

Component: Oil, Gas and Mining

Contribution to Department's Mission

The Oil, Gas and Mining section provides legal advice and representation to state departments, boards, and commissions to insure that the state receives the maximum benefit from development of its oil, gas, and mining resources.

Core Services

- The Oil, Gas, and Mining section provides legal advice and assistance to the state on oil, gas, and mining-related disputes. The section also advises state agencies on oil and gas royalty, net profit shares, and tax issues and on development of state oil, gas, and mining resources. The section monitors and protests tariffs charged for pipeline transportation, and provides legal advice to state agencies concerning the development of state oil, gas, and mineral resources.
- The section provides legal services to ensure the integrity of the state's fiscal system, including issues related to Alaska North Slope crude oil destination values, allowable transportation costs, net profit shares, property taxes, production taxes, and corporate income taxes. Most of the state's operating revenues are derived from oil and gas corporate, property, and production taxes and royalties on Alaska North Slope crude oil.
- The section provides legal services related to other oil and gas development issues including tariff monitoring and disputes with the owners of the TransAlaska Pipeline System (TAPS) and other oil pipelines in Alaska, assessment and collection of unpaid royalties from oil and gas producers, development of a gas pipeline, and participation in federal litigation that affects development in the National Petroleum Reserve of Alaska or Alaska's Outer Continental Shelf.
- The section contracts with outside counsel and expert consultants on large or complex oil and gas cases as well as legal services related to lease sales, drafting and interpreting oil and gas statutes and regulations, pipeline right-of-way issues, and oil and gas conservation, development issues, and reservoir engineering.

Major Component Accomplishments in 2012

- Point Thomson. The section represented the Department of Natural Resources (DNR) in a large number of proceedings related to DNR's decision to terminate the Point Thomson Unit (PTU) due to lessees' failure to commit to production, notwithstanding massive hydrocarbon reserves that had been known for decades. The section successfully achieved a resolution of the PTU disputes with the execution of a settlement agreement in March 2012. The lessees are moving forward with development of the PTU including their commitment to spending billions of dollars on development of an initial production system (IPS), and production in the Unit by the winter season of 2015-2016. The IPS will produce approximately 10,000 barrels per day of condensate, which will ship to TAPS in a new common carrier pipeline to be built by the PTU lessees. The dry gas produced will be re-injected into the reservoir.
- Royalty Cases. The section advised DNR in audits of BP over its net profit share lease payment obligations in the Milne Point Unit and also in the Duck Island Unit for 2006 and 2007.
- The section spent a significant amount of time helping DNR evaluate a major dispute over production allocation worth tens of millions of dollars. The section participated in a one-week hearing involving the dispute and is waiting for a decision from the DNR hearing officer.
- The section assisted DNR in developing a methodology for implementing the field or area royalty valuation provisions of new form leases. The section is also assisting DNR with drafting proposed royalty modification regulations.
- Production Taxes. The section assisted the Department of Revenue (DOR) at informal conference and before the Office of Administrative Hearings in complex litigation against major oil and gas producers regarding the department's decision to aggregate properties for calculating the taxpayers' production tax.

- Corporate Income Taxes. The section represented the DOR in negotiating settlement of a number of corporate income tax disputes, which resulted in a total of about \$900,000 in additional taxes, penalties, and interest in FY2012, and has assisted DOR in collecting \$3.5 million in taxes so far in FY2013. The section successfully defended the DOR's assessment of an additional \$13 million in corporate income taxes, interest, and penalties against Tesoro Corporation for tax years 1994-1998 before the Alaska Superior Court. Tesoro appealed the superior court's decision to the Alaska Supreme Court, and oral argument took place September 16, 2012. A decision is pending.
- The section represented the DOR in administrative proceedings that resulted in a favorable decision by the Office of Administrative Hearings that Schlumberger Technology Corporation owed more than \$1 million in additional taxes for tax years 1998 – 2000, which was upheld by the superior court. Schlumberger appealed that decision to the Alaska Supreme Court and briefs will be filed in the fall of 2012.
- Property Taxes. The section successfully defended the DOR's 2011 TAPS property tax valuation methodology before the State Assessment Review Board in May 2011. The section also represented the DOR in litigation over the TAPS 2006 through 2010 property tax assessments. The state has received tens of millions of dollars in additional property taxes as a result of the superior court decisions in the 2006-2009 tax appeals.
- Outer Continental Shelf (OCS). Oil development on the OCS is another instance where the section plays an increasingly significant role. Attorneys from the section intervened in the case of *Native Village of Point Hope et al. v. Salazar et al.* and *Alaska Eskimo Whaling Commission, et al. v. Salazar et al.* The plaintiffs challenged Exploratory Plans for drilling in the Beaufort and Chukchi Seas in summer 2010. The state filed briefs in support of the environmental review and approval of the Exploration Plans by the Bureau of Ocean Energy Management, Regulation, and Enforcement (BOEMRE), and appeared before the court at hearing. The Ninth Circuit Court of Appeals denied the plaintiffs' petition. A request for en banc review by a larger panel of the Ninth Circuit was denied.
- The section continued to represent the state as an intervener in *Native Village of Point Hope, et al. v. Salazar, et al.* in U.S. District Court for the District of Alaska in which plaintiffs challenged Lease Sale 193 in the Chukchi Sea. The state supported parties' requests for a timely decision by BOEMRE on remand. The state also supported lessee's request to continue allowing seismic testing pending BOEMRE's decision. Success in allowing such activities in the OCS impacts the state by creating hundreds of jobs for the immediate seismic testing and exploratory drilling work and potentially tens of thousands of jobs from eventual production. Success will also increase property tax revenues for the state and local communities. In addition, oil discovered in the OCS off Alaska's North Slope in the Beaufort and Chukchi Seas, will go to market through the TAPS. An increase in throughput in TAPS—or in any other pipeline built to ship OCS oil—will lower the unit cost for all Alaskan oil, which results in more state royalties and production taxes from oil developed on state lands. The monetary impact for the state, while very speculative at this stage, is nonetheless likely to be in the tens, if not hundreds of millions of dollars during production.
- Gas Storage. The section assisted the DNR with leasing and other actions necessary for the Cook Inlet Natural Gas Storage Alaska (CINGSA) project, the first third-party gas storage facility proposed for Cook Inlet. The section is representing DNR in a case relating to ownership of the pore space used to store gas in a situation in which the surface estate is owned by a municipality, but the subsurface is owned by the state.
- Mining Regulation. The section has intervened on the state's behalf in federal litigation concerning federal mining claim rules that will affect the mining industry in Alaska.
- Mining Appeal. The section is advising DNR on several matters involving coal leases.
- Regulations. The section provided substantial legal assistance to the DOR related to implementation of regulations establishing reasonable transportation cost deductions and to the development of new regulations to address significant issues of data that must be submitted for forecasting and determination of what types of activities -exploration, development or production – are receiving production tax credits. The section is also advising DNR with respect to royalty modification regulations for oil and gas leases.

- 2012 Legislative Session. The section assisted the DOR in drafting major oil and gas production tax legislation introduced by the governor to provide an alternate lower tax rate for production from previously undeveloped properties and an incremental progressivity tax rate for all production to increase the development of oil and gas resources. The section also assisted the DOR in responding to amendments to the governor's bill and to bills introduced by legislators, including legislation designed to encourage new production and continued development of current fields. The section also assisted with a major in-state gasoline bill.
- Alaska Gasline Inducement Act (AGIA). The Department of Law continued to assist in the state's implementation of the AGIA license for a gas pipeline project from the North Slope to markets. The AGIA licensee, TransCanada Alaska, is evaluating the viability of a large-diameter liquefied natural gas (LNG) pipeline to tidewater in Alaska that would allow for natural gas exports to the Pacific Rim and gas for in-state use. The section advises DOR and DNR concerning the AGIA licensee's participation, along with the North Slope gas producers, in the LNG option study.

Key Component Challenges

- TransAlaska Pipeline System (TAPS). The Oil, Gas, and Mining section expends substantial efforts to monitor the TAPS tariffs and to monitor and participate, where appropriate, in state and federal regulatory oversight of the tariffs of all common carrier oil and gas pipelines operating in the state. This vigilance can earn the state millions of dollars in royalties and production taxes each year. Further, as production of oil and gas from current developments declines in Alaska, the state's participation in tariff regulation is becoming more important in encouraging additional producers to invest in exploration of new areas in the state, by ensuring fair transportation rates and access to existing pipeline infrastructure for production from new fields.
- The section will continue working on cases involving disputes between TAPS shippers, TAPS carriers, and the state over the valuation of crude oil under the TAPS Quality Bank, which is a system for adjusting crude oil values to account for the different qualities of crude oil and refinery return streams that are commingled in the TAPS common stream. These cases concern decisions of the FERC and RCA and the section currently awaits action by FERC on remand from a decision of the United States Court of Appeals for the DC Circuit.
- The section provides legal support for and represents the Pipeline System Integrity Office (PSIO), which oversees the maintenance of facilities, equipment, and infrastructure for the sustained production and transportation of oil and natural gas resources in Alaska, in cooperation with other state and federal agencies.
- The section provides legal support for and represents the State Pipeline Coordinator's Office (SPCO), which monitors and facilitates the development and sound operation of pipelines on state land.
- North Slope Gas Pipeline-Related Issues. The section continues to provide legal support to assist in arrangements to construct a gas line to transport Alaska North Slope gas to markets in and out of Alaska. The known gas resource on Alaska's North Slope is huge. The potential gas resource on unexplored lands on the North Slope is much larger. Developing this resource is one of the most promising opportunities to strengthen and support Alaska's economic future. The section also continues to work closely with the Governor's Office and the Departments of Natural Resources (DNR) and Revenue (DOR) to provide legal assistance in implementation of the Alaska Gasline Inducement Act (AGIA) license, including due diligence on the AGIA license implementation: costs, reimbursements, compliance, proposed commercial and financial arrangements, matters related to fiscal certainty, confidentiality issues and analysis on constitutional and other state law issues and federal permit and licensing issues.
- Tax Cases. The section is pursuing hundreds of millions of dollars in past-due taxes, interest, and penalties that are owed by oil and gas producers and other corporate taxpayers to the state. At this time, the section is representing the DOR in an appeal to the Alaska Supreme Court by Tesoro Corporation of a superior court decision resulting in additional tax liabilities, interest, and penalties of about \$13 million. The section is also representing the DOR in an appeal to the Alaska Supreme Court by Schlumberger Technology Corporation of a superior court decision in the department's favor worth over \$1 million in additional tax and interest. A major production tax case, which is before the Office of Administrative Hearings, is an appeal of the DOR's decision

to aggregate properties within the Prudhoe Bay Unit for purposes of determining the Economic Limit Factor (ELF). The ELF appeal stems from a January 2005 decision by the DOR to aggregate satellite producing areas with the Prudhoe Bay producing areas for purposes of calculating the ELF. The section is also representing the DOR in a number of confidential tax disputes at the administrative level.

- The section provides support and represents the DOR in appeals from annual oil and gas property tax assessments, including assessments based on valuation of TAPS for 2006-2009. The appeal of the 2010 superior court decision relating to the 2006 TAPS property tax assessment, in which Judge Gleason affirmed DOR's assessment methodology, will be argued in the Alaska Supreme Court in December 2012. On December 30, 2011, Judge Gleason issued a decision that affirmed the DOR's 2007-2009 assessment methodology for TAPS and, based on new cost and North Slope oil reserves studies presented at trial, significantly increased the TAPS value to \$8.94 billion for tax year 2007, \$9.64 billion for 2008, and \$9.25 billion for 2009. Both the Municipalities and the TAPS Owners appealed Judge Gleason's decision to the Alaska Supreme Court.
- The section will continue to provide legal assistance to the DOR to develop regulations requiring detailed reporting of expenditures related to production tax credits designed to further encourage the development of oil and gas reserves. The section will also assist the DOR as it reviews the current Mineral Licensing Tax and the current mining license regulations to determine if changes are needed to address new technologies for resource extraction techniques.
- Royalty Cases. The section represents the DNR in royalty disputes and works with DNR in royalty negotiations to ensure that the state receives its fair share of royalties and net profit share from production of Alaska oil and gas resources. This work also includes handling related development and production sharing disputes. Much of the work is transactional in nature and concerns negotiating modifications to existing Royalty Settlement Agreements, audits, and claims. But the section must litigate or arbitrate some claims in order to recover the amount due to the state and to defend against unreasonable claims. Litigation and arbitration inevitably involve developing expert opinions, which require a long lead time. The section also manages expert witnesses that analyze transportation costs, allowances for return on capital, sales data, and royalty settlements, markets, destination values, development issues, and reservoir modeling.
- In addition to dispute resolution, legal advice is provided to DNR on a variety of issues that are related to royalty and net profit share, such as confidentiality requirements, contract construction, whether payments meet legal requirements, and implementation of lease valuation provisions. The state has Royalty Settlement Agreements with all the major producers that cover most of the Alaska North Slope DL-1 leases in production as of the early 1990s. These Royalty Settlement Agreements all contain formulas for determining the state's royalty share. These formulas may be modified through an arbitration proceeding called a reopener. Typically there are several reopeners a year. Currently, the section is working on a major production allocation dispute that began in 2009. In addition, a marine transportation cost reopener will be initiated in FY2013. The Royalty Settlement Agreements also provide for arbitration proceedings to resolve disputes about whether past payments were consistent with the then existing applicable agreement.
- Unitization, Participating Areas and Lease Development. The section assists the DNR in its efforts to develop and produce from state oil and gas leases. This involves a number of different issues associated with unitization, participating area formation, farm-out agreements, and lease and tract operations. This work often requires negotiations and may result in appeals. One matter in this category is the North Slope Point Thomson Unit (PTU) litigation. In 2005, DNR defaulted the PTU for failure to commit to production, notwithstanding massive hydrocarbon reserves that had been known for decades, and terminated the unit. The PTU matter involved a number of superior court and administrative proceedings, all of which were stayed pending final decision in the consolidated appeals from the unit termination. The proceedings included a separate Supreme Court appeal on damages, eight Appellate Rule 602 appeals to the superior court, and one administrative proceeding before the Department of Administration, all regarding unit termination. There were also proceedings in the superior court regarding permits and Alaska Oil and Gas Conservation Commission compulsory unitization. The section successfully achieved a resolution of the PTU disputes in a settlement agreement executed in March 2012, and the PTU operator and other lessees are working on development of the unit.

- Leasing. The section assists the DNR in a variety of leasing issues every year from lease sales and protests to drafting and negotiating lease terms. The section also assists DNR with natural gas storage leasing.
- LNG Export License Extension. The section assists the DNR and the Governor's Office in responding to requests to export LNG from the Kenai LNG facility to foreign markets.
- Mining. The section assists the DNR in litigation regarding mineral royalties, mining rights, and rights regarding surface occupancy of mining claims. The section also assists the DNR in complying with federal statutes regulating surface mining, including legal review for the use of reclamation funds, and drafting agreements with operators to insure compliance with state and federal reclamation requirements. Additionally, the section advises and assists the Division of Mining in drafting bonding agreements, permits, leases, best interest findings, proposed legislation, and regulations.
- Alaska Oil and Gas Conservation Commission. The section advises and represents the Alaska Oil and Gas Conservation Commission (AOGCC) with respect to all aspects of the Commission's oversight of oil and gas drilling, development, production, and metering and reservoir depletion. The oversight is intended to prevent waste, maximize ultimate recovery, protect correlative rights, and protect underground freshwater. The section will continue to work with AOGCC on matters involving proposed statutory and regulatory amendments, the issuance of orders and decisions, and the conduct of hearings and enforcement actions. The section will also continue to represent AOGCC in judicial challenges to AOGCC actions.

Significant Changes in Results to be Delivered in FY2014

No changes are anticipated.

Statutory and Regulatory Authority

AS 44.23.020

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Oil, Gas and Mining Component Financial Summary

All dollars shown in thousands

	FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	4,018.8	3,331.6	3,343.8
72000 Travel	94.5	73.0	73.0
73000 Services	8,483.6	10,426.7	7,973.0
74000 Commodities	68.1	54.2	54.2
75000 Capital Outlay	14.7	0.0	0.0
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	12,679.7	13,885.5	11,444.0
Funding Sources:			
1004 General Fund Receipts	10,851.3	12,258.6	9,817.1
1007 Interagency Receipts	350.8	149.3	149.3
1105 Alaska Permanent Fund Corporation Receipts	1,477.6	1,477.6	1,477.6
Funding Totals	12,679.7	13,885.5	11,444.0

Estimated Revenue Collections

Description	Master Revenue Account	FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
<u>Unrestricted Revenues</u>				
Unrestricted Fund	68515	674.1	0.0	0.0
Unrestricted Total		674.1	0.0	0.0
<u>Restricted Revenues</u>				
Interagency Receipts	51015	350.8	149.3	149.3
Permanent Fund Earnings Reserve Account	51373	1,477.6	1,477.6	1,477.6
Restricted Total		1,828.4	1,626.9	1,626.9
Total Estimated Revenues		2,502.5	1,626.9	1,626.9

**Summary of Component Budget Changes
From FY2013 Management Plan to FY2014 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>
FY2013 Management Plan	12,258.6	0.0	1,626.9	0.0	13,885.5
Adjustments which will continue current level of service:					
-Reverse Oil and Gas Outside Counsel (Non-Gasline)	-5,000.0	0.0	0.0	0.0	-5,000.0
-Reverse Gas Pipeline Outside Counsel and Experts	-2,000.0	0.0	0.0	0.0	-2,000.0
-Reverse Oil and Gas Litigation (Non-Gasline) Sec30(b) Ch5 SLA2011 P164 L6 Lapses 6/30/2013	-1,453.7	0.0	0.0	0.0	-1,453.7
-FY2014 Salary and Health Insurance Increases	12.2	0.0	0.0	0.0	12.2
Proposed budget increases:					
-Restore Outside Counsel for Specialized Expertise in Oil, Gas and Mining Issues	4,000.0	0.0	0.0	0.0	4,000.0
-Restore Outside Counsel to Support Oversight of Alaska Gasline Inducement Act Licensee	2,000.0	0.0	0.0	0.0	2,000.0
FY2014 Governor	9,817.1	0.0	1,626.9	0.0	11,444.0

**Oil, Gas and Mining
Personal Services Information**

Authorized Positions			Personal Services Costs	
	<u>FY2013</u> <u>Management</u> <u>Plan</u>	<u>FY2014</u> <u>Governor</u>		
Full-time	27	27	Annual Salaries	2,283,844
Part-time	0	0	Premium Pay	0
Nonpermanent	0	0	Annual Benefits	1,224,448
			<i>Less 4.69% Vacancy Factor</i>	<i>(164,492)</i>
			Lump Sum Premium Pay	0
Totals	27	27	Total Personal Services	3,343,800

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Accounting Clerk	0	0	1	0	1
Analyst/Programmer V	1	0	0	0	1
Assoc Attorney I	1	0	1	0	2
Assoc Attorney II	1	0	0	0	1
Attorney III	2	0	1	0	3
Attorney IV	2	0	2	0	4
Attorney V	5	0	2	0	7
Attorney VI	1	0	0	0	1
Law Office Assistant I	1	0	0	0	1
Law Office Assistant II	1	0	0	0	1
Micro/Network Spec II	1	0	0	0	1
Paralegal II	3	0	0	0	3
Procurement Spec III	0	0	1	0	1
Totals	19	0	8	0	27

Component Detail All Funds Department of Law

Component: Oil, Gas and Mining (AR13709) (2091)
RDU: Civil Division (35)

	FY2012 Actuals	FY2013 Conference Committee	FY2013 Authorized	FY2013 Management Plan	FY2014 Governor	FY2013 Management Plan vs FY2014 Governor
71000 Personal Services	4,018.8	3,464.3	3,464.3	3,331.6	3,343.8	12.2 0.4%
72000 Travel	94.5	73.0	73.0	73.0	73.0	0.0 0.0%
73000 Services	8,483.6	8,973.0	10,426.7	10,426.7	7,973.0	-2,453.7 -23.5%
74000 Commodities	68.1	54.2	54.2	54.2	54.2	0.0 0.0%
75000 Capital Outlay	14.7	0.0	0.0	0.0	0.0	0.0 0.0%
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	12,679.7	12,564.5	14,018.2	13,885.5	11,444.0	-2,441.5 -17.6%
Fund Sources:						
1004 Gen Fund (UGF)	10,851.3	10,864.9	12,318.6	12,258.6	9,817.1	-2,441.5 -19.9%
1007 I/A Rcpts (Other)	350.8	222.0	222.0	149.3	149.3	0.0 0.0%
1105 PFund Rcpt (Other)	1,477.6	1,477.6	1,477.6	1,477.6	1,477.6	0.0 0.0%
Unrestricted General (UGF)	10,851.3	10,864.9	12,318.6	12,258.6	9,817.1	-2,441.5 -19.9%
Designated General (DGF)	0.0	0.0	0.0	0.0	0.0	0.0 0.0%
Other Funds	1,828.4	1,699.6	1,699.6	1,626.9	1,626.9	0.0 0.0%
Federal Funds	0.0	0.0	0.0	0.0	0.0	0.0 0.0%
Positions:						
Permanent Full Time	27	28	28	27	27	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: Oil, Gas and Mining (2091)
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 FY2013 Conference Committee To FY2013 Authorized *****												
FY2013 Conference Committee												
1004 Gen Fund	ConfCom	12,564.5	3,464.3	73.0	8,973.0	54.2	0.0	0.0	0.0	28	0	0
1007 I/A Rcpts		10,864.9										
1105 PFund Rcpt		222.0										
		1,477.6										
Oil and Gas Litigation (Non-Gasline) Sec30(b) Ch5 FSSLA2011 P164 L6 (SB160) Lapse 6/30/2013												
	CarryFwd	1,453.7	0.0	0.0	1,453.7	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		1,453.7										
Multi-year funding for outside counsel and experts for oil and gas matters - AR 14931												
Balance remaining as of 9/1/12 to carryforward.												
Section 30(b), FSSLA 2011 (SB 46) MultiYr FY2012 and FY2013												
Subtotal		14,018.2	3,464.3	73.0	10,426.7	54.2	0.0	0.0	0.0	28	0	0
***** Changes From FY2013 Authorized To FY2013 Management Plan *****												
Transfer Law Office Assistant I/II (03-0138) to Timekeeping and Litigation Support to Address Workload Demands												
	Trout	-72.7	-72.7	0.0	0.0	0.0	0.0	0.0	0.0	-1	0	0
1007 I/A Rcpts		-72.7										
Transfer vacant Law Office Assistant I/II (03-0138) to Timekeeping and Litigation Support to accommodate the workload and section demands.												
Transfer Attorney V (03-0158) from Commercial and Fair Business for Required Legal Expertise												
	Trin	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1	0	0
Transfer Attorney V (03-0158) from Commercial and Fair Business to keep pace with the required level of legal expertise needed within the section.												
Department of Law attorney positions are partially exempt (PX) and flexibly-ranged positions. Attorneys' I - VI are transferred in accordance with attorney salary placement, allowing positions to be sub-filled at lower levels. Positions are also transferred to accommodate promotions. Because of constant movement of positions, authority is not transferred unless necessary.												
Transfer Attorney IV (03-0316) to Commercial and Fair Business for Required Legal Expertise												
	Trout	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-1	0	0
Transfer Attorney IV (03-0316) to Commercial and Fair Business to keep pace with the required level of legal expertise needed within the section.												
Department of Law attorney positions are partially exempt (PX) and flexibly-ranged positions. Attorneys' I - VI are transferred in accordance with attorney salary												

Change Record Detail - Multiple Scenarios With Descriptions
Department of Law

Component: Oil, Gas and Mining (2091)
RDU: Civil Division (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	PFT	Positions PPT
placement, allowing positions to be sub-filled at lower levels. Positions are also transferred to accommodate promotions. Because of constant movement of positions, authority is not transferred unless necessary.											
Transfer Attorney IV (03-0015) to Human Services for Required Legal Expertise											
1004 Gen Fund	Trout	-60.0	-60.0	0.0	0.0	0.0	0.0	0.0	0.0	-1	0
Transfer Attorney IV (03-0015), with partial funding, to Human Services to keep pace with the required level of legal expertise needed within the section.											
Department of Law attorney positions are partially exempt (PX) and flexibly-ranged positions. Attorneys' I - VI are transferred in accordance with attorney salary placement, allowing positions to be sub-filled at lower levels. Positions are also transferred to accommodate promotions. Because of constant movement of positions, authority is not transferred unless necessary.											
Transfer Attorney III (03-0226) from Human Services for Required Legal Expertise											
	Trin	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1	0
Transfer Attorney III (03-0226) from Human Services to keep pace with the required level of legal expertise needed within the section.											
Department of Law attorney positions are partially exempt (PX) and flexibly-ranged positions. Attorneys' I - VI are transferred in accordance with attorney salary placement, allowing positions to be sub-filled at lower levels. Positions are also transferred to accommodate promotions. Because of constant movement of positions, authority is not transferred unless necessary.											
Transfer Micro/Network Specialist II (03-0177) from Juneau to Anchorage for System Support											
	PosLoc	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0
Transfer vacant Micro/Network Specialist II (PCN 03-0177) from Juneau to Anchorage. The department currently has two vacant IT positions in Juneau, and the last two recruitments in Juneau have been unsuccessful. Having additional IT staff in Anchorage will allow the division to provide more efficient support for recently deployed systems in Anchorage (E-Discovery and Revenue Results). There is no budgetary impact as a result of this transfer.											
A corresponding location transfer of an Attorney IV position (03-0367) from Anchorage to Juneau will occur simultaneously to allow for a promotion. The department recruited for a vacant attorney position in the Opinion, Appeals and Ethics section, currently located in Anchorage and the best candidate for the position is an existing attorney stationed in Juneau. There is no budgetary impact as a result of this transfer.											
These two position location changes together do not change the department's overall position count, nor do they change the total number of positions located in Anchorage and Juneau.											
Subtotal		13,885.5	3,331.6	73.0	10,426.7	54.2	0.0	0.0	0.0	27	0
***** Changes From FY2013 Management Plan To FY2014 Governor *****											
Reverse Oil and Gas Outside Counsel (Non-Gasline)											
	OTI	-5,000.0	0.0	0.0	-5,000.0	0.0	0.0	0.0	0.0	0	0

Change Record Detail - Multiple Scenarios With Descriptions
Department of Law

Component: Oil, Gas and Mining (2091)
RDU: Civil Division (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions	
										PFT	PPT
1004 Gen Fund	-5,000.0										NP
Reverse one-time appropriation in FY2013 for oil and gas outside counsel.											
In FY2011, the Oil, Gas and Mining Section collected \$110.0 million in additional taxes and royalties. It achieved its success by using both Department personnel and outside counsel. The funding requested for FY2013 will enable the Oil, Gas and Mining Section to enter into contracts with outside counsel and consultants having expertise in specialized oil, gas and mining issues. The areas to be funded include Tariff Proceedings (\$2,570.0M); Taxes (\$1,475.0M); Royalty Reopeners (\$1,600.0M); Point Thomson litigation/settlement (\$505.0M). The amount requested compares favorably to prior years (\$6,870.0 was appropriated in FY2011 for outside counsel; additional outside counsel costs of \$1,047.6 were covered by funds available under the FY2011 allocation for the Gasline).											
Reverse Gas Pipeline Outside Counsel and Experts											
OTI		-2,000.0	0.0	0.0	-2,000.0	0.0	0.0	0.0	0.0	0	0
1004 Gen Fund	-2,000.0										
This reverses one-time authority for gas pipeline outside counsel and experts.											
Continue the efforts required by the Alaska Gasline Inducement Act (AGIA), including analysis of Federal Energy Regulatory (FERC) issues, monitoring of the FERC process, review of precedent agreements stemming from the Alaska Pipeline Project open season filing to assure compliance with AGIA, transportation agreements, FERC filings relating to a certificate of public convenience and necessity, filings and evaluations relating to the Canadian regulatory process, commercial issues relating to pipeline development, and shipper-related fiscal issues.											
The Department of Law's Oil, Gas and Mining section continues to play a major role in the state's top priority project related to the construction of a gas pipeline and bringing natural gas to market. A number of contracts with outside counsel and experts are underway and will continue as needed. Funding will assist the department in the preparation of legislation and implementation of a comprehensive plan to commercialize North Slope gas.											
Reverse Oil and Gas Litigation (Non-Gasline) Sec30(b) Ch5 SLA2011 P164 L6 Lapses 6/30/2013											
OTI		-1,453.7	0.0	0.0	-1,453.7	0.0	0.0	0.0	0.0	0	0
1004 Gen Fund	-1,453.7										
This reverses the carry forward amount in FY2013 for a multi-year appropriation for oil and gas (non-gasline) outside counsel.											
FY2014 Salary and Health Insurance Increases											
SalAdj		12.2	12.2	0.0	0.0	0.0	0.0	0.0	0.0	0	0
1004 Gen Fund	12.2										
FY2014 Salary and Health Insurance increase : \$12.2											
FY2014 Health Insurance increase of \$59.00 per month per employee - from \$1,330 to \$1,389 per month Non-covered: \$12.2											
Restore Outside Counsel for Specialized Expertise in Oil, Gas and Mining Issues											
IncM		4,000.0	0.0	0.0	4,000.0	0.0	0.0	0.0	0.0	0	0
1004 Gen Fund	4,000.0										

Change Record Detail - Multiple Scenarios With Descriptions
Department of Law

Component: Oil, Gas and Mining (2091)
RDU: Civil Division (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	PFT	Positions PPT
The Oil, Gas and Mining Section assures the collection of taxes and royalties, using both department personnel and outside counsel. This appropriation will fund contracts with outside counsel and consultants having expertise in specialized oil, gas and mining issues. The areas to be funded include Tariff Proceedings (\$1,425.0M); Taxes (\$1,475.0M); Royalty Reopeners (\$1,600.0M); Point Thomson litigation/settlement (\$500.0M).											
Restore Outside Counsel to Support Oversight of Alaska Gasline Inducement Act Licensee											
1004 Gen Fund	IncM	2,000.0	0.0	0.0	2,000.0	0.0	0.0	0.0	0.0	0	0
The Department of Law, Oil, Gas & Mining section and specialized contract counsel assisted the State of Alaska with legal issues in the Alaska Gasline Inducement Act (AGIA) legislation and legislative approval to grant an AGIA license to TransCanada (TC). Attorneys assisted the Departments of Natural Resources and Revenue and the Gas Pipeline Project Office in implementing the AGIA license, advising on legal issues related to an Alaska gas pipeline, including TC Alaska's joint venture with ExxonMobil, the Federal Energy Regulatory Commission (FERC) application, and certification process and related aspects under state and federal law. Attorneys also advised on due diligence in AGIA license implementation, including licensee compliance and reporting, reimbursements and audits. The attorneys will continue to assist the Administration on legal issues associated with an Alaska gas pipeline or liquefied natural gas project.											
Totals		11,444.0	3,343.8	73.0	7,973.0	54.2	0.0	0.0	0.0	27	0

Personal Services Expenditure Detail

Department of Law

Scenario: FY2014 Governor (10289)
Component: Oil, Gas and Mining (2091)
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
03-0005	Attorney V	FT	A	XE	Juneau	NAA	250	12.0		136,476	0	0	62,424	198,900	198,900
03-0024	Attorney VI	FT	A	XE	Anchorage	NAA	26L / M	12.0		128,580	0	0	60,180	188,760	188,760
03-0025	Attorney IV	FT	A	XE	Juneau	NAA	18A	12.0		57,516	0	0	36,540	94,056	94,056
03-0059	Attorney V	FT	A	XE	Anchorage	NAA	250	12.0		136,476	0	0	62,424	198,900	198,900
03-0092	Attorney V	FT	A	XE	Anchorage	NAA	25P	12.0		141,588	0	0	63,877	205,465	205,465
03-0098	Paralegal II	FT	A	GP	Anchorage	200	16B / C	12.0		50,910	0	0	34,200	85,110	85,110
03-0141	Attorney V	FT	A	XE	Anchorage	NAA	25L / M	12.0		126,028	0	0	59,455	185,483	185,483
03-0144	Accounting Clerk	FT	A	GP	Juneau	205	10B / C	12.0		35,426	0	0	28,850	64,276	64,276
03-0157	Assoc Attorney II	FT	A	XE	Anchorage	NAA	19B / C	12.0		63,860	0	0	38,732	102,592	102,592
03-0158	Attorney V	FT	A	XE	Anchorage	NAA	25J / K	12.0		116,727	0	0	56,812	173,539	173,539
03-0164	Procurement Spec III	FT	A	SS	Juneau	205	18D / E	12.0		68,360	0	0	39,722	108,082	108,082
03-0177	Micro/Network Spec II	FT	A	SS	Anchorage	200	20A	9.6	**	52,282	0	0	30,947	83,229	83,229
03-0185	Paralegal II	FT	A	GP	Anchorage	200	16B / C	12.0		49,912	0	0	33,855	83,767	83,767
03-0199	Attorney III	FT	A	XE	Anchorage	NAA	22F	12.0		88,908	0	0	47,386	136,294	136,294
03-0207	Attorney IV	FT	A	XE	Anchorage	NAA	24L	12.0		113,688	0	0	55,947	169,635	169,635
03-0208	Law Office Assistant I	FT	A	GP	Anchorage	200	11A	12.0		34,440	0	0	28,509	62,949	62,949
03-0216	Attorney IV	FT	A	XE	Juneau	NAA	24E / F	12.0		100,977	0	0	51,556	152,533	152,533
03-0226	Attorney III	FT	A	XE	Juneau	NAA	20A	12.0		65,664	0	0	39,355	105,019	105,019
03-0229	Attorney V	FT	A	XE	Juneau	NAA	25E / F	12.0		106,968	0	0	53,625	160,593	160,593
03-0239	Assoc Attorney I	FT	A	XE	Anchorage	NAA	17D / E	12.0		61,338	0	0	37,860	99,198	99,198
03-0263	Attorney IV	FT	A	XE	Anchorage	NAA	24F / J	12.0		104,829	0	0	52,886	157,715	157,715
03-0318	Law Office Assistant II	FT	A	SS	Anchorage	600	13C / D	12.0		43,200	0	0	31,030	74,230	74,230
03-0323	Analyst/Programmer V	FT	A	GP	Anchorage	200	22F / G	10.0		71,789	0	0	38,645	110,434	110,434
03-0349	Attorney III	FT	A	XE	Anchorage	NAA	20D / E	12.0		74,328	0	0	42,348	116,676	116,676
03-0395	Attorney V	FT	A	XE	Anchorage	NAA	25K / L	12.0		118,160	0	0	57,219	175,379	175,379
03-1121	Paralegal II	FT	A	GP	Anchorage	200	16G / J	12.0		58,842	0	0	36,940	95,782	95,782
03-1246	Assoc Attorney I	FT	A	XE	Juneau	NAA	17N	12.0		76,572	0	0	43,124	119,696	119,696
Total Salary Costs:														2,283,844	
Total COLA:														0	
Total Premium Pay::														0	
Total Benefits:														1,224,448	
Total Pre-Vacancy:														3,508,292	
Minus Vacancy Adjustment of 4.69%:														(164,492)	
Total Post-Vacancy:														3,343,800	
Plus Lump Sum Premium Pay:														0	
Personal Services Line 100:														3,343,800	
Total Component Months: 319.6															

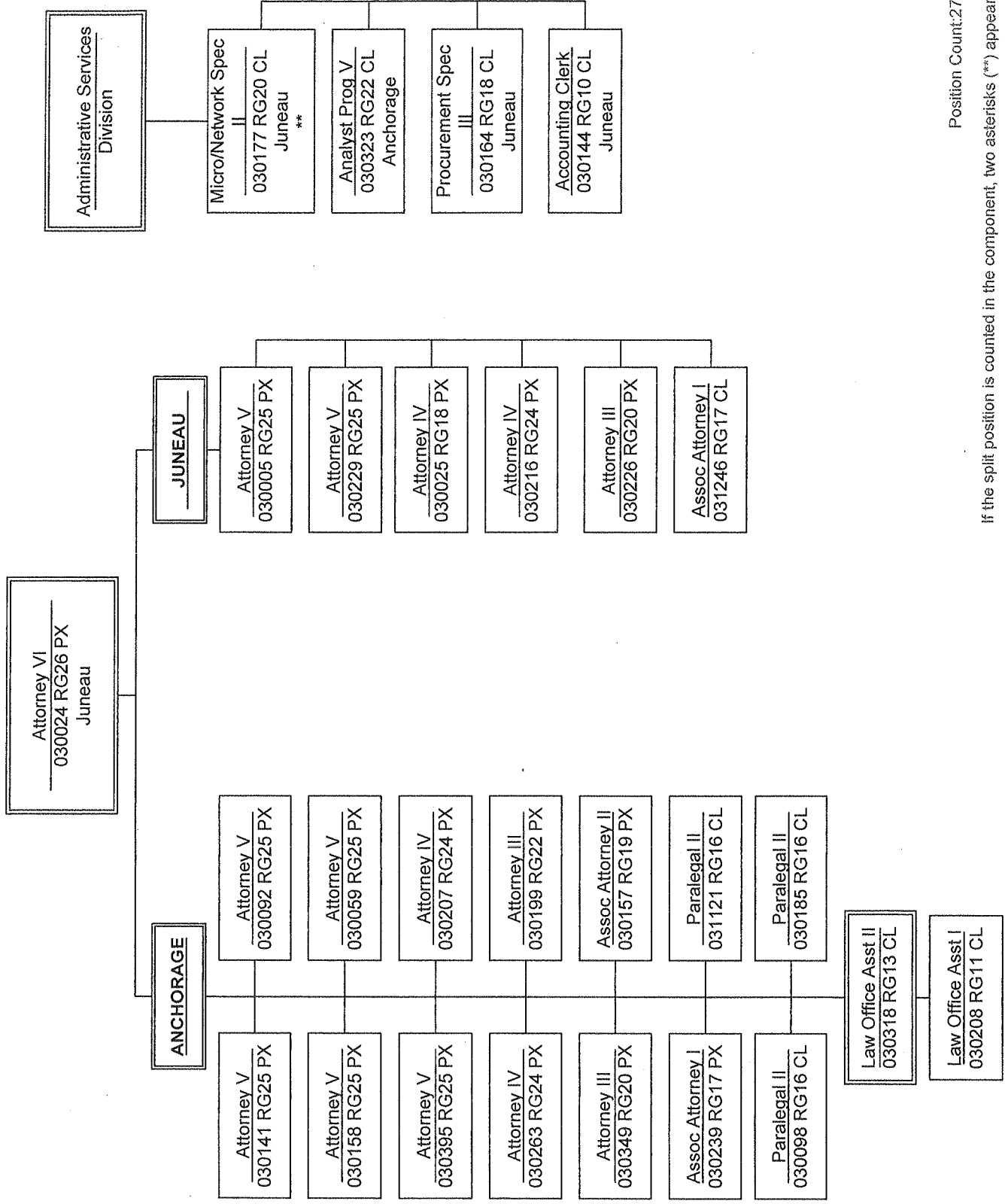
Personal Services Expenditure Detail
Department of Law

Scenario: FY2014 Governor (10289)
Component: Oil, Gas and Mining (2091)
RDU: Civil Division (35)

PCN Funding Sources:	Pre-Vacancy	Post-Vacancy	Percent
1004 General Fund Receipts	3,491,646	3,327,935	99.53%
1007 Interagency Receipts	16,646	15,865	0.47%
Total PCN Funding:	3,508,292	3,343,800	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.

Oil, Gas and Mining



Line Item Detail
Department of Law
Travel

Component: Oil, Gas and Mining (2091)
RDU: Civil Division (35)

Line Number	Line Name	Servicing Agency	Explanation	FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
72000	Travel			94.5	73.0	73.0
Expenditure Account				FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
			72000 Travel Detail Totals	94.5	73.0	73.0
72110	Employee Travel (Instate)		Staff travel to represent the state concerning oil & gas and other natural resources cases. Frequent trips out-of-state to represent the state in federal court and to gather evidence at owner company facilities.	31.1	68.0	68.0
72120	Nonemployee Travel (Instate Travel)		Transportation costs for witnesses.	10.8	5.0	5.0
72410	Employee Travel (Out of state)		Out-of-State travel for professional staff to attend conferences, meetings and training.	52.6	0.0	0.0

Line Item Detail
Department of Law
Services

Component: Oil, Gas and Mining (2091)
RDU: Civil Division (35)

Line Number	Line Name	Expenditure Account	Servicing Agency	Explanation	FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
73000	Services				8,483.6	10,426.7	7,973.0
73000 Services Detail Totals					8,483.6	10,426.7	7,973.0
73025	Education Services			Conferences, training, memberships	1.2	3.0	3.0
73075	Legal & Judicial Svc			Depositions, research costs, expert witnesses and consultants / Outside counsel and consultants having expertise in specialized Oil, Gas & Mining issues.	7,572.9	9,532.1	7,058.4
73150	Information Technlgy			Training, consulting and software licensing/maintenance	0.5	0.0	0.0
73156	Telecommunication			Local Service, long distance toll charges and cellular phones paid to third party telephone utilities.	0.5	15.0	15.0
73225	Delivery Services			Freight and messenger services. Movement of materials, exhibits, legal documents and courier services.	5.5	8.5	8.5
73650	Struc/Infstruct/Land			Rentals/Leases - records and evidence storage.	35.0	40.0	40.0
73675	Equipment/Machinery			Rentals/Leases and Repairs/Maintenance of office equipment - copiers and postage meters.	5.0	5.0	5.0
73756	Print/Copy/Graphics			Printing forms, briefs and legal notices.	41.3	20.0	20.0
73805	IT-Non-Telecommunication		Administrative Services	RSA Law, Administration - Information Services & Procurement support.	151.7	143.3	143.3
73805	IT-Non-Telecommunication		Enterprise Technology Services	RSA with Dept of Admin, ITG for Computer Services: Mainframe (MICS), Facilities Mgmt, EPR.	40.6	41.9	41.9
73806	IT-Telecommunication		Enterprise Technology Services	RSA with Dept of Admin, ITG for Telecommunication Services: WAN, Internet, Video, TSR, Email, ITG Overhead.	99.6	96.4	96.4
73809	Mail		Central Mail	RSA Administration, Central Mailroom	4.9	4.5	4.5
73810	Human Resources		Administrative Services	RSA Law, Human Resource Position	0.0	8.7	8.7
73811	Building Leases		Leases	RSA Administration, GS&S - Leased Office Space -	489.4	473.9	473.9

Line Item Detail
Department of Law
Services

Component: Oil, Gas and Mining (2091)
RDU: Civil Division (35)
Expenditure Account

		Servicing Agency	Explanation	FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
73000 Services Detail Totals				8,483.6	10,426.7	7,973.0
AG's Offices in Anchorage and Juneau.						
73814	Insurance	Risk Management	RSA Administration, Risk Management	1.4	1.4	1.4
73815	Financial	Administrative Services	RSA Law, Timekeeping administration and litigation support.	29.9	29.0	49.0
73815	Financial	Finance	RSA Administration, Finance Chargeback (AKSAS / AKPAY)	3.4	3.2	3.2
73816	ADA Compliance	Personnel	RSA Administration, Personnel - Americans With Disabilities Act.	0.8	0.8	0.8

Line Item Detail
Department of Law
Commodities

Component: Oil, Gas and Mining (2091)
RDU: Civil Division (35)

Line Number	Line Name	Servicing Agency	Explanation	FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
74000	Commodities			68.1	54.2	54.2
Expenditure Account				FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
			74000 Commodities Detail Totals	68.1	54.2	54.2
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.	68.1	54.2	54.2

Line Item Detail
Department of Law
Capital Outlay

Component: Oil, Gas and Mining (2091)
RDU: Civil Division (35)

Line Number	Line Name	Expenditure Account	Servicing Agency	Explanation	FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
75000	Capital Outlay				14.7	0.0	0.0
75000 Capital Outlay Detail Totals					14.7	0.0	0.0
75830	Info Technology			Computer equipment, printers and modems.	14.7	0.0	0.0

Unrestricted Revenue Detail
Department of Law

Component: Oil, Gas and Mining (2091)
RDU: Civil Division (35)

Master Account	Revenue Description		FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
68515	Unrestricted Fund		674.1	0.0	0.0
Detail Information					
Revenue Amount	Revenue Description	Component		FY2013 Management Plan	FY2014 Governor
64090	Legal Services Judgment & Settlement awards for attorney fees and legal costs.	Collocation Code 03209001	FY2012 Actuals 1.9	FY2013 Management Plan 0.0	FY2014 Governor 0.0
65040	Judgement Settlement Fines & Forfeitures	AKSAS Fund 11100	672.2	0.0	0.0

Restricted Revenue Detail
Department of Law

Component: Oil, Gas and Mining (2091)
RDU: Civil Division (35)

Master Account	Revenue Description		FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
51015	Interagency Receipts		350.8	149.3	149.3
Detail Information					
Revenue Amount	Revenue Description	Component	Collocation Code	AKSAS Fund	
51015	Interagency Receipts	Unprogrammed I/A Receipt Authority.	03209500	11100	
					FY2012 Actuals
					FY2013 Management Plan
					FY2014 Governor
59040	Revenue	Tax Division	03209637	11100	
	Unbudgeted RSA, Oil & Gas Production Tax Regulations				34.5
59040	Revenue	Tax Division	03209668	11100	
	Unbudgeted RSA, Taxpayer Litigation				106.0
59100	Natural Resources	Unbudgeted RSA, EconOne Royalty Mattes, ODG Claims	03209603	11100	
					99.0
59100	Natural Resources	Oil & Gas	03209614	11100	
	Unbudgeted RSA, Royalty Settlements				99.0
59100	Natural Resources	State Pipeline Coordinator	03209619	11100	
	Unbudgeted RSA, State Pipeline Coordinator's Office, ANGP R.O.W.				3.0
59100	Natural Resources	Gas Pipeline Project	03209640	11100	
	Unbudgeted RSA, Alaska Pipeline Project				2.5
59100	Natural Resources	Facilities Maintenance	03209665	11100	
	Unbudgeted RSA, Pt. Thomson R.O.W.				6.8

Restricted Revenue Detail
Department of Law

Component: Oil, Gas and Mining (2091)
RDU: Civil Division (35)

Master Account	Revenue Description		FY2012 Actuals	Management Plan	FY2013 Management Plan	FY2014 Governor
51373	Permanent Fund Earnings Reserve Account		1,477.6	1,477.6	1,477.6	1,477.6
Detail Information						
Revenue Amount	Revenue Description	Component	Collocation Code	AKSAS Fund	FY2013 Management Plan	FY2014 Governor
51373	Permanent Fund Earnings	APFC Operations	03209001	11100	1,477.6	1,477.6
Oil & Gas litigation effort funded by receipts from the Alaska Permanent Fund Corporation.						

Inter-Agency Services
Department of Law

Component: Oil, Gas and Mining (2091)
RDU: Civil Division (35)

Expenditure Account	Service Description	Service Type	Servicing Agency	FY2012 Actuals	Management Plan	FY2013 Governor
73805	IT-Non-Telecommunication RSA Law, Administration - Information Services & Procurement support.	Inter-dept	Administrative Services	151.7	143.3	143.3
73805	IT-Non-Telecommunication RSA with Dept of Admin, ITG for Computer Services: Mainframe (MICS), Facilities Mgmt, EPR.	Inter-dept	Enterprise Technology Services	40.6	41.9	41.9
73806	IT-Telecommunication RSA with Dept of Admin, ITG for Telecommunication Services: WAN, Internet, Video, TSR, Email, ITG Overhead.	Inter-dept	Enterprise Technology Services	192.3	185.2	185.2
				99.6	96.4	96.4
73809	Mail RSA Administration, Central Mailroom	Inter-dept	Central Mail	99.6	96.4	96.4
73810	Human Resources RSA Law, Human Resource Position	Intra-dept	Administrative Services	4.9	4.5	4.5
				0.0	8.7	8.7
73811	Building Leases RSA Administration, GS&S - Leased Office Space - AG's Offices in Anchorage and Juneau.	Inter-dept	Leases	0.0	8.7	8.7
				489.4	473.9	473.9
73814	Insurance RSA Administration, Risk Management	Inter-dept	Risk Management	1.4	1.4	1.4
73815	Financial RSA Law, Timekeeping administration and litigation support.	Intra-dept	Administrative Services	1.4	1.4	1.4
73815	Financial RSA Administration, Finance Chargeback (AKSAS / AKPAY)	Inter-dept	Finance	29.9	29.0	49.0
				3.4	3.2	3.2
73816	ADA Compliance RSA Administration, Personnel - Americans With Disabilities Act.	Inter-dept	Personnel	33.3	32.2	52.2
				0.8	0.8	0.8
				0.8	0.8	0.8
				821.7	803.1	823.1
				821.7	803.1	823.1