

SENATE BILL NO. 133

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY SENATOR PEARCE

Introduced: 4/1/99

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act creating and providing for the Alaska Energy Conservation Commission
2 and transferring to it the powers and duties of the Alaska Public Utilities
3 Commission and the Alaska Oil and Gas Conservation Commission; repealing
4 the Alaska Public Utilities Commission and the Alaska Oil and Gas Conservation
5 Commission; relating to regulation of waste collection and disposal; relating to
6 the powers of the chair of the Alaska Energy Conservation Commission; relating
7 to the appellate procedures of the Alaska Energy Conservation Commission; and
8 providing for an effective date."

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

10 * **Section 1.** AS 42 is amended by adding a new chapter to read:

11 **Chapter 42.04. Alaska Energy Conservation Commission.**

12 **Article 1. Commission and Staff.**

1 **Sec. 42.04.010. Alaska Energy Conservation Commission created.** (a)
2 There is created as an independent agency of the state the Alaska Energy Conservation
3 Commission.

4 (b) The commission may nominate one of its members to serve as chair. The
5 governor shall designate the chair of the commission, either by selecting the member
6 nominated by the commission or another member. The term as chair is four years.
7 The chair may not be appointed to successive terms as chair.

8 **Sec. 42.04.020. Commissioners.** (a) The commission consists of seven
9 commissioners appointed by the governor and confirmed by the legislature in joint
10 session.

11 (b) One member of the commission shall be a licensed professional engineer
12 with educational and professional background in the field of petroleum engineering.
13 One member shall be a geologist with educational and professional background in the
14 field of petroleum geology. Five members shall be public members and need not have
15 a background in petroleum engineering or petroleum geology.

16 (c) The term of office of each member is six years. A commissioner, upon the
17 expiration of a term, shall continue to hold office until a successor is appointed and
18 qualified.

19 (d) A vacancy arising in the office of a commissioner shall be filled by
20 appointment by the governor and confirmed by the legislature in joint session, and,
21 except as provided in AS 39.05.080(4), an appointee selected to fill a vacancy shall
22 hold office for the balance of the full term for which the predecessor on the
23 commission was appointed.

24 (e) A vacancy in the commission does not impair the authority of a quorum
25 of commissioners to exercise all the powers and perform all the duties of the
26 commission.

27 (f) The governor may remove a commissioner from office for cause, including
28 incompetence, neglect of duty, or misconduct in office. A commissioner, to be
29 removed for cause, shall be given a copy of the charges and afforded an opportunity
30 to be publicly heard in person or by counsel in the commissioner's own defense upon
31 not less than 10 days' notice. If a commissioner is removed for cause, the governor

1 shall file with the lieutenant governor a complete statement of all charges made against
 2 the commissioner and the governor's finding based on the charges, together with a
 3 complete record of the proceedings.

4 (g) Members of the commission are in the exempt service. The petroleum
 5 geologist and the petroleum engineer are entitled to a monthly salary equal to Step D,
 6 Range 27, of the salary schedule in AS 39.27.011(a) for Juneau, Alaska. The public
 7 members of the commission, other than the chair, are entitled to a monthly salary equal
 8 to Step C, Range 26, of the salary schedule in AS 39.27.011(a) for Juneau, Alaska.
 9 The chair of the commission is entitled to a monthly salary equal to Step D, Range 27,
 10 of the salary schedule in AS 39.27.011(a) for Juneau, Alaska.

11 (h) Each commissioner, before entering upon the duties of office, shall take
 12 and subscribe to the oath prescribed for principal officers of the state.

13 **Sec. 42.04.030. Principal office; seal.** (a) The commission shall establish a
 14 principal office and branch offices necessary to discharge its business efficiently. For
 15 the convenience of the public or of parties to a proceeding, the commission may hold
 16 meetings, hearings, or other proceedings at other locations.

17 (b) The commission shall have an official seal.

18 **Sec. 42.04.040. Legal counsel.** (a) The Department of Law shall provide full-
 19 time legal counsel to the commission. The legal counsel provided by the Department
 20 of Law is subject to the approval of the commission.

21 (b) The commission may contract for the services of specialized legal counsel
 22 or legal consultants.

23 **Sec. 42.04.050. Employment of commission personnel.** (a) The chair of the
 24 commission is responsible for directing the administrative functions of the commission
 25 and carrying out the policies as set by the commission. The commission chair may
 26 employ engineers, hearing officers, administrative law judges to the extent provided
 27 by AS 42.06.140(b), experts, clerks, accountants, and other agents and assistants
 28 considered necessary. Employees of the commission who are not in the exempt
 29 service under AS 39.25.110, other than legal counsel, are in the classified service
 30 under AS 39.25.100.

31 (b) In addition to the staff of regular employees, the commission chair may

1 contract for and engage the services of consultants and experts considered necessary.

2 **Sec. 42.04.060. Restrictions on members and employees.** (a) A member of
3 the commission or an employee of the commission may not have an official connection
4 with, hold stock or securities in, or have a pecuniary interest in a public utility within
5 the state. Membership in a cooperative association is not a "pecuniary interest" within
6 the meaning of this section; however, a member or employee of the commission may
7 not be an officer, board member, or employee of a cooperative association. A member
8 or employee may not act upon a matter in which a relationship of the member or
9 employee with any person creates a conflict of interest.

10 (b) A member or employee of the commission may not, after leaving the
11 position as a member or employee of the commission, act as agent for or on behalf of
12 a public utility in any matter before the commission that was before the commission
13 during the employee's employment or the member's term of office. A violation of this
14 subsection is a class A misdemeanor.

15 (c) A member or employee of the commission may not have an official
16 connection with, hold stock or securities in, or have a pecuniary interest in, a
17 corporation, company, or association engaged in the production or the transportation
18 of oil or gas. A member or employee may not act upon a matter in which the
19 relationship of the member or employee with any person creates a conflict of interest.

20 (d) Members and employees of the commission, except clerical and secretarial
21 staff, are subject to AS 39.50. Members and employees of the commission are subject
22 to AS 39.52.

23 (e) A member of the commission is disqualified from voting upon any matter
24 before the commission in which the member has a conflict of interest.

25 **Sec. 42.04.070. Powers and duties of commission chair.** (a) The chair of
26 the commission shall

- 27 (1) employ the commission staff;
- 28 (2) establish and implement a time management system for the
29 commission;
- 30 (3) assign the work of the commission to members and staff of the
31 commission so that matters before the commission are resolved as expeditiously and

1 competently as possible; when assigning a matter, the chair shall also set a date by
2 which time the matter should be completed.

3 (b) The chair of the commission may appoint a hearing officer to hear a matter
4 that has come before the commission; a member of the commission may serve as
5 hearing officer.

6 (c) When the chair of the commission believes that it is in the public interest
7 for the commission to participate as a party in an adjudicatory matter, the chair shall
8 enter into a personal services contract on behalf of the commission with a person to
9 represent the public interest in the matter.

10 **Sec. 42.04.080. Decision-making procedures.** (a) Except as provided in
11 AS 42.05.171 and AS 42.06.140, when a matter comes for decision before the
12 commission under AS 31.05, AS 42.05, or AS 42.06, the chair shall appoint a hearing
13 panel composed of three or more members to hear and decide the case. The panel
14 shall exercise the powers of the commission with respect to the matter. If the matter
15 concerns oil, gas, or an oil or gas pipeline, the member of the commission who is a
16 petroleum geologist and the member of the commission who is a petroleum engineer
17 shall be members of the panel.

18 (b) A decision of a hearing panel under AS 31.05, AS 42.05, or AS 42.06 may
19 be appealed to a five-member appellate panel of the commission. The chair shall
20 appoint the members of the appellate panel, one of whom must be the chair. The
21 members of the hearing panel may be appointed to serve on the appellate panel. The
22 appellate panel may grant or deny a request for hearing the appeal.

23 **Article 2. Communications Carriers Section.**

24 **Sec. 42.04.100. Communications carriers section.** There is established
25 within the commission a communications carriers section that shall develop,
26 recommend, and administer policies and programs with respect to the regulation of
27 rates, services, accounting, and facilities of communications common carriers within
28 the state involving the use of wire, cable, radio, and space satellites.

29 * **Sec. 2.** AS 29.35.050(c) is amended to read:

30 (c) A municipality may establish an intermediate transfer site for the collection
31 and disposal of garbage, refuse, trash, or other waste material without purchasing the

1 certificate, equipment, or facilities of a waste material carrier certificated by the
 2 **former** Alaska Public Utilities Commission. The municipality may, without
 3 compensating a certificated waste carrier operating in the area, provide for or contract
 4 with a certificated or noncertificated entity to provide for the collection and disposal
 5 of waste material left at the intermediate transfer site.

6 * **Sec. 3.** AS 29.35.070(a) is amended to read:

7 (a) The assembly acting for the area outside all cities in the borough and the
 8 council acting for the area in a city may regulate, fix, establish, and change the rates
 9 and charges imposed for a utility service provided to the municipality or its inhabitants
 10 by a utility that is not subject to regulation under AS 42.05 unless that utility is
 11 exempted from regulation under AS 42.05.711(a), **(d) - (h), (j) or (k)** [(d) - (k)] or is
 12 exempted under regulations adopted under AS 42.05.810 from complying with all or
 13 part of **AS 42.05.141 - 42.05.721** [AS 42.05.010 - 42.05.721].

14 * **Sec. 4.** AS 29.35.137(6) is amended to read:

15 (6) "local exchange telephone company" means a telephone utility
 16 certificated **under AS 42.05** [BY THE ALASKA PUBLIC UTILITIES
 17 COMMISSION] to provide local exchange service;

18 * **Sec. 5.** AS 31.05.060(a) is amended to read:

19 (a) The commission may act upon its own motion, or upon the petition of an
 20 interested person. On the filing of a petition concerning a matter within the
 21 jurisdiction of the commission under this chapter, the **chair of the commission shall**
 22 **appoint a hearing panel under AS 42.04.080 to hear the matter. The panel**
 23 [COMMISSION] shall promptly fix a date for a hearing, and shall cause notice of the
 24 hearing to be given. The hearing shall be held without undue delay after the filing of
 25 the petition. The **panel** [COMMISSION] shall enter its order within 30 days after the
 26 hearing.

27 * **Sec. 6.** AS 31.05.080(a) is amended to read:

28 (a) Within 20 days after written notice of the entry of an order or decision of
 29 the **hearing panel** [COMMISSION], or such further time as the **hearing panel**
 30 [COMMISSION] grants for good cause shown, a person affected by it may file with
 31 the commission an application for the **appeal** [REHEARING] in respect of the matter

1 determined by the order or decision, setting out [FORTH] the respect in which the
 2 order or decision is believed to be erroneous. **The chair shall appoint a five-member**
 3 **appellate panel under AS 42.04.080 to consider whether to grant the appeal and,**
 4 **if granted, to hear and decide it.** The appellate panel [COMMISSION] shall grant
 5 or refuse the application in whole or in part within 10 days after **the panel is**
 6 **appointed** [IT IS FILED], and failure to act on it within this period is a refusal of it
 7 and a final disposition of the application. If the hearing is granted, the **appellate**
 8 **panel** [COMMISSION] may enter a new order or decision after rehearing as may be
 9 required under the circumstances.

10 * **Sec. 7.** AS 31.05.170(3) is amended to read:

11 (3) "commission" means the Alaska **Energy** [OIL AND GAS]
 12 Conservation Commission (**AS 42.04.010**);

13 * **Sec. 8.** AS 31.15.050(1) is amended to read:

14 (1) "commission" means the Alaska **Energy Conservation** [PUBLIC
 15 UTILITIES] Commission (**AS 42.04.010**);

16 * **Sec. 9.** AS 38.05.810(f) is amended to read:

17 (f) The commissioner shall lease state land for telephone or electric
 18 transmission and distribution lines for less than the appraised value of the land if the
 19 lessee is a nonprofit cooperative association organized under AS 10.25. The
 20 commissioner may lease state land that is not located within the boundary of a
 21 municipality for the disposal of garbage, refuse, trash, or other waste material for less
 22 than the appraised value of the land if the lessee is **approved by the commissioner**
 23 **and collects and disposes** [A LICENSED PUBLIC UTILITY AUTHORIZED TO
 24 COLLECT AND DISPOSE] of garbage, refuse, trash, or other waste material outside
 25 the boundaries of a municipality. Before determining the annual rental, the
 26 commissioner shall consider the nature of the public service rendered by the nonprofit
 27 cooperative association or **approved lessee** [LICENSED PUBLIC UTILITY] and the
 28 terms of the grant under which the land was acquired by the state. A nonprofit
 29 cooperative association may not construct improvements other than transmission or
 30 distribution lines and substations on land leased under this subsection. **An approved**
 31 **lessee** [A LICENSED PUBLIC UTILITY] may not construct permanent improvements

1 on land leased under this subsection that are not related to the purpose of the lease.

2 * **Sec. 10.** AS 39.50.200(b)(24) is amended to read:

3 (24) Alaska **Energy Conservation** [PUBLIC UTILITIES] Commission
4 **(AS 42.04.010)** [(AS 42.05.010)];

5 * **Sec. 11.** AS 42.05.151(b) is amended to read:

6 (b) The commission shall adopt regulations governing practice and procedure,
7 consistent with due process of law, including the conduct of formal and informal
8 investigations, pre-hearing conferences, hearings, and proceedings, and the handling
9 of procedural motions by a single commissioner. **The regulations must provide for**
10 **the hearing of a matter by a hearing panel and appeal of the matter to a five-**
11 **member appellate panel in accordance with AS 42.04.080.** Technical rules of
12 evidence need not apply to investigations, pre-hearing conferences, hearings, and
13 proceedings before the commission. The commission shall provide for representation
14 by out-of-state attorneys substantially in accordance with Rule 81, Alaska Rules of
15 Civil Procedure.

16 * **Sec. 12.** AS 42.05.161 is amended to read:

17 **Sec. 42.05.161. Application of Administrative Procedure Act.** (a) The
18 administrative adjudication procedures of AS 44.62 (Administrative Procedure Act) do
19 not apply to adjudicatory proceedings of the commission **under this chapter** except
20 that final administrative determinations by the commission are subject to judicial
21 review under that Act as provided in AS 42.05.551(a).

22 (b) AS 44.62 (Administrative Procedure Act) applies to regulations adopted
23 by the commission **under this chapter**.

24 * **Sec. 13.** AS 42.05.171 is amended to read:

25 **Sec. 42.05.171. Formal hearings.** A formal hearing that the commission has
26 power to hold may be held by or before **a hearing panel appointed under**
27 **AS 42.04.080** [THREE OR MORE COMMISSIONERS], a hearing officer, or an
28 administrative law judge designated for the purpose by the **chair of the** commission.
29 The testimony and evidence in a formal hearing may be taken by the **panel**
30 [COMMISSIONERS], by the hearing officer, or by the administrative law judge to
31 whom the hearing has been assigned. A commissioner who has not heard or read the

1 testimony, including the argument, may not participate in making a decision of the
 2 commission. In determining the place of a hearing, the commission shall give
 3 preference to holding the hearing at a place most convenient for those interested in the
 4 subject of the hearing.

5 * **Sec. 14.** AS 42.05.254(b) is amended to read:

6 (b) The commission shall by regulation establish a method to determine
 7 annually the amount of the regulatory cost charge for a public utility. If the amount
 8 the commission expects to collect under (a) of this section and under AS 42.06.286(a)
 9 exceeds the authorized budget of the commission **that is related to the regulation of**
 10 **public utilities under this chapter and implementation of AS 42.06, including an**
 11 **appropriate share of the commission's administrative expenses**, the commission
 12 shall, by order, reduce the percentages set out in (a) of this section so that the total
 13 amount of the fees collected approximately equals the authorized budget of the
 14 commission for the fiscal year.

15 * **Sec. 15.** AS 42.05.254(e) is amended to read:

16 (e) The commission shall administer the charge imposed under this section.
 17 The Department of Revenue shall collect and enforce the charge imposed under this
 18 section. The Department of Administration shall identify the amount of the operating
 19 budget of the commission that lapses into the general fund each year. The legislature
 20 may appropriate an amount equal to the lapsed amount to the commission for its
 21 operating costs for the next fiscal year. If the legislature does so, the commission shall
 22 reduce the total regulatory cost charge collected for that fiscal year by **the portion of**
 23 **the lapsed amount that represented collections from public utilities under this**
 24 **chapter and collections under AS 42.06** [A COMPARABLE AMOUNT].

25 * **Sec. 16.** AS 42.05.712(h) is amended to read:

26 (h) A utility or cooperative that is already exempt from regulation under this
 27 section or that is exempt from regulation under AS 42.05.711(e) [, (i),] or (k) may
 28 elect to terminate its exemption in the same manner.

29 * **Sec. 17.** AS 42.05.990(2) is amended to read:

30 (2) "commission" means the Alaska **Energy Conservation** [PUBLIC
 31 UTILITIES] Commission;

1 * **Sec. 18.** AS 42.05.995 is amended to read:

2 **Sec. 42.05.995. Short title.** This chapter may be cited as the Alaska Public
3 Utilities **Regulatory** [COMMISSION] Act.

4 * **Sec. 19.** AS 42.06.140(b) is amended to read:

5 (b) The **chair of the** commission may assign a qualified, unbiased, and
6 impartial administrative law judge, with experience in the general practice of law, to
7 conduct hearings under this chapter. The administrative law judge may perform other
8 duties in connection with the administration of this chapter and other laws. An
9 administrative law judge hired to conduct hearings under this chapter shall have been
10 admitted to practice law for at least five years immediately before appointment under
11 this subsection.

12 * **Sec. 20.** AS 42.06.286(b) is amended to read:

13 (b) The commission shall by regulation establish a method to determine
14 annually the amount of the regulatory cost charge. If the amount the commission
15 expects to collect under (a) of this section and under AS 42.05.254(a) exceeds the
16 authorized budget of the commission **that is related to the regulation of public**
17 **utilities under AS 42.05 and implementation of this chapter, including an**
18 **appropriate share of the commission's administrative expenses**, the commission
19 shall, by order, reduce the percentage set out in (a) of this section so that the total
20 amount of the fees collected approximately equals the authorized budget of the
21 commission for the fiscal year.

22 * **Sec. 21.** AS 42.06.286(c) is amended to read:

23 (c) The commission shall administer the charge imposed under this section.
24 The Department of Revenue shall collect and enforce the charge imposed under this
25 section. The Department of Administration shall identify the amount of the operating
26 budget of the commission that lapses into the general fund each year. The legislature
27 may appropriate an amount equal to the lapsed amount to the commission for its
28 operating costs for the next fiscal year. If the legislature does so, the commission shall
29 reduce the total regulatory cost **charge** [CHARGED] collected for that fiscal year by
30 **the portion of the lapsed amount that represented collections under this chapter**
31 **and from public utilities under AS 42.05** [A COMPARABLE AMOUNT].

1 * **Sec. 22.** AS 42.06.445(e) is amended to read:

2 (e) A commissioner [, AND THE EXECUTIVE DIRECTOR,] may certify as
3 to all official records of the commission under this section and may certify as to all
4 official acts of the commission under this chapter.

5 * **Sec. 23.** AS 42.06.630(2) is amended to read:

6 (2) "commission" means the Alaska **Energy Conservation** [PUBLIC
7 UTILITIES] Commission (**AS 42.04.010**);

8 * **Sec. 24.** AS 42.45.020(b) is amended to read:

9 (b) Subject to AS 42.45.060, the department may make loans from the rural
10 electrification revolving loan fund to electric utilities certified **under AS 42.05** [BY
11 THE ALASKA PUBLIC UTILITIES COMMISSION]. A loan from the fund may be
12 made only for the purpose of extending new electric service into an area of the state
13 that an electric utility may serve under a certificate of public convenience and
14 necessity issued **under AS 42.05** [BY THE ALASKA PUBLIC UTILITIES
15 COMMISSION]. A loan may be made from the fund to an electric utility if the utility
16 invests the money necessary to provide one pole, one span of line, one transformer,
17 and one service drop for each consumer for whom immediate service would be
18 provided by the extension of electric service. However, a loan may not be made from
19 the fund unless

20 (1) the loan is recommended by a loan advisory committee appointed
21 under AS 42.45.030; and

22 (2) the extension of electric service would provide immediate service
23 to at least three consumers.

24 * **Sec. 25.** AS 44.66.010(a)(4) is amended to read:

25 (4) Alaska **Energy Conservation** [PUBLIC UTILITIES] Commission
26 (**AS 42.04.010**) [(AS 42.05.010)] -- June 30, **2004** [1999];

27 * **Sec. 26.** AS 44.83.425(3) is amended to read:

28 (3) "qualified utility" means an electric utility or an electric operating
29 entity established as an instrumentality of two or more electric utilities certified **under**
30 **AS 42.05** [BY THE ALASKA PUBLIC UTILITIES COMMISSION] to serve all or
31 part of a market area that is served or will be served by the power project, that the

1 authority determines is capable of operating and maintaining the power project.

2 * **Sec. 27.** REPEAL OF STATUTES. (a) AS 31.05.005, 31.05.007, 31.05.009, 31.05.011,
3 31.05.013, 31.05.015, 31.05.017, 31.05.021, 31.05.023, 31.05.025; AS 39.25.120(c)(6);
4 AS 39.50.200(b)(36); AS 42.05.010, 42.05.020, 42.05.030, 42.05.035, 42.05.040, 42.05.050,
5 42.05.071, 42.05.081, 42.05.091, 42.05.101, 42.05.111, 42.05.121, 42.05.123, and 42.05.131
6 are repealed.

7 (b) AS 29.35.050(b); AS 42.05.431(f), 42.05.431(g), 42.05.711(i), 42.05.711(m), and
8 42.05.990(4)(F) are repealed July 1, 2002.

9 * **Sec. 28.** INITIAL TERMS OF MEMBERS OF THE ALASKA ENERGY
10 CONSERVATION COMMISSION. Notwithstanding AS 39.05.055, the terms of the initially
11 appointed members of the commission shall be set by the governor as follows:

- 12 (1) the petroleum geologist and one public member shall serve six year terms;
13 (2) the petroleum engineer and one public member shall serve four year terms;
14 (3) three public members shall serve two year terms.

15 * **Sec. 29.** TRANSITIONAL PROVISIONS. (a) Litigation, hearings, investigations, and
16 other proceedings pending under a law repealed or amended by this Act, or in connection with
17 functions transferred from the Alaska Oil and Gas Conservation Commission or the Alaska
18 Public Utilities Commission to the Alaska Energy Conservation Commission by this Act,
19 continue in effect and may be completed notwithstanding a transfer or repeal provided for in
20 this Act.

21 (b) Regulations in effect on June 30, 1999, that were adopted to implement a function
22 that is transferred by this Act remain in effect and shall be enforced by the Alaska Energy
23 Conservation Commission until amended by the commission.

24 (c) Wherever in Alaska Statutes affected by this Act there is a reference to regulations
25 adopted under a section of law and there are no regulations adopted under that section because
26 previous regulations adopted under another section are being enforced under (b) of this
27 section, the reference shall be construed to refer to the previously adopted regulations until
28 they are amended by the new agency.

29 (d) Contracts, rights, liabilities, and obligations created by or under a law repealed or
30 amended by this Act, and in effect on June 30, 1999, remain in effect notwithstanding this
31 Act's taking effect.

1 (e) Records, equipment, appropriations, and other property of the Alaska Oil and Gas
 2 Conservation Commission and the Alaska Public Utilities Commission shall be transferred to
 3 the Alaska Energy Conservation Commission to implement the provisions of this Act.

4 * **Sec. 30.** FIVE-YEAR SUNSET. The amendment to AS 44.66.010(a)(4), made by
 5 sec. 25 of this Act, is made notwithstanding AS 44.66.010(c).

6 * **Sec. 31.** REVISOR INSTRUCTIONS. (a) In the following statutes, the revisor of
 7 statutes is instructed to change "Alaska Public Utilities Commission" to "Alaska Energy
 8 Conservation Commission":

- 9 (1) AS 29.35.131(c);
- 10 (2) AS 29.35.137(5);
- 11 (3) AS 37.05.146(b)(4)(V);
- 12 (4) AS 38.35.120(a)(1), (5), and (7);
- 13 (5) AS 38.35.230(2);
- 14 (6) AS 42.05.141(a);
- 15 (7) AS 42.05.325(c);
- 16 (8) AS 42.05.381(f) in both places;
- 17 (9) AS 42.05.712(c);
- 18 (10) AS 42.05.712(d);
- 19 (11) AS 42.45.010(e);
- 20 (12) AS 42.45.110(a);
- 21 (13) AS 42.45.170(a);
- 22 (14) AS 42.45.170(e);
- 23 (15) AS 43.55.150(b);
- 24 (16) AS 43.56.210(7);
- 25 (17) AS 44.83.090(b) in both places;
- 26 (18) AS 45.50.473(a);
- 27 (19) AS 45.50.473(b);
- 28 (20) AS 45.50.475(b);
- 29 (21) AS 45.50.475(c);
- 30 (22) AS 45.63.080(12); and
- 31 (23) AS 46.04.020(i) in both places.

1 (b) In the following statutes, the revisor of statutes is instructed to change "Alaska
2 Public Utilities Commission" to "former Alaska Public Utilities Commission or the Alaska
3 Energy Conservation Commission":

4 (1) AS 09.65.085(a);

5 (2) AS 10.25.020(6); and

6 (3) AS 18.57.020(c).

7 (c) In the following statutes, the revisor of statutes is instructed to change "by the
8 Alaska Public Utilities Commission" to "by the former Alaska Public Utilities Commission
9 or by the Alaska Energy Conservation Commission":

10 (1) AS 29.35.050(b) in both places;

11 (2) AS 29.35.060(a);

12 (3) AS 29.35.060(b); and

13 (4) AS 42.45.200(e).

14 (d) In the following statutes, the revisor of statutes is instructed to change "Alaska Oil
15 and Gas Conservation Commission" to "Alaska Energy Conservation Commission":

16 (1) AS 38.05.177(j) in both places;

17 (2) AS 38.05.180(f)(5);

18 (3) AS 39.25.110(14);

19 (4) AS 41.06.040(e); and

20 (5) AS 43.55.020(e).

21 * **Sec. 32.** (a) Sections 3, 9, 16 and 27(b) of this Act take effect July 1, 2002.

22 (b) Except as provided in (a) of this section, this Act takes effect July 1, 1999.