

Introduced: 3/11/67
Referred: Commerce and
Judiciary

BY THE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 290

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the suspension of tariffs filed
7 by Common and Contract Carriers with the Alaska
8 Transportation Commission; and providing for an
9 effective date."

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

11 * Section 1. AS 42.10 is amended by adding a new section to read:

12 Sec. 42.10.285. SUSPENSION OF TARIFF CHANGES. Whenever a
13 schedule is filed with the commission stating a new rate, fare, charge,
14 classification, regulation, or practice for the transportation of
15 property by a common or contract carrier, the commission may, upon
16 protest of interested parties or upon its own initiative, at once,
17 and if it so orders, without answer or other formal pleading by the
18 carrier but upon reasonable notice, enter upon an investigation
19 concerning the lawfulness of the rate, fare, charge, classification,
20 regulation, or practice; and pending hearing and decision, the com-
21 mission, by filing with the schedule and delivering to the carrier
22 affected a statement in writing of its reasons for suspension, may
23 suspend the operation of the schedule and defer the use of the rate,
24 fare, charge, classification, regulation, or practice, but not longer
25 than a period of 180 days beyond the time when it would otherwise go
26 into effect. After the hearing, whether it is completed before or
27 after the rate, fare, charge, classification, regulations, or practice
28 goes into effect, the commission may make such order as would be
29 proper in a proceeding instituted after such rate, fare, charge,

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classification, regulation, or practice had become effective. If the hearing is not concluded, and an order made within the period of suspension, the proposed rate, fare, charge, classification, regulation, or practice shall go into effect at the end of such period. At any hearing involving a change in a rate, fare, charge, or classification, or in a rule, regulation, or practice, the burden of proof shall be upon the carrier to show that the proposed changed rate, fare, charge, classification, rule, regulation, or practice is just and reasonable.

* Sec. 2. This Act takes effect on January 1, 1968.