

Original sponsor: Rules/Governor

Offered: 4/27/81
Referred: Judiciary

1 IN THE HOUSE

BY THE SPECIAL GAS
PIPELINE COMMITTEE

2 CS FOR HOUSE BILL NO. 81 (Gas Pipeline) am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska Pipeline Commission;
7 and providing for an effective date."

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

9 * Section 1. AS 42.06.180 is amended to read:

10 Sec. 42.06.180. FORMAL HEARINGS. A formal hearing may be held by
11 or before one [TWO] or more commissioners or a hearing officer desig-
12 nated for the purpose by the commission. The testimony and evidence in
13 a formal hearing may be taken by the commissioner or hearing officer
14 [COMMISSIONERS] to whom the hearing has been assigned. A commissioner
15 who has not heard the testimony, including the argument, but who has
16 read the testimony and the transcripts of the hearing, may [NOT] parti-
17 cipate in making a decision of the commission. In determining the
18 place of a hearing the commission shall give preference to holding the
19 hearing at a place most convenient for those interested in the subject
20 of the hearing.

21 * Sec. 2. AS 42.06.410 is amended by adding a new subsection to read:

22 (b) If an investigation is conducted in multiple phases, the
23 commission may establish a rate at the end of a single phase. The rate
24 established at the end of a single phase is to be considered a final
25 rate under AS 42.06.400. If the rate established at the conclusion of
26 the proceeding under (a) of this section or after judicial review is
27 less than the rate established after a single phase of an investigation,
28 a shipper is entitled to a refund of the difference between the amounts
29 paid by him and the amounts that would have been paid by him under the

1 rate established at the conclusion of the proceeding or after judicial
2 review. If the rate established at the conclusion of the proceeding
3 under (a) of this section or after judicial review is more than the
4 rate established after a single phase, a pipeline carrier is entitled
5 to a payment of the difference between the amounts paid to him and the
6 amount that would have been paid to him under the rate established at
7 the conclusion of the proceeding or after judicial review.

8 * Sec. 3. AS 42.06.610 is amended to read:

9 Sec. 42.06.610. EXPENSES OF INVESTIGATION OR HEARING. (a) Dur-
10 ing a proceeding [AFTER COMPLETION OF A HEARING OR INVESTIGATION] held
11 under this chapter, the commission shall allocate the cost of the
12 proceeding [HEARING OR INVESTIGATION] among the parties, including the
13 commission, as is just under the circumstances. The costs allocated
14 may include the costs of any time devoted to [THE] investigations
15 [INVESTIGATION] or hearings [HEARING] by hired consultants, whether or
16 not the consultants appear as witnesses or participants. The
17 commission shall provide an opportunity for any person objecting to an
18 allocation to be heard before the allocation becomes final.

19 (b) After completion of a proceeding held under this chapter, the
20 commission may reallocate the cost of the proceeding among the par-
21 ties, including the commission, as is just under the circumstances.
22 The costs which are reallocated may include the costs of time devoted
23 to investigations or hearings by hired consultants, whether or not the
24 consultants appear as witnesses or participants. The commission shall
25 provide an opportunity for any person objecting to a reallocation
26 to be heard before the reallocation becomes final.

27 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
28 070(c).

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