

Introduced: 1/18/85  
Referred: Labor and Commerce  
and Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

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SENATE BILL NO. 64

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to cost allocations of the Public  
Utilities Commission; and providing for an effective  
date."

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

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\* Section 1. AS 42.05.221(e) is amended to read:

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(e) The commission may employ professional consultants to assist  
it in administering the provisions of this section and may apportion  
the expenses relating to this administration among the competing  
utilities, as set out in AS 42.05.651 [INVOLVED].

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\* Sec. 2. AS 42.05.651 is amended to read:

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Sec. 42.05.651. EXPENSES OF INVESTIGATION OR HEARING. During or  
after [AFTER COMPLETION OF] a hearing or investigation held under this  
chapter, the commission shall allocate the costs of the hearing or  
investigation among the parties, including the commission, as is just  
under the circumstances. In allocating costs, the commission may  
consider the results, ability to pay, evidence of good faith, other  
relevant factors and mitigating circumstances. The costs allocated  
may include the costs of any time devoted to the investigation or  
hearing by hired consultants, the commission's professional staff, and  
the attorney general or other legal counsel for the commission, wheth-  
er or not they [THE CONSULTANTS] appear as witnesses or participants.  
The costs allocated may also include any out-of-pocket expenses in-  
curred by the commission in the particular proceeding. The commission  
shall provide an opportunity for any person objecting to an allocation

1 to be heard before the allocation becomes final.

2 \* Sec. 3. AS 42.06.610 is amended to read:

3           Sec. 42.06.610. EXPENSES OF INVESTIGATION OR HEARING. (a)  
4 During a proceeding held under this chapter, the commission shall  
5 allocate the cost of the proceeding among the parties, including the  
6 commission, as is just under the circumstances. The costs allocated  
7 may include the costs of any time devoted to investigations or hear-  
8 ings by hired consultants, the commission's professional staff, and  
9 the attorney general or other legal counsel for the commission, wheth-  
10 er or not they [THE CONSULTANTS] appear as witnesses or participants.  
11 The commission shall provide an opportunity for any person objecting  
12 to an allocation to be heard before the allocation becomes final.

13           (b) After completion of a proceeding held under this chapter,  
14 the commission may reallocate the cost of the proceeding among the  
15 parties, including the commission, as is just under the circumstances.  
16 The costs which are reallocated may include the costs of time devoted  
17 to investigations or hearings by hired consultants, the commission's  
18 professional staff, and the attorney general or other legal counsel  
19 for the commission, whether or not they [THE CONSULTANTS] appear as  
20 witnesses or participants. The commission shall provide an opportuni-  
21 ty for any person objecting to a reallocation to be heard before the  
22 reallocation becomes final.

23 \* Sec. 4. This Act takes effect July 1, 1985.