

Introduced: 2/22/77
Referred: Resources and
Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SCS CS HOUSE BILL NO. 248 FIN

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska Pipeline Commission."

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

8 * Section 1. AS 42.06.140(8) is amended to read:

9 (8) shall require permits for the construction, enlargement
10 in size or operating capacity, extension, connection and tie-in,
11 operation or abandonment of any oil or gas pipeline facility, subject
12 to necessary and reasonable terms, conditions and limitations;

13 * Sec. 2. AS 42.06.305 is repealed and reenacted to read:

14 Sec. 42.06.305. TRANSFER OF OPERATING AUTHORITY. Operating
15 authority may not be transferred by sale or lease of the certificate
16 or by the sale of substantially all of the stock or assets of a
17 pipeline carrier holding a certificate without the prior approval of
18 the commission. A transfer not involving a substantial change in
19 ownership shall be summarily approved.

20 * Sec. 3. AS 42.06.390(a) is amended to read:

21 (a) No pipeline carrier may establish or place in effect
22 any new or revised rates, charges, rules, regulations, conditions of
23 service or practices except after 90 [30] days notice to the com-
24 mission and to the public. Notice shall be given by filing with the
25 commission and keeping open for public inspection the revised tariff
26 provisions which shall plainly indicate the changes to be made in the
27 schedules then in force and the time when the changes will go into
28 effect. The commission may prescribe additional means of giving
29 notice. The commission, for good cause shown, may allow changes

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1 to take effect on less than ^{by order} ~~90~~ [30] days notice under conditions the
2 commission prescribes by order.

3 * Sec. 4. AS 42.06.400(a) is amended to read:

4 (a) When a tariff filing is made containing a new or re-
5 vised rate, classification, rule, regulation, practice, or condition
6 of service the commission may, either upon written complaint or upon
7 its own motion, after reasonable notice, conduct a hearing to deter-
8 mine the reasonableness and propriety of the filing. Pending a hear-
9 ing the commission may, by order stating the reasons for its action,
10 suspend the operation of the tariff filing for an initial period not
11 longer than six months beyond the time when it would otherwise go into
12 effect. If good cause is shown, the commission may suspend the oper-
13 ation of the tariff filing for an additional period not to exceed one
14 year following the end of the initial suspension period.

15 * Sec. 5. AS 42.06.440 is amended to read:

16 Sec. AS 42.06.440. INSPECTION OF RECORDS. Subject to AS 31.05.-
17 035(c), the commission shall at all reasonable times have access to,
18 and may designate any of its employees, agents or consultants to
19 inspect and examine, the accounts, records, books, maps, inventories,
20 appraisals, valuations, or other reports and documents, kept by an oil
21 or gas pipeline carrier or its affiliated interests, or prepared or
22 kept for it by others, which relate to any contract or transaction be-
23 tween them. The commission may require an oil or gas pipeline carrier
24 or its affiliated interest to file with the commission copies of any
25 or all of these accounts, records, books, maps, inventories, apprais-
26 als, valuations, or other reports and documents, or to maintain those
27 materials at some convenient location within the State of Alaska
28 specified by order. Costs incurred in complying with a commission
29 request to review the records referred to in this section or to

1 maintain these records in such a manner as to make them conveniently
2 available for the commission's review shall be borne by the party
3 controlling the records.

4 * Sec. 6. AS 42.06.480(b) is amended to read:

5 (b) The [IF NO APPEAL IS TAKEN FROM A FINAL ORDER OF THE
6 COMMISSION, THE] commission may apply to the superior court for
7 enforcement of this chapter, the regulations adopted under it and the
8 orders of the commission. The court shall enforce the order by injunc-
9 tion or other process.

10 * Sec. 7. AS 42.06.540(a) is amended to read:

11 (a) In addition to all other penalties and remedies pro-
12 vided by law, every person subject to the provisions of this chapter,
13 as well as their officers, managers, agents or employees, that either
14 violates or procures, aids, or abets the violation of any provision of
15 this chapter, or of an order, rule, regulation, [OR] written require-
16 ment, or subpoena of the commission is subject to a maximum penalty of
17 \$500 for each violation.

18 * Sec. 8. AS 42.06.630(9) is amended to read:

19 (9) "pipeline" or "pipeline facility" means all the facil-
20 ities of a total system of pipe (whether owned or operated by a pipeline
21 carrier under a contract, agreement, or lease) in this state used by a
22 pipeline carrier for transportation, for hire and as a common carrier,
23 of oil, [OR] gas, coal, or other mineral slurry for delivery, storage,
24 or further transportation, and including all pipe, pump and compressor
25 stations, station equipment, and all other facilities used or neces-
26 sary for an integral line of pipe to effectuate the transportation
27 from point to point, excluding, however, gas processing plants, treaters
28 and separators;