



State of Hawai'i – Public Utilities Commission

Liability Cap Rulemaking (Act 258) – Submission Instructions

Before You Begin

Mahalo for participating in this engagement process and for sharing your mana'o and expertise.

Before developing your responses in the input form, respondents are strongly encouraged to carefully review these submission instructions and the accompanying engagement resources and materials provided below and on the Commission's [Liability Cap Rulemaking webpage](#). These materials are intended to provide important background, context, definitions, and guidance to support informed participation throughout the process.

Purpose of This Engagement

The Public Utilities Commission (PUC) is seeking input to help inform the development of administrative rules under Act 258, which directs the establishment of a liability cap framework for economic damages resulting from catastrophic wildfires.

Act 258 Part I requires the Commission to adopt rules establishing the maximum payable amount – or a “liability cap” – that each electric utility may pay to resolve claims arising from any catastrophic wildfire that may have been caused, or made more severe, by the electric utility's facilities or actions (Act 258, Part I, Section I; [HRS § 269-27.9](#)).

Act 258 Part II requires the Commission to complete a study examining the potential establishment and implementation of a wildfire recovery fund, in response to which the State's [Wildfire Recovery Fund Study](#) was delivered by the Commission in December 2025. The Study found that a wildfire recovery fund, while likely warranted in the future in some form, should not be designed without also addressing the interconnected consideration of a liability cap design.

Please note that the liability cap and a potential wildfire recovery fund are related but distinct policy tools. This engagement process seeks input on how the liability cap should be designed in consideration of that potential future interaction.



This process is designed to help the Commission better understand real-world impacts, risks, tradeoffs, and priorities across communities, industries, and affected groups. Input gathered through this process will help inform future rulemaking discussions, policy considerations, and development of the administrative record supporting the rulemaking process.

Who Should Submit

The Commission is seeking input from a broad range of respondents across Hawai'i, including but not limited to:

- Community members
- Impacted individuals and families
- Advocacy organizations
- Electric utilities
- Insurance stakeholders
- Policy and technical experts
- Government agencies
- Legal and financial stakeholders
- Other interested parties

You do not need technical expertise to participate. Community experiences, lived experiences, and perspectives are valuable to this process.

Before You Begin

This submission form is organized into multiple topic areas related to the liability cap rulemaking process. Each section includes:

- A short explanation of why the topic matters
- Questions to guide your response
- Additional background information and context

You may answer as many or as few questions as you would like.

Some questions may overlap intentionally because many of the policy considerations under Act 258 are interconnected. Respondents are encouraged to reference earlier responses where relevant.



Respondents will also have the opportunity to upload supporting documents or reference additional materials to support responses for individual sections of the form or as part of a broader collective upload at the end of the form.

Additional Resources

Additional resources and participation materials – including the liability cap framework, submission instructions, glossary of key terms, and frequently asked questions, including how it may interact with a potential Wildfire Recovery Fund – are available on the Commission's Liability Cap Rulemaking webpage at puc.hawaii.gov/hazard-mitigation-resilience-and-recovery/liability-cap-rulemaking/.

Additional Engagement Opportunities: Webinar

To support broader understanding of the engagement process and liability cap rulemaking, the Commission will host an optional informational webinar on **Friday, May 22, 2026, from 9:15 – 10:30 a.m. via Zoom**. This webinar will provide:

- Additional background on Act 258 and the liability cap rulemaking process
- An overview of key policy considerations and input topics
- Guidance on how to participate in the submission process
- Opportunities to ask clarifying questions about the engagement process and materials

Additional webinar details – including access to the recording following the webinar – will be shared on the Commission's Liability Cap Rulemaking webpage at puc.hawaii.gov/hazard-mitigation-resilience-and-recovery/liability-cap-rulemaking/.

Participation in the webinar is optional and is not required in order to submit feedback. Written submissions will remain the primary method for providing input.

Submission Process

Respondents are invited to submit written input through the following intake process: form.jotform.com/Paakai/IntakeForm-Liability-Cap-Rulemaking

Before beginning the form, we recommend using Google Chrome, as ad blockers or browser settings in other browsers may interfere with email validation or CAPTCHA functionality.



Written submissions are encouraged to help ensure accessibility, consistency, transparency, and a well-documented administrative record of respondent perspectives. Please note that we may conduct follow-up interviews or outreach if additional clarification or input would be helpful based on your initial written submission.

Tips for Completing the Form

When preparing your responses, you may wish to consider:

- Real-world impacts and tradeoffs
- Community priorities and lived experiences
- Utility safety and accountability
- Affordability and customer impacts
- Wildfire resilience and recovery
- Legal rights and recovery considerations
- Long-term infrastructure and reliability needs
- Insurance market considerations
- Public trust and transparency

Respondents are encouraged to share perspectives, examples, data, lived experiences, concerns, recommendations, or other considerations they believe are important for the Commission to understand.

Questions or Support

If you have questions or need clarification about the engagement process or submission materials, please contact the Commission's communications team at puccomms@paakaicommunications.com.

Respondents interested in future engagement opportunities are encouraged to monitor the Commission's [Liability Cap Rulemaking webpage](#) for updates and announcements.

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