

**HOUSE BILL NO. 404**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

**BY THE HOUSE JUDICIARY COMMITTEE**

**Introduced: 3/5/18**

**Referred: Judiciary, Labor and Commerce**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the Regulatory Commission of Alaska; and relating to**  
2 **telecommunications regulations, exemptions, charges, and rates."**

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

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

5 (a) The assembly acting for the area outside all cities in the borough and the  
6 council acting for the area in a city may regulate, fix, establish, and change the rates  
7 and charges imposed for a utility service provided to the municipality or its inhabitants  
8 by a utility that is not subject to regulation under AS 42.05 unless that utility is  
9 exempted from regulation under AS 42.05.711(a), (d) - (k), (o), (p), or (r) [, OR IS  
10 EXEMPTED UNDER REGULATIONS ADOPTED UNDER AS 42.05.810 FROM  
11 COMPLYING WITH ALL OR PART OF AS 42.05.141 - 42.05.712, 42.05.990, OR  
12 42.05.995].

13 **\* Sec. 2.** AS 42.05.141 is amended by adding new subsections to read:

14 (e) The commission may not designate a local exchange carrier or an

1 interexchange carrier as the carrier of last resort.

2 (f) The commission may designate an eligible telecommunications carrier  
3 consistent with 47 U.S.C. 214(e).

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

5 (u) A utility that provides telecommunications services is exempt from the  
6 provisions of this chapter, other than AS 42.05.141(f), 42.05.221 - 42.05.281,  
7 42.05.296, 42.05.306, 42.05.631, 42.05.641, 42.05.830, 42.05.840, and 42.05.860.

8 \* **Sec. 4.** AS 42.05.820 is amended to read:

9 **Sec. 42.05.820. No municipal regulation.** A long distance telephone company  
10 **or a local exchange carrier** that is exempted in whole or in part from complying with  
11 all or a portion of this chapter may not be regulated by a municipality under  
12 AS 29.35.060 and 29.35.070.

13 \* **Sec. 5.** AS 42.05.830 is repealed and reenacted to read:

14 **Sec. 42.05.830. Exchange access charges.** The commission shall require each  
15 local exchange carrier to charge the same rates and use the same rate structure for  
16 intrastate interexchange access service and interstate interexchange access service.

17 \* **Sec. 6.** AS 42.05.890 is amended to read:

18 **Sec. 42.05.890. Definitions.** In **AS 42.05.820 - 42.05.890** [AS 42.05.800 -  
19 42.05.890],

20 (1) "local exchange carrier" means any carrier certificated to provide  
21 local telephone services;

22 (2) ["LONG DISTANCE CARRIER" OR] "long distance telephone  
23 company" means any carrier certificated to provide long distance telephone services;

24 (3) "long distance telephone service" [OR "LONG DISTANCE  
25 SERVICE"] means intrastate, interexchange telephone service.

26 \* **Sec. 7.** AS 42.05.145, 42.05.325, 42.05.800, 42.05.810, and 42.05.850 are repealed.

27 \* **Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to  
28 read:

29 TRANSITION: REGULATORY COST CHARGE. Notwithstanding AS 42.05, as  
30 amended by secs. 2 - 7 of this Act, a telecommunications utility required to pay an annual  
31 regulatory cost charge as a regulated public utility under AS 42.05.254 before the effective

1 date of this Act shall continue to pay the regulatory cost charge as a regulated public utility  
2 until July 1, 2019.