

# LEGAL SERVICES

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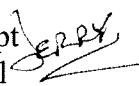
State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

March 4, 2009

**SUBJECT:** HB 139 - Public Utility Exception  
(Work Order No. 26-LS0573\A)

**TO:** Representative Max Gruenberg  
Attn: Allison Laffen

**FROM:** Gerald P. Luckhaupt   
Legislative Counsel

You have asked if the exception provided by this bill for public "utility construction, maintenance, [or] repair" would include dispatching and response information for those purposes. In my opinion it would include dispatching and response information as well as other activities related to "utility construction, maintenance, [or] repair." Of course if the utility companies are more concerned with providing an exception for public utility motor vehicle dispatching and response, then I would recommend removing the reference to "construction, maintenance, and repair" and just refer to dispatching and response for public utility purposes. Something like the following would suffice:

vehicle dispatching and response information for public utility motor vehicles or information for use in performing data acquisition by a public utility.

GPL:plm  
09-138.plm



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February 27, 2009

Honorable Max Gruenberg  
Alaska House of Representatives  
State Capitol  
Juneau, Alaska 99801-1182

Dear Representative Gruenberg,

I would like to thank you for sponsoring House Bill 139 "An Act providing for an exception to allow drivers of public utility motor vehicles to operate those vehicles with certain screen devices operating and visible to the drivers". ENSTAR Natural Gas Company is a leader in using new technology to provide better customer service in an attempt to hold down operating costs, thereby saving the consumer money. We currently provide automated meter reading and will soon be introducing a "Field Order System" (FOS) to provide real time information on work orders between field personnel, dispatch and customer service, thereby providing an improved customer experience.

ENSTAR would like to include a reference to "vehicle dispatching and response information" under the new subsection (I). There currently are references in existing statues to vehicle dispatching information for passenger transport, freight or package delivery. ENSTAR currently dispatches our service technician and distribution crews as a normal course of business, which includes gas leaks, fires and other emergency situations. ENSTAR is proud that our dispatch and response rate is ranked one of the highest in the nation.

However, without a reference in the bill to utility dispatching, it could be interpreted we are not in compliance with state law. Anything you could do to clarify the language would be greatly appreciated.

We appreciate your time and efforts in this matter.

Sincerely,

Curtis W. Thayer  
Director, Corporate and External Affairs