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Alaska Public Utilities Commission

POSITION PAPER
SENATE BILL 247

The Alaska Public Utilities Commission agrees with the following conclusion of the Performance Report of the Commission, completed by the Division of Legislative Audit on November 16, 1984:

EXPENDITURE In our opinion, the Alaska Public Utilities Commission should continue to regulate public utilities and pipelines and pipeline carriers. We believe that the public interest is being served by requiring public utilities and pipeline carriers to be certificated by the Commission. This process stabilizes demand for the utility service by eliminating competition and thereby allowing economies of scale to operate. Economic regulation by the Commission, in place of that competition, ensures that the utilities provide adequate service at the lowest reasonable rates.

To the extent of its ability the Commission has implemented the four recommendations made by the audit team to improve the efficiency and effectiveness of the Commission's operations.

EXPENDITURE (Thousands of Dollars)

FEDERAL FUNDS	1984	1985	1986	1987	1988	1989	1990
	0	0	0	0	0	0	0

March 29, 1985



Official Business

Alaska State Legislature

Senate

Committee on Labor & Commerce

Pouch V
State Capitol
Juneau, Alaska 99811

CS SB 247(L&C): "AN ACT EXTENDING THE TERMINATION DATE OF THE ALASKA PUBLIC UTILITIES COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE."

NOTE: CHAIRMAN NEEDS TO MOVE FOR THE ADOPTION OF THE L&C CS;

Letter of Intent

THIS LEGISLATION EXTENDS THE ALASKA PUBLIC UTILITIES COMMISSION UNTIL JUNE 30th, 1986. IT IS THE INTENTION OF THE COMMITTEE TO CONDUCT INTERIM RESEARCH ON THE REGULATORY PRACTICES OF THE ALASKA PUBLIC UTILITIES COMMISSION AND CONTINUE THE SUNSET PROCESS DURING THE SECOND SESSION OF THE 14th ALASKA LEGISLATURE.

NOTE: CHAIRMAN WILL NEED TO MOVE THE LETTER OF INTENT

Bennett's staff suggested you move Letter of Intent after motion to adopt CS;

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 25, 1985

SUBJECT: Termination of APUC

TO: Senator Fred Zharoff, Chair
Senate Labor and Commerce Committee

Representative Mike Navarre, Chair
House Labor and Commerce Committee

FROM: Billy G. Berrier *BGB*
Director
Division of Legal Services

You have asked whether in our opinion if no legislation were enacted to extend the Alaska Public Utilities Commission under the sunset provision of AS 44.66.010(4) which provides for expiration of the Commission on June 30, 1985 would the operation of the Commission be impaired during the following year.

This question was examined in connection with the sunset of the Alaska Transportation Commission and opinions from the Ombudsman, the Department of Law and the Division of Legal Services were published in a report of the House Commerce Committee entitled Interim Report - Sunset In Alaska 1979-1980. Copies of the opinions are enclosed.

There has been nothing since which would clarify the question.

It is still my opinion that there is serious question concerning the power of the Alaska Public Utilities Commission to consider new matters in the year following the expiration date.

BGB:ojb
J14/044

STATE OF ALASKA
THE LEGISLATURE

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PROPOSED SENATE LABOR AND COMMERCE COMMITTEE LETTER OF INTENT FOR CS SB 247(L&C)

DUE TO THE TIME CONSTRAINTS IMPOSED BY THE 120 DAY SESSION LIMIT, AND THE COMPLEXITIES OF UTILITY REGULATION, IT IS THE INTENT OF THE SENATE LABOR AND COMMERCE COMMITTEE TO CONDUCT RESEARCH DURING THE INTERIM TO EXAMINE THE REGULATORY PRACTICES OF THE ALASKA PUBLIC UTILITIES COMMISSION. PASSAGE OF CS SB 247(L&C) WILL EXTEND THE ALASKA PUBLIC UTILITIES COMMISSION UNTIL JUNE 30, 1986, AND IT IS THE INTENTION OF THE COMMITTEE TO CONTINUE THE MORE FORMAL SUNSET REVIEW DURING THE SECOND SESSION OF THE 14th LEGISLATURE.

Original sponsor: Ferguson

1 IN THE SENATE

BY THE LABOR AND
COMMERCE COMMITTEE

2 CS FOR SENATE BILL NO. 247 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act extending the termination date of the Alaska
7 Public Utilities Commission; and providing for an
8 effective date."

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

10 * Section 1. AS 44.66.010(a)(4) is amended to read:

11 (4) Alaska Public Utilities Commission (AS 42.05.010) --

12 June 30, 1986 [1985];

13 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
14 10.070(c).

Introduced: 3/21/85
Referred: Labor and Commerce

1 IN THE SENATE

BY FERGUSON

2

SENATE BILL NO. 247

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 247
 Title: Extending the Alaska Public Utilities Commission
 Sponsor: Ferguson
 Requestor: _____
 Date of Request: 3/21/85

FISCAL DETAIL

Agency Affected: Commerce & Ec Development
 Program Category Affected: Consumer Prot.
 BRU, Program or Subprogram(s) Affected: Alaska Public Utilities Commission

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING	0	0	0	0	0	0
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 SUPPLIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS	0	0	0	0	0	0
800 MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: Attach a separate page if necessary

The intent of this "0" Fiscal note is to indicate that passage of legislation would not increase our funding requirements beyond what we have submitted and will submit as budget requests.

Prepared By: C. Guess, Chairman Phone: 276-6222

Division: Alaska Public Utilities Commission Date: 3/29/85

Approved by Commissioner: _____ Date: _____

Agency: _____

Distribution (by Agency preparing fiscal note):

Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84