

Component: Regulatory Affairs Public Advocacy**Contribution to Department's Mission**

The Regulatory Affairs and Public Advocacy (RAPA) section exercises the Attorney General's responsibility to represent the public interest in regulatory affairs by performing the public advocacy function in utility and pipeline carrier matters before the Regulatory Commission of Alaska and providing policy analysis on related matters.

Core Services

- RAPA was established within the Department of Law to perform the Attorney General's public advocacy responsibility in utility and pipeline matters that come before the Regulatory Commission of Alaska (RCA). The Attorney General, as the Public Advocate, determines and advocates for the public interest with particular attention to the interests of consumers who would not otherwise have an effective voice regarding the rates and services of regulated utilities and pipelines operating in the state.
- RAPA represents the public interest in rate cases and other proceedings before the RCA, in court appeals, before the Legislature and other policymakers. The Attorney General utilizes the expert technical support of RAPA non-attorney professionals who provide accounting, engineering, economic and policy analysis for all types of regulated utilities and who prepare written testimony for hearing. Alaska's public advocate is a member of the National Association of State Utility Consumer Advocates.
- AS 42.05.254(e) and AS 42.06.286(a) provide RAPA a funding mechanism directly from a regulatory cost charge imposed on utilities and pipeline carriers for a funding mechanism directly from the regulatory cost charge that is administered by the RCA.

Major Component Accomplishments in 2013

RAPA benefits the state's citizens by helping to ensure that utility and pipeline carrier tariff rates and service practices are reasonable. During FY2013, RAPA filed nineteen sets of comments or briefs in eight dockets and pre-filed twenty-one sets of direct testimony in nineteen dockets. Final orders were issued in twenty-eight adjudicatory dockets where RAPA was a party. This includes ten dockets resolved by stipulated agreement, thirteen dockets where RAPA's recommended disposition was unopposed, three dockets where utility petitions or other applications were voluntarily dismissed after adverse RAPA recommendations were filed, and two dockets that went to trial. RAPA also actively participated in five RCA rulemaking proceedings, filing four sets of comments. Approximately \$6.18 million in quantifiable consumer benefits can be tracked to RAPA advocacy in FY2013. This quantification is based on refunds issued or the difference between the amounts requested by utilities in their respective revenue requirement proposals and the amounts ultimately awarded to them by the Regulatory Commission of Alaska (RCA). To achieve these results in FY2013, the department spent about \$1.6 million.

Highlights of selected FY2013 dockets including RAPA's participation are:

- Settlement of a Fairbanks water and wastewater utility rate case resulting in a \$526,000 reduction in the utility's requested revenue requirement and a \$111,036 refund to consumers.
- Settlement of a Cook Inlet natural gas pipeline rate dispute resulting in a \$3.43 million refund to shippers.
- Rejection of a request by Chugach Electric Association to include \$1.85 million in claimed storm damage expenses in consumer rates.
- Settlement of a Deadhorse electric utility rate case resulting in a \$17,038 refund to consumers.
- Settlement of a Mat-Su Valley water utility rate case resulting in a \$11,724 refund to consumers.
- Settlement of a Denali Borough and Nenana Valley refuse utility rate case resulting in a \$40,672 refund to consumers.

Less readily quantifiable is the public benefit of RAPA investigation and participation in RCA dockets affecting utility and pipeline practices or services outside general rate cases. Examples of such dockets include:

- An investigation into whether Fairbanks Natural Gas' exemption from rate regulation was in the public interest.
- An investigation into the reasonableness of a gas sales agreement between Hilcorp and Chugach Electric Association designed to allow Chugach to sell wholesale electric power to Golden Valley Electric Association.
- An investigation into whether long distance intrastate interexchange telephone companies were lowering their rates to achieve parity with interstate rates as required by law.
- An investigation into whether Chugach Electric Association was adequately disclosing the cost of power purchased from CIRI's Fire Island Wind facility to consumers.
- An investigation into whether AT&T Alaska should be allowed to be relieved of its obligation to be the "carrier of last resort" in sixty-five rural villages in Southwest Alaska.
- An investigation into whether Alaska Power and Telephone and AT&T Alaska should be allowed to abandon providing electric power and telephone utility services to Chisana and Healy Lake consumers.

Key Component Challenges

RAPA has entered its ninth year of operation as a section in the Department of Law. RAPA continues to develop section standards and uniform procedures to enhance its effectiveness as a public advocate. Continuing professional training for staff is an ongoing and a long term priority.

During the upcoming fiscal year, RAPA will continue to represent the public interest on behalf of the Attorney General in proceedings before the RCA. RAPA will investigate public utility and pipeline carrier proposals that come before the RCA, file testimony, litigate cases, and defend RAPA positions on appeal as appropriate.

Significant Changes in Results to be Delivered in FY2015

No service changes are anticipated.

Statutory and Regulatory Authority

Executive Order 111 and SB 392
AS 44.23.020(e)

Contact Information

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**Regulatory Affairs Public Advocacy
Component Financial Summary**

All dollars shown in thousands

	FY2013 Actuals	FY2014 Management Plan	FY2015 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,221.8	1,276.4	1,323.6
72000 Travel	14.5	5.4	5.6
73000 Services	326.4	509.4	498.4
74000 Commodities	15.5	13.6	14.3
75000 Capital Outlay	2.6	1.6	1.7
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	1,580.8	1,806.4	1,843.6
Funding Sources:			
1141 RCA Receipts	1,580.8	1,704.1	1,706.8
1229 In-State Natural Gas Pipeline Fund	0.0	102.3	136.8
Funding Totals	1,580.8	1,806.4	1,843.6

Estimated Revenue Collections

Description	Master Revenue Account	FY2013 Actuals	FY2014 Management Plan	FY2015 Governor
<u>Unrestricted Revenues</u>				
None.		0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0
<u>Restricted Revenues</u>				
Alaska Public Utilities Comm. Receipts	51066	1,580.8	1,704.1	1,706.8
Restricted Total		1,580.8	1,704.1	1,706.8
Total Estimated Revenues		1,580.8	1,704.1	1,706.8

**Summary of Component Budget Changes
From FY2014 Management Plan to FY2015 Governor**

All dollars shown in thousands

	<u>Unrestricted Gen (UGF)</u>	<u>Designated Gen (DGF)</u>	<u>Other Funds</u>	<u>Federal Funds</u>	<u>Total Funds</u>
FY2014 Management Plan	0.0	1,704.1	102.3	0.0	1,806.4
Adjustments which will continue current level of service:					
-FY2015 Salary Increases	0.0	10.7	0.8	0.0	11.5
-Reverse Alaska State Employees Association One-Time Payment Sec22f Ch14 SLA2013 (HB65) and Sec12 Ch15 SLA2013 (HB66)	0.0	-4.1	0.0	0.0	-4.1
-FY2015 Health Insurance and Working Reserve Rate Reductions	0.0	-3.9	-0.4	0.0	-4.3
Proposed budget increases:					
-Annualize Utilities Analyst (03-0424) Added in FY2014 CSSSHB 4 Fiscal Note	0.0	0.0	34.1	0.0	34.1
FY2015 Governor	0.0	1,706.8	136.8	0.0	1,843.6

**Regulatory Affairs Public Advocacy
Personal Services Information**

Authorized Positions			Personal Services Costs	
	<u>FY2014 Management Plan</u>	<u>FY2015 Governor</u>		
Full-time	9	9	Annual Salaries	898,688
Part-time	0	0	COLA	11,872
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	452,408
			Less 2.89% Vacancy Factor	(39,368)
			Lump Sum Premium Pay	0
Totals	9	9	Total Personal Services	1,323,600

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Attorney IV	2	0	0	0	2
Attorney VI	1	0	0	0	1
Law Office Assistant I	1	0	0	0	1
Pub Advocate Util Analyst I	4	0	0	0	4
Pub Advocate Util Analyst II	1	0	0	0	1
Totals	9	0	0	0	9

Component Detail All Funds

Department of Law

Component: Regulatory Affairs Public Advocacy (AR13711) (2764)
RDU: Civil Division (35)

	FY2013 Actuals	FY2014 Conference Committee	FY2014 Authorized	FY2014 Management Plan	FY2015 Governor	FY2014 Management Plan vs FY2015 Governor
71000 Personal Services	1,221.8	1,180.1	1,276.4	1,276.4	1,323.6	47.2 3.7%
72000 Travel	14.5	5.0	5.4	5.4	5.6	0.2 3.7%
73000 Services	326.4	497.4	509.4	509.4	498.4	-11.0 -2.2%
74000 Commodities	15.5	11.6	13.6	13.6	14.3	0.7 5.1%
75000 Capital Outlay	2.6	1.2	1.6	1.6	1.7	0.1 6.3%
77000 Grants, Benefits	0.0	0.0	0.0	0.0	0.0	0.0 0.0%
78000 Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0 0.0%
Totals	1,580.8	1,695.3	1,806.4	1,806.4	1,843.6	37.2 2.1%
Fund Sources:						
1141RCA Rcpts (DGF)	1,580.8	1,695.3	1,704.1	1,704.1	1,706.8	2.7 0.2%
1229GasPipeFnd (Other)	0.0	0.0	102.3	102.3	136.8	34.5 33.7%
Unrestricted General (UGF)	0.0	0.0	0.0	0.0	0.0	0.0 0.0%
Designated General (DGF)	1,580.8	1,695.3	1,704.1	1,704.1	1,706.8	2.7 0.2%
Other Funds	0.0	0.0	102.3	102.3	136.8	34.5 33.7%
Federal Funds	0.0	0.0	0.0	0.0	0.0	0.0 0.0%
Positions:						
Permanent Full Time	8	8	9	9	9	0 0.0%
Permanent Part Time	0	0	0	0	0	0 0.0%
Non Permanent	0	0	0	0	0	0 0.0%

Change Record Detail - Multiple Scenarios with Descriptions
Department of Law

Component: Regulatory Affairs Public Advocacy (2764)
RDU: Civil Division (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	PFT	PPT	NP
***** Changes From FY2014 Conference Committee To FY2014 Authorized *****												
FY2014 Conference Committee												
1141 RCA Rcpts	ConfCom	1,695.3	1,180.1	5.0	497.4	11.6	1.2	0.0	0.0	8	0	0
Alaska Gasline Development Corporation	Ch11 SLA2013 (HB4) (Sec2 Ch14 SLA2013 P44 L7 (HB65))											
1229 GasPipeFnd	FisNot	102.3	87.5	0.4	12.0	2.0	0.4	0.0	0.0	1	0	0
CSSH 4, in part, amends Title 42 by adding a new chapter AS 42.08, which requires the review and investigation of certain contracts, and/or disputes arising under the Act. The Attorney General, under AS 44.23.020(e), has the right to participate as a party in such proceedings to ensure the public interest is represented. The Regulatory Affairs and Public Advocacy Section within the Department of Law will add an additional public advocate utility analyst position to meet the increased demand on the section's time and resources to participate in such proceedings. Funding included in this fiscal note is for 3/4 of FY14, and full funding in out years. The Department of Law does not anticipate any additional fiscal impacts from this legislation.												
***** Alaska State Employees Association One-Time Payment Sec22f Ch14 SLA2013 (HB65) and Sec12 Ch15 SLA2013 (HB66) *****												
1141 RCA Rcpts	AtrIn	4.1	4.1	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
The Alaska State Employees Association, representing the general government unit, negotiated a lump sum payment of \$755 less mandatory deductions, per employee in pay status on July 1, 2013. The lump sum will be paid in the second pay period of August 2013.												
***** Compensation of Non-Covered Employees Ch47 SLA2013 (SB95) (Sec2 Ch14 SLA2013 P43 L10 (HB65) and Sec2 Ch15 P8 L10 (HB66)) *****												
1141 RCA Rcpts	FisNot	4.7	4.7	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
SB95 relates to the compensation, allowances, geographic differentials in pay, and leave of certain public officials, officers, and employees not covered by collective bargaining agreements, and relates to certain petroleum engineers and petroleum geologists employed by the Department of Natural Resources.												
***** Subtotal 1,806.4 1,276.4 5.4 509.4 13.6 1.6 0.0 0.0 0.0 *****												
***** Changes From FY2014 Authorized To FY2014 Management Plan *****												
***** Subtotal 1,806.4 1,276.4 5.4 509.4 13.6 1.6 0.0 0.0 0.0 *****												
***** Changes From FY2014 Management Plan To FY2015 Governor *****												
FY2015 Salary Increases												
1141 RCA Rcpts	SalAdj	11.5	11.5	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1229 GasPipeFnd		0.8										

Change Record Detail - Multiple Scenarios with Descriptions
Department of Law

Component: Regulatory Affairs Public Advocacy (2764)
RDU: Civil Division (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	PFT	PPT	NP
Cost of living allowance for certain bargaining units: \$111.5												
Year two cost of living allowance for non-covered employees - 1%: \$5.6												
Year two cost of living allowance for Alaska State Employees Association/General Government Unit - 1%: \$4.3												
Year two cost of living allowance for Alaska Public Employees Association/Supervisory Unit - 1%: \$1.6												
Reverse Alaska State Employees Association One-Time Payment Sec22f Ch14 SLA2013 (HB65) and Sec12 Ch15 SLA2013 (HB66)												
1141 RCA Rcpts	OTI	-4.1	-4.1	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
Reverse one-time funding for a negotiated lump sum payment to employees in the general government unit, represented by the Alaska State Employees Association, in pay status on July 1, 2013.												
FY2015 Health Insurance and Working Reserve Rate Reductions												
1141 RCA Rcpts	SalAdj	-4.3	-4.3	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1229 GasPipeFnd		-0.4										
FY2015 budget reduction for decrease in the AlaskaCare health insurance premium and working reserve rates: \$-4.3												
Working reserve rate decrease from 3.94% to 3.56%: Leave Cash-In = 2.17%, Terminal Leave = 1.03%, Unemployment Insurance = 0.36%: \$-3.3												
AlaskaCare health benefit decrease from \$1,389 to \$1,371: \$-1.0												
Align Authority for Anticipated Fiscal Year Obligations												
	LIT	0.0	15.0	0.0	-15.0	0.0	0.0	0.0	0.0	0	0	0
This will bring personal services within vacancy factor guidelines and align authority with anticipated expenditure levels. There are no impacts on services associated with this transfer.												
Annualize Utilities Analyst (03-0424) Added in FY2014 CSSH4 Fiscal Note												
1229 GasPipeFnd	Inc	34.1	29.1	0.2	4.0	0.7	0.1	0.0	0.0	0	0	0
Fully fund the Public Advocate Utilities Analyst (03-0424) added in FY2014, and funded at 75%.												
Totals		1,843.6	1,323.6	5.6	498.4	14.3	1.7	0.0	0.0	9	0	0

Personal Services Expenditure Detail Department of Law

Scenario: FY2015 Governor (11059)
Component: Regulatory Affairs Public Advocacy (2764)
RDU: Civil Division (35)

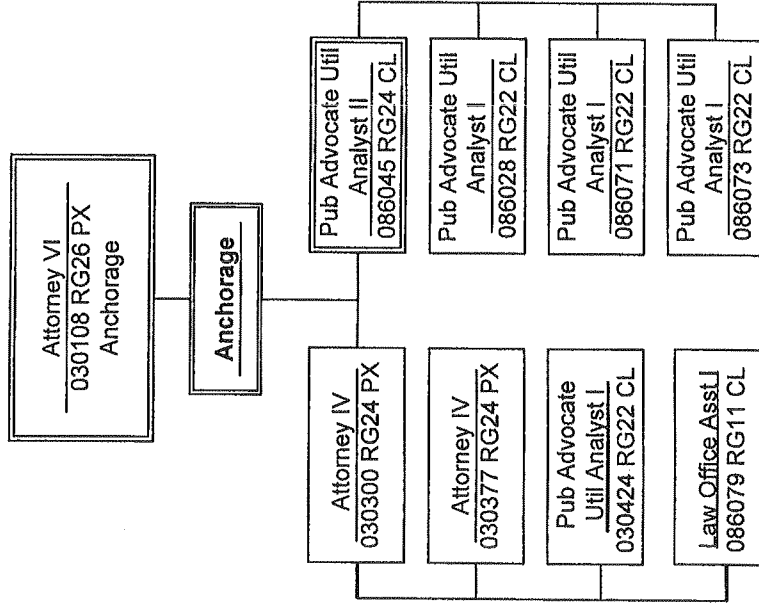
PCN	Job Class Title	Time Status	Retire Code	Barg Unit	Location	Salary Sched	Range / Step	Comp Months	Split / Count	Annual Salaries	COLA	Premium Pay	Annual Benefits	Total Costs	GF Amount
03-0108	Attorney VI	FT	A	XE	Anchorage	N00	26R	12.0		159,468	2,040	0	68,003	229,511	229,511
03-0300	Attorney IV	FT	A	XE	Anchorage	N00	24J	12.0		106,680	1,430	0	52,829	160,939	160,939
03-0377	Attorney IV	FT	A	XE	Anchorage	N00	24J	12.0		106,680	1,430	0	52,829	160,939	160,939
03-0424	Pub Advocate Util Analyst I	FT	A	XE	Anchorage	N00	22A	12.0		75,816	1,016	0	42,317	119,149	0
08-6028	Pub Advocate Util Analyst I	FT	A	GP	Anchorage	200	22J	12.0		92,532	1,240	0	48,330	142,102	142,102
08-6045	Pub Advocate Util Analyst II	FT	A	SS	Anchorage	200	24N / O	12.0		125,892	1,611	0	58,769	186,272	186,272
08-6071	Pub Advocate Util Analyst I	FT	A	GP	Anchorage	200	22K / L	12.0		97,350	1,305	0	49,971	148,626	148,626
08-6073	Pub Advocate Util Analyst I	FT	A	GP	Anchorage	200	22J / K	12.0		94,700	1,270	0	49,069	145,039	145,039
08-6079	Law Office Assistant I	FT	A	GP	Anchorage	200	11E / F	12.0		39,570	530	0	30,291	70,391	70,391
Total														888,688	
Positions														11,872	
Full Time Positions:														0	
Part Time Positions:														0	
Non Permanent Positions:														452,408	
Positions in Component:														0	
Total Component Months:														108.0	
Total Salary Costs:														888,688	
Total COLA:														11,872	
Total Premium Pay:														0	
Total Benefits:														452,408	
Minus Vacancy Adjustment of 2.89%:														1,362,968	
Total Post-Vacancy:														(39,368)	
Plus Lump Sum Premium Pay:														1,323,600	
Personal Services Line 100:														1,323,600	

PCN Funding Sources:	Pre-Vacancy	Post-Vacancy	Percent
1141 RCA Receipts	1,243,819	1,207,893	91.26%
1229 In-State Natural Gas Pipeline Fund	119,149	115,707	8.74%
Total PCN Funding:	1,362,968	1,323,600	100.00%

Note: If a position is split, an asterisk (*) will appear in the Split/Count column. If the split position is also counted in the component, two asterisks (**) will appear in this column.
[No valid job title] appearing in the Job Class Title indicates that the PCN has an invalid class code or invalid range for the class code effective date of this scenario.

CIVIL VISION

Regulatory Affairs and Public Advocacy



Line Item Detail
Department of Law
Travel

Component: Regulatory Affairs Public Advocacy (2764)
RDU: Civil Division (35)

Line Number	Line Name	Servicing Agency	Explanation	FY2013 Actuals	FY2014 Management Plan	FY2015 Governor
72000	Travel			14.5	5.4	5.6
Expenditure Account				FY2013 Actuals	FY2014 Management Plan	FY2015 Governor
			72000 Travel Detail Totals	14.5	5.4	5.6
72110	Employee Travel (Instate)		Attorney travel to provide counsel for departments and agencies of state government, including hearings, board meetings and legal counsel in court cases. Investigations and taking depositions for court actions.	4.5	5.4	5.6
72410	Employee Travel (Out of state)		Out-of-State travel for professional staff to attend conferences, meetings and training.	10.0	0.0	0.0

Line Item Detail
Department of Law
Services

Component: Regulatory Affairs Public Advocacy (2764)
RDU: Civil Division (35)

Line Number	Line Name	Servicing Agency	Explanation	FY2013 Actuals	FY2014 Management Plan	FY2015 Governor
73000	Services			326.4	509.4	498.4
Expenditure Account				FY2013 Actuals	FY2014 Management Plan	FY2015 Governor
			73000 Services Detail Totals	326.4	509.4	498.4
73025	Education Services		Conferences, training, memberships	17.0	25.0	25.0
73050	Financial Services		Private consultant fees	0.0	5.0	5.0
73075	Legal & Judicial Svc		Legal counsel, expert witness, hearing officer, court report transcripts and other case costs.	156.4	255.0	238.4
73156	Telecommunication		Local Service, long distance toll charges and cellular phones paid to third party telephone utilities.	5.0	15.0	15.0
73225	Delivery Services		Freight and messenger services. Movement of materials, exhibits, legal documents and courier services.	3.7	10.0	10.0
73675	Equipment/Machinery		Rentals/Leases and Repairs/Maintenance of office equipment - copiers & postage meters.	3.5	5.0	5.0
73750	Other Services (Non IA Svcs)		Printing forms, briefs and legal notices.	0.0	40.0	40.0
73804	Economic/Development (IA Svcs)	Administrative Services	RSA Community & Economic Development - contractual and administrative costs (parking, telephones, long distance, faxes, postage and machinery & equipment)	36.0	36.0	36.0
73805	IT-Non-Telecommunication	Administrative Services	RSA Law, Administration - Information Services & Procurement support.	28.9	40.0	40.0
73805	IT-Non-Telecommunication	Enterprise Technology Services	RSA Administration, ETS - Computer Services EPR	9.9	10.8	12.0
73806	IT-Telecommunication	Enterprise Technology Services	RSA Administration, ETS -Telecommunication EPR.	25.0	25.0	25.0
73809	Mail	Central Mail	RSA Administration, Central Mailroom	1.2	1.1	1.2
73810	Human Resources	Administrative Services	RSA Law, Human Resource Position	2.2	2.2	2.2

Line Item Detail
Department of Law
Services

Component: Regulatory Affairs Public Advocacy (2764)

RDU: Civil Division (35)

Expenditure Account

		Servicing Agency	Explanation	FY2013 Actuals	FY2014 Management Plan	FY2015 Governor
		73000 Services Detail Totals			509.4	498.4
73811	Building Leases	Leases	RSA Administration, GS&S - Leased Office Space - Anchorage AG's Office.	28.0	30.0	30.0
73814	Insurance	Risk Management	RSA Administration, Risk Management	0.4	0.4	0.5
73815	Financial	Administrative Services	RSA Law, Timekeeping administration and litigation support.	8.0	7.9	12.1
73815	Financial	Finance	RSA Administration, Finance Chargeback (AKSAS / AKPAY)	0.8	0.8	0.8
73816	ADA Compliance	Personnel	RSA Administration, Personnel - Americans With Disabilities Act.	0.2	0.2	0.2
73819	Commission Sales (IA Svcs)	State Travel Office	Travel fees.	0.2	0.0	0.0

Line Item Detail
Department of Law
Commodities

Component: Regulatory Affairs Public Advocacy (2764)
RDU: Civil Division (35)

Line Number	Line Name	Servicing Agency	Explanation	FY2013 Actuals	FY2014 Management Plan	FY2015 Governor
74000	Commodities			15.5	13.6	14.3
74000 Commodities Detail Totals				15.5	13.6	14.3
74200	Business		Library materials including Alaska Statutes, Alaska Code, Advanced Legislative Service and Court Rules; subscriptions, office supplies; software applications, printer cartridges, paper and misc. data processing supplies; computer supplies - desktop refresh, non-capital.	15.5	13.6	14.3

Component: Regulatory Affairs Public Advocacy (2764)
RDU: Civil Division (35)

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Restricted Revenue Detail

Department of Law

Component: Regulatory Affairs Public Advocacy (2764)
RDU: Civil Division (35)

Master Account	Revenue Description		FY2013 Actuals	Management Plan	FY2014 Governor
51066	Alaska Public Utilities Comm. Receipts		1,580.8	1,704.1	1,706.8
Detail Information					
Revenue Amount	Revenue Description	Component	Collocation Code	AKSAS Fund	
51066	APUC Rec AS 42.05&06	Reg Comm of AK	03211400	11100	
	Expert technical support of Regulatory Affairs Public Advocacy non-attorney professionals who provide accounting, engineering, economic and policy analysis for all types of regulated utilities and preparation of written testimony for hearings.				
			FY2013 Actuals	Management Plan	FY2015 Governor
			1,580.8	1,704.1	1,706.8

Component: Regulatory Affairs Public Advocacy (2764)
RDU: Civil Division (35)

FY2015 Governor
Department of Law