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1 IN THE HOUSE

2 HOUSE BILL NO. 162

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST 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 familiar with public utility regulation and prac-  
17 tice before public utility regulatory commissions. An appointment is  
18 for a three-year renewable term. An appointee may not be removed from  
19 office, nor may an appointee's salary be reduced, during a term except  
20 for good cause shown.

21 (c) The budget of the office shall be set out as an independent  
22 sub-program or element of the Department of Law budget submitted by  
23 the governor under the Executive Budget Act (AS 37.07). The office's  
24 proposed budget shall provide for expert witness fees and other costs  
25 of participating in regulatory proceedings in an amount adequate to  
26 allow the office to effectively represent residential public utility  
27 consumers.

28 (d) The office may  
29 (1) initiate, intervene as a party in, or otherwise

1 participate in a hearing or other proceeding of a state or federal  
2 agency, board, commission, office, or court for the purpose of repre-  
3 senting the interest of residential public utility consumers in the  
4 proceeding if the office determines that the result of the proceeding  
5 may substantially affect the interests of those consumers;

6 (2) maintain an action for judicial review of decisions of  
7 a public utility regulatory agency and intervene or otherwise partici-  
8 pate in civil proceedings involving review or enforcement of a public  
9 utility regulatory agency action that the office determines may  
10 substantially affect the interests of residential consumers;

11 (3) select and contract for the services of consultants and  
12 experts to assist the office in the preparation and presentation of  
13 matters before agencies, commissions, offices or courts;

14 (4) initiate public education and public reports in the  
15 news media to protect and represent public utility consumer interests;

16 (5) have access, during normal business hours, to the  
17 records of state agencies that are not classified by law as confiden-  
18 tial; and

19 (6) take depositions and subpoena witnesses and documents  
20 in performing the duties set out in this section.

21 (e) The office shall submit an annual report to the attorney  
22 general and the legislature at the beginning of each regular session  
23 of the legislature summarizing the activities of the office in the  
24 previous fiscal year.

25 (f) In this section

26 (1) "office" means the office of public utility consumer  
27 representation;

28 (2) "public utility consumer" means a residential customer  
29 of a public utility regulated by the Alaska Public Utility Commission

1       under AS 42.05 or a public utility operated by a political subdivision  
2       of the state.  
3       \* Sec. 2. This Act takes effect July 1, 1985.