

SENATE BILL NO. 277

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE SENATE SPECIAL COMMITTEE ON ENERGY

Introduced: 2/12/10

Referred: Resources, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act exempting from regulation by the Regulatory Commission of Alaska and by**
2 **municipalities generators of electricity from renewable energy resources that sell**
3 **electricity to regulated utilities."**

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

5 *** Section 1.** AS 29.35.070(a) is amended to read:

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

13 *** Sec. 2.** AS 42.05.711(l) is amended to read:

14 (l) A person, utility, joint action agency established under AS 42.45.310, or

1 cooperative that is exempt from regulation under (a), (d) - (k), [OR] (o), or (q) of this
2 section is not subject to regulation by a municipality under AS 29.35.060 and
3 29.35.070.

4 * **Sec. 3.** AS 42.05.711 is amended by adding a new subsection to read:

5 (q) This chapter does not apply to a person that owns a plant or facility for
6 generating electricity entirely from renewable energy resources if the person sells the
7 electricity generated by the plant or facility only to one or more utilities that are
8 regulated by the commission. In this subsection, "renewable energy resources" has the
9 meaning given in AS 42.45.045(l).