

Sec. 42.06.630. Definitions.

In this chapter,

- (1) "affiliated interest" means any person or other entity that
 - (A) is controlled or owned, in whole or in part, by a pipeline carrier;
 - (B) is controlled or owned, in whole or in part, by an entity which controls or owns, in whole or in part, a pipeline carrier;
 - (C) is an agent, employee, contractor, or subcontractor of a pipeline carrier or any entity controlled or owned, in whole or in part, by a pipeline carrier; or
 - (D) controls or owns, in whole or in part, a pipeline carrier;
- (2) "capacity" means, with reference to a North Slope natural gas pipeline, the average daily volume throughput of the North Slope natural gas pipeline, calculated at the normal operating pressure of the North Slope natural gas pipeline as set out in the pipeline design;
- (3) "commission" means the Regulatory Commission of Alaska (AS 42.04.010);
- (4) "commissioner" means a member of the commission;
- (5) "duties" means duties, powers, obligations, and functions;
- (6) "firm transportation service" means service by a natural gas pipeline carrier that is not subject to a prior claim by another shipper or another class of service; service constitutes "firm transportation service" if the service receives the same priority as any other class of firm transportation service;
- (7) "gas" includes all natural gas and hydrocarbons produced at the wellhead and not defined as oil;
- (8) "interruptible transportation service" means service by a natural gas pipeline carrier in which the carrier's pipeline system capacity may be subject to a prior claim by another shipper or another class of service; a service constitutes "interruptible transportation service" if the service is given a lower priority than another class of service, resulting in noncontinuous service to a shipper of natural gas;
- (9) "intrastate," as applied to the transportation of North Slope natural gas, means the transportation of North Slope natural gas between any point within the state and another point within the state, for ultimate consumption of the North Slope natural gas within the state;
- (10) "natural gas pipeline" or "natural gas pipeline facility" means all the facilities of a total system of pipe, whether owned or operated by a natural gas pipeline carrier under a contract, agreement, or lease in this state used by a natural gas pipeline carrier for transportation of natural gas for delivery, storage, or further transportation, and including all pipe, pump and compressor stations, station equipment, and all other facilities used or necessary for an integral line of pipe to effectuate the transportation from point to point, excluding, however, gas processing plants, treaters, and separators;
- (11) "natural gas pipeline carrier" means the owner, including a corporation, company, or other entity organized under the laws of the United States or of any state, of a natural gas pipeline, as the term is defined in this section, or an interest in it, or any person, including a corporation, company, or other entity organized under the laws of the United States or of any state, authorized to construct or extend pipeline facilities under this chapter;
- (12) "North Slope natural gas" means gas that is produced from the area of Alaska lying north of 68 degrees North latitude and that, but for a pipeline subject to regulation under this chapter, had not been committed for sale and delivery in a commercial market due to the prevailing costs or price conditions;
- (13) "North Slope natural gas pipeline" or "North Slope natural gas pipeline facility" means all the facilities of a total system of pipe, whether owned or operated by a North Slope natural gas pipeline carrier under a contract, agreement, or lease, in this state used by a North Slope natural gas pipeline carrier for transportation of North Slope natural gas for delivery, storage, or further transportation, including all pipe, pump, and compressor stations, station equipment, gas processing plants, treaters,

separators, and all other facilities used or necessary for an integral line of pipe to carry out the transportation from point to point, but excluding marine terminal facilities and the integrated plant, facilities, and equipment, including pollution control equipment, used for conditioning, storage, handling, or processing of North Slope natural gas into liquefied natural gas;

(14) "North Slope natural gas pipeline carrier" means the owner, including a corporation, company, or other entity organized under the laws of the United States or of a state, of a North Slope natural gas pipeline, or an interest in it, or a person, including a corporation, company, or other entity, organized under the laws of the United States or of a state, authorized to construct, operate, or extend North Slope natural gas pipeline facilities under this chapter;

(15) "oil" includes crude oil, and other hydrocarbons regardless of gravity that are produced at the wellhead in liquid form, its products and liquid hydrocarbons, including the liquid hydrocarbons known as distillate or condensate recovered or extracted from gas, other than gas produced in association with oil and commonly known as casinghead gas;

(16) "pipeline" or "pipeline facility" means all the facilities of a total system of pipe, whether owned or operated by a pipeline carrier under a contract, agreement, or lease, in this state used by a pipeline carrier for transportation, for hire and as a common carrier, of oil, gas, coal, or other mineral slurry for delivery, storage, or further transportation, and including all pipe, pump and compressor stations, station equipment, and all other facilities used or necessary for an integral line of pipe to effectuate the transportation from point to point, excluding, however, gas processing plants, treaters, and separators;

(17) "pipeline carrier" means the owner, including corporations organized under the laws of the United States or of any state, of any pipeline, as the term is defined in this section, or any interest in it, or any person, including corporations organized under the laws of the United States or of any state, authorized to construct or extend pipeline facilities under AS 42.06.240(a);

(18) "regulation" includes rules;

(19) "tariff" means a rate, charge, toll, rule, or regulation of an oil or gas pipeline facility relating to services furnished by the facility to the general public or other users for compensation.

History -

(Sec. 1 ch 139 SLA 1972; am Sec. 7, 8 ch 6 FSSLA 1973; am Sec. 12 - 14 ch 35 SLA 1977; am Sec. 14, 15, 20 ch 110 SLA 1981; am Sec. 88 ch 74 SLA 1985; am Sec. 19 ch 25 SLA 1999; am Sec. 8 ch 56 SLA 2000; am Sec. 2 - 4 ch 60 SLA 2003)

Revisors Notes -

Reorganized in 1983, 1998, and 2000 to alphabetize the defined terms.

Paragraphs (10) and (11) were enacted as (18) and (19). Renumbered in 2003, at which time paragraphs (10) - (17) were renumbered as (12) - (19).

Decisions -

"Its products" construed. - The legislature intended the phrase "its products" in paragraph (7) [now (15)] to include refined oil. *Tesoro Alaska Petro. Co. v. Kenai Pipe Line Co.*, 746 P.2d 896 (Alaska 1987).

"Pipeline facility" construed. - A marine terminal facility which was physically connected to the remainder of a carrier's pipeline system logically was within the definition of "pipeline facility" in paragraph (8) [now (16)] for the outward movement of crude oil, and thus was subject to the Alaska Public Utilities Commission's regulatory authority. *Tesoro Alaska Petro. Co. v. Kenai Pipe Line Co.*, 746 P.2d 896 (Alaska 1987).

"Transportation from point to point" construed. - It is not necessary that for "transportation from point to point" to fall within paragraph (8) [now (16)] one of the "points" must be a wellhead. Where incoming crude oil is "transported" from a tanker docked at the carrier's wharf, through marine

terminal lines, to the terminal storage tanks, this qualifies as "transportation from point to point."
Tesoro Alaska Petro. Co. v. Kenai Pipe Line Co., 746 P.2d 896 (Alaska 1987).