

The Hawaii DOT will likely have to submit regular applications for these program grants that will also require documentation collected from the water carrier and cargo economic studies.

Costs (if any or readily estimated)

Costs of this waterborne cargo subsidy program will be determined at the implementation of such a program.

Recommendation No. 6: Local Waterborne Cargo Subsidies Program

The Subsidies Small Group recommends that the Hawaii Department of Transportation lead a committee to work and consult with the Hawaii State Senate and House of Representatives Transportation Committees, county departments of transportation and county councils in the establishment of local waterborne cargo subsidies program, including the drafting of legislation.

Justification/Compelling Reason

Hawaii's communities are mostly dependent on the import of goods. Over 80% of goods consumed in Hawaii are imported. Of that imported, over 98% is transported as waterborne cargo.

The cost of shipping is reflected in the cost of imported goods consumed in Hawaii. Shipping of goods to Hawaii can be as much as 7.5% (per a 2015 study) of the cost of the goods.

Unlike communities in the continental U.S. that have alternative means of transporting goods by truck and rail, Hawaii relies on transport by water carrier.

To reduce the cost of imported goods, a broad subsidy for trans-Pacific and interisland cargo is being sought by the Subsidies Small Group. Sources of the subsidies may be from existing or newly created federal, state, and county government programs.

The Subsidies Small Group met with representatives from the Office of the Secretary of Transportation, USDOT, MARAD, FAA, and FHWA to investigate whether federal subsidies for waterborne cargo are available, and if not, the steps needed to create such a federal program.

The federal representatives acknowledged there are no federal subsidies specifically for waterborne cargo. There is, however, a federal subsidy for aircraft transportation to disadvantaged areas such as the islands of Molokai and Lanai, and part of the Big Island. The USDOT EAS Payment to Air Carrier program requires an air carrier to apply to the USDOT and win a bid for the program.

Aside from a federal subsidies program, the State and county should establish a waterborne cargo subsidies program as State and county communities will directly benefit. A State and county waterborne cargo subsidies will require legislation by the State Legislature and County Councils.

While the State and counties are in poor financial situations because of the COVID 19 pandemic, the Subsidies Small Group still recommends State and county subsidies be investigated and developed that may be implemented in the future.

While there are agricultural specific and aircraft to remote destination subsidies, subsidies do not currently exist for general cargo transport to and within Hawaii. Due to Hawaii's dependency on the import of goods, maritime support to ensure food security in the State is required.

Mid-term or Long-Term

Given the need to compose legislative language in consultation with the State and county agencies, that must be enacted into law by the State Legislature and County Councils, it is anticipated that the

creation of a State and county subsidy program will take a lot of effort and time. This is believed to be a long-term solution.

Pros:

- Reduces cost of goods for Hawaii consumers.

Cons:

- Reduced costs of goods for Hawaii cargo will be borne by the State and county taxpayers.

Identify any proceeding steps to undertake or outstanding items to address if any

- Consult with the State DOT, DBEDT, Department of Budget and Finance, and county transportation, economic and budget agencies, in the preparation of the State and county programs and to ensure implementation is feasible.

Impact to agencies/entities

The State and county transportation, economic, and budget agencies will have to administer this program, including determining eligibility and approval.

The Hawaii DOT will likely have to submit regular applications for these program grants that will also require documentation collected from the water carrier and cargo economic studies.

Costs (if any or readily estimated)

Costs of this waterborne cargo subsidy program will be determined at the implementation of such a program.

Conclusions

The six recommendations described previously are those that were discussed and developed first in the respective Small Groups and subsequently by the WCWG as a whole, ultimately being recommendations from the WCWG to the Legislature and Governor.

All six recommendations will require continued discussions and refinement, and in some instances will require near-term actions in order to effectuate implementation of the recommendations in the mid- (3-5 year) to long-term (beyond 5 years) timeframe. Further, circumstances surrounding the water carriers or actions related to the water carriers will have to be considered at the time such recommendations are advanced or implemented.

Given the timeframe and circumstances in which the WCWG discussed and developed these recommendations – that of meeting virtually for all thirteen WCWG meetings plus many more virtual meetings of the Small Groups - due to the COVID-19 Pandemic, the recommendations are as robust as time and resources allowed.

Thanks go out to all WCWG members, plus countless other individuals from each WCWG member entity for their commitment to the process taken, the various discussions, meeting deadlines, and input in the development of this report.

Appendices

Appendix A – Senate Resolution No. 125, S.D. 1 (2020)

Appendix B – Force Field Analysis

Appendix C-1 through C-5 – Small Group Final Reports

**Appendix D – Group Memory of Agricultural and Non-Agricultural Sectors
Listening Sessions**

Appendix A – Senate Resolution No. 125, S.D. 1 (2020)

THE SENATE
THIRTIETH LEGISLATURE, 2020
STATE OF HAWAII

S.R. NO. 125
S.D. 1

SENATE RESOLUTION

REQUESTING THE DEPARTMENT OF TRANSPORTATION TO PROVIDE FUNDING TO WATER CARRIERS FOR THE PURPOSE OF PROVIDING FINANCIAL ASSISTANCE TO MAINTAIN ROUTES AND LINES OF SERVICES WITHIN THE STATE AND TO CONVENE A WORKING GROUP TO RECOMMEND MID- AND LONG-TERM SOLUTIONS TO ENSURE CONTINUOUS WATER CARRIER SERVICE THROUGHOUT THE STATE.

1 WHEREAS, the COVID-19 pandemic is causing a significant
2 decrease in interisland cargo volumes that has put financial
3 stress on all forms of interisland transportation of goods and
4 property; and

5
6 WHEREAS, for counties with populations of less than five
7 hundred thousand, interisland cargo transportation is a life-
8 line for the residents and businesses in those counties and an
9 interisland tug and barge service is essential to the State's
10 economic recovery from the COVID-19 pandemic's deleterious
11 statewide economic effects; and

12
13 WHEREAS, it is in the State's best interests for the State
14 of Hawaii to provide financial assistance to any interisland
15 water carrier of property holding a Certificate of Public
16 Convenience and Necessity pursuant to Chapter 271G, Hawaii
17 Revised Statutes, which has suffered significant financial harm
18 due to the economic effects of the COVID-19 pandemic; and

19
20 WHEREAS, it is in the public interest for the State to
21 provide subsidies to interisland cargo carriers to offset the
22 costs incurred by those carriers as a result of providing cargo
23 carrier services to ports serving counties within the State
24 having a population of less than five hundred thousand, and to
25 address the impacts of the COVID-19 pandemic and to ensure the
26 continued operations of an interisland tug and barge service to
27 advance the State's economic recovery from the COVID-19
28 pandemic's statewide economic effects; and
29

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S.R. NO. 125
S.D. 1

1 WHEREAS any funds provided as financial assistance to any
 2 interisland water carrier of property holding a Certificate of
 3 Public Convenience and Necessity that has suffered significant
 4 financial harm due to the economic effects of the COVID-19
 5 pandemic are to be used by the water carrier for operating
 6 expenses, excluding payments to any parent company or other
 7 affiliates of the same parent company, executive bonuses,
 8 profits for the water carrier to which assistance is being
 9 provided, or profits for any affiliated business of the water
 10 carrier; and it must also be required that certain operations
 11 continue for ports serving counties within the State having a
 12 population of less than five hundred thousand; now, therefore,
 13

14 BE IT RESOLVED by the Senate of the Thirtieth Legislature
 15 of the State of Hawaii, Regular Session of 2020, that the
 16 Department of Transportation and respective counties are
 17 requested to address, on or before September 30, 2020, the
 18 impacts of the COVID-19 pandemic and to offset costs incurred by
 19 any water carrier as a result of providing interisland water
 20 carrier service to ports within the State, by providing a
 21 combined total of at least \$15,000,000 in funding directly to a
 22 water carrier for the purposes of providing financial assistance
 23 to support the continuation of different routes and lines of
 24 services within the State; and
 25

26 BE IT FURTHER RESOLVED that such funds shall not be used
 27 for the following purposes:
 28

- 29 (1) As payment in any form or nature to any parent company
 30 of the water carrier or affiliate of any parent
 31 company of the water carrier, except for tug assist,
 32 lease, or charter payments to an affiliate company of
 33 the water carrier receiving such funds; provided
 34 further, however, that the rates for any such tug
 35 assist, lease, or charter must be at or below market
 36 rates;
 37
- 38 (2) As profits for the water carrier, any parent company
 39 of the water carrier, or any affiliate of any parent
 40 company of the water carrier;
 41

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- 1 (3) As repayment of any loan, bond, or other form of
- 2 indebtedness of any parent company of the water
- 3 carrier or any affiliate of any parent company of the
- 4 water carrier;
- 5
- 6 (4) As payment for any capital expenditure made by any
- 7 parent company of the water carrier for assets held by
- 8 the water carrier; or
- 9
- 10 (5) As payment for executive bonuses; any advertising or
- 11 marketing, except customer and employee
- 12 communications; club or membership dues; charitable or
- 13 political contributions; non-essential business
- 14 travel; seminars, conferences, or conventions;
- 15 entertainment expenses; or any other non-operating
- 16 expenses; and
- 17

18 BE IT FURTHER RESOLVED that on or before August 1, 2020,
 19 the Public Utilities Commission, in collaboration with the
 20 Department of Commerce and Consumer Affairs' Division of
 21 Consumer Advocacy and any interisland water carriers operating
 22 in the State, is requested to convene a working group to
 23 recommend mid-term and long-term solutions to balance the need
 24 for continuous interisland water carrier service throughout the
 25 State with the need for water carriers to maintain financial
 26 sustainability; and

27
 28 BE IT FURTHER RESOLVED that the working group consist of:

- 29
- 30 (1) The Senate President or the Senate President's
- 31 designee;
- 32
- 33 (2) The Speaker of the House of Representatives or the
- 34 Speaker's designee;
- 35
- 36 (3) The mayor of each county or the mayor's designee;
- 37
- 38 (4) One representative from the Public Utilities
- 39 Commission;
- 40
- 41 (5) One representative from the Department of Commerce and
- 42 Consumer Affairs' Division of Consumer Advocacy;

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S.D. 1

- 1
- 2 (6) One representative from the Department of Business,
- 3 Economic Development, and Tourism;
- 4
- 5 (7) One representative from the Department of
- 6 Transportation;
- 7
- 8 (8) One representative from the Department of Agriculture;
- 9
- 10 (9) The chairpersons of the legislative standing
- 11 committees on transportation;
- 12
- 13 (10) One representative from each water carrier operating
- 14 in the State; and
- 15
- 16 (11) One representative from the International Longshore
- 17 and Warehouse Union Local 142; and
- 18
- 19 BE IT FURTHER RESOLVED that the working group is requested
- 20 to submit a final report of its findings and recommendations,
- 21 including any proposed legislation, to the Legislature and the
- 22 Governor no later than twenty days prior to the convening of the
- 23 Regular Session of 2022; and
- 24
- 25 BE IT FURTHER RESOLVED that certified copies of this
- 26 Resolution be transmitted to the Senate President; Speaker of
- 27 the House of Representatives; Chairperson of the Public
- 28 Utilities Commission; Chairperson of the Board of Agriculture;
- 29 Director of Business, Economic Development, and Tourism;
- 30 Director of Commerce and Consumer Affairs; Director of
- 31 Transportation; chairpersons of the legislative standing
- 32 committees on transportation; President of Young Brothers, LLC;
- 33 President of the International Longshore and Warehouse Union
- 34 Local 142; and the mayor of each county.

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Appendix B – Force Field Analysis

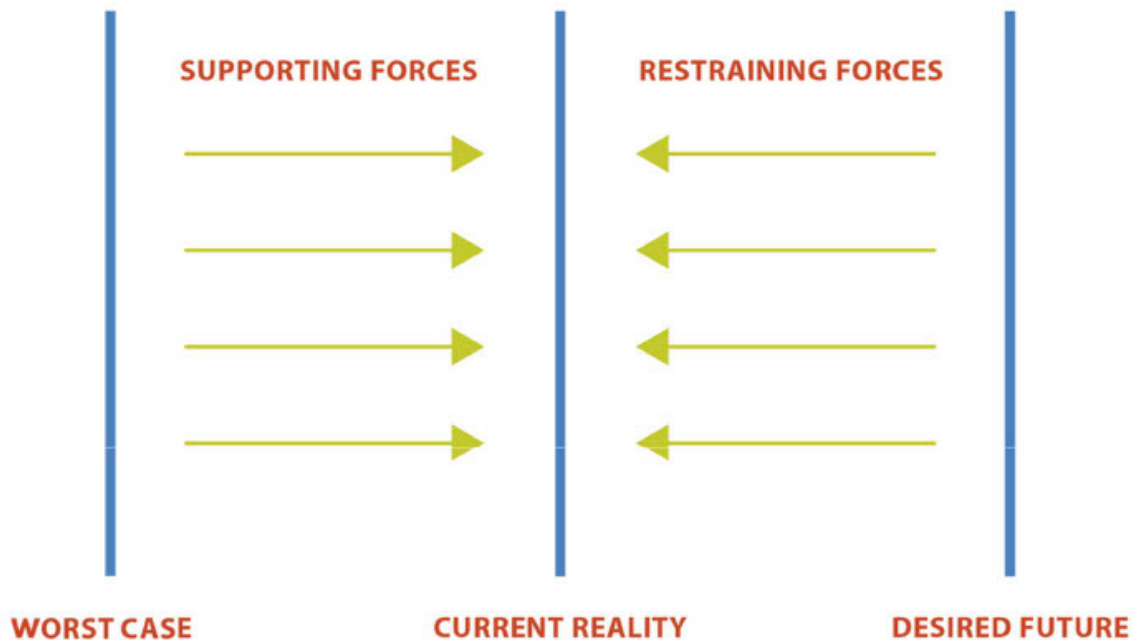


USING FORCE FIELD ANALYSIS TO PLAN STRATEGICALLY

Because of a perception of scarcity, many organizations focus on achieving only short-term goals and objectives. When this perception is combined with a management style that operates by moving from solving one problem or challenge to the next, then it is difficult to be strategic in an organization's planning efforts. These organizations do not understand the importance of acknowledging the context within which planning needs to occur because they have not collectively articulated a desired future that they seek.

Force Field Analysis (FFA) is a tool that can quickly help an organization or in this case the Water Carriers Working Group collectively identify a desired future while highlighting many of the elements it needs to address to achieve that future. During this analysis, appropriate problems and challenges are only identified in the context of achieving that desired future. This tool provides a cursory analysis and does not take the place of an in-depth strategic planning effort.

The FFA template is provided below. It can be used to help the group focus on identifying the different elements during its analysis.



Donna R. Ching, 2018 © PACIFICCOLLABORATION.COM



THE ANALYSIS

The framing question we will use when doing this analysis is: What would it look like if we were able to successfully ensure effective, efficient, and continuous water carrier service throughout the state of Hawaii?

Desired Future: Initially, the WCWG will brainstorm the key elements of its desired future i.e., an effective, efficient, and continuous water carrier service throughout the State. Almost always, groups work in a vacuum not understanding what they are ultimately trying to collectively accomplish. We need to collectively develop clarity about the desired future we are trying to achieve and this will help each WCWG member understand how their work contributes to achieving that future. When people see their work in the context of what they are trying to collectively achieve, they can identify opportunities to move the group closer to that future. Also, synergy is more possible as members work together to create more efficacy than a single person could create working alone.

Current Reality: Then, the WCWG will brainstorm its current reality. Using a phrase or short sentence, it need to describe what the situation looks like currently.

Worst Case Scenario: Next, the WCWG will brainstorm the worst-case scenario. Using a phrase or short sentence, it needs to describe what the situation will look like if we completely fail to achieve the desired future.

Supporting Forces: The next step involves members identifying things they are doing to move the situation closer to the desired future. Also, this is the time when they can think outside the box about things they can do or opportunities they can take (often with external partners not in the WCWG) to move them closer to their desired future.

Restraining Forces: Finally, the group generates (i.e., brainstorms) a list of things that prevent them from moving their current reality toward their desired future. These are sometimes viewed as problems, challenges, or constraints.

Planning Strategically: If the WCWG has time at this meeting (if not, this part of the analysis will move to the next meeting), it will move to the planning stage of this analysis. That will involve:

- **Desired Future:** From the brainstormed list of the desired future, reduce redundancy (i.e., items that are so similar that they overlap) by clustering like items. Then, select the two or three clusters that really resonate with the group. These are the elements that represent the important core of the group's desired future.
- **Supporting Forces:** From the brainstormed list of the supporting forces, reduce redundancy (i.e., items that are so similar that they overlap) by clustering like items.



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Then, select the one or two clusters that they are already doing that need to be enhanced or strengthened because they can significantly close the gap between the current reality and the desired future. Use the same process to identify the one or two opportunities (with external partners) they need to take that will enhance their ability to achieve their desired future.

- **Restraining Forces:** From the brainstormed list of the restraining forces, reduce redundancy (i.e., items that are so similar that they overlap) by clustering like items. Then, select the one or two clusters to address (e.g., solve) from this list that significantly prevent their organization from achieving its desired future. As a result, problems and challenges are not viewed in a vacuum, but instead are viewed in the context of enabling the group to achieve its desired future.

Appendix C-1 – Cargo Carrier Services Small Group Final Report

PUC WCWG Small Group Status Reports
May 20, 2021

Small Group Topic/Issue: Cargo Services Subgroup

- Create a compelling case to support the Cargo Services Subgroup's recommendation

Improve the current reservation system to accommodate all cargo types, implemented in phases, which is flexible, enhances shipping efficiencies, and improves cargo movement transparency for consumers for a continued, well-needed service as well as review of the Storage-in-Transit / Stop-in-Transit ("SIT") policies for improved enforcement and visibility of cargo that should be transported via water carrier.

- What are the benefits for the company?

- Operational efficiencies with implemented policies will assist with the accuracy of booking reservations, ultimately resulting in a committed customer base.

- Improvement in the scheduling of the gates (gate hours and service offerings) - defer to separate Sub-group findings.

- Incentivization of carrier for knowing of customers scheduled reservations.

- Improved cargo tracking will give employee better tools to assist customers.

- Reservations for all cargo will provide company with cargo data to analyze and improve upon the inefficiencies where customers currently show up half days.

- Provide a customer survey that will assist the company in understanding customer needs; or instead, implement a pilot program for three to six months, gather accurate data and feedback with the minimum impact to labor costs in order to compile comprehensive and accurate information to assist in determining the best possible actions to take.

- What are the benefits for the customers?

- Overall improvement of the customer service experience, providing known availability for both shipping and transporting.

-
- Tracking will be a benefit so customers can schedule when to drop-off and pickup. This is expected to assist in real time tracking and availability to help save and schedule time.
 - Scheduling of the gates (i.e., gate hours and service offerings) - defer to separate Sub-group findings.
 - Allow for planning and scheduling in terms of the amount of time customers must wait in port.
 - Incentivization of customers for scheduling reservations as it would provide them with a shorter waiting line for drop-offs and a resulting commitment from them.
 - **What components of the reservation system are the most relevant points of the system?**
 - Fixed routes and flexible outgoing interim routes.
 - Look to a "vessel by vessel" capacity taking into consideration existing demand - how much for the full container load, how much for the roll-on roll-off, how much for LCL mix, how much for refrigeration and farm animals - where the reservations will have some form of flexibility to adjust to a vessel-by-vessel basis.
 - Get commitment by the customer by instituting a 24-48-hour scalable monetary penalty or non-refundable deposit system for large revenue items (i.e., containers, autos, and roll-on roll-off cargo) to reduce no shows and maintain accuracy of cargo booked.
 - Reservation system will improve equipment availability to meet customer demand, forecasting of seasonal equipment needs and/or forecasting of capital expenditures for future equipment replacement.
 - Potential cross-savings that may be passed on to the consumer and expected to create operational efficiencies.
 - Customers planning to ship less than container load cargo will get priority check-in if they book their cargo ahead of time.
 - Allowing for full accessible tracking availability to the public will allow the carrier to give customers the ability to view shipments arriving, or in-transit, and allow customers to plan appropriately when picking up cargo.
 - **SIT – look into what affects rates**
 - Defer to Sub-group on Rates.

- **Articulate what the needs are in the system**

- Customer and company needs will be gathered to determine what specific system will meet those requirements and at what cost - these will dictate what can actually be improved/upgraded in either the current system or whether a new system needs to be purchased.

- Determination by management as to what will make the company viable and what will take the company into the future.

- Determine if there are cost savings to create a comprehensive reservation system. Can the cost savings be passed to the consumer?

Appendix C-2 – Pier Space Small Group Final Report

Water Carriers Working Group
Pier Space Subgroup: Report (Template Form)
June 17, 2021

1. Justification/Compelling Reason

The goal or objective the Water Carriers Working Group: "Pier Space" Subgroup was to clarify the use of Pier 41 pier and yard space. The Department of Transportation Harbors (DOTH) provided information and clarified that the DOTH allocates cargo yards and approves berthing requests to piers, and controls berths at the Pier 41 pier.

The DOTH is responsible for managing state harbor lands through its rules and statutes.

2. Mid-term or Long-Term Recommendation

The issue presented and discussed with the Water Carriers Working Group: "Pier Space" Subgroup, was the availability of space for the water carrier to efficiently move, load and unload cargo between the islands. The Subgroup agreed that having safe and modern pier space and cargo yard has a significant impact on the Water Carriers' ability to successfully ensure effective, efficient, and continuous water carrier service throughout the state of Hawaii.

The Subgroup asked about the availability of space for the water carrier. The DOTH shared that it had made a portion of the recently completed Kapalama Container Terminal (KCT), Phase I yard, available to the water carrier as early as September 2020 for the water carriers use for autos, LCL, and or other needs. To-date the water carrier is planning to use the space. The DOTH also stated that believes that the 77 acres of cargo yard at KCT has enough space for the water carrier to use as well as space for the new overseas tenant to construct its maintenance and office facilities, say through 2023.

The DOTH stated that Pier 41, when completed on or about January 2024, will allocate space to the water carrier for the use of Pier 41. The DOTH also noted that due to the financial impact of COVID-19 to the DOTH, repairs to Pier 39 and 40 are delayed. The DOTH noted and the Subgroup acknowledged that conducting repairs while the water carrier is currently operating will negatively impact their efficiency. It's like having two teams playing a college basketball game usually played on full court only at half-court.

The DOTH also discussed how scheduling of the water carriers' vessels at Pier 41 will occur. The water carrier will request berthing through Portcall.com, the DOTH's web-based vesselscheduling system. By Hawaii Administrative Rule and through the Harbor Masters Notice, all request for use of a pier is through the web-based vessel electronic scheduling system to replace facsimile requests for vessel reservation.

3. Pros/Cons

There is no issue. The water carrier requested clarification and the DOTH hopes its response as re-stated below is sufficient to addressing and clarifying the water carrier's concerns. The authority for the DOTH to allocate space for cargo needs currently exist.

The DOTH stated that it is authorized to manage state harbor lands through its rules and statutes. The DOTH, through its Harbors Administrative rules, issues its Harbors Masters Notice, allocates cargo space.

4. Identify any proceeding steps to undertake or outstanding items to address, if any

The DOTH stated that the DOTH controls the use of Pier 41 pier and yard space, pursuant to its authority of its Hawaii Administrative Rules. DOTH will allocate space to the water carrier for the use of Pier 41. The Water Carriers Working Group: "Pier Space" Subgroup believes the desired outcome was achieved.

Additional understanding regarding the time and use of Pier 41 should be helpful to the water carrier with planning its business. Also having information regarding the DOTH plans to repair Pier 39 and 40 was also helpful to the water carrier with planning its business.

5. Impact to agencies/entities

Exclusive authority to a private party is not permitted by the terms of the non-taxable bonds that is contributing to the construction of KCT and Pier 41 and prohibits the exclusive use and control by a private party. Therefore, the DOTH in compliance with its bond covenants and its rules allocates cargo yards and approves berthing requests to piers.

6. Costs (if any or readily estimated)

N/A

Appendix C-3 – Rates Small Group Final Report

PUC WCWG Small Group Status Reports

May 20, 2021

Small Group Topic/Issue: Rates

The Rates focus group was tasked with looking at an annual rate adjustment to replace what had previously been implemented under AFRA (Annual Freight Rate Adjustment). The goal of this group was to come up with recommendations that would support the sustainability and profitability of the water carrier, minimize the need for large adjustments between formal rate cases, and provide safeguards for consumers with respect to runaway or unreasonable automatic increases for the water carrier.

While the focus group was unable to come to a consensus on the actual calculation or specific formula for the rate adjustments, we did reach consensus on a number of policies to accompany that eventual rate adjustment index. These include:

- The proposed name of the new annual rate adjustment is the Water-carrier Inflationary Cost Index (WICI). Water carrier must show a compelling case for any rate increase
- Performance metrics supporting the WICI rate adjustment must be reported to Commission and shall include:
 - Safety: Recordable Incident Rate
 - Safety: Lost Time Incident Rate
 - Safety: Workers' Compensation Insurance Claims
 - Safety: Hazardous Materials
 - Efficiency: Fuel Efficiency (shoreside and marine use)
 - Service: On-Time Barge Arrival
 - Service: Customer Wait Time for Freight
 - Service: Caller Wait Time
 - Service: Customer Dropped Calls
 - Service: Completed Sailings
 - Service: Cargo Insurance Loss Ratio
- WICI formula should not double count adjustments that are already accounted for such as the fuel cost adjustment
- The report from this group will be shared with the full WCWG and they will make the final determination relative to this recommendation prior to the final report.

Other considerations where consensus was not reached:

- An index based adjuster (GDPPI or a collared version of U.S. Bureau of Labor Statistics, Producer Price Index by Commodity: Transportation Services: Deep Sea Water Transportation of Freight <https://fred.stlouisfed.org/series/WPU301301>) that allows for low to medium oversight up

to a certain % whether that is 2% or 3% rate increases. Any requests above the 2% or 3% would require increased oversight but less than a full rate case up to 5.5%.

- Baseline for WICI shall be the annualized national Gross Domestic Product Price Index (GDPPI); however, additional localized cost factors or industry specific adjustments might be necessary to supplement the GDPPI to more accurately reflect cost of services for the water carrier industry.
- The maximum annual percent change to regulated cargo rates, regardless of the calculated WICI percentage, shall be limited to 5%
- WICI shall be used for two consecutive years with the third year requiring a rate case and reevaluation of the WICI factor
- Initial WICI year would begin the year following the next formal rate case
- Commission must be notified of proposed WICI rate increases/decreases
- More safeguards to protect regulated cargo consumers from inefficiencies or lack of incentives to be efficient and less than satisfactory customer service
- Need to include emphasis on performance for both upside and downside inflation index
- Cost of labor and employee fringe needs greater emphasis if any inflationary marker is used
- There shouldn't be automatic annual adjustments; water carrier needs to justify need for application of the WICI rate factor
- Information provided in the monthly financial reports should support the need for any rate increase, especially rate increases above GDPPI.
- *Performance metrics supporting the WICI rate adjustment must be reported to Commission and shall include:*
 - Efficiency: Labor Efficiency (working on better labor metric than prior version)

Conclusion:

Our group looked at alternative calculations for the annual inflation index that would involve labor costs (wages, health, pension, and other fringe) in addition to other operating expenses that had been used in the past under AFRA. Because changes in fuel costs are currently recovered through a quarterly fuel price adjustment, we all agreed that fuel costs should be removed from the WICI factor analysis to avoid any over-recovery of fuel costs from customers. We focused much of our discussion on a possible two-tiered approach that would involve an automatic adjustment based on the GDPPI index (whether up or down) while also providing the water carrier the opportunity to seek an additional rate adjustment, subject to HPUC approval after providing compelling evidence to support their case for an additional adjustment. We also discussed various possible terms and conditions of the WICI adjustment as outlined above in "Other considerations where consensus was not reached."

There were concerns expressed about what happens to rates in times when emergency rate relief is requested or when major capital investments are made. These issues should probably be considered outside the WICI process. Another concern raised was that we should not be making overarching policy decisions based on decreased cargo volume born by this pandemic as declining revenues exposed high fixed costs. Similarly, it was also discussed that the water carrier's labor efficiency should not be measured simply by revenue tons of cargo moved divided by labor hours as

the sailings are not determined by maximum cargo capacity but rather by *fixed* sailing schedules and collectively bargained manning guidelines (labor hours) which are tied to the *fixed* sailing schedules.

Despite our best efforts to come to consensus on a working formula to calculate this new WICI factor, we ultimately felt compelled to bring our discussion back to the larger group for further refinement and decision making. A two-tiered approach that starts with an automatic annual rate adjustment that is calculated from the GDDPI for the first tier with a “compelling case” that requires review and approval for the second tier is generally identified as an alternative to continue to pursue; however, how to go about incorporating labor changes and terms and conditions of the WICI including performance metrics into the WICI factor is where we see the greatest challenges.

Appendix C-4 – Subsidies Small Group Final Report

PUC WCWG Small Group Status Reports
May 20, 2021

Small Group Topic/Issue: Shipping Subsidies

Create a compelling case to convince other WCWG members that your topic/issue needs to be addressed by our group:

- How will addressing this issue make a significant impact on our ability to successfully ensure effective, efficient, and continuous water carrier service throughout the state of Hawaii?

RESPONSE: Both federal and state subsidies, specifically transportation subsidies, are being sought. Currently, there are agricultural specific subsidies that are being fully utilized by the agricultural businesses for transport of raw materials. Subsidies being evaluated by this group are broader than the agricultural subsidies. This group is evaluating and seeking subsidies that more broadly applies to cargo transportation to small disadvantaged communities.

It is believed that subsidies, to the extent available, could offset the transportation cost burden to small disadvantaged communities who are reliant on the shipment of goods. This might provide opportunities to reduce the agricultural raw product subsidy currently funded by YB and relieve pressures to adjust cargo transport schedules and costs.

- What are the significant (negative) ramifications of us not addressing this issue?

RESPONSE: Not addressing the issue of transportation subsidies may result in the State to continue to require YB to subsidize agricultural raw product and neighbor island communities through the internal absorption of the cost of transportation and service.

Articulate Small Group Goal or Objective:

- This goal or objective was probably generated as you talked about what the group was trying to accomplish.

RESPONSE: The objective of the “Subsidy” group is to explore, if not secure, federal, state, and county subsidies for the transport of goods to the neighbor islands.

- What is the desired outcome you are trying to achieve?

RESPONSE: Desired outcome is to identify actions that can be taken to secure cargo transportation subsidies.

Prioritized List of Actions or Strategies to Address Goal or Objective:

- This discussion might have started with a discussion of relevant supporting forces from the Force Field Analysis that will help you achieve your goal or objective.
- The group probably generated additional strategies during your discussion.
- Actions or strategies also have to take into consideration restraining forces that may prevent you from achieving your goal or objective. You may have identified relevant restraining forces from the FFA or generated new ones that have to be addressed.
- The group needs to think about prioritizing actions or strategies i.e., important ones need to be addressed first to create momentum for your plan.
- Actions or strategies might also have a time relationship i.e., some have to be accomplished first before others are considered.

RESPONSE: There doesn’t seem to be any objection from cargo users, customers, or the water carrier to securing subsidies for cargo transportation – it appears that there would a consensus in support of subsidy solutions. That said, the immediate obstacle remains the availability of funding at all levels due to conflicting priorities, particularly due to impending needs due to the impacts of the worldwide pandemic.

Our small group on subsidies included State legislators, State agencies, and the water carrier. There is no federal agency representation within the subsidy subgroup. The potential agencies discussed that may provide subsidies are the USDOT-MARAD and State. We started the exploration of federal subsidies, with no luck in receiving any response. Given the State’s financial situation it would be difficult for the State to provide subsidies at least for the next few years but the concept can be explored.

SR125 WATER CARRIERS WORKING GROUP

Subsidies Sub-group

April 2021

BACKGROUND

Hawaii's communities are mostly dependent on the import of goods. Over 80% of goods consumed in Hawaii are imported. Of that imported, over 98% is transported as water borne cargo.

The cost of shipping is reflected in the cost of imported goods consumed in Hawaii. Shipping of goods to Hawaii can be as much as ___% of the cost of the goods.

Unlike communities in the continental US that have alternative means of transporting goods by truck and rail, Hawaii relies on transport by water carrier.

Currently, there are federal subsidies for certain agricultural products. Agricultural subsidies programs include:

- Reimbursement Transportation Cost Payment (RTCP) www.fsa.usda.gov/Assets/USDA-FSA-Public/usdfiles/FactSheets/rtcp_facts_sheet.pdf See attachment.
- Micro-Grant Program for Small-Scale Agriculture link to the news release with information and a link to the grant portal: <https://hdoa.hawaii.gov/blog/main/small-scale-ag-grants/>
- fsa.usda.gov/state-offices/Hawaii/programs/index
 - Emergency Conservation Program (ECP)
 - Noninsured Crop Disaster Assistance Program (NAP)
 - Livestock Forage Program (LFP)
 - Livestock Indemnity Program (LIP)
 - Emergency Assistance for Livestock, Honey Bees, & Farm-raised Fish (ELAP)
 - Supplemental Assistance Revenue Payment (SURE)
 - Tree Assistance Program (TAP_
 - Conservation Reserve Program (CRP)
 - Grassland Reserve Program (GRP)
 - Environmental Quality Incentive program (EQIP) administered through the USDA Natural Resources Conservation Service.
- Third Coronavirus Food Assistance Program (CFAP 3) pending in March 2021. www.farmers.gov/cfap

Additionally, there is a federal subsidy for aircraft travel service to the island of ___ as in the:

- USDOT Payment to Air Carrier program.

While there are agricultural specific and aircraft to remote destination subsidies, subsidies do not currently exist for general cargo transport to and within Hawaii.

PROBLEM

Hawaii consumers generally pay a higher cost for goods than consumers in the continental US. This in part is due to the limited means to transport goods to Hawaii and the limited local manufacturing or growing of consumed goods.

While subsidies exist for some agricultural goods and airline services in Hawaii, there are no federal subsidies for waterborne commerce/shipping.

ACTION

To reduce the cost of imported goods, a broader subsidy for all cargo is being sought by the Subsidies subgroup. Sources of the subsidies may be from existing or newly created federal, state, and county government programs.

Appendix C-5 – Sustainability and Profitability Small Group Final Report

PUC WCWG Small Group Status Reports October 21, 2021

Small Group Topic/Issue: Sustainability and Profitability Summary

- Water Carriers must be profitable to be sustainable; otherwise they go out of business, leaving the State to operate the service.
- If the water carrier is unable to achieve profitability on a sustainable basis, there may be a significant and adverse impact on Hawaii's state economy as well as on each of the neighbor island economies.
- Unlike the contiguous 48 states, Hawaii does not have robust multi-modal affordable options to transport goods between islands and, due to limited harbor space, Hawaii's small market, and the high start-up costs, there is a natural monopoly for some types of shipments. Water carriers play a critical role in ensuring the affordable and timely delivery of goods between the islands to support the individual economies of each island and for the entire state.
- If the water carrier is unable to achieve profitability on a sustainable basis, it could:
 - Encounter issues with timely payroll and employing its work force.
 - Encounter issues with timely payments to local vendors (and out of state vendors)
 - Encounter issues accessing affordable capital
 - Encounter issues with meeting sailing schedules and providing services.
 - If the water carrier continues to subsidize unprofitable low volume services, with profits from high-volume cargo, they may not have the funds necessary to pay their workers, debts, and operations. If they charge higher across-the-board rates, they may end up sacrificing their high-volume cargo (e.g., container forwarding from mainland ships).
 - If container customers are subsidizing low volume LCL cargo by paying higher rates, they will shift to cheaper transport services.
- Construction materials and vehicles are profitable cargo for YB. However, low volume perishables, those most vital for life are not. Profitability depends on how many labor hours are required for a specific order to be processed. It is not the route or the costs of travel, but

rather the time it takes to load LCL goods that are traveling to these destinations, that adds most of the cost.

- Regular shipments (two per week) are vital for residents on Molokai and Lanai, for items that are low volume and perishable, such as milk. However, this type of cargo service is costly for YB to provide because it is a significant source of labor cost. It is difficult to reduce (per shipment) the labor hours put into processing, tracking, and coordinating low volume items. It can take longer to process paperwork for small quantity LCL shipments than a batch of high-volume filled containers.
- If a water carrier is not able to sustain its operations, the lack of affordable alternative transportation options and the importance of the affordable and timely transport of goods will have a significant adverse impact on the state and neighbor island economies.
- Without adequate profitability, the ability for a water carrier to access capital to replace equipment and to improve its services may be limited.

Sustainability and Profitability Group Goal: Solutions should balance the need to enable an intrastate water carrier to be profitable without adversely affecting customers and the economies of the neighbor islands and the entire state.

Explore the means to ensure that the water carrier is provided a reasonable opportunity to be profitable to support the sustainability of the water carrier.

- Return to the AFRA rate adjustment process to catch up with its bill payments and keep up with annual rising costs: from labor, supplies, overhead.
- Create a short-term rate increase to offset the decrease in intra-state shipping, down 20% since beginning of Covid-19.
- Make LCL profitable.

Prioritized List of Actions or Strategies to Address Goal and Objectives:

- Create/find subsidies for the less profitable perishable goods vital for life and health.
- Make the unprofitable activities more efficient and improve cost control.
- Create an additional cost-of-labor rate for LCL cargo. This would capture the uncompensated labor costs necessary for LCL cargo versus the lower labor costs required for High-Volume cargo services.
- Reduce labor related costs and labor hours through managerial decisions that make more efficient use of labor force.
- YB should be given the ability to charge a flexible at-cost-for-processing rate for low volume cargo, instead of a rate structure that is structured around high-volume cargo.

Subsidy for the less profitable activities

- Create a subsidy for all inter-island goods that aren't profitable, but vital for survival, such as eggs and milk.
- Increase State or federal money or allow YB to change the rates specifically targeting less profitable but critical goods.
- Charge more for the profitable cargo (e.g. high-volume cargo forwarding) to make up unrecovered costs for less profitable cargo.
 - A key deterrent is customers may choose to take their business elsewhere because of expensive prices.

Make the unprofitable activities more efficient (decrease the cost to the water carrier)

- Use alternate hubs to serve the least profitable routes, such as Oahu direct to Molokai and Oahu direct to Lanai. However there are negative outcomes: This would add more labor touches and complicate logistics because destination cargo would have to be split between perishable and non-perishable.
- Refrigerated and non-refrigerated containers, LCL, livestock etc. all benefit from spending less time at sea and in Young Brothers hands. Ships in the past would make multiple stops around Maui County, also at two ports on the Big Island.
- Reduce the amount of offloading and movements required to get a container from point of origin to destination.
- Increase efficiency for processing paperwork and customer service.
- Develop a method to increase efficiency for low-volume cargo organization, receiving, and handling.
- Determine how new pricing for LCL shipping could be set and adjusted as the economics of shipping shift.
- Balance customer needs when making any changes to the rates and services.
- Significant operational changes may require more harbor space.
- Need affordable capital to make investments to improve efficiency.
- Contracts and CB agreements limit changes that a water carrier can make to operations.
- Identify which items are money-losers, then find an alternate way to get them to where they need to go, whether by smaller ships, freight forwarder, or air cargo.
 - Before modifying rates, subsidies should be sought and made available to high-cost cargo to serve customers, such as farmers and ranchers.
 - Before modifying sailing schedules or stops, there may need to be infrastructure improvements (e.g., building more warehouse space (both with and without refrigeration), and making capital available to vendors who could switch to larger, less frequent sailings, etc.)

- Leasing a smaller vessel, such as a car ferry with lower labor costs, may provide a better option for farmers and ranchers on the Neighbor Islands who could ship cattle in their own trailers and perishable produce in refrigerated trucks.
- YB's smallest vessel, AMS 250 <https://htbyb.com/wp-content/uploads/AMS-250.pdf>, which is capable of roll on and roll off cargo, is mostly being used for Lanai and Molokai, but sails from Oahu with a lot of empty capacity, and since it's occupied with those sailings the larger barges are reserved for the Big Island, Maui and Kauai.

Note: The Sustainability and Profitability Small Group merged with the Rates Group after several meetings, since some of the prioritized actions or strategies involved rate changes. See Rates Group Summary for further development of rates-related recommendations.

Appendix D – Group Memory of Agricultural and Non-Agricultural Sectors Listening Sessions

PUC Water Carriers Working Group Subcommittee Listening Session with Agricultural Customers

December 9, 2020, 4:00 – 5:30 p.m.
(Virtual Meeting via Zoom)

Meeting Attendees (in alphabetical order)

- Leodoloff (Leo) R. Asuncion, Commissioner, Public Utilities Commission
- Morris Atta, Hawaii Department of Agriculture
- Derek Chow, Department of Transportation, Harbors Division
- Jill Coombs, Production Lead from Bayer Molokai and Molokai Farm Bureau
- Mary Alice Evans, Department of Business, Economic Development & Tourism
- Nicole Galase, Managing Director for the Hawaii Cattlemen's Council
- James Gomes – Ulupalakua Ranch and Hawaii Cattlemen's Council President
- Alan Gottlieb, Ponoholo Ranch and the Hawaii Cattlemen's Council
- William Jacinto, Rancher and Maui Cattlemen's Association President
- Sandi Kato-Klutke, Agribusiness Development Corporation Chairperson
- Dean Matsukawa, Hawaii Department of Agriculture
- Kenneth Miranda, Manager of Kaonoulu Ranch on Maui
- Ka'ohi Mokuali'i, Rancher, Big Island (Ka'u)
- Dr. Jason Moniz, Animal Disease Control Manager, Hawaii Department of Agriculture
- Alan Morris – Deputy Director for Department of Agriculture
- Andrew Okabe, Utility Analyst, Public Utilities Commission
- Dori Palcovich, Department of Business, Economic Development & Tourism
- Kai Pelayo, Seed Industry, Bayer Crop Science Maui
- Phyllis Shimabukuro-Geiser, Chairperson, Department of Agriculture
- Stacie Sasagawa, Seed Industry, Bayer Crop Science Oahu
- Waylon Brun, Kauai Cattlemen's Association President
- Brendan Balthazar, Cattlemen's Council
- Earl Yamamoto, Planner, Hawaii Department of Agriculture

Facilitator/Recorder

- Donna Ching, Facilitator, Pacific Center for Collaboration
- Jennifer Cornish Creed, Recorder, Hawaii Alliance of Nonprofit Organizations

Welcome

PUC Commissioner Leo Asuncion welcomed everyone. The PUC is co-convening the Water Carrier's Working Group (WCWG), per S.R. 125. There's also a public site with more information

if anyone wants to follow what the WCWG is discussing through its proceedings. By end of next year we're tasked with providing a report to the Legislature with mid-term and long-term recommendations that address how to balance the need for continuous water carrier service throughout the state with the need of the water carriers to maintain financial sustainability. That's the mandate of the WCWG.

The Working Group has one subcommittee looking at customers and customer service. This listening session is getting input from ag folks. We're working on setting up another listening session with non-ag shippers (like freight forwarders, etc.) to get their input as well. Mary Alice, Phyllis, and Dori are the leads on this committee.

For today's meeting, if you want to be acknowledged, please raise your hand and we'll call on you. Or you can put any questions or comments in the Chat Box.

After the group members introduced themselves, Donna Ching, facilitator for the session, provided some additional context. In order to prepare for the September meeting of the WCWG, we asked members to come back with the top three current needs of stakeholders and a list of their desired elements of the water carrier system. From the ag folks, the top three identified needs were safety, affordability, and service.

Donna opened the floor to participants to identify their priority issue and suggest strategy(ies) for addressing the issue. If you have the same or similar issue to someone else, let us know. If the suggested solution doesn't work for you, we can discuss it and work to develop an adaptation that will make it workable for more parties.

- (Kenneth) Representing the livestock industry and being a livestock shipper, everyone talks about sustainability (esp. when election time comes around). To be truly sustainable in Hawaii we need to be able to get products from the neighbor islands to other islands. YB is the main way to do this, unless you have products you can ship by air. Folks here have been in meetings with YB, the PUC, and elected officials. A lot of us were opposed to the rate increase because it directly affects us.

There is a 30% livestock subsidy when you ship island product to island markets. I'm mostly selling the cows and trying to transport my calves that I raise from Maui to Honolulu and then to the West Coast. The rate increase means going from paying \$1,200 to \$2,000 per container. Profit margins are thin in this business already. I understand YB and the unions and their need to make a certain amount of profit off of the shipping business, but we need a break. We need this subsidy. Could the \$25 million from CARES Act funds that YB got be used to help defer some of the costs of shipping?

Potential Recommendation: Consider a subsidy for the livestock industry.

Donna polled the group to see if others agreed with this potential recommendation. There were a number of thumbs up for this recommendation.

- (Brendan) We cannot pass that increase on to the consumer.
- (William) Does everyone qualify for this subsidy? How does it work?

Donna noted that as part of this potential recommendation, we might need to look into what are the criteria are for the subsidy.

- If cattle are marketed here (island commodities), they qualify. A lot of sheep and goats are being shipped. Once in a while you get the discount but often you don't. Any livestock being shipped between the islands should fall under the same deal.

Donna summarized that the subsidy is inconsistently applied to livestock other than cattle.

- (Phyllis) Regarding service, in the process of reaching out to stakeholders we got the impression that not many farmers or ranchers know what's involved with getting this subsidy. A lot of them didn't respond to the issue of the Island Fresh subsidy. I don't think YB communicates this well. We need better info given to stakeholders about this discount, so more can weather the storm. It might also encourage people to ship more. Right now, they're not aware of it and not utilizing it.

Potential Recommendation: YB needs to do a better job of communicating to their shippers the mechanisms (e.g., Island Fresh subsidy) that will enable them to bring down the costs of their shipping.

- (Derek) I wanted to first ask who finances this subsidy? I can't imagine that YB is required to finance the subsidy. So, who funds the subsidy? Second, to be clear, YB got zero money from the CARES Act.
- (Kenneth) I'm just saying that CARES Act money could be put towards helping YB fund the Island Fresh Discount. YB is giving the discount because it has been supporting the ag industry in shipping up until now.

Potential Recommendation: Solicit Cares Act money to finance the Island Fresh subsidy for the livestock industry.

- (Brendan) When the State did its investigation, they found a lot of charges were inflated, so they elected not to give YB money. Then YB went to the PUC and the PUC gave them the 46% increase. Yes, YB agreed way back when to give the Island Fresh discount at 30% but they've threatened to take away several times. What people don't know is if I'm shipping bulls for slaughter, they don't give me a discount. It has to be for something that will be consumed. The ranchers just need to move livestock, so this should apply to all, not just livestock that will be consumed. The subsidy should be expanded beyond the way it is currently being utilized so that it covers ALL livestock being moved between islands.

Potential Recommendation: Subsidize all shipping by livestock even when it is not being consumed at the final destination.

- (Alan) The IF discount is codified in law, and is applicable to local products. I think the problem is somehow when that passed years and years ago, they failed to include cattle in the definition

of ag. YB has voluntarily given it to us over the years. We've gone back to Legislature year after year to get this included in the definition but it hasn't passed. That's the issue.

Modified Potential Recommendation: Codify cattle and beef into the current Island Fresh subsidy law so that there is consistency and the subsidy extended to the Cattlemen.

- (Leo) I have the statute in question here – Act 232. It was passed in 2012. The PUC's responsibility is that we may authorize it, and we have. In order for YB to have ever given it, the PUC needed to authorize it. It is very vague. No definition is provided. As written, you would need a statutory change to clarify the definition. If we want to recommend this, we can find the bills related to trying to make the amendments for last 8 years.

Note: after the meeting, Phyllis agreed to have her department find out how "agricultural activities" are defined by the State.

- (Donna) I'm curious to know why cattle weren't considered "Agriculture"?
- (Leo) Other areas of statute may include a definition of agriculture. We need to make sure we research this and can point to existing definitions.
- (Kenneth) We could just say "livestock."
- (Derek) We can't just pin this issue on the water carriers. The whole of government has to take responsibility to get the word out to users of these services.

Potential Recommendation: All relevant government entities need to take responsibility for informing all agricultural shippers about the availability of the IF subsidy.

Donna asked if the seed folks had any recommendations.

- (Kai) I think it's been covered. We support equal access for everyone. It's not like we're flying tons and tons of stuff around, but we move many different types of things. The freight if not applied equally kills folks. They can't ship.
- (Nicole) According to the top three needs, an easy one to address is service. It doesn't involve a lot of money. I hear a lot of complaints about customer service. It's really about training employees. If the education fails, it causes shippers sometimes hundreds of dollars in inefficiencies.

Potential Recommendation: YB needs to invest in training so that their staff understands how important it is to provide service to their customers.

- (Donna) At the last WCWG meeting, the YB Consultant shared about the Customer Service survey they're conducting. They're seriously working on this issue this fall. From that effort,

hopefully changes will be implemented next year. We hear you saying that they really have to sharper their game on service.

- (Kenneth) Here's a real time example – When I am booking containers to go to Oahu, I've literally been on hold for 45 minutes at a time. I finally shut off my phone and drove to the pier to get the same booking/service. I have to physically drive down there to get that booking. It gets frustrating. You can rant and rave to the folks at the pier but that doesn't do anything good for their attitude towards you.

Potential Recommendation: YB needs to be responsive in a timely way when people are trying to get their orders in.

- (William) When will the customer service improvements go into effect? Ken, you're lucky you got onto the pier. We had a guy that got thrown off the pier. He was turned away. I had to call Oahu and make arrangements. They were nice. I look forward to the improvements happening.
- (Donna) To clarify, the customer service recommendations probably won't be implemented until 2021.
- (Brendan) They should call me to complete the Customer Service survey. Just last week I had two containers to bring down from the ranches. We had a booking. The folks at the pier wouldn't accept them. I called Honolulu. He said we could do it. The guy here said we don't ship livestock out of Maui on Friday's. Apparently, they had misunderstood a memo that was sent saying we're no longer going to ship out of Kauai and Kawaihae on Friday's, NOT Maui! There needs to be consistency in the rules. Certain things are allowed on Oahu that aren't allowed on Maui.

Potential Recommendation: Offer consistent service across the state and consistent rules that are also followed across the state.

- (Nicole) Relative to safety, what's really needed is a space for safe transfer at the pier – from truck to container safely.
- (Kenneth) We did get an additional, fenced in area with **water** on Maui. On Oahu, at Kawaihae, Kauai, and Molokai we need a consistent area where livestock can be safe. We also need shade since everything is perishable and every port is at sea level and it's warm. **We need an enclosed/fenced area plus shade and with water** so we don't have a problem with animal rights.
- (Brendan) We need better accessibility to the pier. The pier closes for lunch. There's probably 20-30-40 folks lined up along the highway waiting. They only have one station. They need multiple stations to move people through more effectively.

Before you could bring livestock anytime. Now only after 1 pm. They say that you can only bring them 90 minutes prior to departure. I said you have a late barge; can we bring cattle

down by 8 p.m.? They said, no, they must be here by 3 p.m. They're not following their own rules. If there was shade there, it wouldn't be a problem. But no shade, we got a problem.

- You don't know when they're going lunch. It varies. How can you know this? They don't operate during lunch. Being the only carrier, why do they not accept any freight, LCL cargo after 11 a.m.? If you're even 5 minutes late, they won't accept it. There is no uniformity of the rules.

Potential Recommendations: The optimal situation regarding accessibility to the pier would be if YB processed customers throughout the entire day in a consistent manner so that a backlog isn't created (e.g., stagger employee lunch hours).

The piers need to have enclosed areas for livestock, with shade and water available so that, if animals have to be there for a long period of time, they're treated humanely.

YB rules should be consistently applied so that customers can make appropriate decisions.

Create mechanisms to understand customer needs so that you can try to accommodate them when creating policy.

- Another example of poor service is if you go to pick up your freight, you have to get the clerks moving. When you go to the clerk, they have to go on golf cart to find your stuff, which takes longer. A year ago you would go directly to the forklift driver who would know where your stuff was because they unloaded the barge.
- I witnessed an older man waiting for the clerks to process his paperwork. He said he was there for 3 hours waiting. You have to give the paperwork to the clerk. YB always threatens to do away with LCL cargo. When they got the 46% increase, the PUC told them they had to return to doing all the activities they were doing before. I heard through the grapevine that they're going to stop doing LCL once this is over. Explore efficiencies when LCLs are being shipped around the State, e.g., are they full? Ken maintains his own containers and chassis. If YB maintains them, then customers can save money.
- Clients need more information. Because Oahu is the hub, animals have to be removed on Oahu and reloaded on the ships going to other islands.
- Website should provide all the information (e.g., times, requirements, schedule, changes in schedules) a customer needs to be able to successfully ship their products. Link on website that says daily changes to schedules, etc.

Potential Recommendation: YB should use its website to provide timely information to its customers (e.g., schedules, requirements, etc.). There should be one link on the website that provides daily changes so that customers have easy access to that information.

- Matson has a listserve that informs clients of changes in a timely way so that they can make appropriate changes. YB should explore this practice. Make a concerted effort to get all clients on a listserve so they can get info (e.g., via their cell phone) in a timely way.

Potential Recommendation: YB should establish a listserv so it can have immediate access to its customers and they can use their phone to get timely updates.

- If rates go up, customer expects improved service. Improving efficiency with technology.
- How much responsibility does a trucking company (who moves a client's product) have to inform the customer of changes that may have an impact on the customer?
- When someone makes a booking to ship, they need to provide an email address so that they can let their trucker know the most up-to-date info.

Potential Recommendation: Determine if YB is using the most efficient process (e.g., technology) to get the product to the customer as soon as possible.

- If listening session participants think of additional recommendations or suggestions after this meeting, we will have a section in the group memory (i.e., meeting notes) where these ideas can be added when it is distributed to everyone for review.

PUC WCWG Non-Ag Sub-Group

January 29, 2021, 1:00 – 2:00 p.m.
(Virtual Meeting via Zoom)

Meeting Attendees

Name	Title	Company
Robert (Rob) Stephenson	President	Molokai Chamber of Commerce
Mark Perriello	President	Kauai Chamber of Commerce
Pamela Tumpap	President	Maui Chamber of Commerce
Steve Hunt	Deputy Finance Director	Hawaii County
Bart Baldwin	Member / Committee Secretary	Lanai Chamber of Commerce
Mike Victorino, Jr.	Member	International Longshore and Warehouse Union, Local 142
Jessie Andrade	Member	International Longshore and Warehouse Union, Local 142
Evan K. Oue	Governmental Affairs Department	Imanaka Asato, A Limited Law Liability Company
William “Baba” Haole	Division Director of Hawaii Longshore Division	International Longshore and Warehouse Union, Local 142
	Facilitators	
Mary Alice Evans	Director, Office of Planning / Meeting Facilitator	DBEDT
Dori Palcovich	SBRRB Administrator / Meeting Facilitator Helper	DBEDT
Jet’aime Alcos	SBRRB Office Assistant / Zoom Coordinator	DBEDT

Welcome

Mary Alice welcomed attendees. She referred to Mr. Leo Asuncion, PUC Commissioner, who heads up the Water Carriers Working Group (WCWG), which is focused on Young Brothers (YB), and its survivability and services; it is therefore very important to meet with YB’s stakeholders, shippers, and customers on these issues.

Housekeeping / Meeting Logistics

Dori noted that the meeting is being recorded so accurate feedback can be provided to WCWG. The meeting is for one hour and approximately five minutes before the hour, it will be announced that discussions will be wrapping up.

Introduction of Attendees

Rob Stephenson – Molokai Chamber of Commerce

Thank you for including Molokai in this meeting. Molokai shares unique problems along with Lanai due to limited availability of barge services. Molokai is already in a financial disadvantage because of limited economies of scale that the community currently operates under - i.e., increased energy, fuel, and shipping costs.

Mark Perriello – Kauai Chamber of Commerce

Very grateful for being able to attend the meeting and although Kauai does not face the same financial concerns as Molokai, Kauai's manufacturers are small.

Pam Tumpap – Maui Chamber of Commerce

Maui County had the lowest unemployment rate in the nation a year ago; in the last several months due to COVID-19, it now has the highest unemployment rate. Maui is considered "micro" and is most dependent on the visitor industry; Maui is devastated.

Steve Hunt – Hawaii County

Steve sits on the WCWG with Mary Alice and also on the following two WCWG subcommittees: 1) rates; and 2) cargo service; the latter subcommittee is expected to delve into customer service and efficiencies of scheduling, i.e., where scheduling and reservations may be made similar to the airlines industry.

Bart Baldwin – Lanai Chamber of Commerce

Bart is Secretary of Lanai Chamber's Executive Committee. He wants to understand the reasons YB is losing money in addition to "less demand." He read that YB purchased more tugboats, but he also understands the need for YB's 46% rate increase.

Mike Victorino, Jr. – International Longshore and Warehouse Union, Local 142

Mike represents YB's labor force bargaining unit and is aware of the impacts and services provided to the neighbor island. YB wants to make sure that the labor aspect is involved as it means sustainability for the future.

Jessie Andrade – International Longshore and Warehouse Union, Local 142

Jessie also represents YB's labor force bargaining unit along with Mike Victorino.

Evan Oue

Evan works at Imanaka Asato with attorneys Kim Yoshimoto and Mike Iosua in the Governmental Affairs Department on behalf of YB; he is here today for observation only.

Purpose of Meeting

Leaning towards problem-solving rather than having answers today, Mary Alice explained that the purpose of this meeting, which represents neighbor island non-agricultural shippers and customers, is to find out what is needed by way of barge service and/or interisland carrier service, what is working, what is not working, and what the islands are not getting right now.

Stakeholder Input

The following is an overview from the stakeholders.

1) Rob Stephenson – Molokai Chamber

Molokai shares unique problems along with Lanai regarding limited availability of barge services.

- We are very grateful for YB for the time they have been servicing Molokai.
- Molokai depends on YB for virtually all of the goods that come into the island.
- Molokai needs less than container load – this is absolutely critical as the Island simply does not have the economies of scale for companies to order items by the container load.
- There is insufficient warehouse and cold storage space to serve weekly needs of customers and residents.
 - This means that restaurants, the school systems, the hospital cafeteria, etc., use “just in time” management due to the lack of freezer/cold storage space.
 - Going from two barges a week to one barge a week has severely impacted the grocer’s ability for available fresh, refrigerated, and frozen products. This is an important part of how business operates in Molokai.
- Another challenge is the sailing schedule. For example, if items are dropped off to YB’s barge on Friday, the earliest pick-up day in Molokai is Monday; this means 3 days less of shelf life.
- Because there are no body shops in Molokai, automobiles must be shipped back to other neighbor islands, resulting in overall higher costs.

While YB has done a great job during COVID up to this point, there are costs and challenges in doing business, and as with any business, there are inefficiencies in operations. Before any additional rate increases are granted, YB and other companies must look internally to see how they can maximize their efficiencies and lower its costs, so they don’t pass the cost of inefficient operations onto the consumer.

Summary - In need of:

- a) Less than a container load
- b) A reliable sailing schedule to move fresh and frozen perishable items quickly.

2) Bart Baldwin – Lanai Chamber of Commerce

Bart has lived on Lanai for sixteen years; he runs a car rental and real estate property management business. His company’s usage from YB involves dropping off vehicles and picking them up. Bart has no complaints with YB.

3) Mark Perriello – Kauai Chamber

Less than container load is important as Kauai's manufacturers are small and don't do the volume of the larger businesses. The rates are also important – the 46% rate increase is astronomical and bad timing. Very disappointed with the PUC decision although the alternative is unknown.

In regard to groceries and other items coming into Kauai on YB carriers, concerns depend on the volume being delivered. Small grocers are challenged because they don't have the volume as Safeway or Costco. Shipping cattle is a problem now as there are no processing facilities for cattle on Kauai; it all has to go to Oahu or the mainland.

Summary - In need of:

- a) Less than a container load
- b) A more equitable pricing

4) Pam Tumpap – Maui Chamber

Incoming shipping impacts the smaller retailer more so than the larger retailer. For Maui, the outgoing shipping of less than container load has always been a problem. While the small manufacturers and entrepreneurs are creating the jobs right now, it is understood that there is a cost to doing business.

When YB approached Maui, it was very clear that inefficiencies were looked at in its operations as they had made significant cuts, to date. In essence, they were "bleeding out" and the parent company was unwilling to support that "bleed" any further. Maui is not happy with the 46% rate increase knowing the horrific impact especially when the state is very dependent on the visitor industry.

The question is "how do we get out of this?"

Further, there was a twelve-month stay where YB could not ask for an additional rate increase, and a six-month advance notice was required to discontinue service. YB was required to create a comprehensive customer service plan and undergo a financial and management audit by an independent party selected by the PUC.

Presently, we are five and a half months into the six-month period and COVID-19 has continued, leaving Maui, Lanai, and Kauai in a desperate place. The state lost the super ferry, which would have been an excellent back-up for transporting of goods, so there are no redundant systems.

What is the status of YB's "customer service plan?" Did YB do the required customer service plan? We don't even know if the state is expected to discontinue YB in the next six months; this could be as early as February 17th.

It is also unknown if another rate increase will be requested. However, before another increase is approved, it would be appropriate to review the required independent audit and understand the numbers. In addition to the increased monies YB is receiving, we want to understand YB's current financial status. Some of the items bought by YB, including new equipment, was to provide YB "more efficiencies."

Aside from the rates, which is a major concern, did customer service ratings go up, or not?

Overall, the public wants answers from YB before additional rates can be put in place. Where is the State Department of Transportation (DOT) with regard to this issue, and what is DOT currently proposing? Water carrier service is an essential service for the State of Hawaii and for the neighbor islanders. Strong back-up plans are needed.

YB has served the neighbor islands for many, many years and it is a service that cannot be lost; it is desperately needed. What are the alternatives being discussed at the state level to shore up these concerns and issues? Broader thinking and economic solutions are needed.

Summary – In need of:

- a. An explanation to YB's customers and the public as to YB's current financial condition
- b. Determining if there are any other inefficiencies
- c. Receiving an update on the status of YB's customer service plan

Steve Hunt - Hawaii County

Parent company, Saltchuk, has been providing money to YB with zero interest rate with no internal rate of return, only funding. For three consecutive years, YB has been losing profit in the low eight figures.

Volume is down from pre-pandemic levels to the current level; this is with the cooperation of Matson and Pasha pushing some of their own product through to YB to give them a little bit of volume. YB is currently down 23% in volume and there are no contingencies if YB continues to lose volume; even with the 46% rate increase, they will lose money.

Summary: Saltchuk is not going to continue to fund a losing operation beyond a certain point.

Jessie Andrade - International Longshore and Warehouse Union, Local 142

The 46% increase is going to hit very hard economically all of the neighbor island families.

Eight years prior, there was an eight-year window increase that was 1½%. There were also a number of years where requests were made and YB received nothing; this compounded YB's 46% request; if this demand had not been met, today's conversation would not be occurring.

Mike Victorino, Jr. - International Longshore and Warehouse Union, Local 142

Despite the 46% increase, YB is still servicing and operating, albeit at a loss, with no end in sight. Pre-pandemic, there was a 34% request by YB, and it was not approved.

Summary:

The system in place needs to be reviewed and reassessed and it needs to be determined how it can be made better incrementally, without having astronomical increases.

YB wants to be part of the solution, not the problem.

Jessie Andrade

In 2015, there was a zero increase in rates. In 2016, YB was given a 1.2% increase. In 2017 and 2018 there were zero increases, and in 2019, YB was given a 4.12% increase.

In comparison to other shippers, such as Matson, a “look-back” to 2014 was done and showed a cumulative increase of 4.5% compared to Matson, which was approximately 20% to 21%.

Q: Bart Baldwin - Bart questioned whether, in fact, YB rates increased 1½% over eight years.

A: Steve Hunt - In response to Bart’s question, Steve clarified that under AFRA, annual freight rate adjustment, there was a pilot program that gave YB the ability to make various adjustments within a reasonable range – from minus 5% to a plus 5%. The pilot program ended in 2014.

The rate increases referred to by Jessie are presumed to be post-expiration of the AFRA program. While YB may have asked for a certain percentage increase, for example 10%, YB only received a 1% to 1½% increase. This ultimately compounds over multiple years and adds the increase to the backend which requires asking for higher increases in the future.

Closing Remarks

Pam Tumpap

Pam thanked Steve Hunt for his answer (above). She noted that YB was informed that the rate increase would be a hardship. YB had shared its current financial condition and stated that it would undertake its due diligence to be more efficient and save on costs, which has since escalated.

Aside from the 46% increase, it is unknown whether customer service has improved. Shipping schedules still pose concerns. It is also unknown whether there are additional or further inefficiencies at YB as well as the timing of PUC’s independent audit.

- What needs to happen towards sustainability?
- Shipping is an essential service.
- What partnerships can be formed?
- What needs to be done to come up with a solution?

We don’t want to see YB go away; we want to see service improved. Customers cannot sustain continued higher rates.

Rob Stephenson

One of Molokai's challenges is that YB is seeking relief through rate increases to pay for their costs of doing business. The small businesses, however, are having a very difficult time passing their costs onto their own customers; costs can go up only so much for communities like Molokai.

Another challenge is communication. There appears to be barriers with internal communication at YB; communication is mixed when the same question is asked. Everyone needs to be on the same page so that customers get the same message.

A third challenge is tracking/customer service. Being able to go on-line and punch in one's bill of lading to show, for example, what the item is and what the schedule is in terms of when it will be delivered to the dock or on the barge and what time it will be arriving, etc., would be most helpful.

Steven Hunt

In response to Rob's comments, one option being looked at is whether there is a way to bring the water carriers' schedule more in-line with the airlines.

On the flip side, YB needs to know that those bookings are solid, so that if there is a "no-show" a non-refundable deposit is incurred. From a customer service standpoint, this is the way it may be headed as an endgame so there is predictability and reliability on space available.

In regard to Big Island's needs and hopes, there are two ports, Hilo Harbor and Kawaihae Harbor. Kawaihae is a profitable port in good times; Hilo is not. There is shipping in both directions. The harbors break-even coming in, or outbound, but lose money on the inbound, or going out (back to Honolulu). Lanai and Molokai are also negative earners in terms of shipping.

These are the routes that would need to be subsidized. However, it is not clear if subsidization would come from the state, tax credits, actual funding or from the industry as a whole.

Hilo and agriculture are the biggest concerns – farmers and ranchers are simply unable to afford the 46% rate increase. There is currently a program called Island Ag where the "raw" ag material, not the finished material, that is going out is discounted by 30%.

There is also a bill being introduced in the state legislature this year, SB1253, Relating to Agriculture. This bill will extend the definition of ag. However, this may or may not be a good thing because it includes ag products not generated in Hawaii.

Bart Baldwin

Bart questioned how the cost of labor affects YB with its 8-digit losses and did AFRA work?

Mark Perriello

It would be very helpful if a plan can be developed where we can return to a system where businesses can predict, over time, what the rate increases will be.

There are models, such as Amtrak, where private companies are afforded by government entities because the public service is so crucial. Thus, the state should explore this type of solution and partnership opportunity with YB.

Rob Stephenson

Rob asked if there will be an opportunity to have a meeting, similar to this one, with YB and the stakeholders and businesses. He believes this would be very useful to hear the voices of the actual end users.

Closing

Mary Alice Evans

Mary Alice thanked all the participants in today's meeting. We've recorded the session and will provide the collected information to the PUC's WCWG as we come up with a plan to keep interisland water carrier service both available and sustainable.