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Referred: State Affairs and
Finance

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1 IN THE SENATE

2 SENATE BILL NO. 452

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public utility consumer represen-
7 tation; and providing for an effective date."

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

9 * Section 1. AS 44.23 is amended by adding a new section to read:

10 Sec. 44.23.070. OFFICE OF PUBLIC UTILITY CONSUMER REPRESENTA-
11 TION. (a) The office of public utility consumer representation is
12 established in the consumer protection section of the Department of
13 Law.

14 (b) The attorney general shall appoint one or more attorneys to
15 operate the office of public utility consumer representation. An
16 appointee shall be admitted to the practice of law in the state and
17 familiar with public utility regulation and practice before public
18 utility regulatory commissions. An attorney in the office of public
19 utility consumer representation serves a three-year renewable term and
20 may not be removed from office during a term except for good cause
21 shown.

22 (c) The Department of Law shall set out the expenses of the
23 office of public utility consumer representation as an independent
24 sub-program or element of the Department of Law budget submitted by
25 the governor under the Executive Budget Act (AS 37.07). The funds
26 budgeted shall include an adequate allowance for expert witness fees
27 and other costs of participating in regulatory proceedings to allow
28 the office to operate effectively in representing residential public
29 utility consumers.

1 (d) The office of public utility consumer representation may
2 (1) initiate, intervene as a party, or otherwise partici-
3 pate in any hearing or other proceeding of a state or federal agency,
4 commission, office, or court for the purpose of representing the
5 interest of residential public utility consumers in the proceeding if
6 the office determines that the result of the proceeding may substan-
7 tially affect the interests of those public utility consumers;
8 (2) maintain an action for judicial review of public utili-
9 ty regulatory agency decisions and intervene or otherwise participate
10 in civil proceedings involving review or enforcement of agency action
11 that the office determines may substantially affect the interests of
12 residential consumers;
13 (3) select and contract for the services of technically
14 qualified persons in the area of public utility matters to assist the
15 office in the preparation and presentation of matters before agencies,
16 commissions, offices or courts;
17 (4) develop other means to ensure the protection and repre-
18 sentation of public utility consumers' interests, including public
19 education, public reports in the news media, and providing consultant
20 services and technical assistance;
21 (5) have access, during normal business hours, to the
22 records of state agencies that are not classified by law as confiden-
23 tial; and
24 (6) take depositions and subpoena witnesses and documents
25 in performing the duties set out in this section.
26 (e) In this section "public utility consumer" means a residen-
27 tial customer of a public utility regulated by the Alaska Public
28 Utility Commission under AS 42.05.
29 (f) The office of public utility consumer representation shall

- 1 file an annual report with the attorney general and the legislature,
- 2 summarizing the activities of the office in the previous year.
- 3 * Sec. 3. This Act takes effect July 1, 1984.