

AMENDMENT #14

Spohnholz
Fields

OFFERED IN THE HOUSE
TO: HCS CSSB 241(RLS)

Kopp & Stutes

1 Page 1, line 8, following "deadlines;": *After amendment*

2 Insert "tolling deadlines for action by the Regulatory Commission of Alaska;
3 relating to disconnection of utility service for nonpayment; relating to power cost
4 equalization; relating to regulatory assets of a utility; relating to evictions;"

6 Page 10, following line 17:

7 Insert new bill sections to read:

8 **** Sec. 14.** The uncodified law of the State of Alaska is amended by adding a new section to
9 read:

10 TOLLING DEADLINES FOR ACTION BY THE REGULATORY COMMISSION
11 OF ALASKA DURING THE COVID-19 OUTBREAK. Notwithstanding a contrary
12 provision of AS 42, including a provision of AS 42.05 or AS 42.08, during the novel
13 coronavirus disease (COVID-19) public health disaster emergency declared by the governor
14 on March 11, 2020, as extended by sec. 2 of this Act, all statutory and regulatory deadlines for
15 action by the Regulatory Commission of Alaska are tolled and failure by the Regulatory
16 Commission of Alaska to act on a filing does not constitute approval or dismissal by the
17 commission. This section does not apply to a statutory or regulatory deadline extended by the
18 commission before March 11, 2020, for good cause under AS 42.05.175(f).

19 *** Sec. 15.** The uncodified law of the State of Alaska is amended by adding a new section to
20 read:

21 MORATORIUM ON DISCONNECTION OF RESIDENTIAL UTILITY SERVICE.
22 (a) During the novel coronavirus disease (COVID-19) public health disaster emergency
23 declared by the governor on March 11, 2020, as extended by sec. 2 of this Act, a public utility

1 as defined in AS 42.05.990 may not disconnect for nonpayment the residential utility service
2 of a person experiencing financial hardship related to the COVID-19 public health disaster
3 emergency. A public utility shall make reasonable efforts to reconnect utility service to a
4 dwelling that is occupied by a person experiencing financial hardship related to the COVID-
5 19 public health disaster emergency and that is disconnected for nonpayment on or after
6 March 11, 2020.

7 (b) A person seeking protection under (a) of this section shall, before the emergency
8 declaration expires,

9 (1) provide to the public utility a signed statement, sworn under penalty of
10 perjury, that the person is experiencing financial hardship related to the COVID-19 public
11 health disaster emergency; and

12 (2) negotiate and agree to a deferred payment arrangement with the utility.

13 (c) This section does not relieve a public utility customer of the obligation to pay for
14 utility service or restrict a public utility's ability to recover an amount due.

15 (d) A utility shall offer a person receiving protection under (a) of this section a
16 deferred payment option allowing repayment over a period of time not shorter than the period
17 of time of the public health disaster emergency declared by the governor on March 11, 2020,
18 as extended by sec. 2 of this Act. The utility may not impose interest or late fees on a person
19 receiving protection under (a) of this section who fulfills the terms of a deferred payment
20 agreement.

21 (e) Notwithstanding any contrary provision of law, the Regulatory Commission of
22 Alaska and the Alaska Energy Authority may not deny a utility otherwise eligible to receive
23 power cost equalization payments on behalf of a utility customer power cost equalization
24 payments for customers receiving protection under (a) of this section.

25 (f) In this section, "person" means a natural person.

26 * **Sec. 16.** The uncodified law of the State of Alaska is amended by adding a new section to
27 read:

28 REGULATORY ASSETS FOR UNPAID UTILITY BILLS AND
29 EXTRAORDINARY EXPENSES. A utility certificated under AS 42.05 may record
30 regulatory assets, to be recovered through future rates, for uncollectable residential utility bills
31 and extraordinary expenses that result from the novel coronavirus disease (COVID-19) public

1 health disaster emergency declared by the governor on March 11, 2020, as extended by sec. 2
 2 of this Act. The determination as to whether an extraordinary expense resulted from the
 3 COVID-19 public health disaster emergency and the amortization periods for the regulatory
 4 assets are subject to approval by the Regulatory Commission of Alaska before recovery
 5 occurs through future rates.

6 * **Sec. 17.** The uncodified law of the State of Alaska is amended by adding a new section to
 7 read:

8 **MORATORIUM ON EVICTIONS FOR NONPAYMENT OF RENT.** (a) During the
 9 novel coronavirus disease (COVID-19) public health disaster emergency declared by the
 10 governor on March 11, 2020, as extended by sec. 2 of this Act, the statutory cause of action
 11 for forcible entry and detainer for nonpayment of rent under AS 09.45 and any other statutory
 12 cause of action that could be used to evict or otherwise eject a person who is a residential
 13 tenant for nonpayment of rent is suspended as applied to a person experiencing
 14 financial hardship related to the COVID-19 public health disaster emergency.

15 (b) A person seeking protection under (a) of this section shall, before the emergency
 16 declaration expires, provide to the landlord a signed statement, sworn under penalty of
 17 perjury, that the person is experiencing financial hardship related to the COVID-19 public
 18 health disaster emergency.

19 (d) This section does not relieve a person of the obligation to pay rent or restrict a
 20 landlord's ability to recover rent due.

21 (e) In this section, "person" means a natural person."
 22

23 Renumber the following bill sections accordingly.
 24

25 Page 10, line 18:

26 Delete "6 - 13"

27 Insert "6 - 17"

(c) nothing in this section prevents evictions for misconduct,
 violations of law, or violations of contracts outside of
 inability to pay rent. Nor can it be construed to
 increase civil liability in a court of law.