

Introduced: 2/16/68
Referred: Commerce, Local
Government and Judiciary

1 IN THE HOUSE

BY FINK

2 HOUSE BILL NO. 570

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 the Alaska Public Service Commis-
7 sion procedures; and providing for an effective date."

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

9 * Section 1. AS 42.05.140 is amended to read:

10 Sec. 42.05.140. COMMISSION RULES, REGULATIONS, HEARINGS AND
11 ORDERS. The commission shall impartially receive and consider the
12 evidence presented and make its orders in each cause upon the facts
13 impartially found by it. In any hearing, evidence may [EVIDENCE SHALL]
14 be offered to the commission by the parties of record including members
15 of the commission's staff and persons engaged by the commission on a
16 contractual basis [ON THE PART OF THE RESPECTIVE PARTIES TO, OR AP-
17 PEARING IN, THE PROCEEDINGS AND NOT IN THE NAME OF OR ON BEHALF OF THE
18 COMMISSION. THE COMMISSION SHALL NOT BE THE PROPONENT OR OPPONENT ON
19 ANY ISSUE DECIDED BY IT]. If, in the opinion of the commission, the
20 public interest is not adequately represented by counsel in a proceed-
21 ing, the attorney general, upon request of the commission, shall
22 represent the public interest.

23 * Sec. 2. AS 42.05.190 is amended by adding a new subsection to read:

24 (d) Nothing in this chapter authorizes a municipality, by
25 ordinance or otherwise, to assume any of the regulatory functions dele-
26 gated to the commission by this chapter in respect to a public utility
27 operating wholly or partially within the corporate limits of a
28 municipality under a certificate granted by the commission.

29 * Sec. 3. AS 42.05.290 is amended to read:

1 Sec. 42.05.290. SYSTEM OF ACCOUNTS AND REPORTS. Every public
2 utility shall use and follow a [GENERALLY RECOGNIZED] system of public
3 utility accounting prescribed by order of the commission. [IF A PUBLIC
4 UTILITY DOES NOT ADOPT A GENERALLY RECOGNIZED SYSTEM OF PUBLIC UTILITY
5 ACCOUNTING, THE COMMISSION SHALL PRESCRIBE THE ACCOUNTING SYSTEM WHICH
6 THE UTILITY SHALL ADOPT.] Each public utility shall submit reports
7 which the commission requires on forms furnished by the commission.

8 * Sec. 4. AS 42.05.580 is amended to read:

9 Sec. 42.05.580. INVESTIGATION AND HEARING OF COMPLAINTS. (a)
10 Formal complaints [COMPLAINTS] against a public utility shall first
11 be made to the utility under reasonable procedures which the commission
12 [UTILITY] prescribes by regulation. If the person aggrieved is not
13 satisfied with the disposition of his complaint, he may bring the
14 complaint to the commission. An appeal to the commission need not be
15 in any particular form, but shall be in writing and verified, and shall
16 state that the complainant has exhausted his administrative remedies
17 as provided by the regulations of the commission [RULES OF THE PUBLIC
18 UTILITY]. The commission may prescribe a fee for filing complaints.
19 The commission shall proceed, with or without notice, to investigate a
20 complaint if it considers it [MAKE AN INVESTIGATION OF THE COMPLAINT
21 WHICH IT CONSIDERS] necessary, and set the matter for hearing if the
22 formal complaint cannot otherwise be resolved to the satisfaction of
23 the aggrieved person [OR CONVENIENT]. No order affecting a rate,
24 toll, charge, schedule, regulation, measurement, practice or act
25 complained of may be entered by the commission without giving the
26 public utility an opportunity to be heard, including, if requested by
27 the utility, a formal public hearing.

28 (b) Under regulations which the commission may prescribe, a
29 customer of a utility regulated by the commission may file an informal

1 complaint with the commission requesting remedial action in respect
2 to the rates, charges, rules, regulations, services, facilities or
3 practices of the utility that serves them. These complaints shall be
4 in writing, shall be submitted directly to the commission and shall
5 state all of the pertinent facts and circumstances in reasonable
6 detail including, but not limited to, a full explanation of all steps
7 previously taken to resolve the complaint by direct appeal to the
8 utility involved. The filing of an informal complaint shall be without
9 prejudice to the right of any party, or the commission, to file and
10 prosecute a formal complaint.

11 * Sec. 5. This Act takes effect on the day after its passage and
12 approval or on the day it becomes law without approval.
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