

1 IN THE HOUSE

BY MR. FISHER

2 SUBSTITUTE FOR HOUSE BILL NO. 157

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act to prohibit the unnecessary duplication
7 of electric distribution facilities; and pro-
8 viding for an effective date."

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

10 Section 1. POLICY. It is hereby declared to be the policy of
11 the state that the public interest requires that the public be pro-
12 tected from the economic waste inherent in the duplication and over-
13 lapping of electric distribution facilities.

14 Sec. 2. DEFINITIONS. As used in this Act, the term:

15 (1) "Person" means any natural person, firm, association,
16 corporation, business trust, partnership, state or political sub-
17 division or agency thereof.

18 (2) "Supplier of electric service" means any person
19 engaged in selling electric power and energy whose gross annual
20 income therefrom equals or exceeds \$100,000.00.

21 (3) "Distribution line" means facilities, including
22 poles, towers, wire and other fixtures, from which electric
23 service is distributed directly to the consumer.

24 (4) "Commission" means the Alaska Public Service Commis-
25 sion created by Ch. _____, SLA 1959.

26 Sec. 3. CONSENT OF UTILITY. No supplier of electric service
27 shall furnish, or offer to furnish, electric service to any pre-
28 mises which are being or have been served by another supplier of
29 electric service without the written consent of such former or

1 present supplier, unless the latter is unable or unwilling to
2 provide the service requested.

3 Sec. 4. EXTENSION OF SERVICE. No supplier of electric
4 service shall furnish, or offer to furnish, electric service to
5 any premises located within 1,500 feet of a distribution line of
6 another supplier of electric service without obtaining the written
7 consent of such other supplier, unless the latter is unable or
8 unwilling to provide the service requested. In the event the
9 premises to be served are within 1,500 feet of distribution lines
10 of two or more suppliers, the supplier whose distribution line is
11 nearest to the premises shall have the right to furnish service
12 thereto. If any person not a supplier of electric service as
13 defined herein is engaged in selling electric energy and power in
14 the same, or in any area adjacent or contiguous to the service of
15 a supplier of electric service as herein defined, the commission,
16 upon the request of either party, shall delineate and determine the
17 areas to be served by each of such parties insofar as such action
18 may be required to prevent the unnecessary duplication or over-
19 lapping of electric services and facilities. Nothing contained
20 herein shall preclude any supplier of electric service from ex-
21 tending service to his own property or facilities.

22 Sec. 5. COMMISSION REVIEW. Any person who feels aggrieved
23 that he is required under this Act to accept electric service from
24 a supplier not of his choice may petition the commission for an
25 order to show cause why he should not be released from such obliga-
26 tion. If the commission finds that the service is inadequate
27 and will not likely be made adequate, or that the terms and
28 conditions of such service are unreasonable and will not
29 likely be made reasonable, the commission shall order such release.

1 All procedures hereunder shall be conducted pursuant to the Ad-
2 ministrative Procedures Act.

3 Sec. 6. COMMISSION ENFORCEMENT. The commission, upon proper
4 complaint and showing by any party aggrieved, shall by order pro-
5 hibit the furnishing of, or offer to furnish, electric service in
6 violation of Secs. 3 and 4 of this Act.

7 Sec. 7. EFFECTIVE DATE. This Act shall become effective
8 immediately upon its passage and approval, or upon its becoming
9 law without such approval.

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