

HOUSE BILL NO. 172

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Introduced: 3/5/07

Referred: Labor and Commerce, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act exempting certain commercial refuse services from regulation under the Public**
2 **Utilities Regulatory Act and providing for termination of that exemption."**

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

4 *** Section 1.** AS 42.05.711 is amended by adding a new subsection to read:

5 (q) The commercial refuse service provided by a utility that furnishes
6 collection and disposal service of garbage, refuse, trash, or other waste material is
7 exempt from the provisions of this chapter, other than the certification provisions of
8 AS 42.05.221 - 42.05.281, unless the subscribers to the utility's commercial refuse
9 service petition the commission for regulation under AS 42.05.712(h).
10 Notwithstanding AS 42.05.712(b) and (g), if subscribers representing 25 percent of the
11 gross revenue of the utility derived from commercial refuse service petition the
12 commission for regulation, the commercial refuse service provided by the utility is
13 subject to the provisions of this chapter. In this subsection, "commercial refuse
14 service" means furnishing collection and disposal service of garbage, refuse, trash, or

1 other waste material to the public for compensation using dumpsters or wheeled
2 containers of one cubic yard or greater in capacity.

3 * **Sec. 2.** AS 42.05.712(h) is amended to read:

4 (h) A utility or cooperative that is already exempt from regulation under this
5 section, a utility [OR] that is exempt from regulation under AS 42.05.711(e), (i), or
6 (k), **or a utility that provides commercial refuse service whose service is exempt**
7 **from regulation under AS 42.05.711(q)** may elect to terminate its exemption in the
8 same manner.