

Original sponsor: Rules Committee by request
of the Governor

Offered: 3/22/77
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 248

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, operation or
11 abandonment of any oil or gas pipeline facility, subject to necessary
12 and reasonable terms, conditions and limitations;

13 * Sec. 2. AS 42.06.305 is repealed and re-enacted to read: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 or
16 by the sale of substantially all of the stock or assets of a pipeline
17 carrier holding a certificate without the prior approval of the commis-
18 sion. A transfer not involving a substantial change in ownership shall
19 be summarily approved.

20 * Sec. 3. AS 42.06.390 is repealed and re-enacted to read:

21 Sec. 42.06.390. INITIAL OR REVISED RATES. (a) No pipeline carrier
22 may establish or place in effect any initial rates, charges, rules,
23 regulations, conditions of service or practices except after 90 days
24 notice to the commission and to the public. Notice shall be given by
25 filing with the commission and keeping open for public inspection the
26 tariff provisions which shall plainly indicate the time when the tariff
27 will go into effect. The commission may prescribe additional means of
28 giving notice. The commission, for good cause shown, may allow initial
29 tariffs to take effect on less than 90 days notice under conditions the

1 commission prescribes by order.

2 (b) No pipeline carrier may establish or place in effect any re-
3 vised rates, charges, rules, regulations, conditions of service or
4 practices except after 30 days notice to the commission and to the
5 public. Notice shall be given by filing with the commission and keep-
6 ing open for public inspection the revised tariff provisions which shall
7 plainly indicate the changes to be made in the schedules then in force
8 and the time when the changes will go into effect. The commission may
9 prescribe additional means of giving notice. The commission, for good
10 cause shown, may allow changes to take effect on less than 30 days
11 notice under conditions the commission prescribes by order.

12 (c) Initial and revised tariffs shall be filed in the manner
13 provided in sec. 350 of this chapter.

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

15 (a) When a tariff filing is made containing an initial [A NEW] or
16 revised rate, classification, rule, regulation, practice, or condition
17 of service the commission may, either upon written complaint or upon its
18 own motion, after reasonable notice, conduct a hearing to determine the
19 reasonableness and propriety of the filing. Pending a hearing the
20 commission may, by order stating the reasons for its action, suspend the
21 operation of the tariff filing for an initial period not longer than six
22 months beyond the time when it would otherwise go into effect. If good
23 cause is shown, the commission may suspend the operation of the tariff
24 filing for an additional period not to exceed one year following the end
25 of the initial suspension period.

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

27 Sec. 42.06.440. INSPECTION OF RECORDS. Subject to AS 31.05.035(c),
28 the commission shall at all reasonable times have access to, and may
29 designate any of its employees, agents or consultants to inspect and

1 examine, the accounts, records, books, maps, inventories, appraisals,
2 valuations, or other reports and documents, kept by an oil or gas pipe-
3 line carrier or its affiliated interests, or prepared or kept for it by
4 others, which relate to any contract or transaction between them. The
5 commission may require an oil or gas pipeline carrier or its affiliated
6 interest to file with the commission copies of any or all of these
7 accounts, records, books, maps, inventories, appraisals, valuations, or
8 other reports and documents, or to maintain those materials at some con-
9 venient location in the state specified by order. Costs incurred in
10 complying with a commission request to review the records referred to in
11 this section or to maintain these records in such a manner as to make
12 them conveniently available for the commission's review shall be borne by
13 the party controlling the records.

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

15 (b) The [IF NO APPEAL IS TAKEN FROM A FINAL ORDER OF THE COMMIS-
16 SION, THE] commission may apply to the superior court for enforcement of
17 this chapter, the regulations adopted under it and the orders of the
18 commission. The court shall enforce the order by injunction or other
19 process.

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

21 (a) In addition to all other penalties and remedies provided by
22 law, every person subject to the provisions of this chapter, as well as
23 their officers, managers, agents or employees, that either violates or
24 procures, aids, or abets the violation of any provision of this chapter,
25 or of an order, rule, regulation, [OR] written requirement, or subpoena
26 of the commission is subject to a maximum penalty of \$500 for each
27 violation.

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

29 (9) "pipeline" or "pipeline facility" means all the facilities

1 of a total system of pipe (whether owned or operated by a pipeline
2 carrier under a contract, agreement, or lease) in this state used by a
3 pipeline carrier for transportation, for hire and as a common carrier,
4 of oil, [OR] gas, coal, or other mineral slurry for delivery, storage,
5 or further transportation, and including all pipe, pump and compressor
6 stations, station equipment, and all other facilities used or necessary
7 for an integral line of pipe to effectuate the transportation from point
8 to point, excluding, however, gas processing plants, treaters and
9 separators;