

HB

101

101

MOTION

Delete

Sec. 170

I adopted

failed to get out of committee

For

Gardner

Brown

Against

Dankworth

Eliason

Rudd

Original sponsor: Swanson

Offered: 3/29/77
Referred: Judiciary

1 IN THE HOUSE BY THE COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 101
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL
6 For an Act entitled: "An Act relating to telephone utilities."
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 42.20 is amended by adding new sections to read:

9 ARTICLE 4. MISCELLANEOUS.

10 Sec. 42.20.160. PAYMENT OF BILLS; DEDUCTIONS FOR NONSERVICE. (a)

11 A subscriber may deduct from a bill for telephone service an amount
12 equal to one day of service for each day the subscriber's telephone is
13 inoperative due to malfunctioning of the individual subscriber's tele-
14 phone service or the telephone system to which it is connected due to no
15 fault of the subscriber. If the subscriber has been billed in advance
16 for local telephone service, the subscriber may deduct the amount from
17 the following billing. If the bill is rendered to a subscriber on a
18 monthly basis, the amount that may be deducted for each day the tele-
19 phone service is inoperative is 1/30th of the monthly charge for local
20 telephone service, inclusive of taxes imposed either by the federal,
21 state or local governments.

22 (b) For the purpose of this section, "each day the subscriber's
23 telephone service is inoperative" means a malfunctioning of the indivi-
24 dual subscriber's telephone service or the telephone system to which it
25 is connected for a period of at least 12 hours in a 24-hour day beginning
26 at the time the malfunction is reported to the local exchange telephone
27 utility.

28 Sec. 42.20.170. LIMITATION ON RATES. (a) No local exchange tele-
29 phone utility may charge or receive both a base service rate and message

delet
entire
→

April 20, 1977

Memo

To: House Judiciary Committee
From: John Sund, Administrative Assistant
Re: HB 101, HB 102

Telephone call from Chugiach Electric Company, Larry Markley. He wished to express the fact that Chugiach Electric was in opposition to these House Bills and that they had voiced that opposition while it was in the Commerce Committee.

Chugiach Electric is a cooperative and their annual meeting is Wednesday, April 20 and he did not believe he would be able to come to Juneau to testify against it.

ALASKA STATE LEGISLATURE - HOUSE OF REPRESENTATIVES



REPRESENTATIVE JOE MCKINNON
POUCH V, JUNEAU, ALASKA 99811

CHAIRMAN: COMMERCE COMMITTEE
MEMBER: STATE AFFAIRS COMMITTEE

HOUSE COMMERCE COMMITTEE

CHAIRMAN'S REPORT

HB 101

In the Commerce Committee Substitute for House Bill 101, the Committee removed the proposed section, "Limitation on Liability for Telephone Service Charges", from the original bill. The Committee feels that this provision, which requires that long distance toll charges must be billed within 60 days, is impractical for Alaska because of the number of phone companies that many of those charges must pass through routinely.

However, the Committee feels strongly that the Alaska Public Utilities Commission is obligated to impel the Federal Communications Commission to accelerate billing for Alaskan telephone subscribers. The burden of delayed toll billings for Alaskans has reached alarming proportions and must be relieved.

A handwritten signature in cursive script that reads "Joe McKinnon".

Joe McKinnon
Chairman
House Commerce Committee

ASSIGNMENT DATE _____

UNASSIGNED 1/24/77

| | | |
|---|--------------------------------|--------------------|
| DEPARTMENT Commerce & Economic Development | SPONSOR (PRINCIPAL) Swanson | BILL NO. HB 101 |
|---|--------------------------------|--------------------|

DEPARTMENT POSITION

| | | | |
|---------------------------------------|-----------------|--------------|------|
| VISION DIRECTOR <i>[Signature]</i> | DATE 1-28-77 | COMMISSIONER | DATE |
|---------------------------------------|-----------------|--------------|------|


GVERNOR'S OFFICE USE

POSITION NOTED POSITION APPROVED POSITION DISAPPROVED

DATE: _____

SUMMARY

RELATED BILLS (SIMILAR OR CONFLICTING)

| | | |
|---------------------------------|--|--|
| ORGANIZATIONAL SUPPORT FOR BILL |  | (2) b. ORGANIZATIONAL OPPOSITION TO BILL |
|---------------------------------|--|--|

PROGRAM EFFECTS OF BILL

NONE

FISCAL IMPACT: NONE FISCAL ANALYSIS ATTACHED

AMENDMENTS PROPOSED:

NONE

COMMENTS:

SEE ATTACHED

APUC
Commerce?

Weatherly - today, people buying & installing own telephone - legal?
- how long PUC if we tel. goes quarterly?
- what is baseline?
How many consumer complaints?

Original sponsor: Swanson

Offered: 3/29/77
Referred: Judiciary

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*exclusion
exception for
kids
jacking line*

11 A subscriber may deduct from a bill for telephone service an amount
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24 dual subscriber's telephone service or the telephone system to which it
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26 at the time the malfunction is reported to the local exchange telephone
27 utility.

*should
be 24
exclude
holidays
weekends*

28 Sec. 42.20.170. LIMITATION ON RATES. (a) No local exchange tele-
29 phone utility may charge or receive both a base service rate and message

Weatherly - no one has asked for message unit pricing
- M.U.P. = metro city area

1 unit pricing within its exchange area.

2 (b) In this section:

3 (1) "base service rate" means the set charge to subscribers
4 within an exchange area;

5 (2) "exchange area" means a specific area in which a devel-
6 oped local exchange telephone service is furnished by a utility;

7 (3) "local exchange telephone utility" means a utility en-
8 gaged in the business of furnishing communications service to the public
9 for compensation through one or more local telephone exchanges which may
10 be operated separately or in conjunction with one or more other local
11 telephone exchanges through directly interconnected circuitry in which
12 extended area service is provided without requiring the payment of a
13 toll charge;

14 (4) "message unit pricing" means charging subscribers within
15 an exchange area according to the number or duration of calls made with-
16 in the exchange area.

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Chairman
House Commerce Committee

April 20, 1977

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Re: HB 101, HB 102

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ASSIGNMENT DATE _____

UNASSIGNED 1/24/77

| | | |
|---------------------------------|---------------------|----------|
| DEPARTMENT | SPONSOR (PRINCIPAL) | BILL NO. |
| Commerce & Economic Development | Swanson | HB 101 |

DEPARTMENT POSITION

| | | | |
|--------------------|---------|--------------|------|
| DIVISION DIRECTOR | DATE | COMMISSIONER | DATE |
| Commissioner, APUC | 1-28-77 | | |

GOVERNOR'S OFFICE USE

POSITION NOTED POSITION APPROVED POSITION DISAPPROVED

BY: _____ DATE: _____

SUMMARY

a. RELATED BILLS (SIMILAR OR CONFLICTING)

| | |
|------------------------------------|--|
| b. ORGANIZATIONAL SUPPORT FOR BILL | (2) b. ORGANIZATIONAL OPPOSITION TO BILL |
|------------------------------------|--|

c. PROGRAM EFFECTS OF BILL

NONE

FISCAL IMPACT: NONE FISCAL ANALYSIS ATTACHED

AMENDMENTS PROPOSED:

NONE

COMMENTS:

SEE ATTACHED

Comments of the Alaska Public Utilities Commission

Deductions for interruptions for local telephone service are provided for in the tariff of several Alaska telephone utilities. A cursory inspection reveals such provisions in the tariffs of the following utilities:

Glacier State Telephone Company - Kenai/Soldotna
Glacier State Telephone Company - North Pole
Juneau & Douglas Telephone Company - Juneau
General Telephone Company of Alaska - Haines/
Pettersburg/Wrangell
Matanuska Telephone Assoc., Inc. - Palmer
Anchorage Telephone Utility - Anchorage

The tariff provisions are not uniform but can be changed by the utility or as a result of complaints by consumers or the Commission staff. The Consumer Complaints Section of the Commission handles numerous complaints about service outages and has been able to get most billing adjustments resolved on an informal basis. There is a possibility that if a law such as this is on the books that consumers might become overzealous in their own arbitrary deductions from utility bills.

Section 42.20.170 would absolve a telephone subscriber of any liability for "telephone service charges that are not billed within 60 days of the date they were incurred." There would be a legal question about the status of a debt such as this when it is incurred by the subscriber. The intent of the bills seems to be a protest against the seemingly unreasonable delays in getting long distance telephone toll charges on to the subscriber's bill. While we may sympathize with this sentiment relative to delays in long distance billing, it should be noted that these delays in most instances are beyond the control of the long lines carrier and connecting utility. Most delays are a direct result of protracted billing from the American Telephone and Telegraph Company in the Lower 48. It seems rather harsh to hold RCA Alaska Communications and the local exchange company responsible for the delays.

Section 42.20.180 would limit telephone charges to either a base service rate or a message unit pricing within an exchange area but not both. Such a limitation would be applicable to an area such as Los Angeles or San Francisco. There is presently no "message unit pricing" within the State of Alaska. The APUC is not aware of any plans for implementing such a pricing system. Such a provision thus would be premature and should await the actual implementation of message unit pricing.

Q = Can break up malfunctioning tel. bill
encompasses l.d. coll.

101

Wrothly - opposed
- "afraid of over-zealous consumers"

X, N, B

- 600

- would not enforce bill for
those utils APUC does not regulate

Q 102 - request go to Fin. Com
- In last few months, 3 requests
for decreases as result of lowered
fuel costs.
who?
O.K.?

Q New fixed rate.

Ken Hansen (Cord. Tel.) in 4 states

- already, if ~~tel.~~ tel. is
out for 24 hrs, they get break if
consumer complains.

- CS added reporting function.

- doesn't like 12-hr.

 **Juneau & Douglas Telephone Company**
Glacier State Telephone Company
Member Companies of Continental Telephone System
909 West 9th/Suite 340
Anchorage, Alaska 99501
(907) 274-3635

E. Ken Larsen
Alaska State Manager

mer

Tape of 4/20
hearing on
HB 101 / HB 102
sent to Ken
Larsen on 4/27
77.

House Judiciary
April 22, 1977

The meeting was called to order at 3:50 by Chairman, Gardiner. Members present were Gardiner, Dankworth, Eliason, Rudd and Brown. Miles and Specking were absent.

SB 186am Suspension and removal of judges

SB
186am

The committee considered this bill only briefly, as the House version of this bill had already been considered by the committee. It was decided to pass this bill out with the language of the House version of the bill. It will be a House CS for SB 186am.

SB 188 Membership on the Alaska Code Commission

SB
188

Fred Brown explained the intent of the bill. Gardiner proposed several amendments which were adopted.

There was a motion to move CS SB 188 out of committee. There was no objection, so this was done.

HB 468 Judicial vacancies

HB
468

Elaine Andrews from the Judicial Council was here to speak in support of the bill.

Mrs. Rudd moved that the bill be moved out of committee. There was no objection, so this was done.

SB 89 Exemption of municipalities from the requirement of posting bonds for court costs and the amount of judgment

SB
89

Peggy Burke from Alaska Legal Services explained what the bill would do. She suggested a proposed amendment. The committee felt that they would like to get the opinion of Sen. Croft and Art Snowden before doing anything on this bill.

HB 101 Telephone utilities

HB
101

The committee had HB 101 under discussion.

There was a motion to delete Section 170 of the bill. The motion carried.

Mr. Brown moved the bill as amended. There was a discussion. The motion failed, so the bill remained in committee.

HB 102 Public utility rates

HB
102

This bill was considered briefly. The Commerce Committee recommendations were discussed.

There was a motion to move the bill out as a CS with the Commerce Committee suggestions. The motion carried.

The meeting was adjourned at 4:50.

House Judiciary
April 20, 1977

The meeting was called to order at 3:25 p.m. by Vice-Chairman Miles. Members present were Miles, Dankworth, Brown and Rudd. Gardiner and Eliason came late. Specking was absent,

HB 101 Telephone utilities

HB
101

Rep. Red Swanson, sponsor for this bill was here to explain the intent of the bill. He explained that the bill would regulate telephone rates in Alaska to give people in Alaska some means to get service and not to be charged for service when they don't get it. IN HB 101, when your telephone doesn't work, you don't have to pay for it. Mr. Swanson reported that the telephone company has said that the phones would work and that people wouldn't be charged if they didn't work, but this hasn't happened.

HB 102 Public utility rates

HB
102

Rep. Swanson, sponsor for this bill, indicated that this bill would give protection to the consumer, which he doesn't feel is occurring presently under th P.U.C., although they claim to be protecting the consumer.

HB 101 Telephone utilities

Commissioner Marvin Weatherly from the P.U.C. was here to speak in opposition to HB 101. He indicated his feelings that he does feel that the P.U.C. responds to consumer needs.

HB
101

HB 102 Public utility rates

HB
102

Commissioner Carolyn Guess from the P.U.C. was here to speak in opposition to this bill. There objection to this bill is that they feel that the P.U.C. already has a procedure which is fair and equitable. This bill would cost the P.U.C. because they couldn't carry it out with their existing staff, and subsequently, the consumer would be paying more.

HB 101 Telephone utilities

HB
101

Mr. Larson from Continental Telephone Company was here to testify in oppostion to the bill. He feels that it is commendable that a phone is fixed free of charge- this is not true for other utilities such as electricity and plumbing. He feels that customers have been given credit adjustments when their phones have been out of service. He feels that this legislation would be an attempt to supplement a function that has already been assigned to the P.U.C.

Ted Burns, Assistant Municipal Attorney for Anchorage felt that most of his testimony had been covered already by the P.U.C. and by Mr. Larson, so he basically reiterated their testimony.

House Judiciary
April 20, 1977
page 2

SB 54 Adoption assistance for hard to place children in foster homes SB
54

Gary Sheridan from the Department of Health and Social Services was here to testify in support of this bill. He explained that the essence of the bill is to take foster care children and allow a more permanent placement in a more permanent home for them.

Rep. Brown moved that SB 54 be moved out of committee. Since there was no objection, this was done.

SB 83 Transfer of commercial fisheries entry and interim use permits SB
83

Mr. Ricky from the Commercial Fisheries Entry Commission was here to briefly explain the intent of the bill. The bill was put in by request of the Governor to "clean-up" some of the language in the statutes.

Gardiner moved several amendments which were adopted.

Gary Sheridan was here to testify as a concerned citizen interested in buying a commercial fishing permit. He explained that the procedure was very difficult and costly.

Gardiner moved that SB 83 as amended be moved out of committee. The motion carried, so this was done.

The meeting was adjourned at 5:15 p.m.