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Referred: State Affairs and
Labor and Commerce

6-1107A

1 IN THE SENATE

BY ADAMS, BINKLEY,
AND ZHAROFF

2

SENATE BILL NO. 242

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to certification of certain tele-
7 communications utilities and to intrastate toll
8 services agreements."

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

10 * Section 1. AS 42.05.221(a) is amended to read:

11 (a) A public utility may not operate and receive compensation
12 for providing a commodity or service after January 1, 1971 without
13 first having obtained from the commission under this chapter a certif-
14 icate declaring that public convenience and necessity require or will
15 require the service. The commission may grant a telecommunications
16 utility a certificate to furnish service in an area already served by
17 a certificated telecommunications utility only if the commission finds
18 that the existing utility is not providing adequate service and is
19 unlikely to improve to a satisfactory level within a reasonable period
20 of time. Where a public utility provides more than one type of util-
21 ity service, a separate certificate of convenience and necessity is
22 required for each type. A certificate shall describe the nature and
23 extent of the authority granted in it, including, as appropriate for
24 the services involved, a description of the authorized area and scope
25 of operations of the public utility.

26 * Sec. 2. AS 42.05.311(b) is amended to read:

27 (b) A telecommunications utility shall permit connection to be
28 made and service to be furnished between a system operated by it and
29 the system or toll facilities operated by another public utility or

1 with the communications facility or system of a nonutility, or between
2 its toll facilities and the toll facilities of another public utility,
3 when public convenience and necessity require the connection and the
4 connection will not result in substantial injury to the owner or other
5 users of the facilities of either public utility or in substantial
6 detriment to the service of either public utility. The use of the
7 facilities of a local telecommunications utility for toll service
8 shall be based on an intrastate toll services agreement, entered into
9 between the owner of the toll facilities and the local telecommunica-
10 tions utility. The agreement must set out the method of compensation,
11 services to be received, points of interconnection, and other respon-
12 sibilities of the parties. The parties shall file with the commission
13 a copy of an agreement entered into under this subsection. The com-
14 mission shall establish by regulation standardized compensation
15 methods for the agreements, including accounting and cost separations.
16 A dispute arising from an agreement or from the failure of the parties
17 to enter into an agreement shall be referred to the commission for
18 hearing and resolution under this chapter.

19 * Sec. 3. A telecommunications utility that is a party to an intrastate
20 toll services agreement on the effective date of this Act shall file a copy
21 of the agreement with the Alaska Public Utilities Commission.