

HB

140

DATE: 3/18/91

FURTHER: L&C

DATE TURNED INTO OFFICE: _____

C&RA Committee considered CS HB 140 (L&C)

"An Act relating to rate review by the Alaska Public Utilities Commission for solid waste recovery and recycling services of public utilities."

and recommended:

replace with CS CSHB 140 (C&RA)
 or adopt _____ CS _____

same title
 new title
 technical title change (HB only)

attached amendment(s)
 _____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

ATTACHES NEW FISCAL NOTE(S):

Dept/Date:

fiscal note(s) _____

zero fiscal note(s) _____

appropriation-no fiscal note

APPROVES PREVIOUS:

Dept/Date:

fiscal note(s) _____
CEDC 3/27/91

zero fiscal note(s) _____
CEDC SCS

Governor's bill w/fiscal note

SIGNING DO PASS:

Cliff Sturgis
Paul T. Hancock

OTHER RECOMMENDATIONS:

Frank do pass
Chair: Signature and Recommendation



Official Business

Alaska State Legislature

House

P.O. BOX V
State Capitol
Juneau, Alaska 99811

MAR 22 1991

MEMORANDUM

To: Senator Steve Frank, Chair
Senate Community and Regional Affairs Committee

From: Representative David Finkelstein *DF*

Date: March 19, 1991

Re: HB 140; "An Act Relating to Rate Review by the Alaska Public Utilities Commission for Solid Waste Recovery and Recycling Services of Public Utilities."

I would like to request that HB 140 be scheduled in your committee.

Waste disposal in Alaska is a major problem. The ecological and economic costs of landfills are rising, and we could soon be facing a crisis. Solid-waste recovery and recycling are important parts of the solution to this problem. HB 140 would allow utilities to include reasonable costs associated with waste recovery and recycling in their rates, which they are not now able to do.

By initiating recycling, consumers will be reducing the need for more landfills and higher landfill fees in the future. In cases where the utility chooses to do so, HB 140 would allow recycling and waste recovery to be treated as normal functions of the utility.




Official Business

Alaska State Legislature

P.O. Box V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

To: Senate Community and Regional Affairs Committee

From: Representative David Finkelstein 

Date: April 30, 1991

Re: HB 140; "An Act Relating to Rate Review by the Alaska Public Utilities Commission for Solid Waste Recovery and Recycling Services of Public Utilities."

Waste disposal in Alaska is a major problem. The ecological and economic costs of landfills are rising, and we could soon be facing a crisis. Solid-waste recovery and recycling are important parts of the solution to this problem. HB 140 would allow utilities to include reasonable costs associated with waste recovery and recycling in their rates, which they are not now able to do.

By initiating recycling, consumers will be reducing the need for more landfills and higher landfill fees in the future. In cases where the utility chooses to do so, HB 140 would allow recycling and waste recovery to be treated as normal functions of the utility.

STATE OF ALASKA
1991 LEGISLATIVE SESSION

FISCAL NOTE

Bill No. CSHB 140 (L+C)

Revision Date: _____ Department Affected: Environmental Conservation
 Title: An Act relating to rate review by the BRU: Environmental Quality
Alaska Public Utilities Commission ... Component: Environmental Quality Projects
 Sponsor: Rep. Finkelstein COMPONENT SERIAL
 Requestor: House Labor & Commerce Committee NUMBER 1016

Expenditures/Revenues: (Thousands of Dollars)

| OPERATING | FY 92 | FY 93 | FY 94 | FY 95 | FY 96 | FY 97 |
|------------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| CAPITAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| REVENUE | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

FUNDING: (Thousands of Dollars)

| | | | | | | |
|--------------|-----|-----|-----|-----|-----|-----|
| GENERAL FUND | | | | | | |
| FEDERAL FUND | | | | | | |
| OTHER | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 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 |

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Jeff Mach Phone: 465-2671
 Division: Environmental Quality Date: 3/14/91

Approved by Commissioner: *James O. Taylor*
 Agency: Environmental Conservation Date: 3/27

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency (ies).

FISCAL NOTE

No. 1
 Bill Version: C3HB 140(L&C)
 (H) Publish Date: 2/27/91

STATE OF ALASKA
 1991 LEGISLATIVE SESSION

Revision Date: _____ Department Affected: Commerce & Economic Deve.
 Title: Deregulation of Refuse BRU: APUC
Utilities Component: _____
 Sponsor: Rep David Finkelstein
 Requestor: Rep David Finkelstein COMPONENT SERIAL NO.

| | | | |
|--|--|--|--|
| | | | |
|--|--|--|--|

Expenditures/Revenues: (Thousands of Dollars)

| OPERATING | FY 92 | FY 93 | FY 94 | FY 95 | FY 96 | FY 97 |
|-------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | -0- | -0- | -0- | -0- | -0- | -0- |
| CAPITAL | -0- | -0- | -0- | -0- | -0- | -0- |
| REVENUE | -0- | -0- | -0- | -0- | -0- | -0- |

FUNDING: (Thousands of Dollars)

| | | | | | | |
|---------------|-----|-----|-----|-----|-----|-----|
| GENERAL FUND | | | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER | | | | | | |
| TOTAL | -0- | -0- | -0- | -0- | -0- | -0- |

POSITIONS:

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

Estimate of current year impact:

ANALYSIS: (Attach a separate page if necessary.)
 No fiscal impact for FY91

Prepared By: Ray W. Underman, Acting Exec. Director Phone: 276-6222
 Division: Alaska Public Utilities Commission Date: 2/15/91
 Approved by Commissioner: [Signature] Exec. Asst.
 Agency: Department of Commerce & Economic Development Date: 2-19-91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

Municipality of Anchorage



P.O. BOX 198650
ANCHORAGE, ALASKA 99519-6650
(907) 343-4433
TOM FINK,
MAYOR

OFFICE OF THE MUNICIPAL MANAGER

April 30, 1991

Senator Steve Frank, Chairman
Community and Regional Affairs
P.O. Box V
Juneau, Alaska 99811

Re: HB 140, Allow Recycling Cost Recovery in Rates

Dear Senator Frank:


The Municipality of Anchorage is opposed to HB 140. Solid waste collection and disposal, including waste recovery and recycling, is an issue to be decided by local governments, not the Alaska Public Utilities Commission (APUC), whose role is rate setting. Passage of this legislation would have a significant impact upon business and households if the APUC decided to increase rates to fund recycling efforts.

Recycling and recovery should be voluntary on the part of the customers, not mandated. Therefore, we would recommend the following amendment to this legislation:

Page 1, line 8, delete "shall promote" and replace it with "may allow".

Thank you for your consideration of our position. If you have any questions, please feel free to contact me.

Sincerely,


Larry D. Crawford
Municipal Manager

To: Eric

Amendment to HB 140(L. E. C.)

1
2 * Section 1. AS 42.05.431 is amended by adding new subsections to
3 read:

4 (f) In the establishment of rates of a utility
5 furnishing solid waste material collection and disposal service,
6 the commission shall permit recovery of reasonable, net capital and
7 operating costs relating to solid waste recovery and recycling
8 services after considering the utility's recovery of revenue
9 associated with the service.

10 (g) In the establishment of rates under this chapter,
11 the commission shall promote solid waste recovery and recycling
12 services.

465-2278 /

h

CERTIFIED REFUSE AND GARBAGE UTILITIES IN ALASKA

Anchorage Refuse, Inc.-Anchorage

Andersen, Incorporated-Nome

Channel Sanitation Corporation-Juneau

Drake's Sanitation, Inc.-Fairbanks

Eagle River Refuse, Inc.-Eagle River

Far North Sanitation Service, Inc.-Fairbanks

Interior Services-Fairbanks

Peninsula Sanitation Company, Inc.-Girdwood, Kenai, Soldotna

Tongass Sanitation-Ketchikan

Wasilla Refuse, Inc.-Wasilla

Williwaw Services, Inc.-Unalaska

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

ALASKA PUBLIC UTILITIES COMMISSION DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

1016 WEST 6TH AVENUE
SUITE 400
ANCHORAGE, ALASKA 99501
PHONE: (907) 276-5222

February 22, 1991

Representative David Finkelstein
P. O. Box V
Juneau, Alaska 99811
VIA FAX: 465-2444

FEB 25 1991

Dear Representative Finklestein:

As an individual Commissioner on the Alaska Public Utilities Commission, I would like to offer the following comments on HB 140, "An Act relating to rate review by the Alaska Public Utilities Commission for *solid waste recovery and recycling services* of public utilities."

I offer the following rewrite to incorporate some of my individual concerns:

AS 42.05.431 is amended by adding new subsections to read:

(f) The commission shall permit reasonable capital and operating costs and the associated revenues of providing solid waste recovery and recycling services in the establishment of rates of a utility furnishing collection and disposal of waste material service.

(g) The commission shall promote solid waste recovery and recycling services in the establishment of rates under this chapter.

The change to add "and the associated revenues" gives the commission explicit authority to include revenues from these services in the development of rates. It also adds the phrase "the establishment of rates" which more closely parallels other statutory references to ratemaking.

If your goal is to insure the promotion of recycling, I would discourage a change from "shall permit" to "may permit" in the operative language. This change would provide future commissions the discretion to ignore recycling costs in the establishment of rates. Though I expect the current commission would permit reasonable costs to be included in rates under the "may permit" language, I do not know how enthusiastic future commissions may be about including recycling costs in the rates.

Under the "shall permit" language, the commission would still have the "reasonable" standard under which they would review any capital and operating costs. A firm cannot simply go purchase plant, incur expenses and expect to be able to raise rates to cover themselves. Though the commission has not yet heard a rate case directly involving recycling, the commission has a track record of reviewing the facts of individual cases and disallowing portions of plant investment that are not reasonable. Examples typically

Representative Finkelstein

February 22, 1991

include telephone and electric utilities which purchase more capacity than needed. Utilities cannot recover unreasonable costs from the ratepayers. The utilities have the burden of proof to demonstrate to the commission that the costs they incurred were just and reasonable.

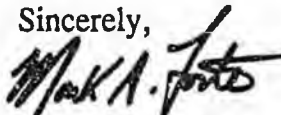
I do not believe the fears of rate escalation due to the start-up of curbside recycling programs are well founded. One, the commission will not allow unreasonable expenditures to be included in rates. Two, the commission is quite concerned about rate shock to ratepayers and will spread any significant **justified** increases over an appropriate transition period. Three, the economics of recycling programs are largely driven by the tipping fee of the landfill. A level comparison between recycling and landfilling suggests that to the extent that the total net cost to recycle is less than the tipping fee, there is a savings. With tipping fees of \$100/ton and above and escalating, particularly in communities in Southeastern Alaska, there is a significant potential for consumers to see long term savings in their bills for waste disposal through the implementation of recycling programs. To the extent the costs of recycling are reasonable when compared to a tipping fee, the commission would be able to include those costs and their associated revenues in the rate.

The nypotheticals which were cited at the teleconference Thursday appeared to ignore the tipping fee and focused on what would happen to rates if the revenue from the sale of a recycled good did not cover the costs of collection. A level comparison would require the commission to go a step further and review whether or not the net cost of the recycling program was reasonable when compared to the costs of landfill disposal.

Finally, I would encourage you to add an additional subsection (g) which gives the commission a tool to promote recycling in the design of rates. A similar provision for the promotion of energy conservation exists as AS 42.05.141(c). I expect that the provision promoting recycling in rate design will be an effective way to help encourage recycling efforts, especially during the critical start-up phase of new adventures (see attachment A: excerpt from "On the Road to Recovery: Seattle's Integrated Solid Waste Management Plan").

If I can be of any assistance, please call me at 276-6222.

Sincerely,



Mark A. Foster,
Commissioner

Attachments

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

ALASKA PUBLIC UTILITIES COMMISSION DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

1018 WEST 6TH AVENUE
SUITE 400
ANCHORAGE, ALASKA 99501
PHONE: (907) 775-8222

February 12, 1991

The Honorable David Finkelstein
Alaska State Legislature
P. O. Box V
Juneau, Alaska 99811

Dear Representative Finkelstein:

A public meeting was held on February 12, 1990, to discuss the draft of the proposed bill that Representative Brown is sponsoring for the recovery and recycling of solid waste services. The meeting was attended by Commissioners Schröder, O'Tierney, May and Foster. Also participating were members of the Commission Staff (Staff).

It is assumed that if a utility were to request the capital and operating costs associated with the recovery operation that the costs should be prudent and reasonable. In other words, the review of Staff and approval by the Commission in conjunction with the allowing of the costs would fall under AS 42.05.381, Rates to be just and reasonable. In order to avoid any confusion the Commission suggests that the language be amended to substitute the word "reasonable" for the word "the" (preceding capitol) on line 6 of the work draft.

The meeting also focused on a general discussion of the practicality of utilities including the costs as part of a revenue requirement determination. The term "shall" on line 5 of the work draft assumes that it is at the option of the utility to request the costs. If costs were requested in the determination of a revenue requirement, any revenues associated with its operation would be subtracted from the revenue requirement.


The Commission also wanted to make you aware that landfills are not regulated and are typically Municipality operated. If the recycling operation is a landfill service, the costs would not be part of any revenue requirement other than the transportation and separation of the recyclable materials by the utility. However, any revenues that may be received would be used to offset the revenue requirement. For those utilities that have a landfill operation, the operation of the landfill is also not jurisdictional, but the tipping fee cost is determined in the affiliated interest decision as to reasonable cost,

AS 42.05.511(c). If landfill recycling is undertaken, the recycling aspects would be considered in the tipping fee determination.

The public meeting was recorded and is available upon request. Please contact me at 276-6222 if you have any questions or require further assistance.

Sincerely,

ALASKA PUBLIC UTILITIES COMMISSION



Don Schröer, Chairman

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

ALASKA PUBLIC UTILITIES COMMISSION DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

1016 WEST 5TH AVENUE
SUITE 400
ANCHORAGE, ALASKA 99501
PHONE: (907) 276-6222

May 2, 1991

Senator Steve Frank
Community and Regional Affairs
P.O. Box V
Juneau, Alaska 99811

RE: HB 140, Rate Review for solid waste recovery and recycling of public utilities

Dear Senator Frank:

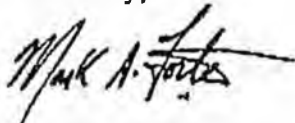
Comments on HB 140 suggest that there may be some confusion regarding what the bill allows and what it requires. It is the Commission's belief that HB 140:

- allows, but does not require, refuse utilities to invest in waste recovery and recycling
- requires the Commission to permit any refuse utility which elects to make such investments to include reasonable costs for waste recovery and recycling in its rates
- requires the Commission to adopt rates which promote, rather than prohibit or discourage, waste recovery and recycling.

Basically, this bill gives refuse hauling firms a statutory basis to recoup reasonable investments and expenses for curbside recycling efforts.

If I can be of any further assistance, please call me at 276-6222.

Sincerely,



Mark A. Foster,
Commissioner

cc: Larry Crawford, Municipality of Anchorage

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

ALASKA PUBLIC UTILITIES COMMISSION
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
April 26, 1991

1016 WEST 8TH AVENUE
SUITE 400
ANCHORAGE, ALASKA 99501
PHONE: (907) 276-8222

Rick Solie
c/o Senator Steve Frank
P. O. Box V
Juneau, Alaska 99811
VIA FAX: 465-4714

Dear Mr. Solie:

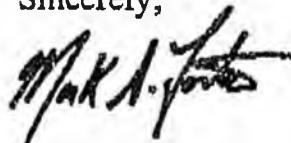
As an individual Commissioner on the Alaska Public Utilities Commission, I would like to offer the following comments on HB 140, "An Act relating to rate review by the Alaska Public Utilities Commission for *solid waste recovery and recycling services* of public utilities."

This bill would permit refuse utilities to include **reasonable** costs for recycling in their rates. With the "reasonable" standard the utilities have the burden of proof to demonstrate to the commission that the costs they incurred were just and reasonable.

For example, if the tipping fee for a landfill were \$40/ton and the cost of collection was \$20/ton, a recycling program that had *net costs* less than \$60/ton would be considered reasonable as it could deliver the utility service to the consumers at the same or a lower rate¹. In short, this bill would provide the garbage utilities an opportunity to specifically recover any reasonable investments and associated expenses in recycling such as containers and trucks as long as it could be shown to be less than the other alternatives.

If I can be of any assistance, please call me at 276-6222.

Sincerely,



Mark A. Foster,
Commissioner

¹If the cost of collection was \$20/ton and the cost of landfilling were \$40/ton the ratepayer would see \$60/ton in their rates. If the *net cost* to collect and recycle were less than \$60/ton the ratepayer would see lower rates. The ratepayer would still be ahead if the cost to collect and recycle were \$65/ton - as long as the commodity was sold for \$5/ton or more, yielding a *net cost* of \$60/ton or less to the utility.

adopted 5/2/91

To: Eric

1

Amendment to HB 140(L & C)

2

* Section 1. AS 42.05.431 is amended by adding new subsections to

3

read:

4

(f) In the establishment of rates of a utility

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the commission shall permit recovery of reasonable, net capital and

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services after considering the utility's recovery of revenue

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associated with the service.

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(g) In the establishment of rates under this chapter,

11

the commission shall promote solid waste recovery and recycling

12

services.

465-2278 /

k

COMMITTEE FOR RECYCLING
P.O. BOX 4387
KODIAK, AK 99615

April 19, 1991

Representative David Finkelstein
House of Representatives
P.O. Box V, Room 15
Juneau, AK 99811

APR 30 1991

Dear Representative Finkelstein:

Reduce. Reuse. Recycle. A simple yet effective plan to deal with our growing solid waste problem.

We are a group of Kodiak Island residents concerned about the worsening solid waste problem in Alaska. We would like to see the State of Alaska take a more active role in enacting legislation similar to that currently mandated at the national level. Many of us are making significant personal efforts to carry out the 3R's: "Reduce, Reuse, Recycle." We are collecting and recycling cans, bottles and paper. We are driving our cars less and trying to find other ways to conserve fuel and energy. We cherish Alaska's wilderness and do not want it destroyed by garbage, overdevelopment or further oil exploration (A.N.W.R.). We would like to see similar efforts and priorities established by our elected leaders.

Solid waste management can no longer be viewed as solely a local issue. In these days of long haul contracts, regional landfills and MARPOL regulations prohibiting dumping at sea, solid waste management is a state-wide issue. Many states have been actively studying the solid waste dilemma and developing solutions that include waste reduction, recycling and composting. Some states have moved aggressively to develop and fund programs to reduce the waste stream. The impetus for new legislation is the lack of available landfill capacity, the "NIMBY" (Not In My Backyard) syndrome, the increasing expense of waste disposal and the environmental consequences of disposals.

Given the above, would you consider the following ideas for implementation into state policy:

1. Recycled paper products - for use in all state government agencies. Government agencies should provide a model for citizens and businesses. This would apply to all units of state and local government, schools and special purpose districts.

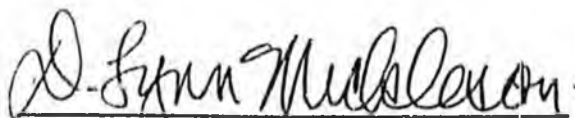
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- Set a minimum goal of 25% of the total value of materials and supplies purchased by, say, 1993.
 - Develop a data base to show all available products and vendors who carry them -- to be accessible to all public agencies.
 - Require a higher percentage, say 75%, of all paper purchased by 1995 to be recycled product.
2. Double sided printing - require all correspondence and publications to be printed on both sides of the paper. This would immediately halve paper costs.
 3. Solid waste tax - on non-recyclable items and packaging. This would help cover collection and disposal costs.
 4. Prohibition of non-recyclable packaging - when alternatives are feasible.
 5. "Can and Bottle Bill" - establish deposit system for all beverage containers.
 6. Environmental product ratings - based on environmental soundness; standardized and certifiable. Does the product or its manufacturer pollute the environment or deplete non-renewable resources? Is it reusable? Is it biodegradable?
 7. State financial support for the following:
 - local recycling and environmental projects
 - local solid waste collection efforts
 - solid waste studies, both statewide and individual villages, including medical wastes from rural clinics
 - creation of a State Solid Waste Task Force answerable to Legislators
 - grants to individual villages who show significant recycling and waste reduction efforts
 - education
 8. Sewage sludge - investigate use of municipal sludge on state highway rights of way, grazing lands, etc. Also, use sludge for energy production via anaerobic digestion.
 9. Master composting program - develop and support program to promote backyard and municipal composting of organic wastes (which make up 20% or more of the solid waste stream). Also, use such compost products for soil cover or amendments.
 10. Recycled building materials - study local and state building codes and make changes to encourage less waste, proper disposal and greater use of building materials with recycled content from construction debris. Encourage the use of brick vs. wood in building homes and consider tax incentives for such use. The homes would be warmer, more solid, and reduce the use of wood and pressure on our rapidly dwindling forests.

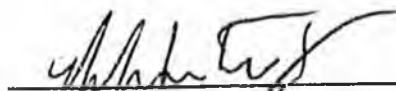
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Despite its huge size, Alaska will have a significant solid waste problem, probably sooner than later. Communities are already running out of landfill space. We have the chance to do something now about the problem, or wait until a crisis develops. The choice is ours.

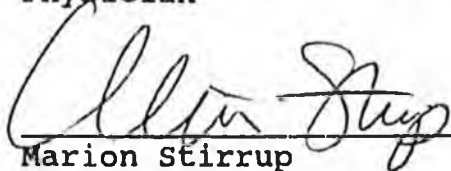
Please let us know what you can do about the above proposals.



D. Lynn Mickleson, M.D.
Physician



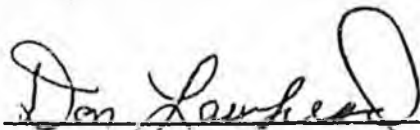
Robert Trouski, Jr.
Environmental Engineer



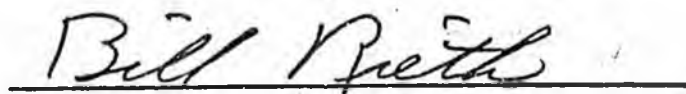
Marion Stirrup
Photojournalist



Arn Shryock
Environmental Specialist



Don Lawhead
Baler/Landfill Supervisor



Bill Rieth
Civil Engineer



Fred Sorenson
Biologist/Educator

**REDUCE
REUSE
RECYCLE**

:dpr

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11. Alternative paving materials - study and use by Department of Transportation on highways, bike paths, trails, etc. Fresh asphalt is a source of methane, adding to the Greenhouse Effect. Chipped wood waste can be used to create safe surfaces for playgrounds.
12. Waste tire retreading facility - perhaps at a state correctional institute. The tires could be reused on state vehicles or sold to retailers, creating significant revenues for the State.
13. Used oil recycling program - encourage public participation and require high volume retailers to inform the public of availability and nearest collection site for such programs. Recycled motor oil could be used in state vehicles.
14. Tax credits for recycled materials - created as incentives for people to buy and use products manufactured from recycled materials. Also, tax credits could be given for alternative energy utilization such as wind and solar energy. Even if the State's energy needs could be met for only four to six months annually by solar energy during the long summer, it would result in a significant reduction in the use of and dependence on petroleum products.
15. Hazardous waste collection fees - encourage communities to provide opportunities to recycle lube oils, solvents, antifreeze, tires, and hazardous waste materials.
16. Vehicle battery deposits - impose a deposit fee on new lead-acid batteries, refundable when returned for recycling.
17. Municipal recycling programs - required for all communities.
18. State Park recycling - placement of additional barrels for glass and aluminum collection at trash pickup sites in both state and national park systems.
19. Waste reduction and recycling goal - establish statewide goals by the year 1992 - say, 20% waste reduction by 1993, 40% by 1994, 60% by 1995, etc.

This is a long, but hopefully complete, list of the changes that we feel necessary in the state's recycling and waste reduction efforts. These are not easy changes. We will be attempting to reverse the effects of 30 years of business development aimed at providing convenience and disposability for the consumer. However, we feel these changes must be made.

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RECYCLING AND SOLID WASTE PETITION
APRIL 22, 1991

THE FOLLOWING INDIVIDUALS AGREE WITH THE PRINCIPLES OF THE
ATTACHED LETTER.

NAME

ADDRESS

Brian Himelbloom

P.O. Box 1866 Kodiak, AK 99615

Nancy Lunde RN

Box 622 Kodiak AK 99615

Judith Gartland

2125 Mountain View Dr.
Kodiak, AK 99615

Mary Stewart

201 Kautin ~~unpublished~~ 99615
Kodiak Alaska

Hans W. Tschersich

1423 Baranof St Kodiak 99615

Kristin Shank

4115 Woodland Dr. Kodiak, AK 99615

Robert Feltz

P.O. Box 46 Kodiak, AK 99615

Alan Morrison

1512 Mission Rd Kodiak, AK 99615

G.A. Sehn

P.O. Box 4254 Kodiak AK 99615

Louise Menke

Box 4267 Kodiak AK 99615

Richard Lodi

523 Maple St Kodiak, AK 99615

Judith Wood

Box 1124 Kodiak, AK 99615

RECYCLING AND SOLID WASTE PETITION
APRIL 22, 1991

THE FOLLOWING INDIVIDUALS AGREE WITH THE PRINCIPLES OF THE
ATTACHED LETTER.

NAME

ADDRESS

Heather Peterson

Po Box 1271 Kodiak AK

Romeo Marasigan

1512 Mission Road

Eugene J. S. Sano

2159 Island Cir. Kodiak

Tracy Buckley

1327 Regent Dr.

Christopher Provost

Po Box 4069 Kodiak, AK 99615

Barbara Anthony

210 Hillcrest Kodiak, AK.

Kare Phillips

Box 131 Kodiak AK

Henry Huelah

P.O. BOX 970 - Kodiak AK

James Street

11086 Uyak Dr. Kodiak

Barbara Smitigan

Box 932 Kodiak AK 99615

Jan C. Chatter

Box 3206 Kodiak AK 99615

Paul C. P. P.

P.O. BOX 1740 Kodiak, AK 99615

RECYCLING AND SOLID WASTE PETITION
APRIL 22, 1991

THE FOLLOWING INDIVIDUALS AGREE WITH THE PRINCIPLES OF THE
ATTACHED LETTER.

| <u>NAME</u> | <u>ADDRESS</u> |
|---------------------------|--|
| <u>Denny Ray</u> | <u>P.O. Box 251 Kodiak 99615</u> |
| <u>Russell Ferguson</u> | <u>327 A Lake Louise Dr. Kodiak AK 99615</u> |
| <u>Emmett J. Ferguson</u> | <u>327 A Lake Louise Dr. Kodiak AK 99615</u> |
| <u>Donna E. Buckley</u> | <u>1327 Rezanof Kodiak</u> |
| <u>Janice M. Sasse</u> | <u>20 E AVE, KODIAK, AK 99615</u> |
| <u>Lauren Madson</u> | <u>12035 Russian Crk. Rd Kodiak 99615</u> |
| <u>Mikhail G. Dull</u> | <u>PO Box 191647, Kodiak, AK 99619</u> |
| <u>WILLIAM R. RIETH</u> | <u>P.O. Box 1398, KODIAK, ALASKA 99615</u> |
| <u>Ann Munoz</u> | <u>1390 Baskins River Rd Kodiak AK 99615</u> |
| <u>Laurie L. Mudlock</u> | <u>PO Box 151, Kodiak, AK 99615.</u> |
| <u>Barbara Patti</u> | <u>102 A Ave C Kodiak AK 99615</u> |
| <u>PSRatti</u> | <u>102 A AVE C Kodiak AK 99615</u> |

RECYCLING AND SOLID WASTE PETITION
APRIL 22, 1991

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ATTACHED LETTER.

| <u>NAME</u> | <u>ADDRESS</u> |
|--------------------------|--|
| <u>Jeanne Berglund</u> | <u>4 E AVE KODIAK AK 99615</u> |
| <u>Lynn Thompson</u> | <u>Box 94 Kodiak, AK. 99615</u> |
| <u>Veronica Stone</u> | <u>P.O. Box 5550 Chinitak, AK 99615</u> |
| <u>Anna Lee Arnett</u> | <u>P.O. Box 2069 Kodiak 99615</u> |
| <u>Alice K. Knowles</u> | <u>Box 377 Kodiak 99615</u> |
| <u>Elke Camos</u> | <u>Box 3516 Kodiak 99615</u> |
| <u>Pierella Branson</u> | <u>1310 PEZANOFF Kodiak AK 99615</u> |
| <u>Diana Sanders</u> | <u>1218 Malcolm, Jr. Kodiak AK 99615</u> |
| <u>Marcy Sordlin</u> | <u>Box 1223 Kodiak, AK 99615</u> |
| <u>Gom Choudhury</u> | <u>1315 LARCH, KODIAK, AK 99615</u> |
| <u>Basanti Choudhury</u> | <u>4</u> |
| <u>Patty Heys</u> | <u>207-D C. Ave Kodiak 99615</u> |

RECYCLING AND SOLID WASTE PETITION
APRIL 22, 1991

THE FOLLOWING INDIVIDUALS AGREE WITH THE PRINCIPLES OF THE
ATTACHED LETTER.

NAME

ADDRESS

Lester Zeloff

PO 4296 Kodiak

L. J. Weimer

104 D Ave, #10, Kodiak, AK 99615

Carolyn Nave

P.O. Box 2195 Kodiak 99615

Michael Nave

P.O. Box 2195 Kodiak 99615

Colleen Helligso

SR 2540 Kodiak 99615

Mary Jane Krajnak

Box 606 Kodiak 99615

Justin Huff-John

Box 2661 Kodiak AK 99615

Barbara Budis

1711 Mill Bay #1 Kodiak AK 99615

Marion Blakeslee

P.O.B. 3696 Kodiak, AK 99615

RECYCLING AND SOLID WASTE PETITION
APRIL 22, 1991

THE FOLLOWING INDIVIDUALS AGREE WITH THE PRINCIPLES OF THE ATTACHED LETTER.

NAME

ADDRESS

Sheldon D Curry

1714 Selief #2, Kodiak, AK 99615

Angene Borden

PO Box 2166 Kodiak AK 99615

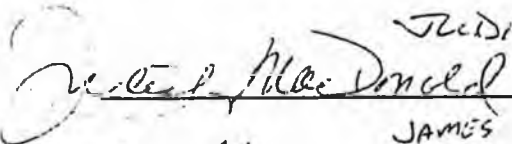
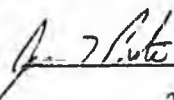
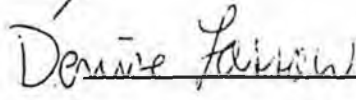
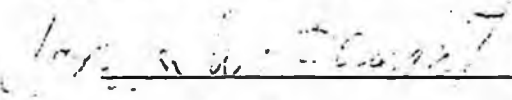
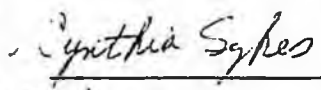
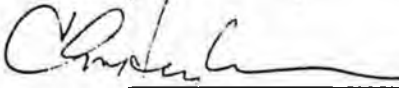
Sarah Thayer

Box 1282 Kodiak 99615

TO OUR LEGISLATORS

We, the undersigned, as residents of the State of Alaska do petition you, our legislators, to enact and provide funding for the following proposed legislation:

- HB 121 - Requires Railbelt utilities to undertake "least cost planning"
- HB 138 - Appropriates funding for recycling and waste reduction
- HB 139 - Establishes recognition awards for pollution prevention and recycling
- HB 140 - Would allow refuse utilities to recover reasonable recycling costs in their rates

| <u>Signature</u> | <u>Printed Name</u> | <u>Address</u> | <u>House Dist. #</u> |
|---|---------------------|------------------------------------|----------------------|
|  | JUDITH MACDONALD | 8205 MENTRA #3 ANCH AN 99518 | 9 |
|  | JAMES PRATER | 6134 EASTWOOD CT ANCH AK 99504 | |
|  | Denise Lassau | HC 67 Box 912 Anchorage AK | |
|  | Benedict | P.O. Box 294 Pillingham, AK | #16 99576 |
|  | Cynthia Sykes | P.O. Box 68 Talkeetna 99676 | |
|  | Christina R. Loren | P.O. Box 190551 Anch. AK 99519 | H.D. 15 |
| | | | |
| | | | |
| | | | |
| | | | |

These bills may be voted on at any time. Petitions need to be returned as soon as possible to the Alaska Center for the Environment - 519 W. 8th Ave., Ste. 201, Anchorage, AK 99501.

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| <u>Signature</u> | <u>Printed Name</u> | <u>Address</u> | <u>House Dist. #</u> |
|-------------------------|---------------------|--------------------------------|----------------------|
| <i>Scott Martine</i> | | P.O. Box 770126 Eagle River Al | 99577 |
| <i>Eric J. Sylene</i> | ERIC SYRENE | P.O. Box 295 Cordwood, AK | 99587 |
| <i>Tom Webber</i> | TOM WEBBER | 8155 Craycroft St Anch | 99507 |
| <i>Donna Jefferson</i> | DONNA JEFFERSON | BOX 393 TALKEENA, AK | 9967 |
| <i>Barbara Krasberg</i> | | Box 361 Cordwood | 99587 |
| <i>Barbara Jones</i> | | 7021 Semperis Anchorage | 99507 |
| | | | |
| | | | |
| | | | |

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Signature Printed Name Address House Dist. #

Arif, Steve, Lori Johnston *POB 200302*

Gerald M. Ginty *700 H St Anchorage 99501*

Gene Ferguson *700 H St Anch 99501*
GROUP FERGUSON

Walter E Morgan *Walter E Morgan*
2101 Sunrise Dr. Anch 99508

Richard M. Corbett *200 H St. Anch. AK 99501*

BARBARA CORBIT *700 H. St. Anchorage, AK. 99501*
Barbara Corbett

GREGORY A. LEE
Box 395 Bethel Alaska 99559

Richard A. Leland *Box 1224 Cordova AK 99574*

KE SHANE MURRAY
700 H ST ANCH AK 99501
Je Shane Murray

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| <u>Signature</u> | <u>Printed Name</u> | <u>Address</u> | <u>House Dist. #</u> |
|---------------------------|---------------------|--|----------------------|
| <i>Carol L. Ramey</i> | Carolyn L. Ramey | 403 W. 22 nd Ave #212, Anch | 99503 |
| <i>Maureen K. White</i> | MAUREEN K WHITE | 5246 Emmanuel Anch | 99508 #14 |
| <i>Christine M. Myers</i> | Christine M. Myers | 13300 Badger Ln. Anch. | 99576 |
| <i>Penelope Cordes</i> | Penelope M. Cordes | 6731 Crooked Tree Dr Anch, | 99516 |
| <i>Mira Stevens</i> | Mira Stevens | 1306 W. 6 th #7 Anch | 99501 |
| <i>RASHAD</i> | Rashed | 306 W. 6 th #8 Anch | 99501 |
| <i>Lloyd Eggen</i> | Lloyd Eggen | 6731 Crooked Tree Dr Anchorage AK | |
| <i>H. Thomas</i> | Heidi Thomas | 4300 Arctic #61 Anch | 99503 |
| <i>Susan Beeman</i> | Susan Beeman | P.O. Box 242972 Anch. | AK 99504 |
| <i>Steve J. Kendall</i> | Steven J. Kendall | Box 231322 Anch | AK 99523 |

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Signature Printed Name Address House Dist. #

Denny Thomas Denny Thomas 6301 Bunrysha Anch. 8

Jim Nunn John Nunn 4661 Cascade Cr. Anch AK 9

Marge Edais Marge Edais 4511 Fiker 18-A Anch AK 2

Glen Blum Glen Blum P.O. Box 230974 Anch. AK 10

Constance Katasse Constance Katasse 5000 Kenai Ave Anch. 13

Judith Macdonald JUDITH MACDONALD 8205 MEWRA* B ANCH 99518

Wally Schalkert 12600 TURKIS TURN ST Anch 99516

Erilla Mahaney ERILLA MAHANEY 608 No. Pine Anch 99508

Robert Corman ROBERT CORMAN 7123 Henderson Cr. Anch AK 99505

Cisela F. Hinchey 2085 E. Covek Anch. AK

These bills may be voted on at any time. Petitions need to be returned as soon as possible to the Alaska Center for the Environment - 519 W. 8th Ave., Ste. 201, Anchorage, AK 99501.

199501



Alaska Environmental Lobby, Inc.

P.O. Box 22151 Juneau, Alaska 99802

907-463-3366

March 4th, 1991

Representative David Finkelstein
Capitol, Room 15
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Finkelstein:

The Alaska Environmental Lobby would like to take this opportunity to thank you for introducing HB 140. HB 140 will allow the Alaska Public Utilities Commission to consider some costs related to recycling when it reviews and approves rates for public utilities.

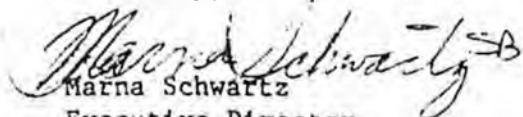
It is economically as well as environmentally wise for the State to make provisions for recycling, as HB 140 would do.

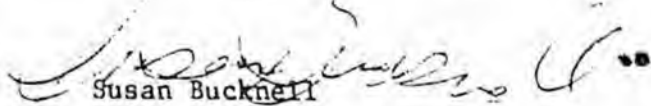
Rate structures for solid waste disposal should reflect longterm costs of disposal. Rates that don't are artificially low. Communities nationwide are being forced to deal with solid waste disposal crises. Many are turning to recycling as part of the solution. Allowing APUC more options in rate structure paves the way for farsighted solid waste management planning in the State of Alaska.

Recycling extends the life of landfills and postpones the time when we need major capital outlays for new solid waste facilities. HB140 has no fiscal note attached, and it will save on waste disposal costs in the future. Therefore, AEL supports the passage of HB140.

Once again, thank you for your effort in introducing this bill.

Sincerely,


Marna Schwartz
Executive Director


Susan Bucknell
AEL Volunteer

Sec. 42.05.140. [Repealed, § 5 ch 113 SLA 1970.]

Article 2. Powers and Duties of the Commission.

| Section | Section |
|--|--|
| 141. General powers and duties of the commission | 181. Notice and hearing before final orders |
| 151. Regulations and hearing procedures | 191. Format of orders |
| 161. Application of Administrative Procedure Act | 201. Publication of reports, orders, decisions and regulations |
| 171. Formal hearings | 211. Annual report |

Collateral references. — 64 Am. Jur. 2d, Public Utilities, §§ 231 — 235, 264 — 275. 73B C.J.S., Public Utilities, §§ 38 — 62.

Sec. 42.05.141. General powers and duties of the commission.

- (a) The Alaska Public Utilities Commission may
 - (1) regulate every public utility engaged or proposing to engage in such a business inside the state, except to the extent exempted by AS 42.05.711, and the powers of the commission shall be liberally construed to accomplish its stated purposes;
 - (2) investigate, upon complaint or upon its own motion, the rates, classifications, rules, regulations, practices, services and facilities of a public utility and hold hearings on them;
 - (3) make or require just, fair and reasonable rates, classifications, regulations, practices, services and facilities for a public utility;
 - (4) prescribe the system of accounts and regulate the service and safety of operations of a public utility;
 - (5) require a public utility to file reports and other information and data;
 - (6) appear personally or by counsel and represent the interests and welfare of the state in all matters and proceedings involving a public utility pending before an officer, department, board, commission or court of the state or of another state or the United States and to intervene in, protest, resist, or advocate the granting, denial or modification of any petition, application, complaint or other proceeding;
 - (7) examine witnesses and offer evidence in any proceeding affecting the state and initiate or participate in judicial proceedings to the extent necessary to protect and promote the interests of the state.
- (b) The commission shall perform the duties assigned to it under AS 44.83.162.
- (c) In the establishment of electric service rates under this chapter the commission shall promote the conservation of resources used in the generation of electric energy. (§ 6 ch 113 SLA 1970; am § 1 ch 33 SLA 1971; am § 43 ch 83 SLA 1980)

(2) a utility or electric operating entity that is owned and operated by a political subdivision and that directly competes with another utility or electric operating entity is subject to this chapter and any other utility or electric operating entity owned and operated by the political subdivision is also subject to this chapter.

(c) The ownership in whole or part, of the corporate stock of a public utility does not make the owner a public utility.

(d) The commission, on a finding that no legitimate public interest will be served, may exempt a utility from all or any portion of this chapter.

(e) Notwithstanding any other provisions of this chapter, any electric or telephone utility that does not gross \$50,000 annually is exempt from regulation under this chapter unless 25 percent of the subscribers petition the commission for regulation.

(f) Notwithstanding any other provisions of this chapter, an electric or telephone utility that does not gross \$325,000 annually may elect to be exempt from the provisions of this chapter other than AS 42.05.221 — 42.05.281 under the procedure described in AS 42.05.712.

(g) A utility, other than a telephone or electric utility, that does not gross \$100,000 annually may elect to be exempt from the provisions of this chapter other than AS 42.05.221 — 42.05.281 under the procedure described in AS 42.05.712.

(h) A cooperative organized under AS 10.25 may elect to be exempt from the provisions of this chapter, other than AS 42.05.221 — 42.05.281, under the procedure described in AS 42.05.712.

(i) A utility which furnishes collection and disposal service of garbage, refuse, trash, or other waste material and has annual gross revenues of \$200,000 or less is exempt from the provisions of this chapter, other than the certification provisions of AS 42.05.221 — 42.05.281, unless 25 percent of the subscribers or subscribers representing 25 percent of the gross revenue of the utility petition the commission for regulation.

(j) The provisions of this chapter do not apply to sales, exchanges or gifts of energy to an electric utility certificated under this chapter when the energy which is the subject of the sale, exchange or gift is waste heat, electricity, or other energy which is surplus or the by-product of an industrial process. In an area in which no electric utility is certificated for service, energy provided by sale, exchange or gift may be provided to any utility which is certificated for service to that area. A contract for the sale, exchange or gift of energy exempt under this subsection does not make the supplier a public utility, and does not transfer the responsibility to provide utility services from a certificated utility to any other person.

(k) A utility which furnishes cable television service is exempt from the provisions of this chapter other than AS 42.05.221 — 42.05.281

XX
X
X DELIVERED TO: LIOCMILS X
X
X ORIGINAL X
X SENT: 05/02/91 TIME: 15:39 X
X FROM: LIOCMIL X
X SUBJECT: 91-04-193, BL, (S)C&RA, 5/2 X
X PRINT DATE: 05/02/91 TIME: 15:39 X
X
XX

T/C NO: 91-04-193
DATE: 5/2
SPONSOR: (S)C&RA
SUBJECT: HB 130, HE 140, SB 25
MODERATOR: JUDY

BRIDGE LIST

XX

1. ANC
2. SEW-CHRIS GATES SB 25
3. LOR
4. KOD
- 5.
- 6.

- 7.
- 8.
- 9.
- 10.

EMAI: LIOCMIL
BACK-UP PHONE: 561-1199

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*
* DELIVER TO: LIOCELS
*
* ORIGINAL
* SENT: 05/02/91 TIME: 15:32
* FROM: LIOCKOD
* SUBJECT: 91-04-193, PL#1, S.CRA; S-2-91
* PRINT DATE: 05/02/91 TIME: 15:32
*
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T/C NO: 91-04-191
DATE: MAY 2, 1991, THURSDAY
SPONSOR: SENATE COMMUNITY & REGIONAL AFFAIRS COMMITTEE
SUBJECT: HB 130, HB 140, SB 25
MODERATOR: TINA WITTEVEEN
SITE: KODIAK LIO

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PARTICIPANT LIST 1

```

*****
HERE TO TESTIFY:

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| NAME/REPRESENTING | ADDRESS | PHONE | BILL NO. |
|-------------------|-----------------------|-------|----------|
| 1. BOB BRODIE, | KODIAK CITY MAYOR, | | SB 25 |
| 2. JEROME SELDY, | KODIAK BOROUGH MAYOR, | | SB 25 |

3. MIKE MILLIGAN, BOROUGH ASSEMBLY MEMBER SB 25

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START TIME: 3:27 PM END TIME:

 *
 * DELIVER TO: LIOCBL5
 *
 *
 * ORIGINAL
 * SENT: 05/02/91 TIME: 15:45
 * FROM: LIOCMIL
 * SUBJECT: 91-04-193; PL#2; (S)C&RA; 5/2
 * PRINT DATE: 05/02/91 TIME: 15:46
 *

SUBJECT LINE TO READ: TC NO., PL FS, SHORT SUBJECT, DATE

TC NO. 91-04-193
 DATE: 5/2
 SPONSOR: (S) C&RA
 SUBJECT: HB 130, HB 140, SB 25
 MODERATOR: JUDY
 SITE: ANCHORAGE

PARTICIPANT LIST

TO TESTIFY

| 1. | NAMES/REPRESENTING | ADDRESS | PHONE | BILL NO. |
|----|----------------------------|---------|-------|----------|
| 1. | MICHAEL MILLS/MUNI OF ANCH | | | HB 130 |
| 2. | MARK FOSTER/APUC | | | HB 140 |
| 3. | TOM TURNER/ANCH RECYC CNT | | | HB 140 |

4. BILL BOBRICK FOR ROGER BAILEY HB 140

TO OBSERVE:

| 1. | NAME/ REPRESENTING | ADDRESS | PHONE | BILL NO. |
|----|--------------------|---------|-------|----------|
| 1. | | | | |
| 2. | | | | |
| 3. | | | | |
| 4. | | | | |
| 5. | | | | |

LOCK UP NUMBER: 561-1127
 EMAIL ADDRESS: LIOCMIL

Survey by Anchorage Recycling Center-Sent to Anchorage
Refuse customers in April 1990:

1. Do you consider a solid waste recycling program a community priority?

YES: 3162/3514 90% NO: 367/3514 10%

2. Do you currently recycle?

YES: 2701/3514 77% NO: 812/3514 23%

3. Would you be willing to separate your recyclables if pick-up occurred at your home?

YES: 3307/3514 94% NO: 207/3514 6%

4. The value of recyclables will not support curbside pick-ups. Will you be willing to pay more than your current refuse bill for curbside pick-up of recyclables?

YES: 1994/3514 57% NO: 1520/3514 43%

5. If yes, how much more?

\$5.00: 1617/3514 46% \$10.00: 291/3514 8%

\$15.00: 75/3514 2% N/A: 1532/3514 44%

6. Should recycling be subsidized by:

Grants: 969/3514 28% Taxes: 673/3514 19%

User: 967/3514 27% None: 1018/3514 29%

N/A: 545/3514 16%

7. What prevents you from recycling more?

| | | |
|----------------------------|-----------|-----|
| Does not pay: | 437/3514 | 13% |
| Not sure where to take it: | 1095/3514 | 31% |
| Inconvenient | 1894/3514 | 54% |
| Not interested | 44/3514 | 1% |
| N/A | 702/3514 | 20% |

8. Do you believe garbage pick-up should be mandatory in Anchorage?

| | | | |
|----------------|-----|---------------|-----|
| Yes: 1901/3514 | 54% | NO: 1611/3514 | 46% |
|----------------|-----|---------------|-----|

9. Business using cardboard: Will you put cardboard in a separate dumpster if you receive a 10% rebate on disposal pick-up?

| | | | |
|----------------|-----|---------------|-----|
| YES: 1139/3514 | 32% | NO: 2313/3514 | 66% |
|----------------|-----|---------------|-----|