

Introduced: 4/27/77  
Referred: Judiciary and  
Finance

1 IN THE SENATE

BY RODEY, CROFT  
AND KERTTULA

2 SENATE BILL NO. 340

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 Public Utilities Com-  
7 mission."

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

9 \* Section 1. AS 42.05 is amended by adding a new section to read:

10 Sec. 42.05.216. COMPENSATION FOR REPRESENTATION. The commission  
11 may, under regulations adopted by it, provide compensation for reason-  
12 able attorney fees, expert witness fees, and other costs of partici-  
13 pating in a proceeding under this chapter to any person

14 (1) who has, or represents, an interest

15 (A) which would not otherwise be adequately represented  
16 in a proceeding, and

17 (B) representation of which is necessary for a fair  
18 determination of the proceeding taken as a whole; and

19 (2) who is unable effectively to participate in a proceeding  
20 because the person cannot afford to pay costs of making oral presenta-  
21 tions, conducting cross-examination, and making rebuttal submissions or  
22 otherwise participating in the proceeding.

23 \* Sec. 2. AS 42.05.381(a) is amended to read:

24 (a) All rates demanded or received by a public utility, or by any  
25 two or more public utilities jointly, for a service furnished or to be  
26 furnished shall be just and reasonable; however

27 (1) no rate may include an allowance for costs of advertising  
28 or public relations except for reasonable amounts spent for

29 (A) energy conservation efforts;

1                   (B) business promotion specifically allowed by the  
2 commission on good cause shown in a market area in which the util-  
3 ity is in direct competition for its product or service;

4                   (C) public information designed to promote more effi-  
5 cient use of the utility's facilities or services or to protect the  
6 physical plant of the utility;

7                   (D) informing members of a cooperative of meetings of  
8 the utility and encouraging attendance; or

9                   (E) emergency situations to the extent and under the  
10 circumstances authorized by the commission for good cause shown;

11                   (2) no rate may contain a surcharge or other additional  
12 charge uncertain in amount whether the surcharge or other additional  
13 charge is for compensation to the utility for increased costs or for  
14 other purposes unless

15                   (A) the charge is a fuel cost adjustment charge and is  
16 limited to the direct cost of fuel;

17                   (B) the charge is billed at a single uniform rate per  
18 kilowatt-hour, per mcf, or comparable unit of measurement used by  
19 the customer;

20                   (C) the rate provides for an equivalent credit if the  
21 actual fuel cost is less than the base fuel cost;

22                   (D) the charge is subject to at least annual audit by  
23 the commission with a requirement that any amounts charged in  
24 excess of that authorized be refunded to the customer.