

CS FOR SENATE BILL NO. 54(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 4/18/95

Referred: Rules

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to exclusive service areas for utilities certificated to provide
2 electric utility service and to the definition of 'general public' for utilities
3 furnishing electric service; relating to employees and terms of members of the
4 Alaska Public Utilities Commission; and prohibiting certain exemptions from
5 regulation."

6 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

7 * **Section 1.** INTENT. It is the intent of secs. 4 and 6 of this Act to state the policy only
8 concerning service areas for electric utilities and, in sec. 5 of this Act, to affect only refuse
9 collection utilities. The amendments made by those sections of this Act do not apply to other
10 utility services.

11 * **Sec. 2.** AS 39.25.120(c)(6) is amended to read:

12 (6) the executive director, deputy director, hearing officers, [AND]
13 administrative law judges, **and two special assistants** of the Alaska Public Utilities

1 Commission;

2 * **Sec. 3.** AS 42.05.030(a) is amended to read:

3 (a) The term of office of each member is six years **and expires on February 1.**

4 A commissioner, upon the expiration of a term, shall continue to hold office until a
5 successor is appointed and qualified.

6 * **Sec. 4.** AS 42.05.221 is amended by adding a new subsection to read:

7 (g) A certificate issued under this section to a public utility providing electric
8 service establishes an exclusive service area for the provision of electric service.

9 * **Sec. 5.** AS 42.05.711(d) is amended to read:

10 (d) **Except for refuse collection utilities and service, the** [THE] commission
11 may exempt a utility, a class of utilities, or a utility service from all or a portion of
12 this chapter if the commission finds that the exemption is in the public interest.

13 * **Sec. 6.** AS 42.05.990(3) is amended to read:

14 (3) "public" or "general public" means

15 (A) a group of 10 or more customers that purchase the service
16 or commodity furnished by a public utility;

17 (B) one or more customers that purchase electrical service for
18 use within an area that is certificated to [AND PRESENTLY OR FORMERLY
19 SERVED BY] an electric utility if the total annual compensation **paid by**
20 **customers located within that certificated area to entities that provide**
21 **electrical service other than the certificated utility** [THAT THE
22 ELECTRICAL UTILITY RECEIVES FOR SALES OF ELECTRICITY]
23 exceeds \$50,000; and

24 (C) a utility purchasing the product or service or paying for the
25 transmission of electric energy, natural or manufactured gas, or petroleum
26 products that are re-sold to a person or group included in (A) or (B) of this
27 paragraph or that are used to produce the service or commodity sold to the
28 public by the utility;

29 * **Sec. 7.** Notwithstanding AS 42.05.030(a), amended by sec. 3 of this Act, the terms of
30 members of the Alaska Public Utilities Commission who are currently serving will expire on
31 the first February 1 that occurs at least six year after the member's appointment to the

- 1 commission. For a member who is appointed to fill a vacancy, the term expires on the
- 2 February 1 that occurs at least six years after the vacating member's appointment.