

INDEX OF TESTIMONIES

S B 3

S B 6

S B 8

Senate Bill 3 - Right-of-Way Leasing Act

Sec. 030 - 040. Abandonment, Impairment of Service

Lipton - 10/22
p. 13

Witherspoon
p. 13

Sec. 120(a)(1)(2). Certificate of Public Convenience
and Necessity

Furman
p. 17-18
p. 20-21

Lamont
p. 22 - certification not required by ICC for oil pipelines
p. 29-30

Witherspoon
p. 40 - ability of state to have continuing leverage
p. 41 - ability to negotiate; flexibility

Sec. 120(a)(3). Common Carrier

Lipton - 10/22
p. 10
p. 11 - do not qualify, stipulate

Lamont
p. 8, 27-29
p. 16 - if require common carrier, mitigate chance of
enjoiner

Witherspoon
p. 9-10
p. 16 - nothing in proposed legislation to make a common
carrier
p. 17-18 - reliance on ROW stipulation requiring to
assume status of
p. 18 - effect of amendments
p. 21-22
p. 26 - over federal lands
p. 27 - federal requirements to be a common carrier
p. 28 - submission of tariffs; does this constitute
submission to Interstate Commerce Act
p. 42-43 - common carrier, natural gas pipelines
p. 44 - common carrier, crude oil pipelines

Sec. 120(a)(4). Common Purchaser

Lipton - 10/22

p. 12 - recommendation to yield and pass over at this time

Tussing - 10/26

p. 2 - recommends Texas statute

Witherspoon

p. 44-46 - crude oil pipelines

p. 45 - natural gas lines

p. 46 - proposed legislation

p. 47 - Texas statute

p. 48 - Senate Bill 7 - Sec. 31.15.020(c), effect of

Sec. 120(a)(5). Transportation Without Discrimination

Witherspoon

p. 49

Sec. 120(a)(6). Exchange of Oil or Gas

Witherspoon

p. 50

Sec. 120(a)(7). State Option to Purchase

Lipton - 10/22

p. 17

p. 18 - not constitutionally disabling
- Governor's proposal offers nothing
- does not recommend

p. 19-21 - financing implications, Syncrude precedent

p. 22 - stipulation of basis for compensation
- right of option useful

Lipton - 10/20

p. 8 - very cogent reason for

p. 10-11 - ability to leverage tariffs

p. 11 - Syncrude precedent

p. 13 - option a significant factor in protecting state's
interest

Tussing 10/26

p. 8

Witherspoon

p.

p. - state's ability to negotiate

p. 4 - ability to get at records

p. 78

Sec. 120(a)(10). Connections for Wholesale Purchase

Witherspoon

- p. 52 - substitution of "land" for "pipeline"
- p. 53 - analysis of new language

Sec. 140. Rental

Witherspoon

- p. 55-57

Lipton 10/22

- p. 14 - percentage lease rental
 - not a revenue device
- p. 15 - keep transportation costs low
- p. 16

Lipton 10/20

- p. 7
- p. 8 - uncertainty of incentive to leverage tariffs
- p. 9 - pyramiding of transportation costs

Sec. 150. Optional Covenants

Witherspoon

- p. 53
- p. 54 - ability to bargain may be as vital as anything placed in the lease
- p. 73
- p. 74 - ability to re-negotiate
- p. 79

Sec. 225. Judicial Review

Witherspoon

- p. 36 - paragraph (b): totally unique provision
 - decisions of commissioner impregnable: lack of usual statutory standards for review; very confined

Amendments must be contingent on Alaska Pipeline Commission Act
Lipton 10/22, p. 17

Additional rights-of-way over leaseholds

- Witherspoon, p. 79-81
- As a covenant, p. 82

Senate Bill 6 - Alaska Pipeline Commission Act

Interstate Commerce Commission

Lamont

- p. 3 - dependence on ICC
- p. 9 - common carrier
- p. 15 - ICC controls
 - do not sway discretion of operator to run closed system
 - no control of connections, inter-connections
 - lack of ability to require any convenience to shippers (loading, off-loading tanks)

Witherspoon

- p. 12 - ICC regulation
 - lack of control over construction of new pipelines
 - no control over modifications, extensions
- p. 13 - no control over abandonment
 - no control over security issues of pipeline companies
 - no control in passing of pipeline interest to another carrier
 - no control over inter-connection
- p. 14 - rate regulation
- p. 15 - rate of return: whether at these rates in fact a common carrier

Alaska Pipeline Commission Act

Witherspoon

- p. 29 - recommendation on Act

Furman

- p. 8 - reporting to APC on individual pipeline or company basis
- p. 22 - regulation at docking facility, Valdez

Lamont

- p. 16 - if strong regulatory bill, requiring common carrier, mitigate chance of enjoinder
- p. 20 - anti-trust vulnerability
- p. 30 - access to company information

Senate Bill 8 - Lease or Sale of State Land

Witherspoon
p. 89

Tax Measures

Lipton 10/20

p. 13

p. 14 - legislative record should not represent a commitment

Lipton 10/22

p. 7 - remove royalty credit, companies subject to higher
taxation than under previous legislation

p. 8 - Conservation tax unnecessary

Litigation, continuance

Witherspoon
p. 87