

Original sponsor: Commerce Committee

Offered: 5/12/77
Referred: Rules

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 496

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 public utilities."

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

8 * Section 1. AS 42.05.421(a) is amended to read:

9 (a) When a tariff filing is made containing a new or revised rate,
10 classification, rule, regulation, practice, or condition of service the
11 commission may, either upon written complaint or upon its own motion,
12 after reasonable notice, conduct a hearing to determine the reasonable-
13 ness and propriety of the filing. Pending that [SUCH A] hearing the
14 commission may, by order stating the reasons for its action, suspend the
15 operation of the tariff filing for an initial period not longer than six
16 months beyond the time when it would otherwise go into effect. The
17 commission may suspend the operation of the tariff filing for an addi-
18 tional period of up to six months, but during this additional suspension
19 period the public utility may, by filing with the commission a notice
20 specifying the effective date of the increase, charge increased rates as
21 if the tariff suspended were in effect from the specific date. However,
22 during this additional suspension period the utility may effect only an
23 across-the-board percentage increase in rates and may not effect a
24 change in rate design or rate structure. During this additional sus-
25 pension period the utility shall keep accurate account of all amounts
26 received by reason of the increase, specifying by whom and in whose be-
27 half the amounts are paid. Upon issuance of its final order, the com-
28 mission shall by order require the public utility to refund to the
29 persons in whose behalf the amounts were paid that portion of the

1 increased rates which was found to be unreasonable or unlawful, with
2 interest at the rate the commission determines is reasonable. If the
3 commission has not entered its order granting, denying or modifying the
4 tariff before the expiration of the additional suspension period, the
5 tariff as filed goes into effect, the company is relieved of any refund
6 obligation incurred as a result of its election to place the rates in
7 effect during the additional suspension period, and the order may only
8 grant the tariff or prospectively deny or modify it.

9 * Sec. 2. AS 42.05.421 is amended by adding a new subsection to read:

10 (e) No new or revised tariff may be filed by a public utility
11 during the period a tariff on the same subject filed by that utility is
12 suspended unless the filing is allowed by the commission upon finding by
13 the commission that the public interest will be served by allowing the
14 filing.