

Introduced: 2/16/68  
Referred: Commerce and  
Judiciary

1 IN THE HOUSE

BY FINK

2 HOUSE BILL NO. 569

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to regulation of utility rate changes;  
7 and providing for an effective date."

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

9 \* Section 1. AS 42.05.490 is amended to read:

10 Sec. 42.05.490. CHANGE OF RATES OR CHARGES. (a) Changes may  
11 be made in a schedule of rates and charges, including schedules of  
12 joint rates, upon 30 days' notice to the commission. If no objection  
13 to the changes is [ARE] filed within 30 days, the changes are considered  
14 approved. If objection is made, the commission shall proceed as pro-  
15 vided by regulation to hear the objection and approve or disapprove  
16 the changes. All changes shall be plainly indicated upon existing  
17 schedules or by filing new schedules 30 days before the time they  
18 are to take effect. [THE COMMISSION, UPON APPLICATION OF A PUBLIC  
19 UTILITY, MAY PRESCRIBE A SHORTER TIME WITHIN WHICH A REDUCTION OF  
20 RATES AND CHARGES MAY BE MADE.]

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(b) The commission may, upon application of a public utility  
and if good cause is shown, issue an order allowing any specified  
tariff rate, charge, classification, rule or regulation to be estab-  
lished or become effective without requiring 30 days' notice. These  
orders shall specify the changes authorized and the time when they  
take effect.

(c) Whenever a public utility files with the commission a  
tariff schedule, classification, rule or regulation, the effect of  
which is to change a rate, charge, rental or toll, the commission

1 N may, either upon its own motion or upon complaint and with notice,  
2 E order a hearing concerning the reasonableness of the change. Pending  
3 W the conclusion of the hearing and the commission's decision thereon  
4 the commission may suspend the operation of the proposed rate, charge,  
5 rental or toll for a period not to exceed 10 months from the time the  
6 increase would otherwise have gone into effect, and, after a full  
7 hearing, the commission may enter an order it considers warranted by  
8 the evidence.

9 (d) Each order of the commission entered pursuant to this  
10 M section is subject to review in the appropriate courts of Alaska by  
11 A any party of record in the proceeding.

12 T (e) At a hearing involving change in a schedule, classification,  
13 T rule or regulation the effect of which is to increase a rate, charge,  
14 E rental or toll previously charged, the burden of proof to show that  
15 R the increase is just and reasonable shall be upon the public utility.

16 \* Sec. 2. This Act takes effect on the day after its passage and  
17 approval or on the day it becomes law without approval.  
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