SB

16

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 1/16/07

FURTHER: State Affairs
Finance

Date of 5-Day Notice: Feb. 9, 2007
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: March 2, 2007

Community and Regional Affairs Committee considered

SENATE BILL NO. 16

SB 16 EXTEND REGULATORY COMMISSION OF ALASKA

"An Act extending the termination date for the Regulatory Commission of Alaska; and providing for an effective date."

and recommends:

[✓] be **replaced** with [ ] **SCS** or [✓] **CS** SB 16 (CRA)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____ Letter of Intent

[ ] further referral to _____ Committee

SENATE BILL:
[ ] Same Title
[✓] New Title

HOUSE BILL:
[ ] Same Title
[ ] Technical Title Change
[ ] New Title w/ SCR #_____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
CCED	2/14/07	✓			

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Thomas	✓			
	Wagoner	✓			
	Stevens	✓			
	Kookesh	✓			
CHAIR:	OLSON	✓			

no objection
Rule 22 suspended

adopted
3/1/07 4:11pm

25-LS0148\E
Kane
3/1/07

moved from C; CA w/ cmte rec - Wagoner 2nd Stevens

CS FOR SENATE BILL NO. 16(CRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): SENATOR THERRIAULT

A BILL

FOR AN ACT ENTITLED

"An Act amending the powers and duties of the legislative audit division regarding the Regulatory Commission of Alaska; amending annual report requirements for the Regulatory Commission of Alaska; extending the termination date for the Regulatory Commission of Alaska; and providing for an effective date."

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

*** Section 1.** AS 24.20.271 is amended to read:

Sec. 24.20.271. Powers and duties. The legislative audit division shall

(1) conduct a performance post-audit of boards and commissions designated in AS 44.66.010 and of those programs and activities of agencies subject to termination as determined in the manner set out in AS 44.66.020 and 44.66.030, and make the audit, together with a written report, available to the legislature not later than the first day of the regular session of the legislature convening in each year set out with reference to boards, commissions, or agency programs whose activities are subject to termination as prescribed in AS 44.66; the division shall notify the

1 legislature that the audit and report are available;
2 (2) audit at least once every three years the books and accounts of all
3 custodians of public funds and all disbursing officers of the state;
4 (3) at the direction of the Legislative Budget and Audit Committee,
5 conduct performance post-audits on any agency of state government:
6 (4) cooperate with state agencies by offering advice and assistance as
7 requested in establishing or improving the accounting systems used by state agencies;
8 (5) require the assistance and cooperation of all state officials and
9 other state employees in the inspection, examination, and audit of state agency books
10 and accounts;
11 (6) have access at all times to the books, accounts, reports, or other
12 records, whether confidential or not, of every state agency;
13 (7) ascertain, as necessary for audit verification, the amount of agency
14 funds on deposit in any bank as shown on the books of the bank; no bank may be held
15 liable for making information required under this paragraph available to the legislative
16 audit division;
17 (8) complete studies and prepare reports, memoranda, or other
18 materials as directed by the Legislative Budget and Audit Committee;
19 (9) have direct access to any information related to the management of
20 the University of Alaska and have the same right of access as exists with respect to
21 every other state agency;
22 **(10) conduct an audit every two years of information found in the**
23 **annual reports required under AS 42.05.211 and AS 42.06.220 regarding**
24 **compliance by the Regulatory Commission of Alaska with the requirements of**
25 **AS 42.05.175(a) - (e) and of the timeline extensions made by the commission**
26 **under AS 42.05.175(f), and of other performance measures adopted by the**
27 **commission**.
28 * **Sec. 2.** AS 42.05 211 is repealed and reenacted to read:
29 **Sec. 42.05.211. Annual report.** The commission shall, by November 15 of
30 each year, publish an annual report reviewing its activities during the previous fiscal
31 year and notify the legislature that the report is available. The report must address the

1 regulation of public utility service in the state as of June 30 and must contain details
2 about the commission's compliance with the requirements of AS 42.05.175(a) - (e),
3 with the timeline extensions made by the commission under AS 42.05.175(f), and with
4 other performance measures established by the commission.
5 * **Sec. 3.** AS 42.06.220 is repealed and reenacted to read:
6 **Sec. 42.06.220. Annual report.** The commission shall, by November 15 of
7 each year, publish an annual report reviewing its activities during the previous fiscal
8 year and notify the legislature that the report is available. The report must address the
9 regulation of oil and gas pipeline facilities in the state as of June 30 and must contain
10 details about the commission's compliance with performance measures reported by the
11 commission.
12 * **Sec. 4.** AS 44.66.010(a)(3) is amended to read:
13 (3) Regulatory Commission of Alaska (AS 42.04.010) - June 30, **2013**
14 [2007];
15 * **Sec. 5.** Section 1 of this Act takes effect January 1, 2009.
16 * **Sec. 6.** Sections 2 and 3 of this Act take effect January 1, 2008.
17 * **Sec. 7.** Section 4 of this Act takes effect immediately under AS 01.10.070(c).

25-LS0148\C
Kane
2/13/07

CS FOR SENATE BILL NO. 16(CRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

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legislature that the audit and report are available;

(2) audit at least once every three years the books and accounts of all custodians of public funds and all disbursing officers of the state;

(3) at the direction of the Legislative Budget and Audit Committee, conduct performance post-audits on any agency of state government;

(4) cooperate with state agencies by offering advice and assistance as requested in establishing or improving the accounting systems used by state agencies;

(5) require the assistance and cooperation of all state officials and other state employees in the inspection, examination, and audit of state agency books and accounts;

(6) have access at all times to the books, accounts, reports, or other records, whether confidential or not, of every state agency;

(7) ascertain, as necessary for audit verification, the amount of agency funds on deposit in any bank as shown on the books of the bank; no bank may be held liable for making information required under this paragraph available to the legislative audit division;

(8) complete studies and prepare reports, memoranda, or other materials as directed by the Legislative Budget and Audit Committee;

(9) have direct access to any information related to the management of the University of Alaska and have the same right of access as exists with respect to every other state agency;

(10) conduct an audit every two years of compliance by the Regulatory Commission of Alaska with the requirements of AS 42.05.175(a) - (e) and of the timeline extensions made by the commission under AS 42.05.175(f), and of other performance measures adopted by the commission.

* **Sec. 2.** AS 42.05.211 is repealed and reenacted to read:

Sec. 42.05.211. Annual report. The commission shall, by November 15 of each year, publish an annual report reviewing its activities during the previous fiscal year and notify the legislature that the report is available. The report must address the regulation of public utility service in the state as of June 30 and must contain details about the commission's compliance with the requirements of AS 42.05.175(a) - (e),

with the timeline extensions made by the commission under AS [illegible], and with other performance measures established by the commission.

* **Sec. 3.** AS 42.06.220 is repealed and reenacted to read:

Sec. 42.06.220. Annual report. The commission shall, by November 15 of each year, publish an annual report reviewing its activities during the previous fiscal year and notify the legislature that the report is available. The report must address the regulation of oil and gas pipeline facilities in the state as of June 30 and must contain details about the commission's compliance with performance measures reported by the commission.

* **Sec. 4.** AS 44.66.010(a)(3) is amended to read:

(3) Regulatory Commission of Alaska (AS 42.04.010) - June 30, **2013** [2007];

* **Sec. 5.** Section 1 of this Act takes effect January 1, 2009.

* **Sec. 6.** Sections 2 and 3 of this Act take effect January 1, 2008.

* **Sec. 7.** Section 4 of this Act takes effect immediately under AS 01.10.070(c).

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: SB16-COM-RCA-02-15-07
Bill Version: SB 16
() Publish Date:

Revision Date/Time (Note if correction):
Dept. Affected: Commerce

Title	Extend Regulatory Commission of Alaska	RDU	Regulatory Commission of Alaska (399)
		Component	Regulatory Commission of Alaska
Sponsor	Therriault		
Requester	Senate Community & Regional Affairs	Component No.	2417

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services		5,364.6	5,364.6	5,364.6	5,364.6	5,364.6
Travel		55.0	55.0	55.0	55.0	55.0
Contractual		1,530.9	1,530.9	1,530.9	1,530.9	1,530.9
Supplies		56.9	56.9	56.9	56.9	56.9
Equipment		12.6	12.6	12.6	12.6	12.6
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	7,020.0	7,020.0	7,020.0	7,020.0	7,020.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1141 - RCA Receipts		7,020.0	7,020.0	7,020.0	7,020.0	7,020.0
TOTAL	0.0	7,020.0	7,020.0	7,020.0	7,020.0	7,020.0

Estimate of any current year (FY2007) cost: 6,495.3
Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal: X

POSITIONS

Full-time	57	57	57	57	57	57
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*

This legislation extends the Regulatory Commission of Alaska (RCA) to June 30, 2015. In accordance with AS 44.66.010, funding is extended one year following the termination date allowing the commission to conclude its affairs.

The RCA is funded through the Regulatory Cost Charge (RCC) mechanism and direct charge mechanisms. No general funds are allocated for support of the agency. The RCC is recalculated each year and allows the agency to recover its operating costs through an assessment on the revenues of the utilities and pipeline carriers it regulates.

Prepared by:	Kate Giard, Chairman	Phone	907-276-6222
Division	Regulatory Commission of Alaska	Date/Time	2/14/07 11:00 AM
Approved by:	Emil Notti, Commissioner	Date	2/14/2007
Agency	Commerce, Community, and Economic Development		

(Revised 9/18/2006 OMB)

Alaska State Legislature

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SENATE DISTRICT F

TO: Senator Donny Olson, Chairman
Senate Community and Regional Affairs Committee

FROM: Senator Gene Therriault
Senate Minority Leader

DATE: February 6, 2007

RE: SB 16 – RCA Sunset Extension Hearing Request

I respectfully request Senate Bill 16 be scheduled for hearing before the Senate Community and Regional Affairs Committee.

Senate Bill 16 would extend the Regulatory Commission of Alaska (RCA) to June 30, 2015. The Division of Legislative Audit conducted its statutory audit of the RCA and released that report on December 15, 2006. The Audit Division found that the RCA is meeting a valid public policy need and is serving Alaskans and therefore should be extended to June 30, 2015.

Thank you for your consideration.

Email: Senator_Gene_Therriault@legis.state.ak.us

ALASKA STATE LEGISLATURE

LEGISLATIVE BUDGET AND AUDIT COMMITTEE

Division of Legislative Audit

P.O Box 113300
Juneau, AK 9811-3300
(907) 465-3830
FAX (907)465-2347
legaudit@legis.state.ak.us

November 8, 2006

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Title 24 and Title 44 of the Alaska Statutes (sunset legislation), the attached report is submitted for your review.

DEPARTMENT OF COMMERCE, COMMUNITY, AND
ECONOMIC DEVELOPMENT
REGULATORY COMMISSION OF ALASKA
SUNSET REVIEW

October 20, 2006

Audit Control Number

08-20048-06

This audit was conducted as required by AS 44.66.050 and under the authority of AS 24.20.271(1). Alaska Statute 44.66.050(c) lists criteria to be used to assess the demonstrated public need for a given board, commission, agency, or program subject to the sunset review process. Currently, under AS 44.66.010(a)(3), the Regulatory Commission of Alaska is scheduled to terminate on June 30, 2007.

In our opinion, the termination date for this commission should be extended. We recommend the legislature extend the termination date to June 30, 2015.

The audit was conducted in accordance with generally accepted government audit standards. Fieldwork procedures utilized in the course of developing the findings and discussion presented in this report are discussed in the Objectives, Scope, and Methodology.

Pat Davidson

Pat Davidson, CPA
Legislative Auditor

TABLE OF CONTENTS

OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with Title 24 and Title 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the Regulatory Commission of Alaska (RCA or commission). Under AS 44.66.050(a), the legislative committees of reference are to consider this report during the legislative oversight process to determine whether the commission's termination date should be extended. Currently, AS 44.66.010(a)(3) requires the commission to terminate on June 30, 2007. If the legislature takes no action to extend the termination date, the commission will have one year from that date to conclude its operations.

Objectives

The following are the three central, interrelated objectives of our report:

1. To determine if the termination date of the commission should be extended.

2. To determine if the commission is operating in the public's interest.

3. To determine if the commission has exercised appropriate oversight of certificated utilities and pipeline companies.

The assessment of operations and performance of the commission was based on the 11 factors set out at AS 44.66.050. Under the State's "sunset" law, these factors are to be used in assessing if an agency, subject to the law, has demonstrated a valid public policy need for continuing operations.

Scope and Methodology

The major areas of our review included:

- assessment of management controls,
- compliance with statutory deadlines for certain formal proceedings,
- compliance with statutory notice periods for tariff filings,
- compliance with public notice requirements,
- evaluation of the regulation adoption process, and
- review of the consumer protection activities.

Our audit reviewed operations and activities of the commission from July 2002 through June 2006 (FY 03 – FY 06).

Our review of the major areas was supplemented with information obtained from individuals employed by, or representing, the regulated utilities and pipeline companies. Two surveys were conducted. The surveys consisted of various questions soliciting the opinions of these groups about the operations and decision making processes of RCA.

One survey was sent to a sample of individuals who were involved in docket[1] proceedings. Topics in this survey included: statutory timelines, communication of the statutory deadline for docket proceedings, timeliness of dockets without statutory timelines, the hearing process, statutes, regulations, RCA's overall operations, and usability of the commission's website. A sample of 77 individuals[2] was selected from the service list attached to each docket's final or last order. Twenty-six of the 77 (34%) individuals surveyed responded.

Another survey was sent to a sample of individuals from the regulated entities that had interactions with RCA's consumer protection section. Topics in this survey included: RCA's informal complaint process, regulations, RCA's overall operations, and the usefulness of the commission's website. A non-probability sample of 29 individuals was selected from a list[3] of contacts provided by the consumer protection section staff. Fifteen of the 29 (52%) individuals surveyed responded.

We evaluated dockets and tariff filings to determine that: 1) dockets were processed within the applicable, if any, statutory timelines or within tariff statutory notice periods; 2) certain data maintained in RCA's database systems is reliable; and 3) RCA provides adequate public notice of commission meetings, docket proceedings, and tariff filings.

Our evaluation covered dockets opened on or after July 1, 2002 through May 10, 2006. We excluded pipeline dockets since those proceedings have no statutory timelines. The total number of dockets in our population was 465. We tested a randomly-selected statistical sample of 35 dockets. We also reviewed all final decisions of rule-making[4] dockets closed during the period to ensure the closure was within statutory timelines.

In addition, RCA had 367 pending dockets at the end of FY 02. During our audit period, there were 796 dockets closed, including those pending at the end of June 2002. Of the 796, 211 were dockets on utility matters that had an associated statutory timeline.[5] We sampled 25 of these utility dockets to confirm closures were based on decisions on substantive issues.

Our scope for tariff filings included those filed on or after July 1, 2002 through June 8, 2006. We excluded tariff filings that were withdrawn or suspended and those that were related to

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[1] The term docket is used by RCA to refer to a formal proceeding before the commission.

[2] Forty-nine individuals were involved in utility dockets, 20 were involved in pipeline dockets, 7 were involved in both utility and pipeline dockets, and the remaining one was the public advocate in the Department of Law.

[3] Although, the list did not consist of all the utilities and pipelines regulated by RCA, they included companies that the consumer protection section had regular contact with during the audit period.

[4] A rule-making docket is a matter in which RCA considers certain additions, deletions, or amendments to its regulations.

[5] We excluded dockets already reviewed in our statistical sample.

quarterly or annual adjustments.[6] The total number of tariff filings in our population was 915. We tested a non-probability sample of 35 tariff filings.

During our field work, we also:

- Assessed the adequacy of management controls over the docket and tariff filing processes
- Reviewed RCA's mandated quarterly reports to the legislature
- Evaluated the reliability of certain data maintained in the commission's databases
- Analyzed consumer complaints against utilities filed with the commission
- Reviewed applicable statutes and regulations
- Contacted the state ombudsman, the office of victims' rights, the Alaska State Human Rights Commission, the U.S. Equal Employment Opportunity Commission, the Alaska Labor Relations Agency, and the equal employment opportunity staff within the Department of Administration
- Reviewed proposed legislation and related testimony
- Interviewed commissioners, RCA staff, and management of regulated entities
- Researched other states' regulatory commission websites, statutes, and regulations
- Reviewed RCA's annual reports and operational performance measures
- Analyzed the expenditures of the commission and appropriations of the regulatory cost charges paid by the regulated entities
- Read RCA's transcripts of certain public meetings and hearings as well as related commission decisions

[6] These tariff filings included adjustments due to power cost equalization allocations and RCA's regulatory rate charges.

(Intentionally left blank)

ORGANIZATION AND FUNCTION

The Regulatory Commission of Alaska (RCA or commission) was created July 1, 1999, upon reorganization of the Alaska Public Utilities Commission by Chapter 25, SLA 1999. Under state law, RCA is responsible for ensuring safe, adequate, and fair public utility and pipeline services. This is to be done by allowing regulated entities to charge users rates and provide service in a manner consistent with the interests of both the public and regulated entity. The commission has the authority to adopt regulations and to hold formal, quasi-judicial hearings to accomplish these purposes.

RCA regulates pipeline, telephone, electric, natural gas, water, sewer, refuse, cable TV, and steam services. All pipelines, and all other public utilities with ten or more customers, are regulated by the certification process. A public utility or pipeline company must obtain a certificate of public convenience and necessity, which describes the authorized service area and scope of operations. A certificate is issued upon the commission formally finding the applicant to be fit, willing, and able to provide the service requested.

Exhibit 1

RCA Economically Regulated Certificates by Service Type

Telecommunications	63
Electric	32
Pipeline	19
Refuse	13
Water	11
Gas	6
Sewer	3
Cable TV	2

Besides the certification process, RCA also may economically regulates the rates, classifications, rules, regulations, practices, services, and facilities of public utilities and pipeline companies covered by statute. Utilities are subject to the RCA certification process but many are exempt from more extensive economic regulation. As of August 2006, there were 630 active certificated entities. Of these 149 were economically regulated. Exhibit 1 is a summary, by service type, of the economically regulated entities.

The commission consists of five commissioners appointed by the governor and confirmed by the legislature. The commissioners must either be a member of the Alaska Bar Association or have a degree in engineering, finance, economics, accounting, business administration, or public administration from an accredited college or university. The commissioners serve six-year terms. (See Exhibit 2 for the current commissioners and their terms.)

Exhibit 2

Regulatory Commission of Alaska Members

Kate Giard, Chair
Term Expires March 2007

Anthony Price
Term Expires June 2010

Mark Johnson
Term Expires March 2009

Dave Harbour
Term Expires March 2008

Jan Wilson
Term Expires March 2012

The staff of RCA is organized around six major functions: administration, finance, tariff, engineering, common carriers, and consumer protection. RCA had 60 funded positions[7] in its $6 million FY 06 operating budget. A brief description of the services provided by each function is as follows.

- Administration: This function is responsible for fiscal and personnel administration, budget preparation, and records management - including the case management system. The commission chair is responsible for this function and is aided by an administrative manager, a commission section manager, an advisory section manager, documents processing and accounting personnel, and other clerical support staff.

- Finance: This function examines, analyzes, and evaluates financial statements submitted for rate cases. The finance staff audits financial records of utilities and pipeline companies and examines historical operating year data and pro forma adjustments. These analyses are presented at proceedings before the commission.

- Tariff: This function examines, analyzes, and investigates tariff filings and presents recommendations to the commission at biweekly tariff action meetings. Administrative duties include organizing those meetings, ensuring that public notice requirements on tariff filings are met, and maintaining current master tariffs for all utilities.

- Engineering: This function is responsible for certification proceedings and the investigation of utility and pipeline company procedures and practices affecting service quality. The engineering staff also reviews legal descriptions for service areas, plans for plant expansion, and plant-in-service and depreciation schedules. These analyses are presented in proceedings before the commission.

- Common Carriers: This function develops, recommends, and administers policies and programs with respect to the regulation of rates, services, accounting, and facilities of communications common carriers within the State involving the use of wire, cables, radio, and space satellites.

- Consumer Protection: This function investigates and resolves informal consumer complaints, and is responsible for public affairs and media relations as well as responding to information requests.

As of July 2003, the responsibility of public advocacy for regulatory affairs was transferred to the Department of Law. The regulatory affairs and public advocacy section advocates on behalf of the public in utility matters that come before RCA. Regulatory cost charges from the regulated entities continue to fund the public advocate function.

[7] This total does not include the assistant attorney general that the Department of Law furnishes to RCA through a reimbursable services agreement.

Exhibit 3 below, summarizes RCA's expenditures for the past four fiscal years. The funding source for almost all of these expenditures was the regulatory cost charges paid by the regulated entities. Beginning with FY 04, the expenditures for the public advocacy function, relocated to the Department of Law, are excluded from the amounts shown.[8]

Exhibit 3

Regulatory Commission of Alaska
Summary of Expenditures
FY 03 - FY 06

Expenditures	FY 03	FY 04	FY 05	FY 06
Personal Services	$3,896,539	$4,005,622	$3,764,473	$3,582,676
Travel	53,081	55,359	50,747	89,370
Contractual	1,756,621	2,001,549	1,377,995	1,657,384
Supplies	50,501	54,555	81,610	129,847
Equipment	134,579	85,536	-0-	74,764
Total	$5,891,321	$6,202,621	$5,274,825	$5,534,041

Source: RCA's FY 03 annual report and the State's accounting system.

[8] The regulatory affairs and public advocacy section within the Department of Law received $1 million in FY 04 from RCA and then was appropriated, from fees paid by regulated entities, $1.3 million and $1.4 million, respectively in FY 05 and FY 06.

(Intentionally left blank)

BACKGROUND INFORMATION

The Regulatory Commission of Alaska (RCA or commission) is currently working on two significant projects: the 2005 improvement initiative project and the development of a regulatory program for small hydropower projects within the State. The following is a brief summary of each of these projects.

2005 Improvement Initiative Project

In March 2005, the commission began, what it termed, the 2005 improvement initiative project. The three primary goals of the project were to improve RCA's transparency, accountability, and operational efficiency. In order to achieve these goals, the commission identified four primary objectives:

1. To improve the regulatory environment for pipeline companies by partnering with them to jointly identify areas where RCA processes could be improved.
2. To improve the regulatory environment for utilities by meeting with key regulated industries to understand their view of RCA's oversight processes. Part of this effort would be to involve the utilities in setting priorities for regulation and statute changes, identifying the needs for a case management information system, and modifying RCA business practices.
3. To improve the internal operating and management structure of the commission.
4. To implement an integrated case management system with a web portal to allow access by the regulated entities.

RCA's actions under the first three objectives are discussed throughout the Findings and Recommendation and Analysis of Public Needs sections. The following discussion relates to the progress in the implementation of a case management information system.

Internet Integrated Case Management System

In late 2004, RCA began a series of meetings and workshops asking the public and the regulated entities what information technology improvements they believed were needed for the commission. A working group was formed of individuals from the regulated entities to better define RCA's system needs.

As a result of this process, in 2005 RCA began several information technology projects. In 2006 the commission issued a request for proposals to obtain an integrated case management system. The star system, proprietary software of an information technology company known as ACO, was selected. In response to inquiries from the various entities regulated by RCA,

the commission established a user committee of volunteers. The user committee members also solicited feedback from other utilities, pipeline companies, and organizations that interact with RCA.

The user committee's objective was to develop the conceptual framework that would allow each regulated entity access to a web-based portal, secured by a password, through which all business interactions with RCA could be transacted electronically. The budget for the new case management system and the web-based portal is approximately $2.25 million. It is anticipated that these projects will be completed by the end of 2006.

Regulation of smaller scale hydropower projects

RCA is in the process of establishing a regulatory program for small hydropower projects that are currently regulated by the Federal Energy Regulatory Commission (FERC). In 1999, federal legislation was adopted that provided for the phasing out of FERC's role in Alaska involved with licensing and regulating hydropower projects of less than 5,000 kilowatts.

The main reason for transfer of such authority from FERC to state regulation was that *"Alaska presents special circumstances that favor local control over projects."*[9] In the view of congress, state regulation would be timelier and less costly for both the current operators of the small hydropower projects and entities seeking initial approval for project construction. Transfer of this authority was contingent on the State developing a regulatory process that met certain requirements and was approved by FERC.

In 2002, the state legislature adopted legislation[10] giving RCA authority to develop regulations as part of establishing a regulatory program for small hydropower projects within the State.[11] RCA opened a rule-making docket in December 2003 to begin the process of developing a regulatory program. A stakeholder advisory committee was formed and numerous committee meetings, workshops, and public meetings were held.

Proposed regulations were issued for public comment in April 2005. Although rule-making dockets are to be closed by a final order within 24 months, RCA exercised its discretion to extend the deadline by 90 days. In March 2006 the commission was still not prepared to adopt the regulations. At the commission's public meeting, RCA's assigned assistant attorney general advised that

> ... [state law]... *says* [the commission] *shall issue a final order in a rule-making proceeding... not later than 24 months after a petition of the regulation has been filed. ...my advice to* [the commission is] *that you have to follow that provision and*

[9] Calendar No. 65, 106th Congress, Committee on Energy and Natural Resources report to the Senate on S. 422.
[10] Chapter 107, Session Law 2002
[11] Not included for state regulation are certain projects licensed or exempted under federal law before November 9, 2000.

issue a final order.... That is not obligating you to adopt the regulations, it's simply issuing a final order that would terminate the proceedings.

Accordingly, at the end of March 2006, RCA ordered the rule-making docket closed. In the final order the commission stated a new rule-making docket would be opened and the entire record of the closed docket would be incorporated into the new docket. As of the date of this report a new docket has not been opened. Due to the size and complexity of this regulation project, RCA is contracting for an attorney to assist in revising the proposed regulations.

Once the regulations have been edited, and a new docket opened, RCA intends to hold public meetings on the revised proposed regulations. The regulations would then be further revised as necessary, adopted, and submitted to the governor for eventual transmittal to FERC. The federal agency then has a year for its review. Only after FERC has approved RCA's regulatory program can the State take over regulatory responsibilities. The RCA chair anticipates this process will take approximately two more years from the date of the order for the additional public hearings.

In FY 07, RCA received a $150,000 appropriation from the State's general fund to continue the process of developing the small hydropower regulatory program. The costs associated with the project prior to FY 07, approximately $207,000 have been funded through RCA's regulatory cost charges from the current regulated entities.

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REPORT CONCLUSIONS

In developing our conclusion whether the termination date of the Regulatory Commission of Alaska (RCA or commission) should be extended, we evaluated commission operations using the 11 factors set out at AS 44.66.050. Under the State's "sunset" law, these factors are to be used in assessing if an agency, subject to the law, has demonstrated a valid public policy need for continuing operations. As discussed in the Findings and Recommendation section, we identified areas where regulation changes could improve RCA's efficiency and accountability. Given the quasi-judicial nature of how RCA operates, we recognize making these proposed regulation changes may be time consuming and attract extensive scrutiny and challenge by various parties that interact with RCA.

In our opinion RCA meets a valid public policy need and is serving Alaskans by: (1) assessing the capabilities of utility and pipeline companies to safely and capably serve the public; (2) evaluating tariffs and charges made by regulated entities; (3) verifying the pass-through charges to consumers from electric and natural gas utilities; (4) adjudicating disputes between ratepayers and regulated entities; (5) providing consumer protection services; and, (6) performing financial reviews of utilities for the State's power cost equalization program. RCA has demonstrated the commission serves a public need. Under AS 44.66.010(a)(3), RCA is scheduled to terminate June 30, 2007. We recommend the legislature adopt legislation extending RCA's termination date to June 30, 2015.

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FINDINGS AND RECOMMENDATION

In our previous sunset audit,[12] we made three recommendations. The first recommendation was for the Regulatory Commission of Alaska (RCA or commission) to propose legislation to clarify statutes imposing statutory timelines on certain proceedings. In 2002 legislation extending the termination date for RCA, the legislature adopted statutes setting specified timelines for the commission to follow in making certain kinds of decisions. The statutory timelines apply to about half of the regulatory decisions made by the commission. In Recommendation No. 1, of this review, we recommend the commission consider adopting further timelines for other actions not covered in statute.

A second recommendation stated RCA's chair should ensure that publication of notices of formal proceedings is monitored. While there are still some operational deficiencies with ensuring all discretionary public notices have appropriately been made, RCA consistently meets basic public notice requirements related to its decision making process. The concerns related to this prior audit recommendation have substantially been addressed.

The third prior recommendation suggested RCA either require smaller water and sewer utilities to be certificated or establish a meaningful exemption system by regulation. RCA adopted the necessary regulations in February 2004.[13]

The following recommendation is based on the current sunset review.

Recommendation No. 1

RCA should proceed with the development of regulations that would enhance the transparency, accountability, and efficiency of the commission's decision making process.

In late 2004, RCA held public meetings inviting comments on possible regulation changes that would improve the way in which the commission operated. In the early part of 2005, based on comments from staff in addition to those received from regulated utilities and pipeline companies at the 2004 meetings, RCA adopted a regulation projects plan. This work plan is reviewed on a regular basis. Many of the projects would establish more accountability standards for RCA operations.

In the course of our review, we identified three areas where adoption of regulations would promote improved efficiency, accountability, and transparency of RCA's decisions. All areas

[12] *Department of Community and Economic Development, Regulatory Commission of Alaska, Sunset Review, November 26, 2002*, Audit Control No. 08-20021-03.
[13] These regulations became effective June 19, 2004.

Exhibit 4

Statutory Timelines

In a special session in June 2002, legislative committees conducted extensive oversight hearings that focused on RCA's workload and the regulated utilities' complaints of slow processing of their requests. The legislature responded to these complaints by enacting statutory timelines for RCA decisions in several categories of utility regulatory matters. The addition of AS 42.05.175 provided, in part, the following:

(a) *The commission shall issue a final order not later than* ***six months*** *after a* ***complete application*** *is filed for an application...*

(b) *... the commission shall issue a final order not later than* ***nine months*** *after a* ***complete tariff filing*** *is made for a tariff filing that does not change the utility's revenue requirement or rate design.*

(c) *... the commission shall issue a final order not later than* ***15 months*** *after a* ***complete tariff filing*** *is made for a tariff filing that changes the utility's revenue requirement or rate design.*

(d) *The commission shall issue a final order not later than* ***12 months*** *after a* ***complete formal complaint*** *is filed against a utility or, when the commission initiates a formal investigation of a utility without the filing of a* ***complete formal complaint****, not later than* ***12 months*** *after the order initiating the formal investigation is issued.*

(e) *The commission shall issue a final order in a rule-making proceeding not later than* ***24 months*** *after a* ***complete petition*** *for adoption, amendment, or repeal of a regulation...*

(f) *The commission may extend a timeline required under (a) - (e)... if all parties of record consent to the extension or if, for one time only, before the timeline expires, the*

(1) *commission reasonably finds that good cause exists to extend...*

(2) *commission issues a written order extending the timeline and setting out its finding regarding good cause; and*

(3) *extension of time is 90 days or less.*

(g) *The commission shall file quarterly reports with the Legislative Budget and Audit Committee identifying all extensions ordered under (f)(2)...* **[emphasis added]**

we identified for improvement were included in the commission's 2005 regulation projects plan – although as of the date of this report, the commission has not started the process of developing the necessary regulations. Our identified improvement areas include: (1) establishment of additional timelines; (2) adoption of rules related to discovery; and (3) defining when a record is considered complete and the given timeline starts. Further discussion of these issues is as follows:

1. Establishing timelines for matters not covered by statute. In 2002, legislation was passed imposing statutory timelines on certain matters that come before the commission. (Refer to Exhibit 4.) However, these timelines apply to about half of the matters decided by RCA, leaving many filings and applications submitted to the commission without any formal, widely recognized timelines. This ongoing concern about timeliness was also reflected in almost half of survey responses received from representatives of regulated entities.

   Our review of RCA's decisions indicated the commission is consistently meeting the timelines set out in statute. This demonstrates RCA is committed to being as timely as possible. We urge the commission to take the additional step of putting timelines, for the actions not covered by statute, into regulation.

2. Establishing standards for certain aspects of discovery. Part of the prehearing process, during which each party requests relevant information and documents from opposing parties, is termed discovery. Each side is attempting to discover pertinent facts. Generally, discovery devices include depositions,[14] requests for admissions,[15] interrogatories,[16] document production requests, and requests for inspection. Excessive discovery requests during the course of a proceeding can be used as a tactic to drive up the legal costs for the opposing party. Additionally, extended discovery may contribute to longer proceedings, which runs counter to the central intent behind statutory timelines adopted in recent years.

   In past years, the merits and possibility of placing some limits on discovery has been raised in public meetings between RCA commissioners, utility managers, and attorneys that specialize in regulation law. In comments received from respondents to our survey, the need for discovery guidelines and the use of what is termed "informal" discovery were listed as current suggestions for improvement. Under current regulations RCA does have the authority, on a case-by-case basis, to adopt procedural rules limiting the nature and extent of discovery.[17]

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[14]Depositions are proceedings in which a witness or party is asked to answer questions under oath before a court reporter.

[15]A request for admission is a request to a party that they admit certain facts. One party sends the other a request for admission so that issues, the parties agree upon, can be resolved and not have to be proven at hearing.

[16]Interrogatories are written questions sent by one party to the other for the latter to answer in writing under oath.

[17] See 3 AAC 48.091(l). Rulings that specifically limit certain aspects of discovery are typically set out in an order during the early part of a proceeding. RCA occasionally issues orders limiting discovery, typically doing so only if one of the parties make a request to do so, and can make a persuasive argument.

State court rules limit the number of interrogatories in civil matters to 30. Federal civil procedure rules limit interrogatories to 25. Many regulatory authorities in other states have adopted rules related to discovery. In such situations where limits are imposed, provisions are typically made to allow parties to seek additional discovery. To do so, however, a party wanting more discovery must convince the adjudicative authority (judge, commissioner, hearing officer, etc.) to suspend or expand the established limits. If similar rules were in place at RCA, a party making an extensive discovery request would first have to justify the need for a larger request.[18]

There is a need to balance due process against efficiency. There may be times when exceptions to an established standard may have to be made. However, there is merit in RCA's consideration of limiting some aspects of the discovery process in the interest of promoting more efficient proceedings. Adoption of such rules by RCA would shift the burden of justifying broad discovery requests to the requesting party.

3. Clarifying terms used in statute that relate to established timelines for certain formal proceedings. State law, in setting timelines for various RCA proceedings, refers to various matters as being "complete" before the related, specified time period begins. Terms such as *"complete application,"* or *"complete tariff filing"* serve as reference points that trigger the deadline for a given decision. (See Exhibit 4.) The statute states that a request from the regulated entity is complete when all requirements are complied with under RCA's statutes, regulations, and adopted forms.

However, the determination of completeness is made informally by the advisory section staff rather than by a written decision of the commission. A more formal process performed by the commissioners or administrative law judges, rather than the current delegation to staff, would provide greater clarity to the regulated entities as to the completeness of their requests.

Over a quarter of the respondents to our survey said they were not informed by RCA as to what the deadline date was for their particular matter of interest. Although the date a matter is first opened may be clear, it is often some time before the filing is considered complete. Determining when the initial filing is complete involves subjective judgment on the part of RCA staff. In evaluating RCA's compliance with the timeline provisions, we occasionally saw where the date—when a filing was considered complete—was sometimes changed upon further review of the file.

RCA's determination of the trigger date of the statutory timeline, the date of completeness, is a point on appeal in several cases in front of the Superior Court initiated during the audit period. Legal filings and responses in the RCA hearing process and

[18] A current proceeding provides an example of where discovery appears to be unreasonable. A regulated utility received five requests from an opposing party that involved developing responses to between 1,800 and 2,200 interrogatories (the count varying depending on how one chose to count various question sub-parts).

appeals of RCA decisions may be limited by adoption of such regulations. Clarification of what determines completeness, and the process to document and communicate the completeness date, could limit this as a point of contention.

If RCA adopted regulations to define when an initial application, filing, complaint, and petition are complete such action would enhance the transparency and accountability of the commission's deliberative process. Alternatively, the commission could develop the practice of issuing an order to memorialize the date of when the initial record is considered complete. Such an order date could be integrated into the commission's interactive internet web portal and all parties to a given matter would be on notice as to the deadline date for a given matter's final decisional order.

The commission has been very proactive in soliciting feedback from the public, and the utility and pipeline companies, which are involved with RCA on an ongoing basis. While this process has identified key areas where RCA could improve its operations, the priority for implementation has to date been given to other matters. For the three issues discussed—directly related to promoting efficiency, accountability, and transparency of RCA's decision making—we recommend that the commission take the next step and schedule the necessary hearing dockets.

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ANALYSIS OF PUBLIC NEED

The following analyses of commission activities relate to the public need factors defined in AS 44.66.050(c). These analyses are not intended to be comprehensive, but address those areas we were able to cover within the scope of our review.

Determine the extent to which the board, commission, or program has operated in the public interest.

The Regulatory Commission of Alaska (RCA or commission) operates in the public interest in a wide variety of ways. The commission identifies its core services as including:

1. certification and economic regulation of utilities and pipeline companies;
2. assisting in the administration of the State's power cost equalization program;
3. review of tariffs;
4. resolution of disputes among service providers in various regulated industries;
5. consumer protection;
6. refinement of the State's utility regulatory framework; and,
7. serving as a technical resource for legislative and administrative decision makers.

In carrying out its responsibilities, RCA acts much of the time in a quasi-judicial manner. Accordingly, decisions must be supported by findings of fact, and the findings of fact must be based solely upon the evidence as it appears in the record of a given proceeding. RCA continues to be very concerned about affording all parties to a given decision appropriate due process, while at the same time being responsive to concerns about the timeliness of its decision making process.

RCA's efforts at resolving consumer complaints with regulated utilities also serve the public interest. The commission resolves most informal complaints within 30 days. Most of the regulated entities responding to our survey reported they were satisfied with the complaint resolution process.

RCA has responded well to legislative concerns about timeliness. In 2002, after extensive oversight hearings, the legislature put into statute specific time periods for RCA to follow in making various decisions. We reviewed 35 tariff filings and 35 formal proceedings. In no instance did RCA take longer than permitted, by statute, to make a given decision.

As discussed in Background Information, RCA did issue a final order to close a rule-making docket prior to completing the development of regulations related to hydropower projects.

While such action allowed the commission to technically comply with the established timeline, the central intent of the statute was circumvented. The commission continues to work on developing the regulations and does intend to reopen a formal docket in the future to adopt the necessary regulations.

Determine the extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices that it has adopted, and any other matter, including budgetary, resource, and personnel matters.

RCA's system, used to monitor progress of various hearing dockets and ensure impending deadlines are met, is adequate in promoting the issuance of timely decisions.[19] Such a system serves to prevent the triggering of default actions as provided for under the statutes for late decisions.

There is a lack of clarity about when timelines for certain decisions, as provided for in statute, actually begin. The time period for a decision begins when the initial record related to a proceeding is complete. However, there is no formally established definition in policy or regulation about when the initial record is complete. Determination of completeness is critical to designating when a given time period starts. Additionally, from a survey of selected parties involved with RCA proceedings, over a quarter of the respondents reported they had not been informed of any established deadline date related to their matter that fell under the statutory timelines.

Almost half of the survey respondents involved with proceedings not covered by a statutory deadline believed the length of time it took to resolve their matters was unreasonable. For survey respondents involved in pipeline proceedings, which are not covered by any statutory deadline, 60 percent believed the length of time for such proceedings was unreasonable. As discussed in Recommendation No. 1, we encourage the commission to develop regulations that establish timelines for matters not covered by state law.

Determine the extent to which the board, commission, or agency has recommended statutory changes that are generally of benefit to the public interest.

RCA commissioners provided testimony regarding the impact that 2003 legislation would have on commission operations. The legislation clarified state law related to the regulation of pipelines. The legislation expanded RCA's authority to regulate rates charged to customers for natural gas transported through any pipeline in the State, where previously such authority had been limited to a designated natural gas pipeline.

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[19] There are three components of RCA's system. First, each matter filed with RCA is assigned to a responsible "docket manager" who monitors subordinates' progress in preparing the matter for decision. Second, the RCA commission section manager maintains a database to monitor workflow and to continually advise the commissioners and staff as to the needed allocation of resources. Thirdly, weekly meetings with the RCA chair, administrative law judges, and staff are held to review the status of all open dockets.

According to testimony, RCA worked with the Department of Law to assist in developing 2004 legislation that provided for assessments to fund the public-advocacy function related to utility and pipeline regulation. This function was transferred from RCA to the Department of Law by Executive Order #111. The legislation clarified RCA's authority under the Executive Order and provided for independence between the commission and the public-advocate function.

RCA testified about the impact proposed 2005 legislation would have on commission operations. The legislation would have permitted privately owned utilities to be eligible for certain state water and sewer infrastructure grants. Grant eligibility under the legislation would have been contingent on the recipient utilities remaining under RCA's regulatory oversight. The legislation was adopted by the House but not the Senate.

RCA testified in hearings related to proposed 2005 legislation exempting certain water and sewer utilities from regulation. More specifically, the proposed legislation exempted such utilities owned by local governments, if the utility did not compete with a regulated utility. RCA's chair testified the commission could support the legislation if certain safeguards were in place to protect the affected consumers of the utility. Under the final draft of the legislation, RCA's chair would have been charged with reviewing the existence and appropriateness of such safeguards. If the chair determined the measures were adequate, the commission would notify the administration that the utility was exempt from RCA's regulation. The legislation was adopted by the House but not the Senate.

Determine the extent to which the board, commission, or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service that it has provided.

RCA affords the public the opportunity to speak at publicly noticed meetings of the commission. The quasi-judicial manner in which RCA operates provides extensive opportunity for all interested and affected parties to informally and formally respond to proposed regulations and decisions.

In addition, as part of its operating mission, RCA has an active consumer protection function which provides utility customers an avenue to seek resolution of complaints. RCA generally tries to resolve disputes between customers and utilities informally, before opening a formal complaint.

Exhibit 5
Consumer Complaints Filed with RCA during FY 06

	Number Filed	Percentage Of Total Complaints
Telecommunications	247	60%
Electric	91	22%
Water / Sewer	34	8%
Natural Gas	20	5%
Refuse Collection	18	4%
Cable Television	5	1%
Totals	415	100%

As reflected in Exhibit 5 on the previous page, RCA opened 415 formal complaints in FY 06. RCA resolved almost 90 percent of these complaints within 30 days. Additionally, almost 90 percent of the respondents to our survey, who were involved with the informal complaint resolution process, reported they were satisfied or very satisfied with the process.

RCA uses a variety of methods of notifying the public of formal proceedings. All notices appear on the commission's and the State's website. Notices are also placed in newspapers in the affected regions of the State, posted at the local post office, or included with utility customer billings.

Determine the extent to which the board, commission, or agency has encouraged public participation in the making of its regulations and decisions.

RCA's internet website is another tool that is instrumental for communicating with the public. Besides notices of upcoming meetings, formal actions are posted along with the commission's annual reports, discussions of major regulatory issues, and a forum is provided for public comment. The process for filing a consumer complaint is explained and visitors to the website can subscribe to direct e-mail notices related to specific topics of interest.

Survey respondents report that RCA's internet website is easy to use for finding sought after information and the site provides sufficient information regarding dockets and filings. RCA makes a computer terminal available at its office for the public to use for researching commission records. As discussed in Background Information, the commission sought and facilitated the formation of stakeholder groups to assist in the process of developing regulations for smaller hydropower projects. The commission has often used this consensus-building approach in developing regulations and making certain operational decisions.

In December 2004, in response to frustrations voiced by pipeline companies, the commission began holding informal meetings with certificated companies. The meetings developed a listing of suggestions about how the oversight process for pipelines could be improved. In March 2005, a follow-up meeting was held that documented the steps RCA had already taken and the commission's strategy to further address the concerns of the companies. These efforts should be continued to improve the commission's regulation of pipelines.

RCA has used a public process to identify priorities for possible changes in regulations. Beginning in late 2004, commissioners solicited suggestions from staff, the public, and regulated entities about what regulations should be amended or adopted. At a January 2005 public meeting, RCA adopted a list of 11 proposed regulation projects. (See Recommendation No. 1.)

Determine the efficiency with which public inquiries or complaints regarding the activities of the board, commission, or agency filed with it, with the department to which a board or commission is administratively assigned, or with the office of victims' rights or the office of the ombudsman have been processed and resolved.

The state ombudsman and the office of victims' rights report receiving no complaints about RCA since our previous sunset review four years ago.

RCA orders and decisions are subject to appeal to the state courts. Since the prior sunset review, 26 of the commission's final orders reflecting docket decisions have been appealed to the State's Superior Court. The Superior Court has remanded three of the decisions back to RCA for further proceedings.

Additionally, the State's Supreme Court has issued decisions related to four RCA docket decisions, resulting in one decision being remanded back to RCA for further proceedings.

Determine the extent to which a board or commission that regulates entry into an occupation or profession has presented qualified applicants to serve the public.

As discussed in Organization and Function, "entry" into the provision of public utility services or the operation of a pipeline is regulated through the issuance of a certificate of public convenience and necessity. A public utility or pipeline carrier must obtain from RCA a certificate of public convenience and necessity, which describes the authorized service area and scope of operations. A certificate is issued upon the commission formally finding the applicant to be fit, willing, and able to provide the service requested. The commission generally regulates the rates, services, and practices of these entities.

To that end, RCA employs utility financial analysts and utility engineers to perform the appropriate analyses to make a determination of an applicant's capabilities before granting a certificate. Since 2002, RCA has issued 53 certificates of public convenience and necessity.

Determine the extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission, or agency to its own activities and the area of activity or interest.

We found no evidence of RCA's hiring practices or appointments that were contrary to state personnel practices. Since our sunset review during 2002, no complaints have been filed with any of the following: (1) Alaska State Commission on Human Rights in the Office of the Governor; (2) U.S. Equal Employment Opportunity Commission; (3) Alaska Labor Relations Agency with the Department of Labor and Workforce Development; or (4) staff specializing in equal employment opportunity issues in the Division of Personnel within the Department of Administration.

Determine the extent to which statutory, regulatory, budgeting, or other changes are necessary to enable the agency, board, or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

Half of the respondents, to our survey of parties to formal proceedings, reported they do not believe the existing statutes meet the needs of the regulated entities and protect the public interests. Some of the areas that the respondents believe should be addressed by statutory changes were:

- protection of rural exemptions,
- provision of business incentive to encourage investment in Alaska,
- amendment of the Pipeline Act (AS 42.06) to provide RCA a greater degree of discretion in deciding pipeline-related issues,
- clarification of statutory timelines due to recent RCA decisions,
- establishment of varying degrees of regulation based on complexity and financial impacts,
- shortening of the statutory timeline for decisions in rate proceedings, and
- amendment of AS 42.05.175 to segregate the timeframes between adjudicative proceedings and the time given for the commission to issue its final order at the close of such proceedings.

In addition, the results of our surveys showed that 43 percent of the respondents do not believe the existing regulations meet the needs of the regulated entities and protect the public interests. Some of the areas that the respondents believe should be addressed by regulation changes were:

- deregulation of competitive markets,
- revision of ex parte communication rules,
- clarification of what constitutes a complete application/filing and when RCA must determine and document such completeness,
- addition of discovery limitations, and provision for use of more informal discovery.

As discussed in Background Information, RCA began in March 2006, what it termed, the 2005 improvement initiative project. This project included setting priorities for statute and regulation changes with input from the regulated entities through the public meeting process.

Determine the extent to which the board, commission, or agency has effectively attained its objectives and purposes and the efficiency with which the board, commission, or agency has operated.

According to 55 percent of the survey respondents, RCA's overall operations have improved somewhat or significantly during the past four years. Eighty-eight percent (88%) of survey respondents reported the efficiency of the commission's hearing process has stayed the same or improved with 46 percent of the respondents reporting the hearing process over the past four years has become more efficient.

Since FY 03, RCA's operational performance measures have evolved. The current chair of RCA is planning to implement a review of the performance measures and in the process obtain input from the regulated entities. The current performance measurements include:

- issuing all orders within statutory deadlines;
- closing as many cases as the number received each year; and,
- limiting the number of its decisions that are appealed to the Superior Court.

RCA has substantially accomplished the above operational performance measures. See Recommendation No. 1 which identified regulations that could improve RCA's efficiency and effectiveness.

Determine the extent to which the board, commission, or agency duplicates the activities of another governmental agency or the private sector.

Under state law,[20] utilities owned and operated by local governments are exempted from regulation. The exemption of utilities owned and operated by governmental units is a common feature of utility regulation statutes across the country. The main reason for such a law is the accountability to the public for utility rates and services thought to be more efficiently accomplished through the local government electoral process. Accordingly, regulating rates and service through a quasi-judicial adjudicatory process such as RCA could be considered duplicative in instances where a local government utility is not exempted.

This issue of possible duplication is reflected in recent efforts of the Municipality of Anchorage (MOA) to have the city's water and sewer utility exempted from RCA oversight. In both the 2003-04 and 2005-06 legislatures, bills have been considered that would amend the statutes related to such exemptions. The central purpose of the proposed legislation was to further specify that water and sewer utilities owned by a local government, such as MOA,

[20] AS 42.05.711 (b) states in part "*...public utilities owned and operated by a political subdivision of the state ... are exempt from* [RCA oversight]." The statute does allow such utilities to opt for regulation upon the election of the political subdivision's governing body. More significantly though, if such a utility "*directly competes with another utility or electric operating entity* [subject to RCA regulation]." then the exemption does not apply. In such a situation the political subdivision utility remains subject to RCA regulation.

would be exempt from regulation. The exemption would continue to be contingent on the utility not competing with other regulated water and sewer utilities.[21]

[21] An earlier attempt in the early 1990s by MOA to be exempted from RCA failed largely because of concern over the city's ownership of both a water and sewer utility along with an electrical utility. Since the commission determined MOA's electrical utility did compete with other regulated utilities, this precluded exemption of the water and sewer utility. The commissioners at the time were concerned joint ownership of an exempted water and sewer utility and nonexempt electrical utility could lead to a shifting of costs between the two entities. It was determined that such possible cost-shifting could be unfair to competing electrical utilities.

DEPARTMENT OF
COMMERCE
COMMUNITY AND
ECONOMIC DEVELOPMENT
Regulatory Commission of Alaska

Sarah Palin, Governor
William C. Noll, Commissioner
Kate Giard, Chairman

December 6, 2006

Ms. Pat Davidson, Legislative Auditor
Division of Legislative Audit
PO Box 113300
Juneau, AK 99811

Dear Ms. Davidson,

The Regulatory Commission of Alaska (RCA) received your Confidential Preliminary Audit Report on November 14, 2006. The Commissioners met in Executive Session on November 22, 2006. for the purposes of discussing the report and have formulated this response.

We believe a governmental agency must never stop trying to improve. It must never rest on its laurels or forget that just beyond the horizon lies a better way to do business, one that's more efficient, promotes greater accountability or enhanced transparency.

After three years of concentrated efforts, the RCA is a better, more efficient and responsive regulatory agency. Yet, our mission is not complete. We must strive to continually deliver an improved and balanced regulatory environment that achieves our statutory mandate of protecting the public interest. We are wholly committed to that goal.

This audit report delivers a straight-forward and comprehensive evaluation of the Agency. We appreciate the work of the legislative auditors who spent four months immersed in Alaska's complex regulatory environment. The resulting management letter includes three recommendations that are germane and timely. We will implement them without question.

We again thank Legislative Audit for a fair and honest evaluation and seek support of the Alaska Legislature for the recommendations contained therein.

Sincerely,

Kate Giard, Chairman

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Website: http://www.commerce.state.ak.us/rca/

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UTILITY SERVICES OF ALASKA, INC.
PROVIDING ADMINISTRATIVE SERVICES TO
COLLEGE UTILITIES CORP. AND GOLDEN HEART UTILITIES, INC.

January 26, 2007

Governor Sarah Palin
State of Alaska
Box 110001
Juneau, AK 99811

RE: REGULATORY COMMISSION OF ALASKA SUNSET REVIEW

Dear Governor Palin:

Changes are needed to the Alaska Statutes regarding the Regulatory Commission of Alaska (RCA). I believe the following, at a minimum, is needed:

1. Reduce the statutory time allowed for rate cases from 15 months to 9 months, which is the time line for many other commissions (see Legislative Budget and Audit Report data for support).

2. Limit discovery by all parties in RCA matters. There is currently no limit.

3. Place Regulatory Affairs and Public Advocacy (RAPA) under the control of the RCA. It is now an independent agency with little or no oversight.

4. Raise both the qualifications and salary of the RCA Commissioners. Pay should be equal to that of Superior Court judges. The appropriate pay will attract qualified candidates.

5. Create within the RCA the position of Chief of Staff or Executive Director to exercise staff control and to act as a liaison with utility personnel.

BACKGROUND

Our water and wastewater utilities serve more than 8,500 customers in the greater Fairbanks area which represents a population of over 50,000.

Our utilities are regulated by the Regulatory Commission of Alaska as to rates, regulations and service. We believe the level of service our utilities provide is of the highest quality. To bear this out, the RCA has received an average of less than six complaints per year from our customers for the past seven years. (This includes those related to rising rates).

PO BOX 80370, FAIRBANKS, AK 99708-0370 PHONE 907-479-3118, FAX 907-474-0619

As result of a rate filing stipulated March 19, 2003, our utilities were required by the RCA to file for, among other things, new rates that would levelize both water and wastewater rates between the two utilities, GHU and CUC, i.e., postage stamp rates, by August 1, 2005, based on a 2004 test year.

Our utilities made attempts to file early and to make the expected difficult process simpler, but did not succeed. With permission from the RCA, our complete filing was filed August 22, 2005. The filing was rejected for what we believed to be minor deficiencies. Commission staff informed us that they were directed to reject filings if at all possible to diminish work load and extend timelines.

The initial filing was split into three parts and the rate portion of the filing was finally accepted by the RCA on October 7, 2005. The statutory timeline of 15 months then started. A final decision was issued January 8, 2007, the last day of the statutory timeline, all based on a test year of 2004 for rates that should have been in effect for late 2005 and 2006.

At the point the filing was accepted, the real difficulties began. There were four intervening parties, including RAPA. Discovery took months with huge costs. The hearing was finally held in Fairbanks the last week of August 2006. In the meantime, as sales were sharply declining and costs sharply rising, our utilities attempted in January 2006 to supplement the October 7, 2005 filing to update it for new increased costs, and to correct some errors that had been made in the original filing. That supplemental filing was rejected so our utilities filed for additional rate relief June 5, 2006 based on a 2005 test year. Interim relief was granted in August 2006.

We received the final decision in the first case on January 8, 2007, more than four months after completion of the hearing in the matter. In the interim, the June 5, 2006 filing, with many of the same issues expected to be resolved by the January 8, 2007 decision, is now in the throes of discovery over many of the same issues.

Costs to our utilities alone in the 2004 test year case are more than $1 million. These costs are for legal, consulting, rate of return experts, cost of service study contractors and other direct outside expenses. Utility staff time, which is substantial, is not included, nor are the costs of the interveners, including RAPA. The added revenue requirement being requested in the 2004 case is about $2.3 million. Additionally, our 2005 test year case is now stacking up new costs. Discovery in the 2004 case consisted of several hundred requests resulting in approximately 15,000 pages being produced. The January 8, 2007 decision allowed recovery of only $118,094/year for three years, of the $1 million required to be spent.

We do not believe the regulatory process, as outlined above, serves our ratepayers, employees or shareholders. From our perspective, we believe the process is broken and in dire need of repair.

1. The statutory timeline is far too long. The process simply expands to fill the available time. In 2006, during RAPA discovery, items produced in early discovery, one to two months before reply testimony was due, were not examined until the same week reply testimony was due. We know this because our production of same was inadvertently incomplete! Upon discovering this omission and calling it to our attention (the week reply testimony was due), we produced correct documents within hours. To require four and half months to adjudicate case matters after hearing is too long. Many other jurisdictions have statutory or voluntarily utilize timelines of 9 or 10 months. The statute needs to be changed to 9 months. If a mistake is made either in favor of or against the utility, a prompt refiling can be made by the utility or required by the RCA. (See the results of the Legislative Budget and Audit review of the RCA for Sunset Review for supporting documents for reduced statutory timelines.) Rates need to be in effect during the computed time frame, not one to two years later.

2. Discovery is totally out of hand. The volumes of data requested by various parties, mostly RAPA and other interveners, is beyond analysis, with costs out of sight. There are basically no discovery rules in what has become a near court like affair. At the least, rules of discovery ought to be adopted similar to other legal venues, with an eye to limits on discovery both in time and amount.

3. RAPA was created by our late governor from the RCA's Public Advocacy Section, so the governor could exercise control over pipeline regulation. This change was ill conceived at best. RAPA is now responsible to no one. It appears to be run by the Attorney General even through control ought to in part be exerted by the RAPA staff section head. This appears not to be the case. RAPA contributes to large costs, case delays, and huge difficulties for the RCA. The RAPA group needs to be brought back under the control of the RCA so someone can exercise oversight.

   Informal discussion and discovery during RCA proceedings is almost non-existent. The process is controlled by attorneys and a utility almost never really gets to "tell its story". This lack of dialog between the utilities and the RCA must change. Dialog must be required by statute, especially during the time between initial filing and suspension. Settlement discussions need to be mandated by statute.

4. Commissioner's current pay levels are about $85,000/year and are set by the legislature. Qualifications are not set at a high bar. This is wrong. Pay should be set at a higher level and automatically adjusted when other state salaries are adjusted. Superior Court judge levels are an appropriate place to start. Qualifications ought to be at the level of

Masters in Business Administration, professional engineers, a senior attorney, or similar high qualifications.

5. The RCA staff does not really have a leader. The Commission Chair, which rotates, tries to do this but considering adjudicative and hearing duties, this is very difficult. Consequently, staff memo/analysis/decisions reached during the 45 day timeframe before statutory suspension are often times not properly reviewed, analyzed or thought out. The RCA needs a chief of staff or an executive director through which this control can be exercised. This should be spelled out by statute. This could alleviate the ex parte issue.

The continuing health of the state's utilities along with a balance to protect ratepayers demands that these issues be addressed.

Sincerely,

George Gordon
Director of Regulatory Affairs

cc: Senator Gene Therriault
Senator Joe Thomas
Senator Gary Wilken
Representative David Guttenberg
Representative Scott Kawasaki
Representative Michael "Mike" Kelly
Representative Jay Ramras
Representative John Coghill Jr.

Golden Heart Utilities and College Utilities Corporation
PO Box 80370
Fairbanks, Alaska 99708

Public Comment - Docket # R-06-1
By: Dan Gavora, President/CEO
October 11, 2006

1. **On-site Analysis:** Create a process that requires RCA staff to perform an on-site analysis of utility rate filings.

    a. Opportunity to create a dialog with staff and allow the utility to answer staff questions
    b. Reduce the number of outstanding issues to be resolved at hearing
    c. Expedite the process

2. **Joint Meeting:** *Before* ex parte begins, convene a meeting of the Commissioners assigned to the filing, the administrative law judge and Commission staff to review issues identified by staff at the on-site review.

    a. Opportunity to narrow the issues before proceeding

3. **Pre-filed Testimony:** Require utilities to file prefiled testimony *after* staff review of the utility's filing and issuance of Staff Memo.

    a. Allows the utility an opportunity to address items and correct errors staff may have found or that staff may have made in its review. This may potentially reduce the number of issues that proceed to hearing

4. **Intervenors:** Give the administrative law judge the authority to review potential intervenor(s) statement of issues. If a potential intervenor(s) position is, or can be, represented by RAPA, allow RAPA to do their job and represent the public.

    a. Reduce costs for the Commission and the Utility while the public is still adequately represented by RAPA
    b. Reduce and possibly liminate unnecessary costs to intervenors

5. **Previously Approved/Accepted Utility Practices:** Shift the burden of proof to the party asking to change a previously approved/accepted utility practice.

    a. An example at GHU/CUC is previous rate case costs
    b. Prepaids

6. **Concise Regulations**: Develop RCA regulations and staff to provide better customer service to its customers, the "utilities" throughout Alaska

a. Eliminate as much of the uncertainty as possible. For example, if a filing is rejected, provide specific direction on how to correct the filing.
b. Improve and allow dialog between staff and the utility

7. **Timeframe:** Reduce the number of months the Commission has to issue a final order in a rate proceeding. It is currently 15 months in the State of Alaska.

   a. According to the State of Michigan Public Service Commission the average length of time for US cases less than $100 million is 10.9 months. However, the states with populations similar to Alaska have an average of 9.3 months. A copy of the study is attached to these comments.

8. **Goal:** Create efficient and balanced regulatory process for the utility company, utility customers and the Commission.

   a. Commission can make significant strides to prevent adversarial relationships between parties
   b. Reduced costs for all parties
   c. Potentially lead to fewer rate filings due to reduced regulatory lag
   d. The ultimate winners will be the rate payers

Jennifer M. Granholm
GOVERNOR

STATE OF MICHIGAN
PUBLIC SERVICE COMMISSION
DEPARTMENT OF LABOR & ECONOMIC GROWTH
DAVID C. HOLLISTER
DIRECTOR

J. Peter Lark
CHAIR

Robert B. Nelson
COMMISSIONER

Laura Chappelle
COMMISSIONER

To: J. Peter Lark, Chair
Robert Nelson, Commissioner
Laura Chappelle, Commissioner

From: Gary Kitts

Subject: Rate Case Processing

You requested that the Commission Staff conduct an analysis of the length of time required to process a rate case in Michigan compared to other states. To do so, we used data published by Regulatory Research Associates, Inc. regarding rate cases decided between January 1, 1990 and December 31, 2003. We included any cases that were initiated by an application filed by the utility, but did not include any initiated by the Commission on its own motion, on the motion of the Commission Staff, or on the motion of another agency, such as a Consumers Counsel. The total number of cases during this 14-year period was 824, of which 19 were in Michigan. The study includes rate cases from all states except Alaska (we were unable to find any rate cases in the data base) and Nebraska, which relies primarily on municipal regulation. The results of our study are shown in the following table and the specific details for each state are attached.

	Michigan	U.S. Average
Unadjusted Case Time	11.4 Months	10.9 Months
Cases of $100 Million or more (Percent)	21.1 %	9.6 %
Adjusted Case Time	11.4 Months	11.7 Months

The first line of this table indicates that the actual average time to complete a rate case in Michigan was 11.4 months compared to 10.9 months in the rest of the country – a difference of approximately two weeks. However, this average fails to take into account the relative size of the cases involved. It has been our experience (indeed it should be obvious) that large cases require more time than short cases. On average, a rate increase request of $100 million or more lasts 7.3 months longer than a smaller rate case. This difference is significant, because in Michigan 21.1% of all rate requests are for $100 million or more compared to only 9.6% in the rest of the country. Thus, the proportion of large controversial rate cases in Michigan is more than double that in the other states. When an adjustment is made for case size, Michigan's average rate case is actually completed in less time than in other states.[1]

[1] (21.1% - 9.6%) x 7.3 months = 0.8 months.

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In addition, it is important to recognize the significant impact of the recent increase in rate requests. Between 1990 and 2003, Michigan utilities filed rate requests totaling slightly more than $900 million, an average of approximately $65 million per year. However, this year companies regulated by the Commission are asking for rate increases of approximately $950 million. Thus, utility rate requests this year exceed the total requests for the prior 14 years. Along with these traditional rate requests, Consumers and Detroit Edison have asked for an additional $1.1 billion in asset recovery costs pursuant to MCL 460.10d(4) and other relevant sections.[2] Finally, in the next month or so, we anticipate the filing of new rate cases totaling approximately $500 million. Thus, this year, the Commission is faced with rate filings in excess of $2.5 billion, almost triple the total volume over the last 14 years. It goes without saying that it will be a challenge to address these requests, especially in light of the fact that the Commission Staff has been reduced from 240 in 1992 to 148 today.

State	Total $	Wtd $	Months	Wtd Month
Alabama	14.5	0.04%	7.0	0.00
Arizona	1048.4	2.97%	14.3	0.42
Arkansas	136.1	0.39%	10.1	0.04
California	1578.1	4.47%	15.2	0.68
Colorado	331.2	0.94%	9.4	0.09
Connecticut	1327.1	3.76%	6.4	0.24
Delaware	104.8	0.30%	15.0	0.04
District of Columbia	445.6	1.26%	10.3	0.13
Florida	544.5	1.54%	7.1	0.11
Georgia	681.7	1.93%	6.1	0.12
Hawaii	534.7	1.52%	20.0	0.30
Idaho	66.8	0.19%	10.0	0.02
Illinois	2914.0	8.26%	11.2	0.93
Indiana	460.4	1.30%	11.6	0.15
Iowa	504.7	1.43%	8.6	0.12
Kansas	402.7	1.14%	9.1	0.10
Kentucky	185.8	0.53%	8.2	0.04
Louisiana	139.2	0.39%	14.8	0.06
Maine	225.1	0.64%	8.6	0.05
Maryland	1084.4	3.07%	5.8	0.18
Massachusetts	712.1	2.02%	6.5	0.13
Michigan	909.9	2.58%	11.4	0.29
Minnesota	473.0	1.34%	12.1	0.16
Mississippi	120.1	0.34%	4.8	0.02
Missouri	862.9	2.45%	9.0	0.22
Montana	255.6	0.72%	11.0	0.08
Nevada	284.8	0.81%	5.5	0.04
New Hampshire	21.2	0.06%	12.0	0.01

[2] These are total rather than annual asset recovery costs for these items.

New Mexico	78.5	0.22%	10.1	0.02
New Jersey	1990.4	5.64%	11.7	0.66
New York	3132.2	8.88%	12.2	1.08
North Carolina	445.7	1.26%	6.6	0.08
North Dakota	32.2	0.09%	7.2	0.01
Ohio	1604.8	4.55%	11.3	0.51
Oklahoma	225.3	0.64%	20.5	0.13
Oregon	879.9	2.49%	11.0	0.27
Pennsylvania	1693.3	4.80%	8.6	0.41
Rhode Island	89.0	0.25%	7.9	0.02
South Carolina	361.9	1.03%	8.0	0.08
South Dakota	19.7	0.06%	5.2	0.00
Tennessee	63.6	0.18%	6.8	0.01
Texas	3427.6	9.72%	14.3	1.39
Utah	512.0	1.45%	8.5	0.12
Vermont	279.9	0.79%	9.5	0.08
Virginia	827.2	2.34%	15.8	0.37
Washington	1058.7	3.00%	8.1	0.24
Wisconsin	1573.7	4.46%	9.0	0.40
West Virginia	457.7	1.30%	9.3	0.12
Wyoming	157.1	0.45%	7.0	0.03
	35279.8	100.00%		10.9

Regulatory Commission of Alaska

Regulatory Commission of Alaska
Fiscal Year 2006 Annual Report
for the period July 1 2005 to June 30, 2006

Table of Contents

Honorable Lyda Green, President of the Senate

Honorable John Harris, Speaker of the House

It is an honor for us to present the Regulatory Commission of Alaska's Annual Report for Fiscal Year 2006, filed pursuant to AS 42.05.211 and AS 42.06.220.

This annual report highlights the issues and activities upon which the Commission has focused during the year. We appreciate the opportunity in the coming year to continue serving the citizens of Alaska.

Respectfully,

Kate Giard, RCA Chair

Dave Harbour, Commissioner

Mark Johnson, Commissioner

Anthony Price, Commissioner

Jan Wilson, Commissioner

How Does the Commission Work?

The Alaska Legislature created the Regulatory Commission of Alaska in 1999, giving it broad authority to regulate 198 utilities and 21 pipeline carriers throughout the State. As of this annual report, the Commission monitors 630 active certificates for public utilities and pipelines. These certificates cover a broad range of activities, from provisional certificates for small village water and wastewater systems to fully regulated telecommunications, electric, and natural gas monopolies.

Authority

Alaska Statutes 42.04 - 42.06 and other statutes authorize the Commission to regulate public utilities by certifying qualified providers of public utility and pipeline services and to ensure that they provide safe and adequate services and facilities at just and reasonable rates, terms, and conditions. This keeps rates as low as possible while allowing the regulated entities an opportunity (but not a guarantee) to earn a fair return. The Commission also determines the per kilowatt-hour support for eligible customers of electric utilities under the Power Cost Equalization program (AS 42.45).

Structure

Five full-time Commissioners are appointed by the Governor and confirmed by the Legislature for six-year terms. Each year, the Commission elects a Chairman for a one-year term. Upon election, the Chairman assumes responsibility for administrative functions of the Commission, becomes the policy spokesperson, assigns dockets, and coordinates public meeting activities, in addition to shouldering regular commissioner docket work. The Chairman is ultimately responsible for the timeliness of the Commission's adjudication process, meeting statutory timelines, and serving as the Commission's liaison to the Legislative and the Executive branches of state government.

Core Services

Our core services include certification, regulating rates and services, calculating subsidy rates for the Power Cost Equalization program, tariff review, dispute resolution, consumer protection, and service as an information resource for the Executive and Legislative braches of government.

The Commission's staff includes Administrative Law Judges, engineers, financial analysts, telecommunications specialists, tariff analysts, consumer protection officers, paralegals, administrative and support staff.

Process

As a regulatory decision making body, the Commission exercises a delegated legislative power. Each regulatory decision is reached quasi-judicially – that is to say, the decision must be based on evidence of record gathered in docketed proceedings. All dockets are closely scheduled, but the due process rights of parties, carefully observed by the Commission, mainly govern their timing.

In the course of a hearing, parties participating may include the subject public utility and Regulatory Affairs Public Advocacy section of the Attorney General's Office.

In cases where millions of dollars may be at stake, or important issues of regulatory policy arise, a number of intervenors, representing interests as diverse as low-income customers and large industrial customers, may also participate. They too may employ expert witnesses and attorneys. Intervenors often seek involvement because regulatory decisions distribute outcomes as gains or losses to particular parties. Cases raise issues of law, economics, accounting, finance and engineering that can establish legal precedent for future cases.

Parties present sworn testimony and evidence of expert witnesses on matters at issue. Witnesses may be cross-examined by the attorneys representing each party.

Reaching decisions, which consider the often-competing interests of concerned parties, in pursuit of outcomes which protect and promote the overall public interest, is one way to view the Commission's role. Each decision, which can be appealed to state or federal court, must be supported by the evidentiary record and applicable laws and regulations.

When do we need the Regulatory Commission of Alaska?

In most cases, when utilities request changes in either their rates or types of services they provide, the Commission provides notice to the public and allows thirty days for comments. The Commission then acts to approve or disapprove the utility's proposal. Public notices appear as advertisements in the local newspaper or are otherwise distributed or published as our statutes or regulations require. Some notices are also provided directly by the utilities in the form of flyers mailed with utility bills.

Decision Making

Reaching decisions, which consider the often-competing interests of concerned parties, in pursuit of outcomes which protect and promote the overall public interest, is one way to view the Commission's role. Each decision, which can be appealed to state or federal court, must be supported by the evidentiary record and applicable laws and regulations.

Whom does the Regulatory Commission of Alaska regulate?

Most entities providing telecommunications, electric, natural gas, water, sewer, garbage, or steam services to ten or more customers are required to have a certificate to operate. A public utility or pipeline carrier must obtain a certificate of public convenience and necessity, which describes the authorized service area and scope of operations of the utility. A certificate may be issued when the Commission finds the applicant to be fit, willing, and able to provide the service. The Commission regulates the rates, services, and practices of utilities that meet the criteria for a certificate of public convenience and necessity to provide service to the public for compensation. However, there are utilities that are not economically regulated; these include local, government-owned utilities, very small utilities, most cable television providers, cellular phone service, and cooperatives whose members have voted to become deregulated. The Commission also regulates oil and gas pipeline carriers that operate within Alaska.

Statutory Deadlines

In a special session in June 2002, legislative committees conducted extensive oversight hearings that focused on the Commission's workload and the regulated utilities' complaints of slow processing of their requests. The Legislature enacted statutory deadlines to address the utilities' concerns. These deadlines are embodied in AS 42.05.175 and cover certain applications, tariff filings, complaints, and rule-making dockets. The Commission followed this enactment by implementing additional deadlines, both in regulations and with respect to its internal operations.

As part of its Sunset Review Report issued in October 2006, the Division of Legislative Audit found "[o]ur review of RCA's decisions indicated the commission is consistently meeting the timelines set out in statute. This demonstrates RCA is committed to being as timely as possible. We urge the commission to take the additional step of putting timelines, for the actions not covered by statute, into regulation."[1]

The Commission is meeting the report's call for additional steps in setting and communicating its deadlines and has opened several rule-making dockets which may add or modify deadlines. These include:

R-06-001 – In the Matter of the Consideration of Changes to Regulations Addressing Completeness Determinations for Applications

R-06-007 – In the Matter of the Consideration of Regulations Dockets for FY 07

R-06-009 – In the Matter of the Consideration of Deadlines for Final Orders in Commission Proceedings

R-06-010 – In the Matter of the Consideration of Potential Changes to Statutes Governing the Procedures and Operations of the Regulatory Commission of Alaska

The Commission has also improved its internal procedures, to include issuing Initiating Orders in dockets which specify the applicable statutory deadline date or indicate that the date will be provided once the docket information necessary to set the date has been received. Finally, the Commission is anticipating going "live" with its new case management system and its associated web portals by early Fiscal Year 2008. This system will improve the setting, communication, and achievement of deadlines of all kinds to affected staff, utilities, consumers, and the general public.

General Rules

AS 42.05.175(f): The Commission may extend the statutory timeline for up to 90 days if the Commission (1) reasonably finds good cause to extend the deadline, and (2) issues a written order setting out good cause and extending the timeline.

AS 42.05.175(h): If the Commission does not issue and serve a final order on certain applications or suspended tariffs within the statutory timeline (and does not extend the timeline under subsection (f)), the application/tariff is considered approved and goes into effect immediately.

[1] Sunset Review, October 20, 2006, Audit Control Number 08-20048-06, page 17

Deadlines

Type	Current Rule
Application completeness - CPCN.	3 AAC 48.661(f) 15 business days. 3 AAC 48.660 (a) and (b) - unacceptable or incomplete applications.
Application for a new or amended CPCN.	AS 42.05.175(a)(1)-(4)
Transfer of, or acquisition of a controlling interest in, a CPCN Application to extend the service area	3 AAC 48 661(a)-(c) Within 6 months after filing complete application 3 AAC 48 661(d) - within 6 months after filing complete application
Acquisition of a controlling interest - pipeline carriers	
Name Change	3 AAC 48.661(e) - 3 months
Application for a new IXC CPCN	(3 AAC 52.360(d) and 661(a)) - within 90 days from date completed application filed
Cost Allocation Manual subject to investigation	None.
Depreciation Studies - For LEC Telecoms	(3 AAC 48 425(f) & (g)) - 90 days after filing, unless suspended.
Depreciation Studies - all others	None.
Disaggregation study	None
Discontinue, abandon, or suspend service	
- utilities (AS 42.05.261)	None.
- pipelines (AS 42.06.290)	None.
ETC Designation	None
Interconnection	
- Utilities (except telecom) (AS 42.05.321(a))	Failure - petition - AS 42.05.175(d) - 12 months
- telecomm (AS 42.05.321(b)(47 USC 252(b)(1)(C) & (e)(4))	Arbitrated - 9 months from interconnection request Negotiated - 90 days from date of filing.
- Pipeline (AS 42.06.340)	None.
Petitions for nondominant status	3 AAC 53.220 (a)(1); (a)(2) or (3) - None
Petition for review of dominant or nondominant status	3 AAC 53.220(d)-(f) - None.
Regulations dockets	AS 42 05 175(e) - 24 months
Tariff revision that does not change rate/rate design	
- utilities	AS 42.05.175(d) - Within 9 months after complete tariff filing made
- pipelines	None.
Tariff revision that changes utility s rate/rate design	AS 42 05 175(c) - Within 15 months after complete tariff filing made
Tariff rate revision or Initial rates - pipeline	None.
Tariff revisions - LECs in CLEMS	Dominant Retail rate decreases/new retail service offerings/special contracts for retail services become effective 30 days after filing. 3 AAC 53.240(c) Retail rate increases become effective 45 days after filing. 3 AAC 53.240(b), 3 AAC 48 200(a) Changes to tariff rules and regulations become effective 45 days after filing 3 AAC 48.220(a)
Tariff revisions - LECs in CLEMS	Nondominant.Changes to retail rates/special contracts for retail services become effective 30 days after filing. 3 AAC 53.240(a). Changes to tariff rules and regulations become effective 45 days after filing. 3 AAC 48.220(a).
Tariff revisions - IXCs	Retail rates/new retail service offerings/special contracts for retail service become effective 30 days after filing 3 AAC 52 370(b) Wholesale rate decreases become effective 30 days after filing 3 AAC 52.375(b) Wholesale rate increases/new wholesale service offerings/special contracts for wholesale service become effective 45 days after filing. 3 AAC 52 375(b), 3 AAC 48.200(a)
Formal complaint	
- utilities.	Within 12 months after formal complaint is filed; if Commission initiates docket, deadline is 12 months from the issuance of the order initiating investigation.
- pipelines	None.

FY 06 Statutory Deadline Extensions

FY 2006	Docket	Parties	Date	By Parties	By HEA	Other conditions
	U-03-095	OTZ Telephone Cooperative & Attorney General	08/16/05	1		
	U-03-093/ U-05-022	Jolliffe Water	09/9/05		1	
	U-05-004	GCI	09/23/05		1	
	U-05-035	Cook Inlet Refuse, Inc. & Industrial Refuse	11/01/05	1		
	U-05-007	College Utilities Corporation & James J. Allen	11/25/05	1		
	U-05-054	ENSTAR & Attorney General	12/01/05		1	
	U-05-022	Jolliffe Water	12/08/05		1	
	R-03-005	None	12/16/05	1		
	R-04-001	None	03/06/06		1	
	U-06-02	ENSTAR, Attorney General, Marathon Oil Company, James Walker, Tesoro Alaska Company, Trading Bay Oil Company	05/25/06	1	1	
FY 2006 Total				5	6	11
FY 2005 Total				6	3	9
FY 2004 Total				8	4	12
FY 2004 - FY 2006 Totals				19	13	32

Tariff Filing Deadlines

Utility Type	Authority	Filing Period	Notice Rule
General Authority-Utility	AS 42.05.411		
General Authority-Pipeline	AS 42.06 390		
DOC			
Rate Filings-Retail	3 AAC 52.370/3 AAC 52.390	30 days	Utility Notice-Newspaper
Rate Filings-Wholesale	3 AAC 52.375/3 AAC 52.390	30 days	Utility Notice-Web
Rule Only Filings	3 AAC 48.220/3 AAC 52.390	45 days	Utility Notice
LEC			
Nondominant Competitive	3 AAC 53.243 (U-05-055)	Takes effect upon filing	Utility Notice
Dominant Competitive	3 AAC 53.240/3 AAC 53.290/U-01-34(23)	30 days	Utility Notice
Non-Competitive	3 AAC 53.070/3 AAC 53.110	45 days	Commission Notice
Refuse			
Anchorage-Competitive	U-04-119(2)	45 days	Commission Notice
Fairbanks-Competitive	L9700633/U-95-071/U-02-067	30 days	Utility Notice
Non-Competitive/Other	3 AAC 48.220/3 AAC 48.280	45 days	Commission Notice
Electric			
COPA	3 AAC 48.220/3 AAC 52.504	45 days	No Notice
COPA Exceptions	3 AAC 48.220/3 AAC 52.504	45 days	Commission Notice
PCE	3 AAC 48.220/3 AAC 52.650	45 days	No Notice
Simplified Rate Filing	3 AAC 48.730	45 days	Utility Notice
Other	3 AAC 48.220/3 AAC 48.280	45 days	Commission Notice
Water	**3 AAC 48.220/3 AAC 48.280**	**45 days**	**Commission Notice**
Wastewater/Sewer	3 AAC 48.220/3 AAC 48.280	45 days	Commission Notice
Gas			
GCA	3 AAC 48.220/3 AAC 52.506	45 days	No Notice
GCA Exceptions	3 AAC 48.220/3 AAC 52.506	45 days	Commission Notice
Other	3 AAC 48.220/3 AAC 48.280	45 days	Commission Notice
Steam - All except Aurora	**3 AAC 48.220/3 AAC 48.280**	**45 days**	**Commission Notice**
Aurora	U-97-044/U-97-139	Takes effect in 30 days	
Pipeline			
Initial rates/rules	3 AAC 48.220/3 AAC 48.280	90 days	Commission Notice
Other	3 AAC 48.220/3 AAC 48.280	30 days	Commission Notice

*Special case specific adjustments are not listed.

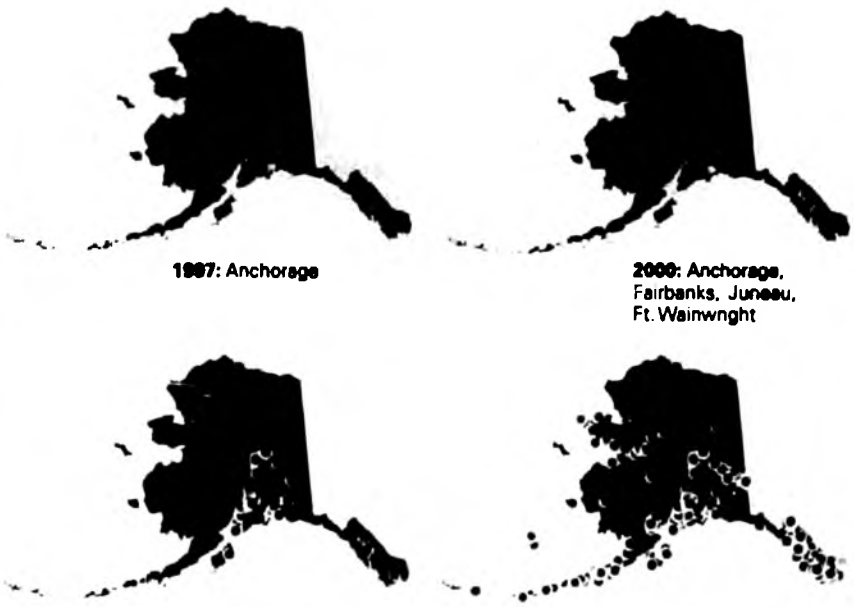
Competition in Local Telecommunications

Congress enacted the Telecommunications Act of 1996 (the Act), with the goal of promoting local competition across the United States while ensuring universal service and affordable rates. In 1997, the Commission approved the first application for competitive local exchange service in Alaska, allowing GCI Communication Corp. (GCI) to enter the Anchorage market.[1] The Juneau and Fairbanks markets became competitive soon thereafter, with GCI completing phase-in of service to the Fairbanks and Juneau areas in 2001 and 2002 respectively.

The Anchorage, Juneau and Fairbanks markets are now among the most competitive in the United States, based on competitor market share. In recognition of the level of competition in these markets the Commission granted ACS of Anchorage, Inc., ACS of Fairbanks, Inc., and ACS of Alaska, Inc. (for its Juneau study area) nondominant carrier status on February 22, 2006. As a result, local carriers that operate in the Anchorage, Juneau, and Fairbanks markets may implement upon filing, and without Commission approval, most retail rate changes, subject to certain safeguards. As of June 30, 2006, all other incumbent local exchange carriers and ACS of Alaska, Inc. (for its Eielson and Ft. Wainwright exchanges) remain dominant carriers.

In 2005, GCI sought approval to enter several rural local markets in Alaska (Docket U-05-004). While the Commission granted GCI conditional authority to serve in roughly 90 additional exchanges, GCI has yet to actually begin local service in any of these new areas. The first location where GCI is expected to provide local service is in Eagle River, Alaska, in the Matanuska Telephone Association service area. The Commission's key decisions in Docket U-05-004 are under appeal.[2]

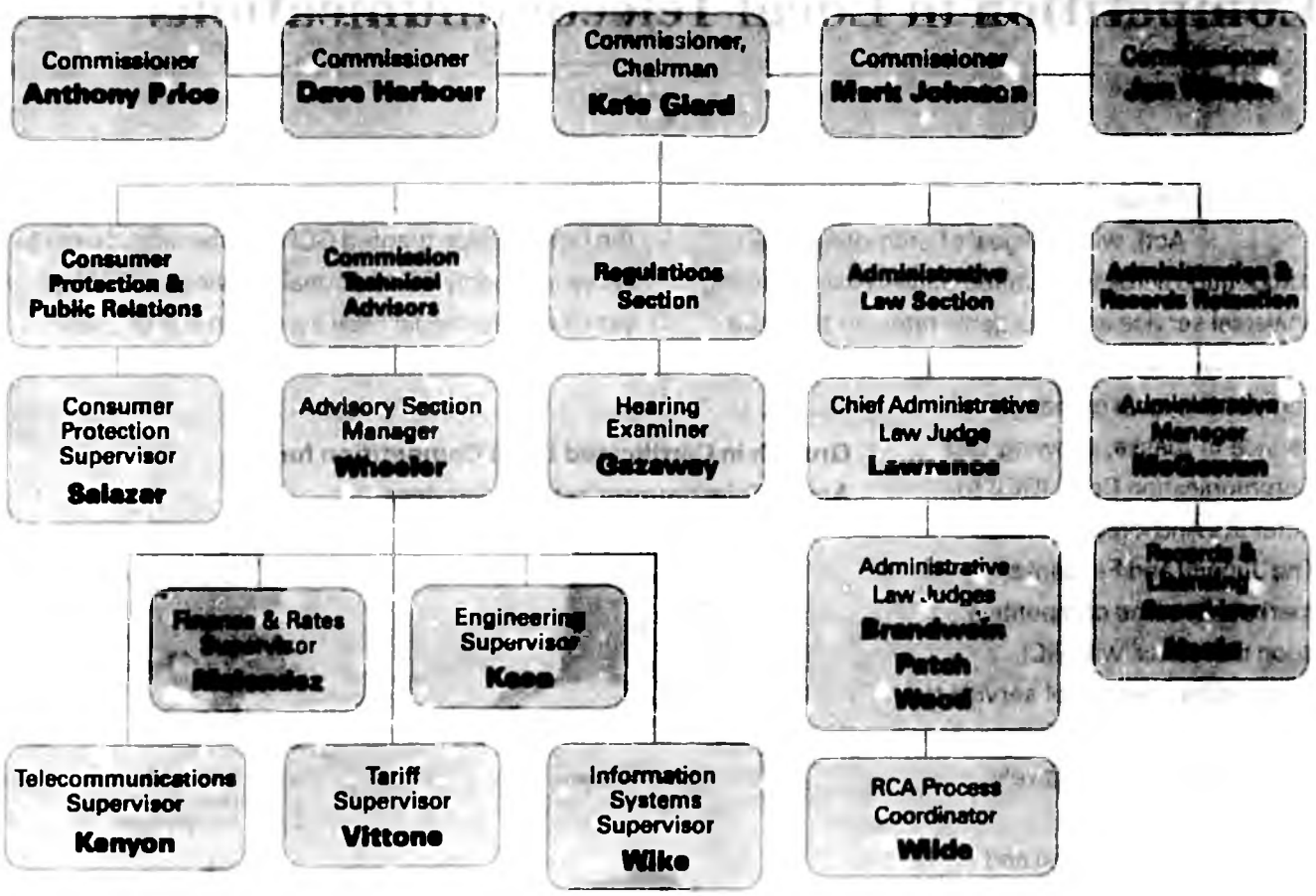
Growth in Certificated Local Competition for Alaska Telecommunications Services



[1] Order U-96-24(1), dated February 4, 1997.

[2] Telecommunications has entered a phase of dramatic technological changes, allowing more companies to offer more services to more customers and challenging traditional regulatory methods. The Commission is now managing the fundamental upheaval associated with these changes, including addressing the impacts to rural systems and consumers as competition appears in the telephone exchanges serving these areas. The Commission has several rule-making dockets related to this issue, including docket R-05-007 regarding affordability and R-06-002 on Access Charge policies.

Commission Organization



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Commissioner Biographies

Kate Giard
Commission Chair
Appointment: June 1, 2003 - March 1, 2007
Chair: July 1, 2004 - Present

Chairman Giard's work experience includes ten years as a public accountant working for national CPA firms in Massachusetts, Michigan, and Alaska. As a practicing CPA, Chairman Giard's clients covered a wide spectrum of industry including manufacturing, banking, natural resources, and retail companies.

In addition to working for KPMG as a public accountant in Alaska, Chairman Giard served as the chief operating officer of Alaskan Choice Television, promoting wireless cable services over UHF frequencies in Anchorage, Fairbanks, and Wasilla and working on Federal Communications Commission regulatory issues.

Chairman Giard most recently served as chief fiscal officer for the Municipality of Anchorage from 2000 until her appointment to the Commission, where she gained a working knowledge of the Commission's regulation of Anchorage's wholly owned utilities. Chairman Giard lives in Anchorage with her two children.

"We believe a governmental agency must never stop trying to improve. It must never rest on its laurels or forget that just beyond the horizon lies a better way to do business, one that is more efficient, promotes greater accountability or enhanced transparency.

"After three years of concentrated efforts, the Commission is a better, more efficient and responsive regulatory agency. Yet, our mission is not complete. We must strive to continually deliver an improved and balanced regulatory environment that achieves our statutory mandate of protecting the public interest.

"We are wholly committed to that goal."

- Chairman Giard

Dave Harbour
Commissioner
Appointment: February 1, 2003 - March 1, 2008
Chair: March 12, 2003 - June 30, 2003

Commissioner Harbour completed undergraduate work at Colorado State University and earned a Master of Science degree in Communications-Journalism from Murray State University. The former Army officer is a graduate of the Defense Information School and lifetime civilian alumnus of the Air War College. He coordinated public affairs strategy for the two dozen producer and gas pipeline members of Arctic Gas Consortium, arranging public support for passage of the Alaska Natural Gas Transportation Act of 1976.

He serves as Co-Vice Chairman of the Gas Committee for the National Association of Regulatory Utility Commissioners (NARUC) and as Chairman of the Gas Committee for the Western Conference of Public Utility Commissioners. He is NARUC's official representative to the Interstate Oil and Gas Compact Commission. In those roles he assisted in coordinating national support for passage of the Alaska Natural Gas Pipeline Act of 2004.

He served as Alaska director of government relations for Atlantic Richfield Company, as CEO of a municipal authority and a statewide security company, and as a management consultant to businesses, government, and non-profit organizations.

Commissioner Harbour is the recipient of various citations and awards for community service, having served as Chairman of the Anchorage Chamber of Commerce, Alaska Council on Economic Education, and Hugh O'Brien Youth Foundation-Alaska. He was President of the American Bald Eagle Foundation and the Alaska Press Club. He assisted in founding Anchorage's Saturday Market, the Eisenhower-Alaska Statehood Monument Foundation, Arctic Power, the Alliance, the Anchorage Downtown Partnership, and served as a commissioner of Anchorage's Heritage Land Bank, the Anchorage Organizing Committee, and the Anchorage Bicentennial Commission. Before his appointment, his company published a public service web page, *Northern Gas Pipelines*, which became, "the objective, one-stop-shop for Canadians and Americans requiring current news, maps, history, and technical references regarding Arctic gas pipeline projects."

Commissioner Biographies

Mark Johnson
Commissioner
Appointment: March 12, 2003 - March 1, 2009
Chair: July 1, 2003 - June 30, 2004

Prior to his appointment, Commissioner Johnson worked as an attorney and analyst for United Utilities, Inc., a telecommunications provider for western Alaska. He also worked for the Municipality of Anchorage in a series of legal and administrative positions, including as executive assistant to the mayor, and for the Alaska Legislature. He served as a legislative assistant to Congressman Don Young in Washington, D.C., before attending law school.

Born in Anchorage, he earned a Bachelor of Science in Economics from Lewis and Clark College in 1975 and a law degree from the University of the Pacific, McGeorge School of Law in 1980. He has been admitted to the practice of law in Alaska since 1981. Married for over twenty years, Mr. Johnson and his wife have two children.

Anthony Price
Commissioner
Appointment: July 1, 2004 - June 30, 2010

Commissioner Price has experience working in a wide and diverse range of business and public sector positions. Prior to his appointment to the Commission, Commissioner Price had been the Director of Public Finance for the Municipality of Anchorage. In addition to his position with the Municipality of Anchorage Commissioner Price has worked as a financial consultant and spent 10 years as cash manager for the Alaska Housing Finance Corporation. Throughout the 1980s, Commissioner Price held a variety of positions with Veco, Inc., Calista Corporation, and Alaska Finance and Insurance Company. Before moving to Alaska in 1984, he held positions with a variety of businesses in the Seattle area. Commissioner Price has a BA in business/accounting from the University of Washington.

Commissioner Biographies

Jan Wilson
Commissioner
Appointment: April 11, 2006 - March 1, 2012

Commissioner Wilson is an attorney, admitted to practice law in Alaska since 1975. She was a Commissioner and the last Chairman of the Alaska Pipeline Commission (APC), the agency created to administer AS 42.06, the Pipeline Act. In 1981 the APC merged into the Alaska Public Utilities Commission (APUC). Commissioner Wilson served as an administrative law judge for the APUC and its successor agency, the Regulatory Commission of Alaska (RCA) from the time of the merger until her appointment to the Commission in 2006.

Commissioner Wilson has extensive experience in oil and gas pipeline issues. As an APC commissioner and an administrative law judge she worked closely with the Federal Energy Regulatory Commission (FERC), which regulates interstate oil and gas pipelines. She conducted all proceedings the APC, APUC, or RCA held concurrently with the FERC from 1980 to 2006. Earlier in her career, Commissioner Wilson was City Attorney for the City of Kenai and an Assistant Attorney General in Juneau, serving in the Oil and Gas Special Litigation section.

Commissioner Wilson earned an undergraduate degree in Economics from Mount Holyoke College and a law degree from the University of Denver.

Significant Events: Engineering

Electric

Docket U-05-073 – The Commission approved an application by Alaska Electric Light and Power Company to expand its service area to include a portion of Admiralty Island on which the Kennicott Greens Creek Mine is located (*Order U-05-73(1), issued 10/03/05*). The undersea transmission line from Juneau to Admiralty Island was grant-funded by the Denali Commission and is the first leg of the Southeast Alaska Intertie, which could link many of the communities throughout Southeast Alaska. AEL&P is providing hydroelectric power to Kennicott Greens Creek Mine, which previously used petroleum distillate to self-generate. The expansion supports AEL&P ratepayers with excess hydroelectric capacity, and benefits the Kennicott Greens Creek Mine because of the cost savings and positive environmental effects.

Natural Gas

Docket U-05-053 – Fairbanks Natural Gas, LLC (FNG) requested approval to expand its service area in Fairbanks to coincide with residential and commercial growth in the area (*Order U-05-53(1), issued 11/04/05*).

Docket U-05-061 – ENSTAR Natural Gas Company, a Division of SEMCO Energy, Inc. (ENSTAR) expanded its service area to include Elmendorf Air Force Base in a move to privatize military infrastructure (*Order U-05-61(1), issued 02/14/06*). ENSTAR acquired the gas distribution system on Elmendorf under a Department of Defense initiated program aimed at privatizing utility services on military bases within the United States. ENSTAR has provided natural gas to Elmendorf since the 1960s via master meters at points of interconnection.

By acquiring the Elmendorf system, ENSTAR will directly serve new privately owned housing being constructed on base, thus negating the need to duplicate a portion of the Elmendorf system. As a private owner of the utility system, ENSTAR will be able to expand the distribution system to new building construction on Elmendorf, thus growing its customer base and spreading its common costs to a larger customer base.

Water/Wastewater

Provisional Certification: The Provisional Certification program is for municipal, tribal, or small privately owned water and wastewater systems. It is tailored to provide the appropriate level of regulatory oversight to these utilities. Since inception, we have provisionally certificated 64 water and wastewater utilities. Between July 1, 2005 and June 31, 2006, the Commission issued 27 provisional certificates to existing community water systems and 14 provisional certificates to existing sewer systems. This resulted in 29 separate existing community water and sewer systems achieving provisional certification. Effor ongoing to identify additional water and wastewate. systems that need to be certificated and bring them into compliance in accordance with State regulations promulgated at the Legislature's request.

Docket R-04-004 – This proceeding concerns changes to provisional certification procedures, specifically the annual reporting requirements, and eligibility for provisional certification. We completed the initial record in this proceeding and received draft regulations, resulting from stakeholder workshops. We approved regulations allowing some larger privately owned utilities to petition for provisional certification and requiring additional information on the

financial health of provisionally certificated utilities to be filed annually. The approved regulations are under review by the Department of Law.

Refuse

Docket U-05-091 – The Commission revoked the certificate of Great Alaska Sanitation, LLC, (Great Alaska) a competitive residential refuse carrier in Anchorage, after it filed a petition to discontinue service (*Order U-05-91(4), issued 02/13/06*). Great Alaska was the first competitive residential refuse carrier in Anchorage. Great Alaska and other refuse utilities have been acquired by a new Alaska-owned company, which could lead to a higher degree of economic regulation due to monopoly market power.

Small Hydroelectric

The Commission is developing small hydroelectric project regulations that would allow small-scale hydroelectric projects to achieve permitting within the State of Alaska, rather than conforming to the Federal Energy Regulatory Commission (FERC) requirements. The proposed regulations developed will have to be approved by both the Commission and FERC. Because the statutory deadline for regulatory proceedings does not anticipate an unusually complex regulation proceeding such as this, the Commission closed the initial proceeding and plans to open a new proceeding to continue the work on the development of small hydroelectric development regulations. The Commission has awarded a contract to experienced counsel to draft regulations that will be introduced in the new proceeding.

Significant Events: Finance Rate Cases

At the beginning of Fiscal Year 2006 there were eight utility rate cases pending before the Commission. During the course of Fiscal Year 2006 the Commission initiated six new rate investigations and issued final orders on nine rate cases.

Docket U-03-011 – The Commission accepted a settlement on the cost allocations and rate designs phase of a general rate investigation of Bethel Utilities Corp (BUCI) (*U-03-11(15), issued 03/15/06*).

Docket U-03-085 – The Commission accepted a settlement in an investigation of a 20% access line rate increase, effective May 2004, filed by OTZ Telephone Coop. (OTZ) (*U-03-85(10), issued 12/13/05*). OTZ provides local phone service to the communities of Ambler, Buckland, Deering, Kiana, Kivalina, Kobuk, Kotzebue, Noatak, Noorvik, Selawik, and Shungnak.

Docket U-04-081 – The Commission accepted a settlement in an investigation of the rates of Beluga Pipeline Company (Beluga) in response to a ratepayer protest (*U-04-81(16), issued 03/08/06*). Beluga provides natural gas utility transportation service on the west side of the Cook Inlet.

Docket U-04-089 – The Commission closed an investigation of a request for a 250.56% water rate increase, effective April 2005, by Midtown Estates Water Utility (MEWU). Due to an inadvertent error in calculating this docket's statutory deadline, the Commission did not issue a final order nor did it extend the deadline before the statutory deadline expired (*U-04-89(6), issued 01/01/06*). Therefore, MEWU's request went into effect by force of law. MEWU serves the Midtown Estates Subdivision in Wasilla.

Docket U-04-090 – The Commission accepted a settlement in a general investigation of the rates adopted by the subsidiaries of Alaska Pacific Environmental Services I, LLC (APES), following their purchase of the business from Waste Management of Alaska (*U-04-90(7), issued 09/15/05*). APES' subsidiaries provide refuse collection service in Juneau, Ketchikan, Dutch Harbor, and Nome.

Docket U-05-012 – The Commission accepted a settlement in an investigation of a request for a 13.9% electric rate increase, effective February 2005, by Inside Passage Electric Coop (IPEC) (*U-05-12(14), issued 03/01/06*). IPEC serves the communities of Angoon, Hoonah, Kake, and Klukwan.

Docket U-05-018 – The Commission accepted a settlement in a general investigation of the rates adopted by TDX Sand Point Generating (TSPG) following their purchase of the electric utility from Sand Point Electric, Inc. (*U-05-18(3), issued 11/14/05*).

Dockets U-05-043 and U-05-044 – The Commission initiated an investigation of a request for water and wastewater rate increase and redesign by Golden Heart Utilities (GHU) and College Utilities Corp (CUC). The Commission held public hearings in Fairbanks the last week of August 2006 and issued its ruling requiring rate reductions and refunds (*U-05-43(15) and U-05-44(15), issued 01/08/07*).

Docket U-05-045 – The Commission accepted a settlement in an investigation of a request for a 55% residential electric rate increase, effective May 2005, by Kake Tribal Corporation (Kake) (*U-05-045(9), issued 06/07/06*). Kake serves the City of Pelican.

Docket U-05-049 – The Commission accepted a settlement in a general investigation of the rates adopted by TDX North Slope Generating (TNSG) following their purchase of the electric utility from Arctic Utilities, Inc. (*U-05-49(2), issued 11/14/05*). TNSG provides electric utility service in Deadhorse.

Docket U-05-090 – The Commission initiated an investigation of a request for a 5.2% electric rate increase, effective October 2005, by Alaska Electric Light & Power (AEL&P). The Commission accepted a settlement of this case (*U-05-90(7), issued 05/12/06*). AEL&P serves the Juneau area.

Docket U-05-103 – The Commission initiated an investigation of a request for a 10.6% wastewater rate increase, effective January 2006, by the Municipality of Anchorage d/b/a Anchorage Water and Wastewater Utility (AWWU). The Commission accepted a settlement of this case in October 2006 (*U-05-103(8), issued 10/27/06*) AWWU's request in this docket followed recent requests to increase wastewater rates by 8.06%, effective February 2004, and by 6.83%, effective January 2005. AWWU's request in this docket was followed by a request to increase water rates by 13%, effective January 2007.

Docket U-06-020 – The Commission initiated an investigation regarding the cost allocations and rate structures of the subsidiaries of Alaska Pacific Environmental Services I, LLC (APES), which provide refuse collection service in Juneau, Ketchikan, Dutch Harbor, and Nome. This docket was the second phase of a general investigation of the rates adopted by APES' subsidiaries following their purchase of the business in these service areas from Waste Management of Alaska. The Commission accepted a settlement of this case in October 2006 (*U-06-20(4), issued 10/10/06*).

Docket U-06-045 – The Commission initiated an investigation of a request for an 8.9% water rate increase, effective July 2006, by the Municipality of Anchorage d/b/a Anchorage Water and Wastewater Utility (AWWU) (*U-06-45(1), issued May 30, 2006*). The Commission held public hearings on this docket the third week of January 2007, and the Commission must issue its final ruling by mid-July 2007. AWWU's request in this docket followed recent requests to increase water rates by 14.2%, effective February 2004, and by 7.17%, effective January 2005. AWWU's request in this docket was followed by a request to increase water rates by 14.5,% effective January 2007

TA19-258 and TA2-259 – The Commission received a request to increase water rates by 114% and wastewater rates by 407%, effective August 2006, by Mile 8 Utilities (Mile 8). The Commission approved Mile 8's requests on August 2, 2006. Mile 8 provides service in the Settlers Bay development in Wasilla.

TA12-546 and TA12-547 – The Commission received a request to increase water and wastewater rates by 15%, effective August 2006, by Crystal Cathedrals Water & Sewer System (CCWSS). The Commission approved CCWSS's requests on August 2, 2006. CCWSS provides service in Haines.

Significant Events: Tariffs

Tariffs are the written terms, conditions, rules and rates governing a utility's conduct in providing public utility service. In approving a Certificate of Public Convenience and Necessity, Registration, or Provisional Certification, the Commission also reviews the applicant's tariff. Each regulated utilitie and pipeline carrier is required to maintain a tariff and to operate under the terms of that tariff.

Regulated utilities and pipeline carriers must notify the Commission of any proposed changes to their tariffs. In most cases, the Commission must approve the tariff revisions before the revisions can take effect. The Commission considers most tariff filings at "tariff action meetings". However, the Commission allows certain types of utility tariff revisions to take effect automatically upon filing or at the end of a 30-day notice period. Most tariff revisions for long distance telephone services, competitive refuse services, and steam heat may take effect automatically after 30 days. Some non-dominant, competitive local telephone service tariff filings become effective upon filing with the Commission. The review process prescribed by AS 42.05.361 – AS 42.05.441 includes a period for public comment and allows the Commission to approve, reject, or suspend the tariff filing for further investigation.

Review, analysis and disposition of tariff filings are substantial elements of the Commission's workload. During Fiscal Year 2006 there were 451 tariff filings submitted to the Commission. Of these, 387 were processed routinely (41 of these filings went into effect automatically after the required statutory notice). Of the remaining filings, 21 were suspended for further investigation, 6 were withdrawn, 16 were rejected, and 21 were pending as of June 30, 2006.

The following table lists the disposition of tariff filings for Fiscal Year 2006 by utility type.

Disposition of Tariff Filings

Utility Type	Number of Tariff Filings	Approved After Analysis	Pending	Suspended	Rejected	Withdrawn	Effective after Statutory Notice
Cable	1	1					
Electric	210	194	3	8	1	2	2
Refuse	18	16		1	1		1
Gas	16	12	1	2			1
Gas Pipeline	3	1	1	1			
Oil Pipeline	54	42		6	5	1	
Telecom - LEC	51	33	4	1		1	12
Telecom - IXC	39	14	4			2	19
Sewer	23	12	4	1	4		2
Steam	3	1					2
Water	33	21	4	1	5		2
TOTAL	451	348	21	21	16	6	41

Three Year Comparison of Total Tariff Filings

Fiscal Year	Filings
2004	540
2005	657
2006	451

Significant Events: Telecommunications

Docket U-05-004 – The Commission conditionally approved GCI's request for authority to provide local exchange service throughout the areas served by Cordova Telephone Cooperative, Inc.; Copper Valley Telephone Cooperative, Inc.; the City of Ketchikan; Matanuska Telephone Association (MTA); and the Glacier State study area of ACS of the Northland, Inc. (*U-05-04(1), issued 09/23/05*). The Commission also conditionally approved GCI's request for authority to provide local exchange service in Wrangell, Petersburg, Sitka, Seward, Bethel and Nome, provided GCI agreed to serve and meet advertisement requirements in the entire study area where each exchange was located (*U-05-04(6), issued 02/02/06*). GCI agreed to serve each entire area.

Docket U-05-046 – In response to a petition, the Commission suspended for three years the obligation of Matanuska Telephone Association, Inc. to provide GCI with unbundled network elements, as well as other interconnection obligations under federal law (*U-05-46(8), issued 12/20/05*).

Docket U-05-051 – The Commission approved the petition by United Way of Anchorage to be assigned the telephone dialing code 2-1-1 for use in providing health and social services information and referral services within Alaska (*U-05-51(1), issued 10/11/05*).

Docket U-05-055 – The Commission designated the ACS of Anchorage, Inc., ACS of Alaska, Inc., and ACS of Fairbanks, Inc., service areas as individual competitive local exchange markets subject to relaxed regulation (*U-05-55(2), issued 09/16/05*). The Commission designated ACS of Anchorage, Inc. and ACS of Fairbanks, Inc., in their respective markets, and ACS of Alaska, Inc. in the Juneau study area as nondominant carriers for all retail services except for line extension services, construction services, subdivision agreements, and for access services (*U-05-55(3), issued 02/22/06*). When an incumbent carrier gains nondominant status in an area, all local carriers serving the area may implement various retail local telephone rate changes, offer new and repackaged services, and offer certain bundled services without approval of the Commission, subject to safeguards provided by 3 AAC 53.243.

Docket U-05-058 – The Commission reviewed the annual certification to the Federal Communications Commission the use by companies of 2006 federal universal service funds. The certification letter was filed 09/19/05.

Docket U-05-076 – The Commission granted a petition by GCI for arbitration with MTA with the goal of developing an interconnection agreement (*U-05-76(1), issued 08/23/05*). The Commission approved an interconnection agreement between the two carriers on 02/17/06 (*U-05-76(9)*).

Docket U-05-084 – The Commission is investigating the proposal by Interior Telephone Company to offer exchange specific local rates and eliminate its current postage stamp rate structure, in light of potential competition by GCI (*U-05-84(1), issued 12/02/05*).

Docket U-05-088 – In response to a petition by Interior Telephone Company, Inc., the Commission designated the Seward and Moose Pass areas as competitive local exchange markets and indicated Interior would become a nondominant carrier in the Seward and Moose Pass areas once GCI filed a notice 90 days in advance of commencing service there (*U-05-88(1), issued 05/02/06*).

Docket U-05-102 – The Commission granted the petition filed by ACS of the Northland, Inc., to designate its Glacier State study area as a competitive market (*U-05-102(1), issued 05/03/06*).

Various Dockets – The Commission granted Eligible Telecommunications Carrier status to various wireless carriers to receive federal universal service funds for serving their requested Alaska markets.

Docket R-01-001 – On April 1, 2005, the Commission implemented a new $1.50 per line per month Network Access Fee (NAF) as part of access charge reform, with a second $1.50 increase to occur on April 1, 2007.

Docket R-03-003 – New local and long distance regulations substantially changing the policies governing local and long distance competitive markets became effective on 09/16/05.

Docket R-05-005 – On 02/14/06, the Commission issued, for public comment, proposed regulations related to enhanced 911 service for multi-line telephone system operators, in compliance with the statutory obligation of AS 29.35.134 (*R-05-05(2)*).

Docket R-05-007 – The Commission opened an investigation into a telecommunications universal service affordability standard (*R-05-07(1), issued 12/22/05*). The Commission contracted with the Institute of Social and Economic Research (ISER) for assistance on the project. Comments were sought on ISER's Task 1 report (*R-05-07(3), issued 03/24/06*). During June 2006, ISER was in the process of finalizing its final report on those factors it believed were relevant to determine a local telephone service affordability standard in Alaska.

Docket R-06-002 – The Commission sought comment on whether to continue to allow incumbent local exchange carriers to remain in the State's access charge pool in light of competition in their markets (*R-06-02(1), issued 03/13/06*).

Certificated Utilities & Pipelines

This table displays all active certificate types on record with the Commission, including types which are not normally thought of as Certificates of Public Convenience and Necessity (CPCN), such as Registered entities, which are indicated by the 3000 series of Certificate numbers and are of the type Intrastate Interexchange Carrier. The table also includes Provisionally Certificated water or sewer utilities, which are indicated by the 6000 series of Certificate numbers. In addition to the division of the utilities by their type (Electric, Garbage/ Refuse, etc.), the Commission has for purposes of this table divided the utilities into two broader categories: Economically Regulated and Exempt from Economic Regulation. Although there are exceptions, this division generally indicates whether a utility's request to change its rates requires Commission approval.

Economically Regulated Utilities and Pipelines	Certificate	Certificate Type
GCI Cable, Inc.	**157**	**Cable Television**
GCI Cable, Inc.	158	Cable Television
Akiachak Native Community Electric Company	**412**	**Electric**
Alaska Electric Generation & Transmission Cooperative, Inc.	345	Electric
Alaska Electric Light & Power Company	**1**	**Electric**
Alaska Power Company	2	Electric
Aniak Light and Power Company, Inc.	**5**	**Electric**
Aurora Energy, Llc	520	Electric
BBL Hydro, Inc.	**573**	**Electric**
Bethel Utilities Corporation	43	Electric
Chignik Lake Electric Utility, Inc.	**437**	**Electric**
Chugach Electric Association, Inc.	8	Electric
Egegik Light and Power Company, Homer Lee Leonard D/B/A	**320**	**Electric**
G & K, Inc.	88	Electric
Goat Lake Hydro, Inc.	**521**	**Electric**
Golden Valley Electric Association, Inc.	13	Electric
Gustavus Electric Company, Inc.	**417**	**Electric**
Gwitchyaa Zhee Utility Company	63	Electric
Homer Electric Association, Inc.	**32**	**Electric**
I-N-N Electric Cooperative, Inc.	280	Electric
Kake Tribal Corporation	**24**	**Electric**
Kipnuk Light Plant	446	Electric
Lime Village Traditional Council	**570**	**Electric**
Manley Utility Co., Inc.	72	Electric
Matanuska Electric Association, Inc.	**18**	**Electric**
Mcgrath Light & Power Co.	44	Electric
Middle Kuskokwim Electric Cooperative, Inc.	**343**	**Electric**
Municipality Of Anchorage D/B/A Municipal Light & Power Department,	121	Electric
Napakiak Ircinaq Power Company	**319**	**Electric**
Tanana Power Company, Inc.	92	Electric
TDX North Slope Generating, Inc.	**227**	**Electric**
TDX Sand Point Generating, Inc.	230	Electric
Teller Power Company	**78**	**Electric**
Teller Power Company, Inc.	61	Electric

Certificated Utilities & Pipelines

Economically Regulated Utilities and Pipelines	Certificate	Certificate Type
Alaska Pacific Environmental Services Dutch Harbor, Llc	**654**	**Garbage/Refuse**
Alaska Pacific Environmental Services Juneau, Llc	653	Garbage/Refuse
Alaska Pacific Environmental Services Ketchikan, Llc	**656**	**Garbage/Refuse**
Alaska Pacific Environmental Services Nome, Llc	655	Garbage/Refuse
Alaska Wastealaska Pacific Environmental		
Services Anchorage, Llc D/B/A	692	Garbage/Refuse
Anchorage Refuse, Inc.	**217**	**Garbage/Refuse**
Colville Environmental Services	283	Garbage/Refuse
Eagle River Refuse, Inc.	**218**	**Garbage/Refuse**
Freedom Refuse	582	Garbage/Refuse
McDonald Waste Industries, Inc.	**707**	**Garbage/Refuse**
Peninsula Sanitation Co., Inc.	209	Garbage/Refuse
Ralph E. Bartlett D/B/A Interior Services	**216**	**Garbage/Refuse**
Ramsey & Sons Trucking	536	Garbage/Refuse
USA Waste Of Alaska, Inc.	**201**	**Garbage/Refuse**
Valley Refuse, Inc.	385	Garbage/Refuse
Wasilla Refuse, Inc.	**204**	**Garbage/Refuse**
Wasilla Refuse, Inc.	206	Garbage/Refuse
Alaska Intrastate Gas Company	**572**	**Gas**
Alaska Pipeline Company	141	Gas
Beluga Pipe Line Company	**448**	**Gas**
ENSTAR Natural Gas Company, A Division Of Semco	89	Gas
ENSTAR Natural Gas Company, A Division Of	**4**	**Gas**
SEMCO Energy Inc.		
Norgasco, Inc.	406	Gas
ACS Long Distance, Alaska Communications	**476**	**Intrastate Interexchange Carrier**
Systems D/B/A		
Alascom, Inc. D/B/A AT&T Alascom	98	Intrastate Interexchange Carrier
Alasconnect, Inc.	**600**	**Intrastate Interexchange Carrier**
Alaska Call Connection, Inc.	479	Intrastate Interexchange Carrier
Alaska Fiber Star, LLC	**539**	**Intrastate Interexchange Carrier**
Alaska Network Systems, Inc.	509	Intrastate Interexchange Carrier
American Express Telecom, Inc.	**475**	**Intrastate Interexchange Carrier**
AT&T Long Distance, Inc.	516	Intrastate Interexchange Carrier
ASTAC Long Distance, Inc.	**518**	**Intrastate Interexchange Carrier**
Bellsouth Long Distance, Inc.	535	Intrastate Interexchange Carrier
Chugach Electric Association, Inc.	**571**	**Intrastate Interexchange Carrier**
Copper Valley Long Distance, Inc.	555	Intrastate Interexchange Carrier
Direct One, LLC	**665**	**Intrastate Interexchange Carrier**
Electric Lightwave, Inc.	533	Intrastate Interexchange Carrier
General Communication, Inc. And GCI;	**419**	**Intrastate Interexchange Carrier**
GCI Communication Corp. D/B/A		
Global Crossing North American Networks, Inc.	**498**	**Intrastate Interexchange Carrier**
Global Crossing Telecommunications, Inc	529	Intrastate Interexchange Carrier

Certificated Utilities & Pipelines

Economically Regulated Utilities and Pipelines	Certificate	Certificate Type
Intellicall Operator Services, Inc	**471**	**Intrastate Interexchange Carrier**
International Telecom, Inc.	455	Intrastate Interexchange Carrier
MTA Long Distance, Inc.	**505**	**Intrastate Interexchange Carrier**
Northwest Communications, Inc.; Automated Information Mgmt Systems D/B/A	486	Intrastate Interexchange Carrier
One Call Communication, Inc.	**472**	**Intrastate Interexchange Carrier**
OTZ Long Distance; OTZ Telecommunications, Inc. D/B/A	511	Intrastate Interexchange Carrier
Telalaska Long Distance, Inc. D/B/A Telalaska	**487**	**Intrastate Interexchange Carrier**
Teleglobe Communications Corporation	588	Intrastate Interexchange Carrier
U.S. South Communications, Inc. D/B/Aus South and D/B/A Incomm	**531**	**Intrastate Interexchange Carrier**
Unicom, Inc.	470	Intrastate Interexchange Carrier
Yukon Long Distance Company	**517**	**Intrastate Interexchange Carrier**
Z-Tel Communications, Inc.	617	Intrastate Interexchange Carrier
ACS Of Alaska, Inc.; Alaska Communications Systems, ACS Local Service, And ACS D/B/A	**251**	**Local Exchange Carrier**
ACS Of Anchorage, Inc.;Alaska Communications Systems, ACS Local Service, and ACS	120	Local Exchange Carrier
ACS Of Fairbanks, Inc. D/B/A Alaska Communication Systems, ACS Local Service, and ACS	**117**	**Local Exchange Carrier**
ACS Of The Northland, Inc.; D/B/A Alaska Communications Systems, ACS Long Distance,	**359**	**Local Exchange Carrier**
ACS Alaska Fiber Star, LLC	619	Local Exchange Carrier
Alaska Telephone Company	**31**	**Local Exchange Carrier**
Arctic Slope Telephone Association Cooperative, Inc.	257	Local Exchange Carrier
AT&T Alascom; D/B/A Alascom, Inc.	**488**	**Local Exchange Carrier**
AT&T Alascom; Alascom, Inc. D/B/A	278	Local Exchange Carrier
Bettles Telephone, Inc.	**260**	**Local Exchange Carrier**
Bush-Tell, Incorporated	99	Local Exchange Carrier
Computer Network Technology Corporation	**708**	**Local Exchange Carrier**
Comtec Business Systems, Inc.	706	Local Exchange Carrier
Copper Valley Telephone Cooperative, Inc.	**11**	**Local Exchange Carrier**
Dslnet Communications, LLC	623	Local Exchange Carrier
France Telecom Corporate Solutions L.L.C.	**705**	**Local Exchange Carrier**
General Communication, Inc. And GCI; GCI Communication Corp. D/B/A	489	Local Exchange Carrier
Interior Telephone Company Inc.	**165**	**Local Exchange Carrier**
Level 3 Communications, LLC	672	Local Exchange Carrier
Matanuska Telephone Association, Inc.	**19**	**Local Exchange Carrier**
Mukluk Telephone Company, Inc.	253	Local Exchange Carrier
Nushagak Telephone Cooperative, Inc.	**208**	**Local Exchange Carrier**
OTZ Telephone Cooperative, Inc.	83	Local Exchange Carrier
Premiere Network Services, Inc.	**595**	**Local Exchange Carrier**

Certificated Utilities & Pipelines

Economically Regulated Utilities and Pipelines	Certificate	Certificate Type
Summit Telephone & Telegraph Company Of Alaska , Inc.	**360**	**Local Exchange Carrier**
D/B/A Summit Telephone Company, Inc.		
Telalaska Long Distance, Inc. D/B/A Telalaska	**645**	**Local Exchange Carrier**
United Utilities, Inc.	249	Local Exchange Carrier
United-KUC, Inc	**629**	**Local Exchange Carrier**
Vartec Telecom, Inc.	670	Local Exchange Carrier
Yukon Telephone Company, Inc.	**213**	**Local Exchange Carrier**
Alpine Transportation Company	538	Oil Pipeline
Amerada Hess Pipeline Corporation	**300**	**Oil Pipeline**
BP Pipelines (Alaska) Inc.	302	Oil Pipeline
BP Pipelines (Alaska) Inc.	**311**	**Oil Pipeline**
BP Transportation (Alaska) Inc.	524	Oil Pipeline
BP Transportation (Alaska) Inc.	**525**	**Oil Pipeline**
BP Transportation (Alaska) Inc.	604	Oil Pipeline
BP Transportation (Alaska) Inc.	**605**	**Oil Pipeline**
Cook Inlet Pipe Line Company	303	Oil Pipeline
Endicott Pipeline Company	**392**	**Oil Pipeline**
Exxonmobil Pipeline Company	304	Oil Pipeline
Golden Valley Electric Association, Inc.	**305**	**Oil Pipeline**
Kenai Kachemak Pipeline, Llc	668	Oil Pipeline
Kuparuk Transportation Company	**307**	**Oil Pipeline**
Oliktok Pipeline Company	334	Oil Pipeline
Phillips Alaska Pipeline Corporation	**310**	**Oil Pipeline**
Phillips Transportation Alaska, Inc.	301	Oil Pipeline
Tesoro Alaska Pipeline Company	**309**	**Oil Pipeline**
Unocal Pipeline Company	312	Oil Pipeline
ACS Of Anchorage, Inc.;Alaska Communications Systems, ACS Local Service, and ACS	**513**	**Private Pay Telephone Providers**
ACS Of Fairbanks, Inc.; Alaska Communication Systems, ACS Local Service, And ACS D/B/A	566	Private Pay Telephone Providers
Robert C. Noyes D/B/A Patriot Products	**679**	**Private Pay Telephone Providers**
College Utilities Corporation	37	Sewer (Wastewater)
Crystal Cathederals Water & Sewer System, Inc.	**547**	**Sewer (Wastewater)**
Golden Heart Utilities, Inc.	290	Sewer (Wastewater)
Mile 8 Utilities, Llc	**259**	**Sewer (Wastewater)**
Municipality Of Anchorage D/B/A Anchorage Sewer Utility	126	Sewer (Wastewater)
General Communication, Inc. And GCI;	**436**	**Telecommunications Relay Service**
GCI Communication Corp. D/B/A		
City Of Pelican	**221**	**Water**
Crystal Cathederals Water & Sewer System, Inc.	546	Water
Danny Ray And Kathy Jane Jolliffe D/B/A Jolliffe Water	**386**	**Water**
College Utilities Corporation	97	Water
Dawn Development Corporation	**194**	**Water**
Eklutna Utilities, Inc.	248	Water

Certificated Utilities & Pipelines

Economically Regulated Utilities and Pipelines	Certificate	Certificate Type
Golden Heart Utilities, Inc.	**118**	**Water**
Mcgahan Utilities, Inc.	142	Water
Midtown Estates Water Utility, Inc.	**642**	**Water**
Mile 8 Utilities, Llc	258	Water
Municipality Of Anchorage D/B/A Anchorage Water And Wastewater Utility	**122**	**Water**
Norfolk Utilities, Inc.	65	Water
Scott Herbertson And Randy Hestand D/B/A Sandlake Services	**76**	**Water**
Valley Water Company, Inc.	241	Water

Exempt from Economic Regulation	Certificate	Certificate Type
Mt. Dutton Cable Corporation	**323**	**Cable Television**
Cellular Alaska Partnership	413	Cellular Telephone
Thomas Bay Power Authority	**377**	**Electric**
Beluga Environmental Services, Inc.	387	Garbage/Refuse
Matanuska-Susitna Borough	**371**	**Garbage/Refuse**
Mike Downs, d/b/a All Alaska Enterprises	370	Garbage/Refuse
Municipality of Anchorage	**284**	**Garbage/Refuse**
Naabia Niign, Ltd.	288	Garbage/Refuse
Ronald N. Choate d/b/a Aniak Disposal Service	**349**	**Garbage/Refuse**
Zip Zaps	580	Private Pay Telephone Providers
Communication Equipment & Service, Inc.	**94**	**Radio Common Carrier**
Keyes Point Communications, Inc.	381	Radio Common Carrier
Kodiak Radio, Inc.	**286**	**Radio Common Carrier**
Lloyd V. Morris and Associates	380	Radio Common Carrier
McCaw RCC Communications of Fairbanks, Inc.	**379**	**Radio Common Carrier**
Mobile Telecommunications Technologies Corporation	411	Radio Common Carrier
Prudhoe Communications, Inc.	**295**	**Radio Common Carrier**
Radio Communications, Inc.	66	Radio Common Carrier
South Central Radar & Communications	**348**	**Radio Common Carrier**
Adak Cablevision	592	Cable Television
Alyeska Cable Company	**336**	**Cable Television**
ASRC Communications, Ltd.	187	Cable Television
Bay Cablevision, Inc.	**347**	**Cable Television**
City of Coffman Cove	439	Cable Television
City of Kotlik Cable Television Utility	**438**	**Cable Television**
Electronic Design & Development, Inc.	181	Cable Television
Electronic Design & Development, Inc.	**186**	**Cable Television**
Eyecom, Incorporated	207	Cable Television
Eyecom, Incorporated	**315**	**Cable Television**
Eyecom, Incorporated	316	Cable Television
GCI Cable, Inc.	**143**	**Cable Television**

Certificated Utilities & Pipelines

Exempt from Economic Regulation	Certificate	Certificate Type
GCI Cable, Inc.	**144**	**Cable Television**
GCI Cable, Inc.	156	Cable Television
GCI Cable, Inc.	**164**	**Cable Television**
GCI Cable, Inc.	168	Cable Television
GCI Cable, Inc.	**191**	**Cable Television**
GCI Cable, Inc.	245	Cable Television
GCI Cable, Inc.	**246**	**Cable Television**
GCI Cable, Inc.	252	Cable Television
GCI Cable, Inc.	**261**	**Cable Television**
GCI Cable, Inc.	287	Cable Television
GCI Cable, Inc.	**367**	**Cable Television**
GCI Cable, Inc.	401	Cable Television
Hoonah Tlingit & Haida Community Council	**277**	**Cable Television**
Hytek Communications, Inc.	426	Cable Television
Hytek Communications, Inc.	**450**	**Cable Television**
Island Cable T.V.	422	Cable Television
Island Cable T.V., L.L.C: D/B/A Lafalot Trucking INC.	**700**	**Cable Television**
KPU COMMVISION	703	Cable Television
McGrath Broadcasting Company	**366**	**Cable Television**
MTAVISION;MTA VISION, INC D/B/A	698	Cable Television
Nushagak Telephone Cooperative, Inc.	**324**	**Cable Television**
Rogers Cablesystems of Alaska, Inc.	273	Cable Television
Shishmaref Native Corporation	**372**	**Cable Television**
SUPERVISION INC.	378	Cable Television
The Cable Company, Inc	**325**	**Cable Television**
Thorne Bay Community TV, Inc.	250	Cable Television
Univista, Inc.	**322**	**Cable Television**
Village Cable Company, Inc.	393	Cable Television
Arctic Slope Telecommunications & Cellular, Inc.	**464**	**Cellular Telephone**
Bristol Bay Cellular Partnership	428	Cellular Telephone
GTE Mobilnet Incorporated	**445**	**Cellular Telephone**
Mactel Cellular System;Anchorage Matanuska Cellular Telephone D/B/A	414	Cellular Telephone
MTA Wireless;Matanuska-Kenai, Inc. D/B/A	**440**	**Cellular Telephone**
Pacific Telecom Cellular Of Alaska	427	Cellular Telephone
Peninsula Cellular Services, Inc.;Mactel Cellular System D/B/A	**459**	**Cellular Telephone**
Adak Electric Utility;City Of Adak	684	Electric
Akiak Power Utilities	**635**	**Electric**
Alaska Electric And Energy Cooperative, Inc.	640	Electric
Alaska Industrial Development & Export Authority	**523**	**Electric**
Alaska Industrial Development & Export Authority	549	Electric
Alaska Village Electric Cooperative, Inc.	**169**	**Electric**
Alutiiq Power Company	683	Electric
Andreanof Electric Corporation	**291**	**Electric**

Certificated Utilities & Pipelines

[illegible]	Certificate	[illegible]
Atmautluak Joint Utilities	**337**	**Electric**
Barrow Utilities And Electric Cooperative, Inc.	214	Electric
Beaver Village Electrical Utility	**420**	**Electric**
Central Electric, Inc.	341	Electric
Chalkyitsik Village Energy System	**682**	**Electric**
Chena Power Company	704	Electric
Chenega Bay Electrical	**686**	**Electric**
Chignik Lagoon Power Utility	658	Electric
Chitina Electric, Inc.	**388**	**Electric**
Chitina Electric, Inc.	36	Electric
City And Borough Of Sitka	**100**	**Electric**
City Of Akhiok	449	Electric
City Of Akutan	**283**	**Electric**
City Of Buckland	432	Electric
City Of Chignik	**297**	**Electric**
City Of Clarks Point D/B/A Clarks Point Electric Utility	360	Electric
City Of Diomede	**383**	**Electric**
City Of False Pass	442	Electric
City Of Galena	**274**	**Electric**
City Of Golovin	373	Electric
City Of Hoonah	**153**	**Electric**
City Of Kake	175	Electric
City Of Ketchikan	**103**	**Electric**
City Of King Cove	289	Electric
City Of Kobuk	**407**	**Electric**
City Of Kotlik	285	Electric
City Of Koyukuk	**687**	**Electric**
City of Larsen Bay	353	Electric
City of Nikolai d/b/a Nikolai Light & Power	**416**	**Electric**
City of Ouzinkie	357	Electric
City of Pilot Point	**425**	**Electric**
City of Port Heiden	399	Electric
City of Ruby	**364**	**Electric**
City of Sheldon Point d/b/a Sheldon Point Electric Company	408	Electric
City of St. George	**410**	**Electric**
City Of St. Paul	339	Electric
City Of Tenakee Springs D/B/A Tenakee Springs Electric Utility Department	**363**	**Electric**
City Of Thorne Bay	298	Electric
City Of Unalaska	**106**	**Electric**
City Of White Mountain	409	Electric
City Of Wrangell	**111**	**Electric**
City Of Yakutat	53	Electric
Copper Valley Electric Association, Inc.	**10**	**Electric**

Certificated Utilities & Pipelines

Exempt from Economic Regulation	Certificate	Certificated Utility
Cordova Electric Cooperative, Inc.	**160**	**Electric**
Ekwok Electric Company; City Of Ekwok D/B/A	688	Electric
Elfin Cove Utility Company; Elfin Cove Community Council D/B/A	**701**	**Electric**
Hughes Power & Light Company	332	Electric
Inside Passage Electric Cooperative, Inc.	**240**	**Electric**
Ipnatchiaq Electric Company	369	Electric
Kodiak Electric Association, Inc.	**16**	**Electric**
Kokhanok Electric Utility	660	Electric
Koliganek Village Council Electric	**661**	**Electric**
Kotzebue Electric Association, Inc.	17	Electric
Kwethluk, Inc. D/B/A Kuigqluum Kallugvia	**281**	**Electric**
Kwig Power Company	376	Electric
Levelock Electric Cooperative, Inc.	**330**	**Electric**
Manokotak Power Company	321	Electric
Naknek Electric Association, Inc.	**22**	**Electric**
Napaskiak Electric Utility	625	Electric
Naterkaq Light Plant	**365**	**Electric**
Native VillageOf Perryville	659	Electric
Nelson Lagoon Electric Cooperative, Inc.	**340**	**Electric**
Nome Joint Utility System	150	Electric
North Slope Borough D/B/A North Slope Borough Power And Light System	**254**	**Electric**
Nushagak Electric & Telephone Cooperative, Inc.	45	Electric
Paxson Lodge, Inc.	**91**	**Electric**
Petersburg, City Of	212	Electric
Puvurnaq Power Company	**395**	**Electric**
Richard Hutchinson D/B/A Circle Electric	256	Electric
Takotna Community Association, Inc.	**394**	**Electric**
Tanalian Electric Cooperative, Inc.	447	Electric
Tatitlek Village Ira Council D/B/A Tatitlek Electric Utility	**586**	**Electric**
The City Of Seward	108	Electric
The Native Village Of Nikolski D/B/A Umnak Power Company	**242**	**Electric**
Tuluksak Traditional Power Utility	664	Electric
Tuntutuliak Community Services Association, Inc.	**344**	**Electric**
Ungusraq Power Company	375	Electric
Village Council, Igiugig	**681**	**Electric**
Village Council, Pedro Bay	662	Electric
Village Council, Venetie	**663**	**Electric**
Weisner Trading Co.	71	Electric
Weldon S. Holmes, D/B/A Semloh Supply	**59**	**Electric**
Alma Corporation	232	Garbage/Refuse
City And Borough Of Sitka	**396**	**Garbage/Refuse**
City Of Bethel	614	Garbage/Refuse
City Of Cordova	**415**	**Garbage/Refuse**

Certificated Utilities & Pipelines

Exempt From Economic Regulation	Certificate	Certificate Type
City Of Craig	**695**	**Garbage/Refuse**
City Of Fairbanks, Department Of Public Works	276	Garbage/Refuse
City Of Ketchikan	**398**	**Garbage/Refuse**
City Of King Cove	650	Garbage/Refuse
City Of Palmer	**282**	**Garbage/Refuse**
City Of Seward	618	Garbage/Refuse
City Of Skagway	**391**	**Garbage/Refuse**
City Of Thorne Bay	299	Garbage/Refuse
Cook Inlet Refuse, Inc.	**615**	**Garbage/Refuse**
Copper Basin Sanitation Service Company	223	Garbage/Refuse
Delores R. Burnham D/B/A J. D. Refuse Service	**243**	**Garbage/Refuse**
Delta Sanitation, Inc.	266	Garbage/Refuse
Denali Commercial Management Inc	**610**	**Garbage/Refuse**
Dillingham Refuse, Inc.	198	Garbage/Refuse
Dirks Sanitation, Inc.	**691**	**Garbage/Refuse**
Earl Patterson Sanitation And Refuse Service, Inc.	233	Garbage/Refuse
Gene R. Riley D/B/A G & C Disposal Service	**200**	**Garbage/Refuse**
Haines Sanitation, Inc.	203	Garbage/Refuse
Industrial Refuse; S&R Enterprises D/B/A	**657**	**Garbage/Refuse**
Jason R. Mcdonald D/B/A Jason Enterprises	211	Garbage/Refuse
Kodiak Island Borough	**222**	**Garbage/Refuse**
Lausen's Disposal	502	Garbage/Refuse
Mackenzie Refuse	**374**	**Garbage/Refuse**
Mcgrath Trash And Refuse	244	Garbage/Refuse
North Slope Borough	**231**	**Garbage/Refuse**
Northern Waste Industries; Timmons & Larson, Inc. D/B/A	649	Garbage/Refuse
Petersburg, City Of	**331**	**Garbage/Refuse**
Raven Refuse	454	Garbage/Refuse
Talkeetna Refuse	**465**	**Garbage/Refuse**
Trash Talk; Robert Richards D/B/A	631	Garbage/Refuse
University Refuse; University Redi-Mix, Inc. D/B/A	**667**	**Garbage/Refuse**
Valdez Alaska Terminals, Inc.	202	Garbage/Refuse
Barrow Utilities And Electric Cooperative, Inc.	**35**	**Gas**
City Of Kenai	129	Gas
Fairbanks Natural Gas, LLC	**514**	**Gas**
Marathon Oil Company	689	Gas Pipeline
Milne Point Pipeline, Llc	**638**	**Gas Pipeline**
Nuiqsut Natural Gas Pipeline; North Slope Borough D/B/A	579	Gas Pipeline
American Freedom Network; JD Services, Inc. D/B/A	**474**	**Intrastate Interexchange Carrier**
As Telecommunications, Inc.	495	Intrastate Interexchange Carrier
Big Planet, Inc. Contact - Zena Choi	**641**	**Intrastate Interexchange Carrier**
Blt Technologies, Inc.	457	Intrastate Interexchange Carrier
Broadwing Communications, LLC	**3006**	**Intrastate Interexchange Carrier**

Certificated Utilities & Pipelines

Exempt from Economic Regulation	Certificate	Certificate Type
Business Telecom, Inc. .	**3012**	**Intrastate Interexchange Carrier**
Comtel Telcom Assets Lp	3025	Intrastate Interexchange Carrier
Consolidated Communications Operator Services, Inc.	**3017**	**Intrastate Interexchange Carrier**
Core Communications, Inc.	3024	Intrastate Interexchange Carrier
Entrix Telecom, Inc.	**3002**	**Intrastate Interexchange Carrier**
Evercom Systems, Inc.	461	Intrastate Interexchange Carrier
Excel Telecommunications, Inc.	**469**	**Intrastate Interexchange Carrier**
Federal Transtel, Inc.	490	Intrastate Interexchange Carrier
France Telecom Corporate Solutions, Llc	**3020**	**Intrastate Interexchange Carrier**
GCI Fiber Communication Co., Inc.	634	Intrastate Interexchange Carrier
Go Solo Technologies, Inc.	**3027**	**Intrastate Interexchange Carrier**
Gold Line Telemanagement, Inc.	3018	Intrastate Interexchange Carrier
IDT America, Corp.	**3011**	**Intrastate Interexchange Carrier**
Infone, Llc	3001	Intrastate Interexchange Carrier
Inter-Tel Netsolutions, Inc.	**3014**	**Intrastate Interexchange Carrier**
ITC Deltacom Communications, Inc. D/B/A Itc Deltacom	3013	Intrastate Interexchange Carrier
KPU Long Distance;City Of Ketchikan, Ketchikan Public Utilities D/B/A	**697**	**Intrastate Interexchange Carrier**
Matrix Telecom, Inc.	3021	Intrastate Interexchange Carrier
Mci Worldcom Communications, Inc.	**458**	**Intrastate Interexchange Carrier**
Network Communications International Corp.	3005	Intrastate Interexchange Carrier
Network Operator Services, Inc.	**639**	**Intrastate Interexchange Carrier**
New Edge Networks New Edge Network, Inc. D/B/A	673	Intrastate Interexchange Carrier
New Edge Networks, Inc. D/B/A New Edge Networks	**3026**	**Intrastate Interexchange Carrier**
North By Northeastcom Llc	666	Intrastate Interexchange Carrier
Nynex Long Distance Company D/B/A Verizon Enterprise Solutions	**3004**	**Intrastate Interexchange Carrier**
Operator Service Co., Llc	3022	Intrastate Interexchange Carrier
Qwest Communications Corporation	**3015**	**Intrastate Interexchange Carrier**
Secure Communications, Inc.	473	Intrastate Interexchange Carrier
Southwestern Bell Communications Services, Inc. D/B/A SBC Long Distance D/B/A Sbc Long Distance, Ll	**3009**	**Intrastate Interexchange Carrier**
Sprint Communications Company, L.P.	3016	Intrastate Interexchange Carrier
Teltrust Communications, Inc.	**530**	**Intrastate Interexchange Carrier**
Ton Services, Inc.	3008	Intrastate Interexchange Carrier
Tricom Usa, Inc. Ivan Sotomayor	**616**	**Intrastate Interexchange Carrier**
University Of Alaska Fairbanks	452	Intrastate Interexchange Carrier
Usld Communications, Inc.	**462**	**Intrastate Interexchange Carrier**
Verizon Long Distance;Bell Atlantic Communications, Inc. D/B/A	3003	Intrastate Interexchange Carrier
Verizon Select Services, Inc.	**3007**	**Intrastate Interexchange Carrier**
Vocall Communications Corp.	534	Intrastate Interexchange Carrier
Wiltel Communications, LLC	**3023**	**Intrastate Interexchange Carrier**
World Telecom Group, Inc.	453	Intrastate Interexchange Carrier
Adak Eagle Enterprises, LLC; D/B/A Adak Telephone Utility	**702**	**Local Exchange Carrier**

Certificated Utilities & Pipelines

Exempt from Economic Regulation	Certificate	Certificate Type
Alaska Exchange Carriers Association, Inc.	**999**	**Local Exchange Carrier**
Alaska Universal Service Administrative Company	998	Local Exchange Carrier
Bristol Bay Telephone Cooperative, Inc.	**182**	**Local Exchange Carrier**
Circle Telephone; Richard Hutchinson D/B/A	463	Local Exchange Carrier
City Of Ketchikan	**104**	**Local Exchange Carrier**
Cordova Telephone Cooperative, Inc.	162	Local Exchange Carrier
Kenai Pipe Line Company	**306**	**Oil Pipeline**
Koch Alaska Pipeline Company, LLC	308	Oil Pipeline
Milne Point Pipeline, LLC	**329**	**Oil Pipeline**
ACS Of Alaska, Inc.; Alaska Communications Systems, ACS Local Service, and ACS D/B/A	564	Private Pay Telephone Providers
ACS Of The Northland, Inc.; D/B/A Alaska Communications Systems, ACS Long Distance, And ACS	**565**	**Private Pay Telephone Providers**
Alaska Hotel & Bar, Inc.	527	Private Pay Telephone Providers
Alaska Indoor Sports; McBrides/Winners/Athletes Foot/Plaza Shoes D/B/A	**544**	**Private Pay Telephone Providers**
Alaska Native Heritage Center, Inc.	606	Private Pay Telephone Providers
Alaska Payphone	**500**	**Private Pay Telephone Providers**
Alaska Paytel	503	Private Pay Telephone Providers
Alaska Products And Services	**541**	**Private Pay Telephone Providers**
Alaska Tel-Card	602	Private Pay Telephone Providers
Alaska Telephone Company	**550**	**Private Pay Telephone Providers**
Arctic Slope Telephone Association Cooperative, Inc.	562	Private Pay Telephone Providers
Bettles Telephone, Inc.	**551**	**Private Pay Telephone Providers**
Bristol Bay Telephone Cooperative, Inc.	552	Private Pay Telephone Providers
Bush-Tell Incorporated	**561**	**Private Pay Telephone Providers**
Century Theatres, Inc.	583	Private Pay Telephone Providers
City Of Ketchikan D/B/A Ketchikan Public Utilities	**567**	**Private Pay Telephone Providers**
Copper Valley Telephone Cooperative, Inc.	553	Private Pay Telephone Providers
Cordova Telephone Cooperative, Inc.	**554**	**Private Pay Telephone Providers**
Crossroads Lounge; Donald P. Skewis D/B/A	512	Private Pay Telephone Providers
Danlor Commuications, Inc.	**497**	**Private Pay Telephone Providers**
Delta Vending; Delta Management, Llc D/B/A	685	Private Pay Telephone Providers
Dow International	**537**	**Private Pay Telephone Providers**
Eastfork, Llc	609	Private Pay Telephone Providers
Forward Amusement Company; Fred Henry Rowan D/B/A	**526**	**Private Pay Telephone Providers**
Fox Run Campground Enterprises	633	Private Pay Telephone Providers
General Communication, Inc. And GCI; GCI Communication Corp. D/B/A	**496**	**Private Pay Telephone Providers**
Glacier Telecom; James E. Carter D/B/A	611	Private Pay Telephone Providers
GTE Alaska Incorporated	**569**	**Private Pay Telephone Providers**
Homer Cleaning Center	632	Private Pay Telephone Providers
International Telecom, Inc.	**494**	**Private Pay Telephone Providers**

Certificated Utilities & Pipelines

Exempt from Economic Regulation	Certificate	Certificate Type
Interstate Telecommunications, Inc.	**591**	**Private Pay Telephone Providers**
Lexcom Telecommunications	501	Private Pay Telephone Providers
Main Street Telephone Company	**507**	**Private Pay Telephone Providers**
Matanuska Telephone Association, Inc.	568	Private Pay Telephone Providers
Metrophone Telecommunications, Inc.	**594**	**Private Pay Telephone Providers**
Nobonomo Inc. D/B/A The Port	593	Private Pay Telephone Providers
North Country Telephone, Inc.	**556**	**Private Pay Telephone Providers**
Nushagak Electric & Telephone Cooperative, Inc.	557	Private Pay Telephone Providers
Otz Telephone Cooperative, Inc.	**580**	**Private Pay Telephone Providers**
Ozzie's Arcade & Coffee Shop	542	Private Pay Telephone Providers
Paracom Incorporated	**637**	**Private Pay Telephone Providers**
Pioneer Telecom, Inc.	540	Private Pay Telephone Providers
Sal's Enterprises D/B/A Gold Strike Lanes & D/B/A Buckets Sports Grill	**636**	**Private Pay Telephone Providers**
Seaport Telecommunications, Inc.	680	Private Pay Telephone Providers
Short Stop Storage; Linda Sue Whitaker D/B/A	**543**	**Private Pay Telephone Providers**
Skytalkwest	481	Private Pay Telephone Providers
Summit Telephone & Telegraph Company Of Alaska , Inc.	**563**	**Private Pay Telephone Providers**
D/B/A Summit Telephone Company, Inc.	699	Private Pay Telephone Providers
T & T Communications		
Telalaska Long Distance, Inc. D/B/A Telalaska	**559**	**Private Pay Telephone Providers**
Tolsona Company	585	Private Pay Telephone Providers
United Utilities, Inc.	**558**	**Private Pay Telephone Providers**
Unknown	597	Private Pay Telephone Providers
City Of Ketchikan D/B/A Ketchikan Public Utilities	**362**	**Radio Common Carrier**
Barrow Utilities And Electric Cooperative, Inc.	226	Sewer (Wastewater)
Barrow Utilities And Electric Cooperative, Inc.	**267**	**Sewer (Wastewater)**
Borough, Ketchikan Gateway	327	Sewer (Wastewater)
Borough, North Slope	**338**	**Sewer (Wastewater)**
Chignik Lake Village Council	6062	Sewer (Wastewater)
City And Borough Of Juneau	**114**	**Sewer (Wastewater)**
City And Borough Of Sitka	101	Sewer (Wastewater)
City Of Adak	**694**	**Sewer (Wastewater)**
City Of Aniak	6030	Sewer (Wastewater)
City Of Atka	**6044**	**Sewer (Wastewater)**
City Of Bethel	612	Sewer (Wastewater)
City Of Coffman Cove	**652**	**Sewer (Wastewater)**
City Of Cold Bay	6026	Sewer (Wastewater)
City Of Cordova	**161**	**Sewer (Wastewater)**
City Of Craig	189	Sewer (Wastewater)
City Of Deering D/B/A Deering Water And Sewer	**6048**	**Sewer (Wastewater)**
City Of Dillingham	171	Sewer (Wastewater)
City Of Egegik	**483**	**Sewer (Wastewater)**

Certificated Utilities & Pipelines

[illegible]	Certificate	Certificate Type
City Of Galena	**355**	**Sewer (Wastewater)**
City Of Haines	134	Sewer (Wastewater)
City Of Homer	**228**	**Sewer (Wastewater)**
City Of Hoonah	148	Sewer (Wastewater)
City Of Hualia	**6002**	**Sewer (Wastewater)**
City Of Kake	174	Sewer (Wastewater)
City Of Kenai	**124**	**Sewer (Wastewater)**
City Of Ketchikan	384	Sewer (Wastewater)
City Of King Cove	**493**	**Sewer (Wastewater)**
City Of Kodiak	127	Sewer (Wastewater)
City Of Kotlik	**6022**	**Sewer (Wastewater)**
City Of Kotzebue D/B/A Municipal Utilities	154	Sewer (Wastewater)
City Of Manokotak	**6050**	**Sewer (Wastewater)**
City Of Nenana	352	Sewer (Wastewater)
City Of New Stuyakok	**6040**	**Sewer (Wastewater)**
City Of North Pole D/B/A North Pole Utility	197	Sewer (Wastewater)
City Of Palmer	**138**	**Sewer (Wastewater)**
City Of Port Lions - Wastewater	6058	Sewer (Wastewater)
City Of Savoonga	**6054**	**Sewer (Wastewater)**
City Of Saxman	179	Sewer (Wastewater)
City Of Seldovia	**146**	**Sewer (Wastewater)**
City Of Skagway	136	Sewer (Wastewater)
City Of Soldotna	**132**	**Sewer (Wastewater)**
City Of St. Marys	6015	Sewer (Wastewater)
City Of St. Paul	**680**	**Sewer (Wastewater)**
City Of Thorne Bay	313	Sewer (Wastewater)
City Of Unalaska	**397**	**Sewer (Wastewater)**
City Of Valdez	130	Sewer (Wastewater)
City Of Wasilla	**318**	**Sewer (Wastewater)**
City Of Whittier	239	Sewer (Wastewater)
City Of Wrangell	**229**	**Sewer (Wastewater)**
Gulkana Village Water & Sewer	6060	Sewer (Wastewater)
Igiugig Tribal Village Council	**6041**	**Sewer (Wastewater)**
Kokhanok Village Council D/B/A Kokhanok Water And Sewer	6046	Sewer (Wastewater)
Matanuska-Susitna Borough	**435**	**Sewer (Wastewater)**
Municipality Of Anchorage D/B/A Anchorage Sewer Utility	126	Sewer (Wastewater)
Nanwalek Ira Council	**6018**	**Sewer (Wastewater)**
Native Village Of Tyonek	6016	Sewer (Wastewater)
Noatak Utilities - Wastewater	**6033**	**Sewer (Wastewater)**
Nome Joint Utility System	151	Sewer (Wastewater)
Petersburg, City Of	**237**	**Sewer (Wastewater)**
Rivers Edge Condominium Association	6035	Sewer (Wastewater)
Tanacross Village Council Water & Sewer	**6014**	**Sewer (Wastewater)**

Certificated Utilities & Pipelines

[redacted]	[redacted]	[redacted]
The City Of Seward	**109**	**[redacted]**
Yukon Kuskokwim Health Corporation Rural Utility Cooperative	6008	Sewer (Wastewater)
Aurora Energy, Llc	**119**	**Steam**
Alaska Public Utilities Company	51	Water
Aleutian Estates Addition No. 1 Water System Associaiton, Inc.	**6028**	**Water**
Alpat Water Utility, Llc	6056	Water
Alpine Woods Homeowners Association	**6008**	**Water**
Badger Utilities, Llc	6031	Water
Barrow Utilities And Electric Cooperative, Inc.	**225**	**Water**
Barrow Utilities And Electric Cooperative, Inc.	268	Water
Borough, North Slope	**328**	**Water**
Bru-Nette, Llc	6003	Water
Chignik Lake Village Council	**6061**	**Water**
City And Borough Of Juneau	115	Water
City And Borough Of Sitka	**102**	**Water**
City Of Adak	693	Water
City Of Atka	**6043**	**Water**
City Of Bethel	613	Water
City Of Coffman Cove	**651**	**Water**
City Of Cold Bay	6025	Water
City Of Cordova	**163**	**Water**
City Of Craig	167	Water
City Of Deering D/B/A Deering Water And Sewer	**6047**	**Water**
City Of Dillingham	170	Water
City Of Egegik	**484**	**Water**
City Of Fort Yukon	333	Water
City Of Galena	**354**	**Water**
City Of Haines	135	Water
City Of Homer	**140**	**Water**
City Of Hoonah	149	Water
City Of Huslia	**6001**	**Water**
City Of Hydaburg	172	Water
City Of Kake	**173**	**Water**
City Of Kenai	125	Water
City Of Ketchikan	**105**	**Water**
City Of King Cove	492	Water
City Of Klawock	**176**	**Water**
City Of Kodiak	128	Water
City Of Kotlik	**6021**	**Water**
City Of Kotzebue D/B/A Municipal Utilities	155	Water
City Of Manokotak	**6049**	**Water**
City Of Mcgrath	389	Water
City Of Nenana	**351**	**Water**

Certificated Utilities & Pipelines

Exempt from Rate Regulation	Certificate	Certificate Type of Service
City Of New Stuyahok	**6039**	**Water**
City Of North Pole D/B/A North Pole Utility	196	Water
City Of Palmer	**139**	**Water**
City Of Port Lions - Water	6057	Water
City Of Saint Paul	**460**	**Water**
City Of Savoonga	6053	Water
City Of Saxman	**178**	**Water**
City Of Seldovia	147	Water
City Of Skagway	**137**	**Water**
City Of Soldotna	133	Water
City Of St. Marys	**6011**	**Water**
City Of Thorne Bay	314	Water
City Of Unalaska	**113**	**Water**
City Of Valdez	131	Water
City Of Wasilla	**262**	**Water**
City Of Whittier	238	Water
City Of Wrangell	**112**	**Water**
City Of Yakutat	180	Water
Clearwater Utilities, Llc.	**6004**	**Water**
Colonial Park Homeowners Association, Inc.	6029	Water
Copper Valley Construction Company	**9**	**Water**
Dearmoun Homeowners Association	6027	Water
Eagle Utilities, Inc.	**356**	**Water**
Gulkana Village Water & Sewer	6059	Water
Hill Timber Estates Subdivision Homeowners Association, Inc.	**6064**	**Water**
Igiugig Tribal Village Council	6042	Water
KB Water Association Services	**6055**	**Water**
Ketchikan Gateway Borough D/B/A Shoup Street Service Area	431	Water
Kokhanok Village Council D/B/A Kokhanok Water And Sewer	**6045**	**Water**
Lake O The Hills East Homeowners Association	6038	Water
Matanuska-Susitna Borough	**434**	**Water**
Mckinley Utilities, Inc.	317	Water
Midtown Estates Water Utility, Inc.	**642**	**Water**
Mountain Point Service Area Of The Ketchikan Gateway Borough	107	Water
Nanwalek Ira Council	**6019**	**Water**
Native Village Of Tyonek	6013	Water
Native Village Of Tyonek	**6017**	**Water**
Near Point Knoll Water System, Llc	6023	Water
Nikolaevsk Community Water System	**6012**	**Water**
Noatak Utilities - Water	6032	Water
Nome Joint Utility System	**152**	**Water**
Oberts Riverview Estates Property Owners Association	6009	Water
Petersburg, City Of	**236**	**Water**

Certificated Utilities & Pipelines

Exempt from Economic Regulation	Certificate	Utility Type
Port Protection Community Association	6061	Water
Potter Creek Water Company	358	Water
Rangeview Utilities	82	Water
Rivers Edge Condominium Association	6034	Water
Romig Park Improvement Company	82	Water
Scotwood Water Association, Inc.	6052	Water
Shores Of Ancient Tree Homeowners Association	6061	Water
Snowshoe Water Company, B&J Ventures, Inc., D/B/A	430	Water
Southcentral Utilities, Inc.	361	Water
Spenard Heights Water System	6005	Water
Spring Forest Homeowners Association	6036	Water
Swiss Castle Estates Water Works, Ron Alleva D/B/A	272	Water
Taiga Woodlands Homeowners Association	6063	Water
Tanacross Village Council Water & Sewer Utility	6010	Water
The City Of Seward	110	Water
Valli Vue Estates Property Owners Association	6020	Water
Voznesenka Community Council, Inc.	6037	Water
Westwood Water Company, Inc	590	Water
Yukon Kuskokwim Health Corporation Rural Utilit	6007	Water

Utility, Pipeline, and Regulation Dockets Active During FY 2006

This series of tables lists by docket number those dockets that were in the status of "open" sometime during FY 2006. This includes dockets that were open at the beginning of the fiscal year and those that were opened after the year began. The Commission has included short descriptions and comments to provide a basic overview of the dockets' subject matter. These descriptions are not necessarily complete in all respects, nor are they intended to reflect the Commission's viewpoints on the merits of each docket. The dockets have been broken into three major groupings, representing utility dockets subject to the provisions of AS 42.05, pipeline dockets subject to the provisions of AS 42.06, and regulations dockets wherein the Commission is considering changes to its regulations or other matters of general importance.

Utility Dockets Active During FY 2006

Docket Number	Docket Description	Date Opened	Date Closed
U-97-046	Investigation of the Amended Application by ALASKA INTRASTATE GAS COMPANY for a Certificate of Public Convenience and Necessity to Operate as a Natural Gas Public Utility in 17 Communities in Alaska	3/18/1997	02/08/2006
U-00-088	General rate case of Enstar Natural Gas Company based on 2000 test year including revenue requirement, cost of service and rate design studies, as well as adoption of transportation tariff. Comment: orig. closed 6/26/2003; reopened 1/7/2004, Order No. 24	5/8/2000	05/17/2006
U-01-093	KMC DATA application to provide local telephone service in competitive areas	7/20/2001	03/03/2006
U-01-154	VARTEC application to provide local telephone service in competitive service areas	12/24/2001	06/30/2006
U-02-075	Investigation of 2001 test year revenue requirement and cost of service studies filed by Interior Telephone Company in support of its request to increase rates for its Seward/Moose Pass exchange. Comment: Reopened & Reclosed by Order No. 23, dated 1/23/2006 Reopen and Reclose Docket, Order No. 24, dated 06/27/2006	7/15/2002	07/22/2005
U-02-086	General rate case of Alaska Telephone Company based on 2001 test year including revenue requirement, cost of service and rate design studies. Comment: Docket reopened by Order No. 23 on 08/07/2006	8/22/2002	01/16/2007
U-02-094	UNITED-KUC depreciation study Comment: Docket reopened and closed by Order No. 10 on 12/14/2006	9/25/2002	12/14/2006
U-02-103	ATC, Depreciation Study Comment: Docket was reopened by Order No. 12 on 08/07/2006 Docket was reclosed by Order No. 15 on 01/16/2007	10/25/2002	01/16/2007
U-03-011	General rate case of Bethel Utilities Corp based on 2002 test year including revenue requirement, cost of service studies.	3/26/2003	06/30/2006

Utility Dockets Active During FY 2006

Docket Number	Docket Description	Date Opened	Date Closed
U-03-034	KPU LD application to provide intrastate interexchange telecommunications service	6/5/2003	01/25/2006
U-03-076	ADAK EAGLE ENTERPRISE application to provide local telephone service in Adak, Alaska	8/6/2003	11/23/2005
U-03-085	OTZ depreciation and revenue requirement study Comment: Reopened and reclosed per Order No. 12 on 06/09/2006	9/24/2003	02/09/2006
U-03-095	Investigated compliants regarding the service and safety of the electrical system owned by Lakeview.	10/20/2003	01/06/2006
U-03-101	Review application to transfer the electrical certificate from T-HREA to IPEC.	11/13/2003	01/04/2006
U-04-001	MTA Depreciation Study	1/21/2004	09/12/2005
U-04-003	SOUTHWESTERN BELL COMMUNICATIONS SERVICES application to provide local telephone service in Anchorage, Fairbanks, and Juneau	1/12/2004	01/25/2006
U-04-007	AECA v. AT&T Alascom re debit card minute reporting	1/22/2004	03/10/2006
U-04-011	Comtec Business Systems, Inc. App. for Local Exchange Certificate	1/9/2004	06/15/2006
U-04-022	Investigation of 2002 test year revenue requirement study filed by the Municipality of Anchorage d/b/a Anchorage Water and Wastewater, in support of its request for increase in water rates	2/24/2004	
U-04-023	Investigation of 2002 test year revenue requirement study filed by the Municipality of Anchorage d/b/a Anchorage Water and Wastewater, in support of its request for increase in wastewater rates.	2/20/2004	
U-04-026	COMPUTER NETWORK TECHNOLOGY CORPORATION application to provide local exchange service in Anchorage, Fairbanks, and Juneau	3/1/2004	06/30/2006
U-04-028	AT&T ALASCOM extend contract with Alyeska (TA638-98)	3/12/2004	04/11/2006
U-04-033	Investigation of Golden Valley Electric Association Request for Authority to Implement Simplified Rate Filing proceedures and request for rate increase.	3/31/2004	03/30/2006
U-04-043	ACS-ANCHORAGE & GCI, Designate ACS-AN as Nondominant Carrier in Competitive Local Exchange Market	5/4/2004	07/08/2005
U-04-044	ACS-Fairbanks & GCI, Designate ACS-F as Nondominant Carrier in Competitive Local Exchange Market	5/4/2004	07/08/2005
U-04-045	ACS-AK & GCI, Designate ACS-AK as Nondominant Carrier in Competitive Local Exchange Market	5/4/2004	07/08/2005
U-04-062	ALASKA WIRELESS COMMUNICATIONS application for designation as an eligible telecommunications carrier in service area of Interior Telephone, and request redefinition of study area	6/22/2004	11/15/2006

Utility Dockets Active During FY 2006

Docket Number	Docket Description	Date Opened	Date Closed
U-04-068	Purchase of Teller Power Company by Alaska Village Electric Cooperative	7/29/2004	02/06/2006
U-04-069	Evercom application to transfer controlling interest of Evercom from EHI to Securus	7/30/2004	10/24/2005
U-04-073	Investigation of 2003 test year revenue requirement study filed by the Alaska Power Company, in support of its request for increase in rates.	8/12/2004	08/09/2005
U-04-076	BETTLES TELEPHONE to discontinue local telephone service to Jim River Camp	8/23/2004	04/11/2006
U-04-077	General rate case of Gustavus Electric Company based on 2002 test year revenue requirement study.	9/1/2004	07/12/2005
U-04-081	Investigation of Beluga Pipeline Company rates in response to protest by Aurora Gas, LLC Comment: The Commission closed the investigation of rates and terms and condition of service, finding that it was in the public interest not to continue the proceeding after the parties reached a mediated settlement.	9/2/2004	05/10/2006
U-04-089	Investigation of March 31, 2004 year-end revenue requirement study filed by the Midtown Estates Water Utility in support of its request for increase in rates.	10/22/2004	01/31/2006
U-04-090	Investigation of 2003 test year revenue requirement studies filed by Alaska Pacific Environmental Services in support of its request for increase in refuse collection rates.	10/25/2004	04/07/2006
U-04-102	Investigation of Chugach Electric Association's 2002 test year depreciation study	11/22/2004	05/23/2006
U-04-104	Investigation of Fuel Supply Handling and Procurement Practices of BETHEL UTILITIES CORPORATION	11/23/2004	11/25/2005
U-04-109	Adak Telephone application for eligible telecommunication carrier designation	11/22/2004	07/15/2005
U-04-110	Alaska DigiTel, LLC application for designation as an eligible telecommunications carrier in Anchorage	12/7/2004	01/24/2006
U-04-111	Review of an application to transfer the water certificate from Trillium Corporation to Mile 8 Utilities.	12/8/2004	10/10/2005
U-04-112	Review of an application to transfer the wastewater certificate from Trillium Corp to Mile 8 Utilities.	12/8/2004	10/10/2005
U-04-114	Evercom application to provide local telephone service in competitive service areas	12/10/2004	05/16/2006
U-04-118	GCICI to amend certificates to expand cable service in several areas	12/30/2004	08/22/2005
U-04-119	Review application to transfer portion of refuse certificate from WMA to APESA.	12/30/2004	11/22/2005

Utility Dockets Active During FY 2006

Docket Number	Docket Description	Filed	Date Closed
U-05-004	GCI to amend certificate no. 489 to provide local telephone service in several rural locations	1/21/2005	
U-05-007	Investigated the complaint filed by James J. Allen concerning CUC's ownership requirements of a water service line.	1/31/2005	06/29/2006
U-05-009	Application by France Telecom Corporate Solutions to provide local exchange service in Anchorage, Fairbanks, and Juneau	1/31/2005	10/11/2005
U-05-010	Teligent Services Inc re discontinuance of long distance service	2/10/2005	10/19/2005
U-05-012	Investigation of 2003 test year revenue requirement study filed by Inside Passage Electric Coop in support of its request for increase in electric rates.	2/15/2005	03/01/2006
U-05-013	CHUGACH, TA256-8, COPA	2/18/2005	08/12/2005
U-05-014	CENTRAL, TA94-341, COPA	2/18/2005	08/18/2005
U-05-016	Application by SBC to acquire AT&T Alascom (long distance)	2/28/2005	01/23/2006
U-05-017	Application by SBC to acquire AT&T Alascom (local)	2/28/2005	01/23/2006
U-05-018	Investigation of September 30, 2004 year-end revenue requirement study filed by the TDX Sand Point in compliance with previous Commission Orders.	2/28/2005	12/15/2005
U-05-019	Notice by AECA, AT&T, GCI, of adoption of a Network Access Fee line count guide	3/3/2005	12/13/2005
U-05-020	Investigation of the Formal Complaint Filed by Agrium U.S. Inc. Against MARATHON OIL COMPANY and UNION OIL COMPANY OF CALIFORNIA as Owners of the Cook Inlet Gas Gathering System	3/7/2005	
U-05-022	Review an application from Jolliffe for a new public water utility.	3/9/2005	06/30/2006
U-05-023	Review of an application from Discovery Construction for the development of a new public water utility.	3/15/2005	10/05/2005
U-05-024	Verizon application to acquire controlling interest in MCI Inc.	3/16/2005	02/15/2006
U-05-026	Investigated complaint filed by Great Alaska on WMA concerning practices outside of approved tariff.	3/22/2005	11/22/2005
U-05-029	CVLD motion for waiver to file wholesale tariff	3/18/2005	09/30/2005
U-05-032	Summit Telephone investigation on its Capital Improvement Plan and compliance with State Telecommunications Moderization Plan	4/14/2005	03/20/2006
U-05-033	Review application to transfer the refuse certificate held by Raven Refuse (Mr. Lee) to Raven Refuse (Mr.Bradley).	4/4/2005	07/28/2005
U-05-034	Investigation of the Formal Complaint Filed by Iditarod Area School District Against TAKOTNA COMMUNITY ASSOCIATION, INC.	4/12/2005	01/13/2006
U-05-035	Review of application to transfer the refuse collection certificate held by Cook Inlet Refuse to S&R Enterprises.	4/12/2005	11/01/2005

Utility Dockets Active During FY 2006

Docket Number	Docket Description	Opened	Closed
U-05-036	Conversion to an Alaska Domestic Limited Liability Company by MIDTOWN ESTATES WATER UTILITY, INC.	4/14/2005	03/13/2006
U-05-040	Investigation of a formal complaint filed by Bethel Utilities Corporation against the City of Bethel regarding permitting procedures and conditions for installing utility facilities in, on, and along or across properties Controlled by the City of Bethel. Comment: Docket reopened by Order No. 3 on 08/16/2006	4/21/2005	05/09/2006
U-05-041	Dobson application for designation as an eligible telecommunications carrier in several study areas	5/9/2005	11/17/2006
U-05-042	GCI application to terminate rural exemption of KPU	4/28/2005	07/05/2005
U-05-043	Investigation of 2004 test year revenue requirement study filed by Golden Heart and College Utilities in support of its request for increase in water rates. Comment: Docket reopened by Order No. 3 on 08/16/2006	4/26/2005	
U-05-044	Investigation of 2004 test year revenue requirement study filed by Golden Heart and College Utilities in support of its request for increase in wastewater rates.	4/26/2005	
U-05-045	Investigation of 2004 test year revenue requirement study filed by Kake Tribal Corp. in support of its request for increase in electric rates.	5/12/2005	08/22/2006
U-05-046	MTA petition for suspension and modification of its obligations under the Telecom Act	5/27/2005	02/16/2006
U-05-048	ITC DELTACOM and BT request for approval of guaranteeing the indebtedness of an affiliate	6/2/2005	08/23/2005
U-05-049	Investigation of September 30, 2004 year-end revenue requirement study filed by the TDX North Slope in compliance with previous Commission Orders.	6/6/2005	12/15/2005
U-05-050	Investigated a formal complaint Filed by Yukon Telephone Company against United Utilities and Manley Utility Company concerning unfair service charges.	6/7/2005	10/06/2005
U-05-051	Request by United Way of Anchorage to be assigned 2 1-1 dialing code for use as a health and social service referral line	6/17/2005	10/11/2005
U-05-052	Investigation of the Request filed by UTILITY SERVICES OF ALASKA, INC. to become Economically Regulated	6/20/2005	07/07/2005
U-05-053	Review application from FNG to extend its service area.	6/21/2005	11/23/2005
U-05-054	Investigation of Enstar Natural Gas Company's request to discontinue acceptance of credit card payments from ratepayers	6/27/2005	06/01/2006
U-05-055	Re Implementation issues for new exchange carrier policies for Anchorage, Fairbanks, Juneau	7/8/2005	04/03/2006

Utility Dockets Active During FY 2006

Docket Number	Docket Description	Date Opened	Date Closed
U-05-056	Investigation of the Formal Complaint Filed by Karl Carl Jr., against Kipnuk Light Plant	7/5/2005	11/10/2005
U-05-057	Application by Southwestern Bell to change name	7/7/2005	01/25/2006
U-05-058	RCA Compliance with federal rules to certify proper use of federal Universal Service Funds	7/8/2005	11/04/2005
U-05-059	MTA Vision Transfer to MTA Comm. CPCN No. 698	7/8/2005	09/12/2005
U-05-060	Investigation of the Cost Allocation Manual filed by Yukon Tech, Inc.	6/29/2005	
U-05-061	Review application from ENSTAR to expand its service area.	7/12/2005	01/13/2006
U-05-062	Investigation of the Revenue Requirement of the ALASKA EXCHANGE CARRIERS ASSOCIATION, INC., to be Included in Intrastate Interexchange Access Charges	7/13/2005	06/15/2006
U-05-063	Investigation of the Access Charge Revenue Requirement of ACS OF THE NORTHLAND, INC.	7/13/2005	01/09/2006
U-05-064	Investigation of the Access Charge Revenue Requirement of Bristol Bay Telephone	7/13/2005	06/15/2006
U-05-065	Investigation of the Access Charge Revenue Requirement of Bush-Tel	7/13/2005	06/15/2006
U-05-066	Investigation of the Access Charge Revenue Requirement of Copper Valley Telephone Coop.	7/13/2005	06/15/2006
U-05-067	Investigation of the Access Charge Revenue Requirement of Cordova Telephone Coop.	7/13/2005	06/15/2006
U-05-068	Investigation of the Access Charge Revenue Requirement of the City of Ketchikan	7/13/2005	06/15/2006
U-05-069	Investigation of the Access Charge Revenue Requirement of Nushagak Electric & Telephone Coop.	7/13/2005	06/15/2006
U-05-070	Investigation of the Access Charge Revenue Requirement of OTZ Telephone Coop.	7/13/2005	06/15/2006
U-05-071	Investigation of the Access Charge Revenue Requirement of Summit Telephone Inc.	7/13/2005	06/15/2006
U-05-072	Investigation of the Access Charge Revenue Requirement of Yukon Telephone	7/13/2005	06/15/2006
U-05-073	Review application from AEL&P to expand its service area.	7/15/2005	02/01/2006
U-05-074	Application to change name from MCI Worldcom Communications, Inc. to MCI Communications Services, Inc.	7/15/2005	05/12/2006
U-05-075	ALASCOM to amend certificate no. 278 to provide local telephone service in Fairbanks and Juneau	7/15/2005	01/17/2007
U-05-076	GCI request for arbitration on interconnection negotiations with MTA	7/15/2005	02/17/2006

Utility Dockets Active During FY 2006

Docket Number	Docket Description	Filed Opened	Date Closed
U-05-077	Petition filed by NORTH SLOPE BOROUGH UTILITIES to Vacate Rate Case Filing Requirement for refuse collection	7/19/2005	02/13/2006
U-05-078	Review application from MANNA Enterprises for the development of a new public water utility.	8/15/2005	02/06/2006
U-05-079	Application by Kinder Morgan, Inc. for Authority to Acquire 50% Interest in Golden Heart Utilities and College Utilities	8/25/2005	11/08/2005
U-05-080	Request for approval of a negotiated interconnection agreement between Interior Telephone Company and ACS Wireless	8/29/2005	11/03/2005
U-05-081	Request for approval of a negotiated interconnection agreement between ACS-Northland and ACS Wireless	8/29/2005	11/04/2005
U-05-082	Application by CommPartners LLC for a local exchange certificate	9/1/2005	03/24/2006
U-05-083	COMMPARTNERS, LLC application to provide intrastate interexchange service	9/1/2005	02/02/2006
U-05-084	Interior Telephone re Modify Local Service Rates for Competition	9/21/2005	
U-05-085	ASTAC Petition for Deregulation Election	9/26/2005	02/24/2006
U-05-086	Petition by the MUNICIPALITY OF ANCHORAGE D/B/A MUNICIPAL LIGHT AND POWER to Remove Restriction on Dividends and Dividend-like Payments	9/27/2005	12/22/2005
U-05-087	Petition by Mukluk Telephone Company to terminate a public interest pay telephone	9/29/2005	1/09/2006
U-05-088	Interior Telephone designation as Nondominant Carrier in Seward/ Moose Pass	9/29/2005	06/01/2006
U-05-089	ACS WIRELESS for Federal Universal Support	10/3/2005	06/21/2006
U-05-090	Investigation of 2004 test year revenue requirement study filed by Alaska Electric Light & Power in support of its request for increase in electric rates.	10/6/2005	07/10/2006
U-05-091	Review emergency joint application Alaska Waste to provide refuse service to customers of Great Alaska Sanitation at tariff rates of Great Alaska Sanitation.	10/13/2005	02/13/2006
U-05-092	Investigation for a formal complaint filed by TECK-POGO, Inc on GVEA's breach of state statutes, the special contract, and GVEA's tariff.	10/13/2005	10/12/2006
U-05-093	Application by Alaska Digitel for designation to receive universal service funds	11/1/2005	02/01/2006
U-05-094	Alaska Telephone Co Provisioning of Equal Access	11/7/2005	11/28/2005
U-05-095	MTA Visions transfer of Certificate to MTA Communications	11/16/2005	01/30/2006
U-05-096	MTA-Long Distance transfer of Certificate to MTA Communications	12/9/2005	

Utility Dockets Active During FY 2006

Docket Number	Docket Description	Filed Date	Closed Date
U-05-097	Investigation of the Plan Filed by Municipality of Anchorage d/b/a Municipal Light & Power Department for use of 2004 Beluga River Unit Underlift Settlement Proceeds	12/13/2005	02/16/2006
U-05-098	Application by Comtel Telcom Assets for a local exchange certificate	12/21/2005	05/12/2006
U-05-099	Joint Application by Comtel, Vartec & Excel to transfer assets	12/21/2005	05/17/2006
U-05-100	Review of application from KWETICO for a new electrical transmisison service utility.	12/21/2005	
U-05-101	Investigation of 2004 test year revenue requirement study filed by the Municipality of Anchorage d/b/a Anchorage Water and Wastewater, in support of its request for increase in water rates.	12/27/2005	03/15/2006
U-05-102	ACS-N petition to designate Glacier State study area as competitive market	12/27/2005	06/05/2006
U-05-103	Investigation of 2004 test year revenue requirement study filed by the Municipality of Anchorage d/b/a Anchorage Water and Wastewater, in support of its request for increase in wastewater rates.	12/28/2005	
U-06-001	Review of application from MWI for a new refuse collection utility.	1/3/2006	08/09/2006
U-06-002	Investigation of the Proposed Gas Sales Agreement between ENSTAR NATURAL GAS COMPANY, A DIVISION OF SEMCO ENERGY INC. and MARATHON OIL COMPANY Filed as TA139-4	1/6/2006	
U-06-003	ALASKA DIGITEL LLC application for eligible telecommunications carrier in the ACS-Fairbanks area	1/17/2006	01/19/2007
U-06-004	ALASKA DIGITEL LLC application for eligible telecommunications carrier in the ACS-Alaska area	1/18/2006	01/19/2007
U-06-005	EARTHLINK/ NEWEDGE NETWORK, acquisition	1/18/2006	07/18/2006
U-06-006	Investigation of Municipality of Anchorage d/b/a Municipal Light & Power 2004 test year depreciation study	1/23/2006	12/29/2006
U-06-007	CVS Application for new CPCN for Private Pay Phone	1/30/2006	04/11/2006
U-06-008	Review of application from Timber Ridge Condo Assn. for the development of new public water and wastewater utilities.	2/2/2006	04/27/2006
U-06-009	Application by 0745848 B.C. LTD for Authority to Acquire 50% Interest in Golden Heart Utilities and College Utilities	2/3/2006	05/11/2006
U-06-010	Nomination of Directors to the Alaska Universal Service Administrative Company	2/9/2006	03/02/2006
U-06-011	CVTC negotiated interconnection agreement with ACS-W	2/14/2006	05/08/2006
U-06-012	Investigation of the Transportation Service Agreements Used by ENSTAR NATURAL GAS COMPANY and ALASKA PIPELINE COMPANY	2/17/2006	
U-06-013	DSLNET application to Discontinue Local Exchange Service	2/24/2006	06/30/2006

Utility Dockets Active During FY 2006

Docket Number	Docket Description	[illegible]	[illegible]
U-06-014	DSLNET application to discontinue Long Distance service	2/24/2006	06/30/2006
U-06-015	ACS-N to discontinue service in Ivanof Bay	2/24/2006	06/19/2006
U-06-016	Request by Interior Telephone Company to terminate a public interest pay telephone in Galena	2/28/2006	09/07/2006
U-06-017	Request by Interior Telephone Company to terminate a public interest pay telephone in New Halen	2/28/2006	09/07/2006
U-06-018	Request by Interior Telephone Company to terminate public interest pay telephones in King Cove	2/28/2006	09/07/2006
U-06-019	Request by Dobson for certification for its use of 2006 federal high cost universal service funds	2/28/2006	04/26/2006
U-06-020	Investigation of the Cost of Service and Rate Design Study, Filed by ALASKA PACIFIC ENVIRONMENTAL SERVICES I, LLC	3/3/2006	10/10/2006
U-06-021	Review of application from University Redi-Mix Inc to change their name to University Refuse, LLC.	3/7/2006	
U-06-022	Review application to transfer the refuse certificate held by WMA to University Refuse, LLC.	3/7/2006	
U-06-023	Investigation of GCI re Compliance with AS 42.05.241 for new Study Areas	3/10/2006	09/18/2006
U-06-024	Review application from Alaska Waste - Interior LLC d/b/a Alaska Waste to develop a new refuse collection utility.	3/13/2006	
U-06-025	Electric Lightwave Inc. re discontinue long distance service	3/17/2006	
U-06-026	Review of application from River Bend Homeowners' Assn for the development of a new public water utility.	3/3/2006	07/17/2006
U-06-027	YMax Communications Corp. apln for local exchange service certificate	3/29/2006	04/19/2006
U-06-028	AT&T ALASC discontinue service at Ivanof Bay	3/30/2006	06/19/2006
U-06-029	Request by BellSouth Long Distance to discontinue service	3/31/2006	08/08/2006
U-06-030	Review of an application to transfer the water certificate from PCWC to Potter Valley Water.	3/31/2006	
U-06-031	Review of an application to allow Mark Helmericks to obtain controlling interest in Colvillie Refuse Utility.	3/31/2006	10/17/2006
U-06-032	MTA re confidential status for capital program & planning statement	3/31/2006	05/01/2006
U-06-033	Interior Telephone Co. re confidential status for capital expenditures schedule	3/31/2006	05/01/2006
U-06-034	Mukluk Telephone re confidential status for Capital expenditures schedule	3/31/2006	05/01/2006

Utility Dockets Active During FY 2006

Docket Number	Docket Description	Date Opened	Date Closed
U-06-035	TelAlaska Long Distance re confidential status for Capital Expenditures schedule	3/31/2006	05/30/2006
U-06-036	MCI LLC Name Change to MCI Communications Services, Inc. d/b/a Verizon	4/4/2006	09/20/2006
U-06-037	Investigation of the Informal Resolution by RCA Consumer Protection Staff of informal complaint against Enstar Natural Gas Company	4/14/2006	11/08/2006
U-06-038	VartecTelecom & ExcelTelecommunications Apln to discontinue long distance service	4/20/2006	05/22/2006
U-06-039	Review application from Stevens Village Energy System to form a new electrical utility.	4/21/2006	
U-06-040	Copper Valley Wireless for Eligible Telecommunications Carrier designation	4/25/2006	08/02/2006
U-06-041	GCI for Eligible Telecommunications Carrier designation	5/2/2006	
U-06-042	MTA for designation as Nondominant Carrier in Competitive Local Exchange Market	5/2/2006	
U-06-043	Petition re confidential status for AT&T Alascom's Monthly Reports to AECA	5/3/2006	10/30/2006
U-06-044	Excel Telecommunications apln to discontinue long distance service	4/20/2006	05/22/2006
U-06-045	Investigation of 2004 test year revenue requirement, cost of service and rate design studies filed by the Municipality of Anchorage d/b/a Anchorage Water and Wastewater, in support of its request for increase in water rates.	5/5/2006	
U-06-046	Investigation of the Implementation of TA140-4	5/5/2006	
U-06-047	Copper Valley Telephone for designation as Nondominant Carrier in competitive local exchange markets	5/5/2006	
U-06-048	Request by Bristol Bay Cellular Partnership for designation to receive universal service funding	6/23/2006	09/29/2006
U-06-049	Interior Telephone Co Provisioning Equal Access in Ft. Yukon	5/3/2006	10/25/2006
U-06-050	Request by Bristol Bay Cellular Partnership for designation to receive universal service funding	5/10/2006	09/29/2006
U-06-051	DOBSON expand lifeline elgibility	5/12/2006	10/24/2006
U-06-052	KPU- Long Distance Cost Allocation Manual	5/15/2006	
U-06-053	Interior Telephone Co. Provisioning of Equal Access in Cooper Landing	5/17/2006	
U-06-054	GCI request to terminate CVTC's rural exemption	5/17/2006	08/08/2006

Utility Dockets Active During FY 2006

Docket Number	Docket Description	Date Opened	Date Closed
U-06-055	Establishment of the Fiscal Year 2007 Regulatory Cost Charge for Public Utilities	5/23/2006	09/26/2006
U-06-056	Investigation of Special Contract between CHUGACH ELECTRIC ASSOCIATION, INC. and the CITY OF SEWARD for the Sale and Purchase of Electric Power and Energy	6/1/2006	
U-06-057	Bristol Bay Cellular apln for Eligible Telecommunications Carrier Designation (Unalaska)	6/2/2006	11/02/2006
U-06-058	ACS of the Northland for designation as Nondominant Carrier in Competitive Local Exchange Markets	6/2/2006	
U-06-059	CORDOVA WIRELESS applic. ion for ETC designation in Cordova	6/7/2006	
U-06-060	Review application from GVEA to extend its service area.	6/12/2006	
U-06-061	Mukluk Telephone Co. Depreciation Study	6/27/2006	
U-06-062	Interior Telephone Co. Depreciation Study	6/27/2006	
U-06-063	Request by ASTAC for waiver of requirement to file a wholesale tariff (long distance)	6/20/2006	
U-06-064	Investigation of the Application Filed by Pentex Alaska Natural Gas Company for Authority to Acquire a Controlling Interest in FAIRBANKS NATURAL GAS, LLC	6/20/2006	10/24/2006
U-06-065	ALASKA TELEPHONE COMPANY application to amend CPCN No. 31 to provide local telephone serivce to Lutak, Alaska	6/21/2006	12/20/2006
U-06-066	Review application from Alaska Power Company to extend its service area.	6/21/2006	
U-06-067	Review of an application from University Refuse, Anchorage for the development of a new refuse collection utility.	6/27/2006	

Pipeline Dockets Active During FY 2006

Docket Number	Docket Description	Filed	Closed
P-89-001	Complaint of Tesoro Alaska Company regarding TAPS Quality Bank Comment: Trans Alaska Pipeline System Quality Bank Dockets (Dockets P-89-1, P-89-2, P-94-4, P-96-6, P-98-9, and P-99-12) Each TAPS shipper puts oil of a specific quality, and, therefore, value into TAPS. All shippers receive the same quality oil, the commingled stream, out of TAPS. These dockets concern the money exchanged among shippers on TAPS to compensate each other for the increase or decrease in value of their oil. The proceeding in these dockets has been ongoing since 1989. Under previous rulings of the Federal Energy Regulatory Commission (FERC) and this Commission in these dockets oil shipped on TAPS is now valued by dividing the oil into cuts and pricing each cut separately. In October 2005 the Commission and the FERC resolved all remaining issues (the pricing of resid, vacuum gas oil, heavy distillate, and naphtha) in these dockets. The FERC and the Commission issued two further orders addressing the issues on reconsideration in March 2006 and June 2006. The case is now on appeal.	2/27/1989	
P-89-002	Investigation into TAPS Quality Bank gravity differentials	7/20/1989	
P-94-004	Investigation of TAPS quality bank rules establishing a distillation methodology	1/21/1994	
P-96-006	Exxon Company USA's complaint against TAPS carriers regarding TAPS quality bank	7/8/1996	
P-98-009	Complaint of Tesoro Alaska Company regarding TAPS Quality Bank	8/20/1998	
P-99-012	Consideration of the pricing of West Coast Heavy Distillate component of TAPS quality bank	12/22/1999	
P-00-019	Investigation of the inception and subsequent rates of the Northstar Gas Pipeline	8/24/2000	
P-01-011	Investigation of the inception and subsequent rates of the Northstar Oil Pipeline Comment: The Northstar Oil Pipeline transportation rates have been resolved by settlement agreement, which is currently under consideration by the Commission.	9/20/2001	
P-03-012	Investigation of inception and subsequent tariffs of the Kenai Kachemak Pipeline Comment: The highly disputed rates of and access to the Kenai Kachemak Pipeline were resolved through mediation and settlement. The Commission subsequently accepted the settlement, which established final rates and terms of conditions of service.	3/12/2003	08/03/2005
P-03-013	Consideration of the connection between Kenai Kachemak Pipeline Line Company, LLC and Alaska Pipeline Company	8/18/2003	02/10/2006

Pipeline Dockets Active During FY 2006

Docket Number	Docket Description	[illegible]	[illegible]
P-04-012	Investigation of the inception and subsequent tariffs of Marathon Oil Company dba Kenai Nikiski Pipeline Comment: Constructed in the 1960s, the previously unregulated Kenai Nikiski Pipeline is now a regulated pipeline under the Alaska Pipeline Act. Pursuant to mediation and settlement, the Commission accepted and approved a settlement, which placed the pipeline under regulation and established final rates and terms of conditions of service.	5/26/2004	
P-04-019	Consideration of the connection between Kenai Kachemak Pipeline Line Company, LLC and Enstar Natural Gas Company	9/23/2004	02/10/2006
P-04-020	Formal complaint of Agrium U.S. Inc. against Marathon Oil Company & Union Oil Company of California, the owners of the Cook Inlet Gas Gathering System Comment: Constructed in the 1970s, the previously unregulated Cook Inlet Gas Gathering System is now a regulated pipeline under the Alaska Pipeline Act. Pursuant to mediation and settlement, the Commission accepted and approved a settlement which placed the pipeline under regulation and established final rates and terms of conditions of service.	10/1/2004	
P-04-021	Consideration of the TAPS Carriers application to discontinue certain pump stations	10/7/2004	
P-04-022	Consideration of the connection between the Kenai Nikiski pipeline and facilities at the Paxton Production Facility Comment: The Commission approved an application to discontinue use on certain TAPS pump stations and facilities. The Commission retained jurisdiction over the activities described in the application. The Commission also required the TAPS Carriers to file regular status reports regarding their activities and their allocation of the costs and savings associated with the project.	11/24/2004	02/27/2006
P-05-001	Rejection of the TAPS Carrier's 2005 rates calculated pursuant to the TAPS Settlement Methodology	12/30/2004	07/12/2005
P-05-002	Investigation of the 2005 rates calculated pursuant to the Endicott Settlement Methodology	12/30/2004	12/30/2005
P-05-003	Investigation of the 2005 rates calculated pursuant to the Milne Point Pipeline Settlement Methodology	12/30/2004	12/30/2005
P-05-004	Investigation of the 2005 rates calculated pursuant to the Cook Inlet Pipeline Settlement Methodology	12/30/2004	07/12/2005
P-05-006	Investigation of tariff revisions filed by ConocoPhillips Transportation, Inc.	6/30/2005	11/28/2005
P-05-007	Consideration of an amendment to the Badami Oil Pipeline Settlement Agreement	7/21/2005	09/21/2005
P-05-008	Investigation of 2005 rates calculated pursuant to the Badami Settlement Agreement	8/19/2005	12/30/2005

Pipeline Dockets Active During FY 2006

Docket Number	Docket Description	Initiated	Closed
P-05-009	Consideration of the application to connect facilities of Enstar Natural Gas Company and Kenai Kachemak Pipeline Company, LLC at the Ninilchik Gate Connection	8/25/2005	02/10/2006
P-05-010	Proposal of AK Natural Gas Development Authority to repeal AS 42.06.240(f) and AS 42.06.370(c)	8/29/2005	03/15/2006
P-05-011	Amendment to KKPL's Certificate to include the Kasilof Extension	12/14/2005	08/28/2006
P-06-001	Rejection of the TAPS Carrier's 2006 rates calculated pursuant to the TAPS Settlement Methodology	12/14/2005	02/08/2006
P-06-002	Investigation of the 2006 rates calculated pursuant to the Endicott Settlement Methodology	12/30/2005	12/30/2005
P-06-003	Investigation of the 2006 rates calculated pursuant to the Milne Point Pipeline Settlement Methodology	12/30/2005	12/30/2005
P-06-004	Investigation of 2006 rates calculated pursuant to the Badami Settlement Agreement	12/30/2005	12/30/2005
P-06-005	Application to connect the Kenai Kachemak Pipeline with facilities at the State Pad	2/21/2006	10/06/2006
P-06-006	Application to connect the Kasilof Extension to Zone 1 of the Kenai Kachemak Pipeline	5/11/2006	09/29/2006
P-06-007	Application to connect the Kasilof Extension to the Kasilof Pad	5/11/2006	09/01/2006
P-06-008	Calculation of the Fiscal year 2007 regulatory cost charge for pipeline carriers	5/23/2006	09/26/2006
P-06-009	Request for summary approval to transfer non substantial assets from Union Oil Company of California to Marathon Oil Company	6/27/2006	09/01/2006

Regulations Dockets Active During FY 2006

Docket Number	Docket Description	Date Filed	Date Closed
R-03-003	Regulatory structure for competitive entry into local telephone exchange markets	6/9/2003	09/29/2005
R-03-005	Development of the State Hydroelactric Regs under AS 42.45.350.	12/4/2003	03/31/2006
R-03-007	FCC Triennial Review	9/12/2003	07/06/2005
R-04-001	Regulations regarding the regulatory and accounting treatment for Dismantlement, Removal and Restoration of pipeline facilities Comment: The Commission amended regulations to require pipelines to provide specific supporting information when they file rates seeking to collect funds for dismantlement, removal, and restoration activities.	3/18/2004	09/12/2006
R-04-004	Development of state regulations to address grant-funded plant in regards to rate setting issues.	10/1/2004	
R-04-005	Revisions to the Formula for Determination of Regulatory Cost Charge Rates	12/16/2004	06/13/2006
R-04-006	Intercarrier compensation reform by Federal Communications Commission	1/5/2005	09/22/2006
R-05-001	Alaska Telecommunications amendment to the Consolidated Appr. Act 2005	1/24/2005	
R-05-002	Changes related to former Public Advocacy Section	8/5/2005	06/15/2006
R-05-003	Petition to establish affordability benchmarks and use state universal service fund for Local Exchange Carriers	9/20/2005	10/21/2005
R-05-004	Eligible Telecommunications Carriers regulations	9/20/2005	10/21/2005
R-05-005	Define generally accepted industry standards for multiline telephone systems	10/4/2005	
R-05-006	Proposals for revisions to AS 42.04, AS 42.05, AS 42.06	11/2/2005	03/28/2006
R-05-007	Investigation to establish an affordability standard for local exchange service	10/12/2005	
R-05-008	Regulations for the funding of universal service fund based upon an affordability standard	10/12/2005	03/09/2006
R-05-009	Regulations for Eligible Telecommunications Carrier designation	10/12/2005	03/17/2006
R-05-010	Regulations allowing Alternative Dispute Resolution methods	11/21/2005	
R-05-011	Regulations considering establishing different classifications of pipelines Comment: The Commission held a public workshop with the goal of developing a single set of regulations that would classify pipelines and simplify pipeline regulation. The results of the workshop will be presented to the Commission for its consideration.	12/2/2005	

Regulations Dockets Active During FY 2006

[redacted]	[redacted]	[redacted]	[redacted]
R-05-012	Regs revising requirements for applications for Certificates of Public Convenience and Necessity Comment: The Commission issued a proposed set of regulations revising application requirements for filing Cerificates of Public Convenience and Necessity. Based on comments received the Commission is revising proposed regulations.	11/28/2005	03/23/2006
R-05-013	Regulations to modify the default depreciation ranges established by the Federal Communications Commission	11/25/2005	
R-05-014	Regulations specifying how to assess the Network Access Fee to various access line classifications	11/21/2005	
R-06-001	Procedures for prefiling applications	1/24/2006	
R-06-002	Access Charge Policies	3/9/2006	
R-06-003	Regulations for Eligible Telecommunications Carrier designation	5/31/2006	
R-06-004	Streamlining procedures for transfer of control requests	5/26/2006	06/21/2006

Appeals of Commission Decisions

This table lists by the Commission's docket number those matters where a Commission decision in the docket was appealed to either state or federal court. This table lists appeals which were pending sometime during the fiscal year, even if the underlying docket was closed prior to this fiscal year or the appeal was actually filed prior to the beginning of the fiscal year.

Docket Number	Docket Description	Date Opened	Date Closed
P-86-002A	Appeal of Tesoro Alaska Company regarding TAPS Quality Bank Comment: Trans Alaska Pipeline System Intrastate Rate Appeals (Commission Dockets P-86-2, P-97-4, P-97-7, P-03-4, P-04-1, P-05-1, and P-06-1) All rates charged for the intrastate shipment of oil over the Trans Alaska Pipeline System Commission from 1986 to 2006 are on appeal from the Commission to the Alaska courts in a number of separate sets of consolidated cases. In November 2002 the Commission found that the 1997-2000 intrastate rates charged by the TAPS Carriers, as calculated under the TAPS Settlement Methodology, were not just and reasonable. The Commission established a methodology to calculate just and reasonable intrastate TAPS rates and set lower permanent rates for the years 1997-2000. That decision was appealed by the TAPS Carriers and the State of Alaska to the Superior Court. In January 2006 the Superior Court affirmed the Commission's decision on the 1997-2000 rates. The 1997-2000 rate decision is pending in the Alaska Supreme Court on appeal by the TAPS Carriers. In February 2004 the Commission made the 1986-1996 intrastate TAPS rates permanent. Those rates, calculated under the TAPS Settlement Methodology, had previously been suspended to determine whether they were correctly calculated and contained acceptable input data. The decision to make those rates permanent is pending in Alaska Superior Court on appeal by Tesoro Alaska Company and Williams Alaska Petroleum, Inc. In June 2004 the Commission rejected the 2001, 2002, and 2003 filed intrastate TAPS rates, which had been calculated under the TAPS Settlement Methodology, and established final rates for those years equal to the intrastate rate the Commission had set for the year 2000. That decision is pending in the Alaska Superior Court on appeal by the TAPS Carriers. The TAPS Carriers filed annual rates calculated under the TAPS Settlement Methodology for the years 2004, 2005, and 2006. The Commission rejected the rates for each of those years shortly after each filing was made because the rates were not supported by the information required by regulation. The rejection of those rates by the Commission is pending in Superior Court on appeal by the TAPS Carriers.	9/17/2003	
P-86-002A(3)	Appeal of Tesoro Alaska Company regarding TAPS Quality Bank Comment: 3AN-04-9587CI	8/2/2004	
P-86-002AA	Appeal of Tesoro Alaska Company regarding TAPS Quality Bank Comment: 3AN-04-05928CI	4/6/2004	
P-86-002S	Appeal of RCA and TAPS Carriers to Supreme Court vs. Tesoro Alaska Company and Williams Alaska Pipeline Company regarding TAPS Quality Bank. Comment: S-12352/12391	6/28/2006	

Appeals of Commission Decisions

Docket Number	Docket Description	Date Appeal Filed
P-89-001A	Exxon Mobil Corporation's appeal of RCA orders regarding TAPS Quality Bank. Comment: 3AN-05-13261CI	11/21/2005
P-89-001A(2)	State of Alaska's appeal of Commission Orders regarding TAPS Quality Bank. Comment: 3AN-05-13363CI	11/22/2005
P-89-001A(3)	Appeal of BP Exploration (Alaska), Inc and BP America Production Company regarding TAPS Quality Bank. Comment: 3AN-06-7566CI	5/8/2006
P-89-001A(4)	Appeal of Flint Hills Resources regarding TAPS Quality Bank Comment: 3AN-06-7560	5/9/2006
P-89-002A(3)	Appeal of BP Exploration (Alaska), Inc and BP America Production Company regarding TAPS Quality Bank. Comment: 3AN-06-7566CI	5/3/2006
P-89-002A(4)	Appeal of Flint Hills Resources regarding TAPS Quality Bank Comment: 3AN-06-07560	5/9/2006
P-94-004A(3)	Appeal of BP Exploration (Alaska), Inc and BP America Production Company regarding TAPS Quality Bank. Comment: 3AN-06-7566CI	5/8/2006
P-94-004A(4)	Appeal of Flint Hills Resources regarding TAPS Quality Bank Comment: 3AN-06-7560CI	5/9/2006
P-96-006(4)	Appeal of Flint Hills Resources regarding TAPS Quality Bank Comment: 3AN-06-7560CI	5/9/2006
P-96-006A(3)	Appeal of BP Exploration (Alaska), Inc and BP America Production Company regarding TAPS Quality Bank. Comment: 3AN-06-7566CI	5/8/2006
P-96-006A(4)	Appeal of Flint Hills Resources regarding TAPS Quality Bank	5/10/2006
P-97-004A(1)	TAPS Carriers appeal regarding multiple issues pertaining to TAPS TAM rates. Comment: 3AN-02-13511CI	12/6/2002
P-97-004A(2)	Williams Alaska Pipeline Company, LLC's appeal of Commission decisions regarding TAPS intrastate rates. Comment: 3AN-02-13547CI	12/6/2002
P-97-004A(3)	State of Alaska's appeal of Order P-97-4(151). Comment: Comment: 3AN-03-4372CI	2/18/2003
P-97-004A(5)	TAPS Carriers appeal regarding multiple issues pertaining to TAPS intrastate rates. Comment: 3AN-03-7161CI	5/2/2003
P-97-004A(6)	TAPS Carriers appeal regarding multiple issues pertaining to TAPS intrastate rates. Comment: 3AN-03-8205CI	6/3/2003
P-97-004A(7)	TAPS Carriers appeal regarding multiple issues regarding TAPS intrastate rates. Comment: 3AN-02-13511CI	6/15/2004
P-97-004A(8)	Williams Alaska Pipeline Company, LLC's appeal of Commission decisions regarding TAPS intrastate rates: Comment: 3AN-02-13511CI	6/15/2004
P-97-004S	TAPS Carriers appeal to Supreme Court regarding multiple issues pertaining to TAPS intrastate rates. Comment: S-12230	2/17/2006
P-97-007A(1)	TAPS Carriers appeal regarding treatment of Dismantlement, Removal, and Restoration for TAPS. Comment: 3AN-02-13511CI	9/11/2003

Appeals of Commission Decisions

Docket Number	Docket Description	Signed/Filed
P-97-007A(2)	Williams Alaska Pipeline Company LLC's appeal regarding treatment of TAPS Dismantlement, Removal, and Restoration. Comment: 3AN-02-13547CI CONSOLIDATED W/3AN-02-13511CI	3/25/2003
P-97-007A(3)	State of Alaska's appeal regarding treatment of TAPS Dismantlement, Removal, and Restoration Comment: 3AN-03-4372CI CONSOLIDATED W/3AN-02-13511CI	2/18/2003
P-97-007A(5)	TAPS Carriers appeal regarding treatment of Dismantlement, Removal, and Restoration for TAPS Comment: 3AN-03-7161CI CONSOLIDATED W/3AN-02-13511CI	5/21/2003
P-97-007A(6)	TAPS Carriers appeal regarding treatment of Dismantlement, Removal, and Restoration for TAPS Comment: 3AN-03-8205CI CONSOLIDATED W/3AN-02-13511CI	6/19/2003
P-97-007A(7)	Williams Alaska Pipeline Company LLC's appeal regarding treatment of TAPS Dismantlement, Removal, and Restoration Comment: 3AN-04-8364CI CONSOLIDATED w/3AN-04-7976CI	7/14/2004
P-97-007A(8)	Tesoro Alaska Company's appeal regarding treatment of TAPS Dismantlement, Removal, and Restoration Comment: 3AN-04-8364CI	7/16/2004
P-97-007S	TAPS Carriers appeal to Supreme Court regarding treatment of Dismantlement, Removal, and Restoration for TAPS Comment: S-12230	2/17/2006
P-98-009A(3)	Appeal of BP Exploration (Alaska), Inc and BP America Production Company regarding TAPS Quality Bank Comment: 3AN-06-7566CI	5/8/2006
P-98-009A(4)	Appeal of Flint Hills Resources regarding TAPS Quality Bank Comment: 3AN-06-7560CI	5/9/2006
P-99-012A(3)	Appeal of BP Exploration (Alaska), Inc and BP America Production Company regarding TAPS Quality Bank Comment: 3AN-06-7566CI	5/8/2006
P-99-012A(4)	Appeal of Flint Hills Resources regarding TAPS Quality Bank Comment: 3AN-06-7560CI	5/9/2006
P-03-004A	Appeal of the State of Alaska of the Commission's Order P-03-4(34) Comment: 3AN-04-8897CI	7/12/2004
P-03-004A(2)	TAPS Carriers appeal of multiple orders of the Commission pertaining to post 2000 TAPS rates Comment: In Order P-03-4(34), issued June 10, 2004, the Commission rejected the TAPS Carriers' intrastate TAPS rate filings for the years 2001 through 2003, which were based on the so-called TAPS Settlement Methodology. Order 34 ruled that just and reasonable rates for years after 2000 would instead be established using the methodology set forth in Order P-97-4(151) and determined post-2000 rates based on that methodology. The affected TAPS Carriers and the State appealed that order and related orders to the Alaska Superior Court, though the State later dismissed its appeal. Amerada Hess Pipeline v. RCA, Case No. 3AN-04-8780 CI. The parties are in the process of briefing the issues raised by the appeal to the Superior Court.	7/12/2004

Appeals of Commission Decisions

Docket Number	Docket Description	Filed
P-04-004A	TAPS Carriers' appeal of Commission decisions regarding TAPS intrastate rates. Comment: 3AN-06-4380CI - STAYED 7/28/06	1/17/2006
P-04-020A	Marathon Oil Company's appeal of Order P-04-20(5)/U-05-20(3) Comment: 3AN-05-10009CI - STAYED	7/25/2005
P-04-020A(2)	Union oil Company of California's appeal of Order P-04-20(5)/U-05-20(3). Comment: 3AN-05-09955CI - STAYED	7/26/2005
P-05-001A	TAPS Carriers incorporation by reference of points on appeal Comment: 3AN-06-04380CI- Stayed 7/28/06	1/17/2006
P-05-002A	State of Alaska's appeal to the Commission's treatment of rates calculated under the Endicott Settlement Methodology Comment: In Dockets P-05-2, P-06-2, P-05-3, P-06-3, P-05-8, and P-06-4, the Commission issued orders which made permanent certain rates filed by BP Transportation (Alaska) for the Badami, Endicott, and Milne Point pipeline facilities, for periods as to which there was no timely protest of those rates. The State appealed those orders to the Alaska Superior Court. State of Alaska v. RCA, Case No. 3AN-06-6010 CI. On November 30, 2006, the State, the Commission, and BP Transportation (Alaska) stipulated to a stay of the consolidated Superior Court appeals in order to determine whether they may reach a settlement of the issues presented by those appeals, thus making it unnecessary for the Superior Court to decide those issues. On December 15, 2006, the Superior Court entered an order staying the appeal proceedings, as stipulated, and that stay remains in effect.	3/16/2006
P-05-003A	State of Alaska's appeal to the Commission's treatment of rates calculated under the Milne Point Pipeline's Settlement Methodology Comment: 3AN-06-06010CI	3/16/2006
P-05-008A	State of Alaska's appeal to the Commission's treatment of 2005 Badami Oil Pipeline rates. Comment: 3AN-06-06011CI	3/16/2006
P-06-001A	TAPS Carriers incorporation by reference of points on appeal Comment: 3AN-06-04380CI - Stayed 07/28/06	1/17/2006
P-06-002A	State of Alaska's appeal to the Commission's treatment of rates calculated under the Endicott Settlement Methodology Comment: 3AN-06-06012CI	3/16/2006
P-06-003A	State of Alaska's appeal to the Commission's treatment of rates calculated under the Milne Point Pipeline's Settlement Methodology Comment. 3AN-06-06010CI	3/16/2006
P-06-004A	State of Alaska's appeal to the Commission's treatment of rates calculated under the Badami Settlement Methodology Comment: 3AN-06-03011CI	3/16/2006
U-96-089C	GCI v. RCA, Commissioners & ACS-AN Comment: In Case No. 3:05-cv-0003-RRB, the United States District Court for the District of Alaska affirmed the Commission's decisions in 2004 under Docket U-96-89, in which the Commission set the interconnection rates that GCI would have to pay for use of ACS's network to compete in the Anchorage local exchange market. GCI alleged that the final rates for unbundled network elements set by the Commission were "exorbitant and unlawful" under the Telecommunications Act of 1996 (Act). GCI asked the court to vacate the alleged unlawful rates and requested a refund of monies already	2/10/2005

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Docket Number	Docket Description	Completed	Dismissed
	paid to ACS. ACS supported the Commission's decision on rates, but cross appealed contending that the Commission violated the Act by failing to determine the final rates within a reasonable time and by failing to impose sufficient interim relief to ACS. In the court ruling issued on November 21, 2006, the federal district court rejected all of the arguments raised by GCI and ACS. The court found that all of the Commission's decisions setting interim and permanent rates were supported by substantial evidence in the record and affirmed all of the decisions and findings of the Commission.		
U-97-082S	ACS OF ALASKA, INC., ACS OF THE NORTHLAND, INC. and ACS OF FAIRBANKS, INC. v. RCA and GCI COMMUNICATION Comment: Supreme Court Number S-10448	1/22/2002	
U-97-082SS	ACS V. RCA & GCI. Comment: Supreme Court No. S-10466	11/4/2002	
U-97-143S	ACS V. RCA & GCI. Comment: S-10448	1/22/2002	
U-97-143SS	ACS V. RCA & GCI. Comment: S-10466	12/12/2002	
U-97-144S	ACS V. RCA & GCI. Comment: S-10448	1/22/2002	
U-97-144SS	ACS V. RCA & GCI. Comment: S-10466	12/12/2002	
U-99-103S	ACS V. RCA & GCI. Comment: S-10448	1/22/2002	
U-99-103SS	ACS V. RCA & GCI. Comment: S-10466	12/12/2002	
U-99-104S	ACS V. RCA & GCI. Comment: S-10448	1/22/2002	
U-99-104SS	ACS V. RCA & GCI. Comment: S-10466	12/12/2002	
U-99-105S	ACS V. RCA & GCI. Comment: S-10448	1/22/2002	
U-99-105SS	ACS V. RCA & GCI. Comment: S-10466	12/12/2002	
U-99-141A	ACS V. GCI & RCA	9/29/2000	
U-99-141AA	ACS V. GCI & RCA. Comment: Ninth Circuit Appeal 01-35344	9/20/2002	08/08/2005
U-99-141AAA	ACS V. GCI & RCA. Comment: Ninth Circuit Appeal 01-35347	9/20/2002	
U-99-142A	ACS V. GCI & RCA	9/21/2000	
U-99-142AA	ACS V. GCI & RCA. Comment: Ninth Circuit Appeal 01-35344	9/5/2002	08/08/2005
U-99-142AAA	ACS V. GCI & RCA. Comment: Ninth Circuit Appeal 01-35475	9/5/2002	
U-99-143A	ACS VS. GCI & RCA	9/21/2000	
U-99-143AA	ACS V. GCI & RCA. Comment: Ninth Circut Appeal 01-35344	9/5/2002	08/08/2005
U-99-143AAA	ACS V. GCI & RCA. Comment: Ninth Circut Appeal 01-35475	9/5/2002	
U-01-066A	ACS VS. RCA & GCI. Comment: 3AN-03-8337CI	7/30/2003	
U-01-083A	ACS V RCA & GCI. Comment: 3AN-03-8337CI	7/30/2003	

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Docket Number	Docket Description	Appeal Filed
U-01-084A	ACS V. RCA & GCI. Comment: 3AN-03-8337CI	7/30/2003
U-01-085A	ACS V. RCA & GCI. Comment: 3AN-03-8337CI	7/30/2003
U-01-086A	ACS V. RCA & GCI. Comment: 3AN-03-8337CI	7/30/2003
U-01-087A	ACS V. RCA & GCI. Comment: 3AN-03-8337CI	7/30/2003
U-01-108A	Matanuska Electric Association, Inc. Vs. Chugach Electric Association, Inc., Alaska Electric Generation regarding Chugach interest expense recovery. Comment:3AN-03-7603CI	10/10/2002
U-01-108A(3)	MATANUSKA ELECTRIC ASSOCIATION, INC. Vs. CHUGACH ELECTRIC ASSOCIATION, INC. Comment: 3AN-03-7603CI	5/14/2003
U-01-108A(4)	Chugach v. RCA. Comment: 3AN-03-7603CI - Affirmed	9/26/2003
U-01-108AA	CHUGACH ELECTRIC ASSOCIATION, INC. vs. REGULATORY COMMISSION OF ALAKSA. Comment: 3AN-03-07045CI	4/30/2003
U-01-155A	WASTE MANAGEMENT OF ALASKA, INC. v. RCA & VALLEY REFUSE, INC. regarding petition for intervention. Comment: 3AN-02-12714CI ::: Waste management (WMA) appealed U-01-155(2) denying petition to intervene in Valley Refuse Inc.'s (VRI) rate design case and U-01-155(3) approving VRI's rate design and tariff sheets to implement approved rates. WMA appealed the Commission's decision to the Alaska Superior Court. The Court concluded that the Commission had a reasonable basis to deny Waste Management's petition to Intervene. Moreover the trial court held that Waste Management did not raise any other substantial reasons to reverse RCA's ruling on the Valley Refuse cost-of-service study. The case was appealed to the state Supreme Court. The case was dismissed on June 23, 2004 based on an agreement between the RCA and Valley Refuse to waive one-half of the attorney fees awarded by the Superior Court.	11/13/2002
U-01-155S	WASTE MANAGEMENT OF ALASKA, INC. v. RCA & VALLEY REFUSE, INC. regarding petition for intervention. Comment: 3AN-02-12714CI - Dismissed	3/16/2004
U-02-060A	AURORA ENERGY, LLC v. RCA and GOLDEN VALLEY ELECTRIC ASSOCIATION, INC. interim and refundable rates related to a wholesale power agreement Comment: Golden Valley Electric Association, Inc (GVEA) appealed the Alaska Superior Court order directing the Commission to consider setting an interim rate for Aurora Energy, LLC. Aurora moved to dismiss as a non-final order. Because the order was not final, the Alaska Supreme Court considered GVEA's appeal as a petition for review and denied it. Case S-10938 is now closed.	9/6/2002
U-02-060AA	AURORA ENERGY, LLC v. RCA and GOLDEN VALLEY ELECTRIC ASSOCIATION, INC. interim and refundable rates related to a wholesale power agreement. Comment: 3AN-04-03971CI - Dismissed	1/29/2004
U-03-100A	MEA V. RCA Comment: The Superior Court for the State of Alaska, Third Judicial District, on December 19, 2006 (3AN-05-4745CI), upheld the RCA's 2004 decision in Docket U-03-100 requiring Matanuska Electric Association (MEA) to provide 138kV transmission service to users of the Alaska Intertie. The RCA's decision granted the application of Golden Valley Electric Association, Municipal Light and Power, Chugach Electric Association and	2/3/2005

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Docket Number	Docket Description	Date Opened
	the City of Seward, Seward Electric Association Inc. (Parties) for joint use and interconnection of an approximately 20-mile section of MEA's transmission line used for operation of the Alaska Intertie. MEA had been leasing the line since 1986, operating the line at a voltage of 138kV under the terms of a Transmission Service Agreement (TSA). When the TSA expired in 2004, MEA decided to covert the line back to 115kV, which according to MEA, was the line's original design capacity. When the Parties and MEA failed to reach agreement, they petitioned the RCA. After taking testimony from a number of expert witnesses including the engineer that designed the MEA line, the RCA found that operation of the line at 138kV met the statutory requirements of AS 42.05.321 and therefore granted the petition for joint use. On appeal, MEA argued that the RCA erred in finding that the line could be safely operated at 138kV. However, the superior court agreed with the RCA that there is substantial evidence in the record to support the conclusion that there was no casual connection between operation of the line at 138kV and the outages. The court also agreed with the RCA that the number of outages were not excessive between 1986 and 2004. A procedural claim of error raised by MEA was also rejected by the court. The court therefore affirmed the RCA's final order in all respects.	
U-04-022A	AWWU v RCA regarding contributed plant in rates Comment: 3AN-05-05146CI	2/18/2005
U-04-022A(2)	AWWU v RCA regarding contributed plant in rates Comment: 3AN-05-11721CI In this docket the Municipality of Anchorage, d/b/a Anchorage Water & Wastewater Utility (AWWU) requested the inclusion of Municipal Utility Services Assessment (MUSA) funds on contributed plant in AWWU's revenue requirement. AWWU sought a permanent increase in rates. The Commission rejected AWWU's request. It further required AWWU to submit a calculation of the refund due ratepayers. AWWU appealed the Commission's decision to the Alaska Superior Court and the case is currently pending the court's decision.	9/21/2005
U-04-023A	AWWU v RCA regarding contributed plant in rates Comment: 3AN-05-05146CI	2/18/2005
U-04-023A(2)	AWWU v RCA regarding contributed plant in rates Comment: 3AN-05-11721CI	9/21/2005
U-04-102A	MEA V. RCA regarding joint use and interconnection to MEA transmission line. Comment: 3AN-06-8243CI	5/18/2006
U-05-004A	CVTC & CORDOVA V. RCA regarding GCI entry into local exchanges Comment: 3AN-05-14077CI GCI filed an Application to amend Certificate No. 489, requesting	12/16/2005

Appeals of Commission Decisions

Docket Number	Docket Description	Date Opened
	authority to provide local exchange service to an additional eleven areas in Alaska. GCI seeks authority to provide service throughout the study areas of Ketchikan, CTCI, CVTC, MTA, and the Glacier State study area of ACS-N. In addition, GCI seeks authority to provide local exchange services in Wrangell, Petersburg, Sitka, Seward, Bethel, and Nome limited to the certificated service area of GCI Cable, Inc. (GCICI). TelAlaska, KUC, CTCI, CVTC, and the Rural Coalition (collectively the Rural Companies) jointly filed comments on GCI's Application. The Commission approved, in part subject to conditions, GCI's application to amend Certificate of Public Convenience and Necessity (Certificate) No. 489. Specifically, the Commission granted, subject to conditions, GCI the authority to provide local exchange telephone service in the CTCI, CVTC, Ketchikan, MTA, and the Glacier State study area of ACS-N (ACS of the Northland, Inc). CTVC and Cordova Telephone Cooperative appealed the Commission's decision to the Alaska Superior Court. Interior Telephone also appealed the commission's decision. The two appeals were consolidated. The court has not yet rendered a decision.	
U-05-004A(2)	GCI vs. RCA regarding GCI entry into local exchanges Comment: 3AN-06-4210CI	1/10/2006
U-05-004A(3)	INTERIOR et al vs. RCA regarding GCI entry into local exchanges Comment: 3AN-06-07359CI	4/21/2006
U-05-020A	MARATHON Appeal regarding CIGGS as a regulated pipeline Comment: 3AN-05-10009CI- Stayed	7/25/2005
U-05-020A(2)	UNION OIL COMPANY OF CALIFORNIA V RCA regarding CIGGS as a regulated pipeline. Comment: 3AN-05-09955CI -Stayed	7/26/2005
U-05-046A	GCI vs. RCA regarding grant of section 251 rights to MTA Comment: In 2003 an MTA (Mantanuska Telephone Association) affiliate (MTA Visions) received authorization to commence video programming service in portions of MTA's service area. GCI which is an affiliate providing cable television in MTA service area, filed a formal complaint alleging that MTA's entry into the video programming market resulted in the forfeiture of the right to assert its rual exemption against GCI under federal law. The Commission determined that MTA's rural exemption no longer applied against GCI in the geographic area defined by MTA Vision's certificate allowing GCI to request interconnection from MTA. After GCI and MTA were unsuccessful in negotiating an interconnection agreement, MTA requested that the Commission exempt it from certain obligations set out in federal law. MTA asked that the suspension remain in effect for three years, with the possibility of two additional one-year periods based on a continued showing of undue economic burden. The Commission granted MTA a three year suspension period, in which time MTA would be exempt from duties under 47 U.S.C § 251 (c)(3) and provide GCI access to unbundled network elements. The three year suspension also applied to obligations set out in U.S.C § 251 (c) (1), (2), (5), and (6) as they apply to access to unbundled networks elements. The Commission denied MTA's request for additional suspension periods. GCI appealed the Commission's decision. The case is currently pending in Alaska Superior Court.	1/20/2006
U-05-103A	AWWU v RCA regarding contributed plant in rates. Comment: AWWU filed a rate case on November 10, 2005 for its wastewater division (ASU). ASU sought a permanent rate increase, and alternatively an interim and refundable rate increase of 10.6%. The Commission granted ASU an interim and refundable rate increase of 4.01% and required AWWU to file revised tariff sheets and a cost of service study. AWWU appealed the Commission's decision to the Alaska Superior Court in 3AN-06-5349CI and a decision has not yet been handed down.	2/17/2006

New Cases filed after FY 2006

This table lists all dockets opened after June 30, 2006 and before February 1, 2007. The table is organized by docket number, where "U" docket numbers are utility matters subject to AS 42.05, "P" docket numbers are pipeline matters subject to AS 42.06, and "R" docket numbers are regulation, or rule-making, matters.

Cases Filed Between 6/30/2006 & 1/31/2007

Docket Number	Docket Description	Date Opened	Date Closed
U-06-071	YMAX Communications Corp. CLEC CPCN application	7/3/2006	
U-06-075	ACS-AK petition for Nondominant status in Wainwright/Eielson	7/25/2006	
U-06-079	AECA Access Charge Revenue Requirement and Demand	8/1/2006	
U-06-080	ACS of the Northland Access Charge Revenue Requirement	8/3/2006	9/26/2006
U-06-081	Alaska Telephone Co. Access Charge Revenue Requirement	8/3/2006	
U-06-082	Arctic Slope Telephone Assoc. Access Charge Revenue Requirement	8/3/2006	
U-06-083	Bettles Telephone, Inc. Access Charge Revenue Requirement	8/3/2006	
U-06-084	Interior Telephone Co Access Charge Revenue Requirement	8/3/2006	
U-06-085	Matanuska Telephone Assoc. Access Charge Revenue Requirement	8/3/2006	
U-06-086	Mukluk Telephone Co. Access Charge Revenue Requirement	8/3/2006	
U-06-087	United KUC, Inc. Access Charge Revenue Requirement	8/3/2006	
U-06-088	United Utilities, Inc. Access Charge Revenue Requirement	8/3/2006	
U-06-095	Copper Valley Telephone Cert. to FCC re Universal Service 2006	8/14/2006	10/4/2006
U-06-119	GCI Petition to Investigate MTA's nondominant status	11/3/2006	1/9/2007
U-06-094	Formal Complaint regarding Evercom's provision of telephone service to Dept. of Corrections	8/1/2006	1/16/2007
U-06-101	ACS wireless petition for 252 arbitration/interconnection agreement with Ketchikan Public Utilities	8/23/2006	9/1/2006
U-06-090	Anchorage Water & Wastewater Utilities service area expansion	8/4/2006	
U-06-091	Inside Passage Electric service area expansion	8/4/2006	
U-06-098	Alaska Electric Light & Power service area expansion	8/18/2006	
U-06-105	Fairbanks Natural Gas formal complaint against Enstar	9/19/2006	
U-06-107	Special contract between Fairbanks Natural Gas and Enstar	9/26/2006	
U-07-001	Investigation into quality of service issues regarding Municipal Light & Power outages in Eagle River	1/8/2007	
U-07-005	Investigation into quality of service issues regarding City of Adak Electric Utility	1/12/2007	
U-07-009	Alaska Waste service area expansion in Mat-Su Valley	1/24/2007	
U-07-010	Valley Refuse petition to discontinue service	1/24/2007	
U-07-014	Trash Talk petition to discontinue service	1/26/2007	
U-06-074	GCI complaint against Interior Telephone Co. regarding adequacy of notice of proposed network changes in Cooper Landing, Alaska	7/18/2006	11/15/2006
U-06-092	Review of certification letter to be sent to the FCC on appropriate use of 2007 federal universal service funds	8/14/2006	0/25/2006
U-06-099	Bush-Tell, Inc. request for waiver of equal access ballot filing requirements for the village of Aniak	8/18/2006	11/15/2006

Cases Filed Between 6/30/2006 & 1/31/2007

Docket Number	Docket Description	Date Docketed	Date Closed
U-06-109	Petition by Interior Telephone Co. to implement a contested network change at Cooper Landing	10/2/2006	
U-06-114	Monitoring of GCI compliance reports related to competitive entry	10/17/2006	
U-06-116	Application by ITC^DeltaCom and Business Telecom, Inc. for approval to guarantee indebtedness of an affiliate	10/19/2006	
U-06-117	Investigation of planned rate increase for MCI prepaid calling cards	10/20/2006	
U-06-122	Compliance of Gold Line Telemanagement, Inc. with registration requirements and review of authority to provide interexchange service in Alaska	11/8/2006	
U-06-123	Compliance of Broadwing Communications, LLC with registration requirements and review of authority to provide interexchange service in Alaska	11/8/2006	
U-06-124	Compliance of TON Services with registration requirements and review of authority to provide interexchange service in Alaska	11/8/2006	
U-06-125	Compliance of Wiltel Communications, LLC with registration requirements and review of authority to provide interexchange service in Alaska	11/8/2006	
U-06-136	Review of proposed GCI tariff amendment for access services in the Mat-Su area.	12/4/2006	
U-06-093	Call of the Wild Commons finding of public convenience and necessity for installation of water/wastewater system	8/11/2006	
U-06-112	Nuiqsut Natural Gas application for new CPCN - pipeline	10/6/2006	
U-06-115	Investigation into Ramsey & Sons payment of regulatory cost charges	10/17/2006	
U-06-120	Harvest Properties application for new CPCN - water\wastewater	10/23/2006	
U-06-127	Investigation into McGahan Utilities managerial fitness	11/13/2006	
U-06-131	City of Wasilla application for service area expansion	11/17/2006	
U-07-003	Transfer of controlling interest from Alpat to Water System Services	1/10/2007	
U-06-078	Transfer cable service certificate from Lafalot to Communications Unlimited	7/27/2006	12/29/2006
U-06-096	United-KUC equal access ballots in McGrath	8/15/2006	11/30/2006
U-06-097	UUI equal access ballots in Quinhagak	8/15/2006	11/30/2006
U-06-102	Clearwire application for certificate for competitive local exchange service	8/25/2006	
U-06-108	Adak Eagle Enterprise access charge and revenue requirement filings	9/29/2006	
U-06-113	ATC and ACS Wireless interconnection agreement	10/16/2006	1/22/2007
U-06-118	Brocade application for indirect acquisition of CNTC	11/3/2006	
U-06-121	Summit request for exemption of the State Telecommunications Modernization Plan	11/1/2006	
U-06-132	GCI application for ETC designation in Ketchikan	11/28/2006	
U-06-141	ACS-N and Alaska Digitel interconnection agreement	12/18/2006	
U-07-007	Qwest application for certificate for competitive local exchange service	1/19/2007	

Cases Filed Between 6/30/2006 & 1/31/2007

Docket Number	Docket Description	Initiated	Terminated
U-07-012	United KUC depreciation study	1/26/2007	
U-07-013	UUI depreciation study	1/26/2007	
U-06-072	Consideration of the Request by AARP for an Investigation as to Whether the Terms of the Special Contract Between ALASKA ELECTRIC LIGHT AND POWER COMPANY and Kennecott Greens Creek Mining Company are Discriminatory to Other Ratepayers	7/11/2006	10/24/2006
U-06-104	Investigation of the Joint Request for Regulatory Treatment Under FAS 71 of Certain Deferred Debits and Credits by ALASKA ELECTRIC AND ENERGY COOPERATIVE, INC. and HOMER ELECTRIC ASSOCIATION, INC. (WITHDRAWN BY PARTIES)	8/31/2006	10/27/2006
U-06-134	Investigation of the 2005 test year revenue requirement, cost of service, rate design, and depreciation studies filed by Chugach Electric Association, Inc. in support of its request for a 4% decrease to retail rates and 21% increase to wholesale rates	12/4/2006	
U-06-135	Investigation of a formal complaint filed against Chugach Electric Association, Inc. regarding its management practices	12/4/2006	
U-06-138	Investigation of the 2005 test year revenue requirement study filed by the Municipality of Anchorage d/b/a Anchorage Water and Wastewater Utility in support of its request for increase in water rates	12/18/2006	
U-06-139	Investigation of the 2005 test year revenue requirement study filed by the Municipality of Anchorage d/b/a Anchorage Water and Wastewater Utility in support of its request for increase in wastewater rates	12/18/2006	
U-06-140	Investigation of the Joint Request for Regulatory Treatment Under FAS 71 of Certain Deferred Debits and Credits by ALASKA ELECTRIC AND ENERGY COOPERATIVE, INC. and HOMER ELECTRIC ASSOCIATION, INC.	12/15/2006	
U-06-142	Investigation of the Continuing Property Records for Assets at the Snettisham Project, Filed by ALASKA ELECTRIC LIGHT AND POWER COMPANY	12/21/2006	
U-06-076	Golden Heart Utilities/College Utilities Corporation Revenue Requirement	7/27/2006	
U-06-077	Golden Heart Utilities/College Utilities Corporation Revenue Requirement	7/27/2006	
U-06-089	Municipal Light & Power use of 2005 Underlift funds	8/3/2006	10/23/2006
U-06-073	Affordability Funding	7/13/2006	10/11/2006
U-06-100	Interconnection Agreement btwn ACS and Alascom	8/21/2006	11/14/2006
U-06-103	Interconnection Agreement btwn KPU and GCI	8/29/2006	10/10/2006
U-06-106	Public Interest Pay Telephone - Chistochina	9/21/2006	1/25/2007
U-06-110	Public Interest Pay Telephone - Ketchikan	10/2/2006	
U-06-111	CPCN - LEC TCG Joint Venture Holdings, Inc. d/b/a TCG Oregon	10/5/2006	11/20/2006
U-06-128	Certification to FCC re Universal Service 2006 for Bristol Bay Cellular Partnership	10/19/2006	10/22/2007

Cases Filed Between 6/30/2006 & 1/31/2007

Docket Number	Docket Description	Date Opened	Date Closed
U-06-129	GCI request to termate the Rural Exemption of Interior Telephone Company	11/15/2006	
U-06-130	Request by Cordova Telephone Coop to terminate Public Interest Pay Telephone in Cordova	11/2/2006	1/22/2007
U-06-137	GCI request to termate the Rural Exemption of Mukluk Telephone Company	10/2/2006	
U-06-143	Universal Service Surcharge Factor - AUSAC	12/27/2006	
U-07-002	Request by Alaska Digitel for ETC Designation under 47 CFR 54.201	1/9/2007	
U-07-004	Nomination of Directors - AUSAC	1/11/2007	
U-07-006	Discontinue Service – Infone, LLC	1/16/2007	
U-06-133	Inside Passage Electric Cooperative Cost of Service Study	12/1/2006	
U-07-011	Alaska Telephone Company depreciation Study	1/24/2007	
P-06-010	TAPS Quality Bank - Heavy Distillate Price	7/28/2006	
P-06-011	BP's application for Endicott Interconnection - topping plant	8/30/2006	
P-06-012	BP's application for Endicott Interconnection - FS-2	8/30/2006	
P-06-013	BP's application for Endicott Interconnection - FS-1	8/30/2006	
P-06-014	BP Endicott pipeline Tariffs	3/8/2006	
P-06-015	KKPL Kasilof Extension tariff	9/29/2006	9/29/2006
P-06-016	BP Northstar pipeline transfer of certificate 604	11/30/2006	
P-06-017	BP Northstar pipeline transfer of certificate 605	11/30/2006	
P-06-018	Milne Point Products isolation and purge of pipeline	12/15/2006	
P-07-001	TAPS 2007 TAPS Settlement Methodology rates	12/28/2006	
P-07-002	Endicott Pipeline 2007 rates	12/29/2006	
P-07-003	Milne Point Oil pipeline 2007 rates	12/29/2006	12/29/2006
P-07-004	BP Transportation Alaska Badami Oil Pipeline 2007 rates	12/29/2006	12/29/2006
P-07-005	Cook Inlet Pipeline Company 2007 rates	12/29/2006	
R-06-005	Amendments regarding Federal Public Utilities Regulatory Policies Act	8/29/2006	
R-06-006	Intercarrier Compensation	9/22/2006	
R-06-007	In the Matter of the Consideration of Regulations Dockets for FY 007	10/9/2006	
R-06-008	Intercarrier Compensation	10/17/2006	11/6/2006
R-06-009	Consideration of regulations regarding deadlines for final orders	11/3/2006	
R-06-010	In the Matter of the Consideration of statutory amendments	11/13/2006	

Commission Meetings

This table lists, by docket number, the type of meeting and length of the meeting, for purposes of demonstrating the types and time that can be involved in processing a docket. Not all Commission meetings are listed here, nor is the total time of all meetings listed here. Only those meetings and portions of meetings which are specific to the listed docket are shown. The meetings listed here are generally open to the public. Other types of meetings are not. Thus, for example, the Commission's adjudication meetings (where the Commission deliberates on the issues) are not listed here, even though a single adjudication on a docket can last for days.

DATE	DOCKET NO. or MATTER*	PUBLIC HEARING	PREHEARING CONFERENCE	DISCOVERY CONFERENCE	STATUS CONFERENCE	PUBLIC MEETING	SPECIAL PUBLIC MEETING	PUBLIC WORKSHOP	CONSUMER INPUT HEARING	TOTAL TIME
07/12/05	**U-04-102**			**1**						**0:51:00**
07/14/05	U-05-46		1							1:43:00
08/02/05	**R-04-1**							**1**		**4:42:00**
08/04/05	U-05-40		1							0:37:00
08/05/05	**R-03-3**					**1**				**1:38:00**
08/16/05	U-00-88	1								6:12:00
08/17/05	**U-00-88**	**1**								**7:07:00**
08/24/05	R-04-5					1				3:04:00
09/01/05	**U-04-102**			**1**						**1:37:00**
09/08/05	U-04-7				1					1:45:00
09/08/05	**P-05-10**	**1**								**0:22:00**
09/10/05	AS 42.06						1			6:27:00
09/20/05	**U-05-45**		**1**							**0:45:00**
09/21/05	FCC						1			0:32:00
03/26/05	**E911**						**1**			**7:28:00**
09/28/05	TA147-13							1		0:57:00
09/28/05	**U-04-102**	**1**								**6:57:00**
09/29/05	U-04-102	1								7.33:00
09/30/05	**U-04-102**	**1**								**3:11:00**
10/12/05	R-05-3					1				1:40:00
10/24/05	**U-05-46**	1								**6:55:00**
10/25/05	U-05-46	1								6:55:00
10/26/05	**U-05-46**	**1**								**6:45:00**
10/27/05	U-05-46	1								10:55:00
10/28005	**U-05-46**	**1**								**10:32:00**
10/31/06	U-04 102	1								7:55:00
11/01/05	**U-04-102**	**1**								**6:32:00**
11/02/05	U-04-102	1								7:50:00
11/03/05	**U-05-54**		**1**							**0:10:00**
11/04/05	P-05-10					1				3:14:00
11/07/05	**U-05-88**	**1**								**0:20:00**
11/09/05	R-04-1					1				3:11:00
11/09/05	**U-04-102**	**1**								**2:47:00**
11/10/05	U-04-102	1								1:15.00
12/08/05	**U-05-62**		**1**							**0:10:00**
12/14/05	R-03-5					1				2:15:00
12/19/05	**U-05-43**		**1**							**1:21:00**
12/20/05	U-05-90		1							1:05:00
12/20/05	**U-05-7**		**1**							**0:05:00**
01/04/06	R-04-4	1								1:03:00
01/09/06	**U-05-40**		**1**							**0:48:00**
01/10/06	U-05-84		1							0:29:00
01/10/06	**R-05-6**	**1**								**0:05:00**
01/11/06	R-05-2					1				2:12:00

Table continued on following page...

DATE	DOCKET NO. or MATTER*	PUBLIC HEARING	PREHEARING CONFERENCE	DISCOVERY CONFERENCE	STATUS CONFERENCE	PUBLIC MEETING	SPECIAL PUBLIC MEETING	PUBLIC WORKSHOP	CONSUMER INPUT HEARING	TOTAL TIME
01/12/06	**U-05-91**									**1:39:00**
01/12/06	R-05-7							1		1:03:00
01/24/06	**U-05-92**		1							**0:22:00**
01/26/06	FCC						1			0:37:00
02/02/06	**U-05-89**		1							**0:15:00**
02/07/06	U-05-103		1			1				0:38:00
02/08/06	**R-04-1**									**1:22:00**
02/08/06	U-06-2		1							0:10:00
02/14/06	**U-04-81**	1								**2:58:00**
02/15/06	R-05-10					1		1		6:35:00
02/22/06	**R-05-XX**									**1:06:00**
02/22/06	P-04-21	1								2:59:00
02/23/06	**P-04-21**	1								**3:43:00**
02/24/06	U-05-43									2:04:00
03/06/06	**R-05-2**	1								**1:20:00**
03/01/06	R-05-6					1	1			2:50:00
03/08/06	**R-05-11**									**2:34:00**
03/03/06	R-05-7							1		2:09:00
03/09/06	**R-05-13**							1		**0:07:00**
03/13/06	U-06-6	1								0:20:00
03/15/06	**U-05-45**		1							**0:28:00**
03/21/06	U-04-62	1								7:08:00
03/22/06	**U-04-62**	1				1				**0:40:00**
03/22/06	R-03-5									2:27:00
04/21/06	**U-06-2**		1			1				**0:59:00**
04/26/06	R-04-5									2:51:00
05/01/06	**P-04-020**	1								**4:21:00**
05/01/06	P-04-12		1			1				0:18:00
05/03/06	**R-05-5**					1				**5:00:00**
05/10/06	R-05-12									2:25:00
05/10/06	**U-05-54**									**1:24:00**
05/12/06	P-01-11	1				1				3:15:00
05/15/06	**R-04-1**					1				**0:46:00**
05/22/06	RCCs					1				4:01:00
05/31/06	**R-04-1**									**2:45:00**
06/01/06	R-05-5							1		2:25:00
06/08/06	**U-06-55**	1								**0:04:00**
06/13/06	R-05-11	1								2:18:00
06/14/06	**R-06-4**					1				**1:57:00**
06/15/06	U-06-45		1							0:22:00
06/26/06	**U-06-56**		1							**0:45:00**
06/28/06	R-05-1					1				1:55:00
Total Number of Meetings	**66**	**30**	**10**	**2**	**1**	**10**	**5**	**7**		

*Note: Public Meetings often contain more than one docket item and nondocket matters. Not all Public Meeting agenda matters are listed here.

Administrative Law

During 2006 the Commission created an Administrative Law Section comprised of four Administrative Law Judges (ALJs) and a professional support staff. The Commission made this change based on input from regulated entities seeking streamlined pre-hearing and hearing processes and enhanced quality and timeliness of Commission orders. The ALJs set procedural schedules for dockets, make discovery and evidentiary rulings, issue procedural orders, conduct hearings, advise the Commission on legal issues in pending dockets, and draft Commission orders. An ALJ is assigned to each docket shortly after it is opened and, along with an assigned Commissioner and staff docket manager, works on the docket until it is closed.

Chief Administrative Law Judge
David A. Lawrence

Chief Administrative Law Judge David A. Lawrence served as Director of Law for a Fortune 500 energy utility, where he litigated numerous cases before state and federal regulatory agencies, managed inside and outside counsel, and was responsible for legal representation in matters of regulation, power and wheeling transactions, independent energy, taxation, plant construction, contracting, finance, governance, purchasing, real estate, intellectual property, commercial litigation, corporate political activity, and non-regulated businesses. He also served as Senior Vice President and General Counsel for a telecommunications engineering and consulting firm and worked on energy projects while in private law practice. He earned a Bachelor of Science degree from the Massachusetts Institute of Technology, a Master of Management degree from MIT's Sloan School of Management, and a Juris Doctor *cum laude* from the University of Minnesota. Judge Lawrence manages the Administrative Law Section and presides primarily over dockets involving electric, water, and wastewater utilities.

T.W. Patch

Administrative Law Judge T.W. Patch has extensive experience in business, construction, securities, and employment law in private and military law practices, with specialization as a professional arbitrator and mediator. He served as Alaska's delegate to the Pacific Northwest Region of the American Arbitration Association and taught courses in alternative dispute resolution. Judge Patch holds a Bachelor of Arts degree in Economics from Willamette University and a Juris Doctor from the Willamette University Law School. He primarily focuses on dockets involving natural gas and refuse service companies.

John P. Wood

Administrative Law Judge John P. (JP) Wood has significant experience in complex civil litigation, including products liability, personal injury and medical malpractice cases. Judge Wood was born and raised in Alaska and earned a Bachelor of Arts degree in Journalism and Public Communications from the University of Alaska, Anchorage, and a Juris Doctor from the University of Denver, College of Law. He focuses primarily on the Commission's extensive telecommunications dockets.

Debra J. Brandwein

Administrative Law Judge Debra J. Brandwein has extensive experience in private practice and as general counsel to large and small companies in the areas of business, employment, contract, environmental, and intellectual property law, and in commercial litigation. Her work with regulated industries includes managing administrative dockets before the FERC and the Commission. Judge Brandwein earned her Bachelor of Arts degree in Biology from Washington University in St. Louis and her Juris Doctor with honors from the University of Denver, College of Law. Her primary focus is on the Commission's pipeline dockets.

Power Cost Equalization

The Power Cost Equalization (PCE) is a program under which the State of Alaska pays a portion of the electric bills for consumers served by utilities participating in the program. Generally, PCE reduces the effective rate per kWh up to 500 kWh per month per customer. The PCE program is administered by the Alaska Energy Authority (AEA).

The Commission establishes the PCE rate (cents/kWh) applicable to each utility participant's billings, regardless of whether the utility is otherwise subject to economic regulation. The Commission's Fiscal Year 2006 PCE rate setting activity is summarized below.

Revised PCE rates issued for regulated utilities	
Funding level change directives from AEA	**-- 84**
Review of fuel cost reports	-- 118

Revised PCE rates issued for non-regulated utilities	
Funding level change directives from AEA	**– 265**
Review of fuel cost reports	– 114
Review of annual reports	**– 13**

Additionally, AS 42.45.110(c)(2) provides that the Commission will, during each fiscal year, adjust the power costs for which PCE may be paid to an electric utility based on the weighted average retail residential rate in Anchorage, Fairbanks, and Juneau. In Fiscal Year 2006 the Commission issued 92 letter orders notifying each electric utility receiving PCE of the Commission's calculation of the base amount for PCE calculations as required by 3 AAC 52.610(c) and to inform participants that the base amount of 12 cents per kWh remained unchanged.

PROVIDER

Alaska Village Electric Cooperative

COMMUNITIES

Alakanuk
Ambler
Anvik
Brevig Mission
Chevak
Eek
Elim
Emmonak
Gambell
Goodnews Bay
Grayling
Holy Cross
Hooper Bay
Huslia
Kaltag
Kiana
Kivalina
Koyuk
Lower Kalskag
Marshall
Mekoryuk
Minto
Mt. Village
New Stuyahok
Nightmute
Noatak
Noorvik
Nulato
Nunapitchuk
Old Harbor
Pilot Station
Quinhagak
Russian Mission
Savoonga
Scammon Bay
Selawik
Shageluk
Shaktoolik
Shishmaref
Shungnak
St. Mary's
St. Michael
Stebbins
Teller
Togiak
Toksook Bay
Tununak
Upper Kalskag
Wales

PROVIDER

Akiachak Native Community Electric Company
City of Akiak
City of Akutan
Alaska Power Company

COMMUNITIES

Akiachak	Healy Lake
Akiak	Hollis
Akutan	Hydaburg
Alatna	Kasaan
Allakaket	Klawock
Bettles	Mentasta
Chistochina	Naukati
Coffman Cove	Northway
Craig	Skagway
Dot Lake	Slana
Eagle	Tetlin
Eagle Village	Thorne Bay
Evansville	Tok
Haines	Whale Pass

PROVIDERS & COMMUNITIES

Alutiiq Power Company
Karluk

Andreanof Electric Corporation
Atka

Aniak Light And Power
Aniak

Atmautluak Joint Utilities
Atmautluak

Beaver Joint Utilities Electric
Beaver

Bethel Utilities Corporation
Bethel
Oscarville

City of Buckland
Buckland

Central Electric, Inc.
Central
Circle Hot Springs

Chenega Bay Ira Village Council
Chenega Bay

Chignik Lagoon Power Utility Board
Chignik Lagoon

Chignik Lake Electric Utility
Chignik Lake

City of Chignik
Chignik

Chitina Electric, Inc.
Chitina

Power Cost Equalization

PROVIDERS & COMMUNITIES (continued)

Circle Electric, Inc
Circle

Cordova Electric Cooperative
Cordova
Eyak

Diomede Joint Utilities
Diomede

Egegik Light & Power Company
Egegik

City of Ekwok
Ekwok
Elfin Cove Electric Utility
Elfin Cove

False Pass Electric Association
False Pass
G&K, Inc.
Cold Bay

City of Galena
Galena

City of Golovin
Golovin

Gustavus Electric Company
Gustavus

Gwitchyaa Zhee Utilities
Fort Yukon

City of Hughes
Hughes

Igiugig Village Council
Igiugig

I-N-N Electric Cooperative
Iliamna
Newhalen
Nondalton

Inside Passage Electric Cooperative, Inc.
Angoon
Chilkat Valley
Hoonah
Kake
Klukwan

Ipnatchiaq Electric Company
Deering

City of King Cove
King Cove

Kipnuk Light Plant
Kipnuk

Kobuk Valley Electric Cooperative
Kobuk
Kokhanok Village

Council Electric Utility
Kokhanok Bay
Koliganek Village Council
Koliganek

Kotlik Electric Service
Kotlik

Kotzebue Electric Association
Kotzebue

City of Koyukuk
Koyukuk

Kwethluk, Inc.
Kwethluk

Kwig Power Company
Kwigillingok
Larsen Bay Utility Company
Larsen Bay

Levelock Electric Cooperative
Levelock

Lime Village
Lime Village
Manley Utility Company
Manley Hot Spr.

Manokotak Power Company
Manokotak

Matanuska Electric Association, Inc.
Unalakleet

Mcgrath Light & Power
Mcgrath

Middle Kuskokwim Electric Coop
Chuathbaluk
Crooked Creek
Red Devil
Sleetmute
Stony River

Naknek Electric Association, Inc.
King Salmon
Naknek
South Naknek

Napakiak Ircinraq Power Company
Napakiak

Napaskiak Electric Utility
Napaskiak

Naterkaq Light Plant
Chefornak

Nelson Lagoon Electrical Coop
Nelson Lagoon
Nikolai Light & Power Utility
Nikolai

Nome Joint Utility Systems
Nome

North Slope Borough Power & Light
Anaktuvuk Pass
Atqasuk
Kaktovik
Nuiqsut
Point Hope
Point Lay
Wainwright

Nunam Iqua Electric Company
Nunam Iqua

Nushagak Electric & Telephone Coop
Aleknagik
Dillingham

City of Ouzinkie
Ouzinkie

Pedro Bay Village Council-Electric
Pedro Bay

Pilot Point Electrical Utility
Pilot Point

City of Platinum
Platinum

City of Port Heiden
Port Heiden

Puvurnaq Power Company
Kongiganak

City of Ruby
Ruby

St. Paul Municipal Electric Utility
St.Paul

Takotna Community Association Utilities
Takotna

Tanalian Electric Cooperative
Port Alsworth

Tanana Power Company
Tanana

Tatitlek Electric Utility
Tatitlek

TDX Sand Point Generating
Sand Point

Tenakee Springs Electric Utility
Tenakee Springs

Tuluksak Traditional Power Utility
Tuluksak

Tuntutuliak Community Services Association
Tuntutuliak

Twin Hills Village Council
Twin Hills

Umnak Power Company
Nikolski

City of Unalaska
Unalaska

Ungusraq Power Company
Newtok

City of White Mountain
White Mountain

City of Yakutat
Yakutat

Commission Finances

The table below summarizes the Commission's expenditures for the past four fiscal years. The funding source for almost all of these expenditures was the regulatory cost charges paid by the regulated entities. Beginning with FY 04, the expenditures for the public advocacy function, relocated to the Department of Law, are excluded from the amounts shown.

Commission Expenditures FY 04 - FY 05

Expenditures	FY 03	FY 04	FY 05	FY 06
Personal Services	$3,896,539	$4,005,622	$3,764,473	$3,614,500
Travel	53,081	55,359	50,747	89,400
Contractual	1,756,621	2,001,549	1,377,395	2,069,700
Supplies	50,501	54,555	81,610	162,000
Equipment	134,579	85,536	-0-	115,500
Total	$5,891,321	$6,202,621	$5,274,825	$6,046,100

The Regulatory Affairs and Public Advocacy section within the Department of Law received $1 million in FY 04 from the Commission and then was appropriated, from fees paid by regulated entities, $1.3 million and $1.4 million, respectively in FY 05 and FY 06.

Commission Proceedings

Number of Dockets

Dockets	FY04	FY05	FY06
Pending (beginning of FY)	163	151	107
Opened	151	135	149
Closed	163	179	155
Pending (end of FY)	151	107	101

Total in Open Status in FY06: 352[1]
[1]The total count also includes pending court appeals.

Number of Decisions

Orders Issued (by effective date)	FY04	FY05	FY06
Substantive - Final	195	180	169
Substantive - Non Final	527	387	449
Procedural	75	105	70
Total	797	682	688

Letter Orders Issued

FY04	FY05	FY06
735	1110	776

Note: A single order may apply to more than one docket, in which case the order is counted once for each associated docket.

Performance Measures

A: Timely decisions. If the Commission does not issue a final decision under AS 42.05 prior to the expiration of a statutory deadline, the filing will go into effect by force of law.
Target: Final decisions of the Commission issued within existing statutory deadlines during fiscal year:

Analysis of results and challenges: The Commission missed one deadline in Fiscal Year 2006, by one day, due to human error in calculating a date. Currently, we calculate the statutory deadlines manually. The Commission has identified two new procedures to ensure that it is calculating the statutory timeframes properly. Effective July 1, 2006, the Commission issues an initiating order on each matter which calculates and identifies the statutory deadline. Parties disputing the calculation of the statutory deadline may petition the Commission for reconsideration within 15 days of the initiating order. Under this revised procedure, the statutory deadline is known and communicated to all parties early in the proceeding. We are implementing a new case management system (CMS) which will calculate the statutory or regulatory deadlines automatically when dockets are filed based upon type of filing. The CMS will be fully implemented beginning in fiscal 2008.

B: The Commission's caseload consists of current and active cases.
Target: The number of resolved cases roughly equal the number of cases received each year, excepting those cases on appeal: see table

Analysis of results and challenges: The Commission has received an average of 140 new cases per year over the last three years. In response to legislative concerns about timeliness, the Commission completely restructured its Agency to aggressively manage its caseload. As a result of this effort, our docket load is well controlled.

C: The Commission's final decisions are based on an evidential record and contain justification for the decision reached.
Target: The Commission's decisions are upheld on appeal.

Analysis of results and challenges: The Commission has had two cases remanded to it in the past 3 years, one of which was then appealed up to a higher court and has not yet been returned to the Commission.

Consumer Protection and Information

The Consumer Protection and Information Section investigates and resolves informal complaints, educates consumers, and disseminates information regarding Commission proceedings and utility rates and services. Staff helps consumers resolve disputes with their telephone, electric, water, sewer, and refuse utilities to assure they have adequate, safe and reliable services in return for payment of just, fair and reasonable rates.

In addition to activities associated with informal investigations, the Consumer Protection section advises Commissioners on critical consumer protection issues and events during the year. Of particular interest this year, the section recommended formal investigation of ENSTAR Natural Gas Company's bill payment methods and McGahan Utilities' management practices.

Improving Consumer Assistance

During Fiscal Year 2006, staff assisted approximately 6,500 consumers with their complaints and inquiries regarding utility billing and services.

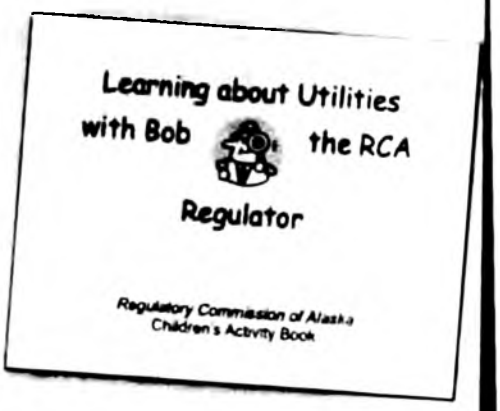
Reach Out to Communities

The Consumer Protection section is expanding its ability to assist consumers in communities statewide. To keep consumers informed about utility issues, staff is traveling around the state attending community meetings, trade shows, and booth fairs, such as the Alaska Federation of Natives' annual convention and the Better Business Bureau's "Scam Jam" where consumers learn about various scams. Staff is also networking with partner agencies, senior citizen groups, native organizations, and consumer advocacy groups to increase awareness in Lifeline & Link Up Program, programs that reduce local telephone ratesfor qualified Alaskans.

During Fiscal Year 2006, staff assisted approximately 6,500 consumers with their complaints and inquiries regarding utility billing and services.

Education & Consumer Assistance Programs

Staff continues to develop fact sheets and handouts that provide easy-to-understand information on taxes and surcharges that appear on monthly phone bills, how to avoid telemarketing fraud, energy savings tips, and low-income programs such as energy assistance and Lifeline & Link Up programs. Staff also created a Children's Activity Book, in which children are introduced to the basics of how utilities work and importance in conserving energy in their home. The activity book contains puzzles, coloring pages, and other fun activities for young children.



Assist Public Participation

Staff is also re-invigorating its efforts to raise public awareness about utility rate filings, Commission hearings, notices and decisions that impact utility customers. Whenever possible, staff issues a press release to communities statewide and assists the Commission in conducting consumer input hearings outside normal business hours and at community centers to provide the public an opportunity to hear and testify before the Commission.

Consumer Complaint Statistics FY 04 – FY 06

	FY04	FY05	FY06
Telecommunications	200	213	249
Electric	52	80	92
Natural Gas	17	67	20
Water & Wastewater	17	35	34
Refuse	6	17	18
Total	292	412	413

STATE OF ALASKA

THE REGULATORY COMMISSION OF ALASKA

Before Commissioners:	Kate Giard, Chairman Dave Harbour Mark K. Johnson Anthony A. Price Janis W. Wilson
In the Matter of the Consideration of Potential Changes to Statutes Governing the Procedures and Operations of the Regulatory Commission of Alaska	R-06-10 ORDER NO. 5

ORDER RELEASING TRANSMITTAL LETTER

BY THE COMMISSION:

Summary

We release our proposed statutory changes and transmittal letter to the Governor.

Background

We opened this docket to obtain comment on potential changes to statutes. We requested recommendations for statutory revisions and sought comment on five specific areas of potential statutory reform.[1] We invited two rounds of

[1] *See* Order R-06-10(1), dated November 13, 2006. Those areas were: (1) a specific statutory interest rate or interest rate formula to apply to refund obligations of public utilities and pipeline carriers; (2) an increase to the statutory exemption levels stated at AS 42.05.711; (3) statutory timelines for AS 42.05 and AS 42.06 matters not currently subject to timelines; (4) updated civil penalties; and (5) statutory authorization for the chairman to appoint administrative law judges to hear certain types of cases and render proposed decisions. Order R-06-10(1) at 2-3.

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Anchorage, Alaska 99501
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comments,[2] held a public workshop and a public hearing, and discussed the proposed statutory revisions at three public meetings. At our February 2, 2007 special public meeting, we voted to transmit several proposed changes to our enabling statutes to the Governor for consideration. A copy of the letter to the Governor ("transmittal letter") is attached to this letter as an appendix.

We also invited comment on a proposed statutory revision to exempt commercial refuse providers from certain statutory requirements. That proposal will be addressed in a subsequent order in this docket.

Discussion

We submitted several proposed revisions to our enabling statute to the Governor and requested that the Governor consider supporting legislation that includes the proposed statutory revisions. Specifically, we proposed a statutory revision that would increase the statutory cap on regulatory cost charges (RCCs) to avoid a potential revenue shortfall in the upcoming fiscal year.[3] We also proposed statutory revisions that would increase the amount of civil penalties from current levels ($100 for public

[2]Comments on proposed statutory revisions were received from the following entities: the Attorney General, Alaska Power Association; Alaska Communications Systems, Inc.; Alascom, Inc. d/b/a AT&T Alascom; BP Pipelines (Alaska) Inc./BP Transportation (Alaska) Inc.; Central Electric, Inc.; Chugach Electric Association, Inc.; ENSTAR Natural Gas Company; GCI Communication Corp. d/b/a General Communication, Inc., and d/b/a GCI; Homer Electric Association, Inc.; Marathon Oil Company; and Tesoro Alaska Company. We also received a copy of a letter advocating legislative reforms from Utility Services of Alaska, Inc. to Governor Sarah Palin and incorporated that letter into the record of this docket.

[3]RCCs are the funding mechanism for this agency and consist of a percentage assessment on utility adjusted gross revenues. Utilities are allowed to recover RCCS from their customers, and the RCC assessment appears as a line item assessment on utility billings. The percentage RCC assessments are capped by statute, and the proposed legislation increases the statutory caps in both the Alaska Public Utilities Regulatory Act (AS 42.05) and the Pipeline Act (AS 42.06).

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utilities, $500 for pipeline carriers) to $1,000 for any violation of statute or commission directive, and would allow the commission to assess these civil penalties against any person involved in any commission proceeding.

We also submitted several potential revisions to AS 42.05.175, the statute that establishes specific deadlines for commission action in several types of proceedings. This proposal generated the most public comment, with several interested parties suggesting changes to existing statutes. We incorporated one of the public proposals (a "catch-all" provision that establishes a deadline for proceedings not currently subject to such a deadline), and proposed some additional revisions based on our experience with statutory deadlines.

We also requested support for four proposed statutory revisions as part of our agency restructuring efforts. The first proposal would create an Office of General Counsel to act as our legal advisor in adjudications, rulemaking proceedings and public meetings, and to defend appealed orders. The second proposal would codify our current use of an Administrative Law Section to assist in resolving substantive and procedural issues arising under our jurisdiction. We also sought statutory authorization to create a Natural Gas and Oil Pipeline Section, allowing us to develop and dedicate agency expertise for upcoming gas and oil pipeline issues. A final component of our agency restructuring efforts would allow us to utilize certain partially exempt positions

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allocated only to departments with the State of Alaska,[4] and would clarify the partially exempt status of certain employees.[5]

Our last proposed statutory revision would increase qualification levels for commissioners. Commissioner positions at this agency require considerable knowledge of public utility operations and management, administrative law and practice, and regulatory principles. We believe that certain professional backgrounds (e.g., attorney, certified public accountant or financial analyst, professional engineer, or post graduate degree, combined with ten years experience in specified fields) provide a more advantageous knowledge base for a commissioner, and propose a revision to the commissioner qualification section of our enabling statute to require this type of professional background.

Finally, we discussed the possibility of proposing increases to the salary levels of our commissioners. While we did not propose any legislative reform to increase commissioner salary levels, we suggested that the Governor seek a legislative determination regarding the appropriate salary levels for commissioners.

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[4]This statutory revision would allow the chairman and commissioners, respectively, to employ a private secretary and special assistants.

[5]This statutory revision would transition the commission section manager, chief administrative law judge, and any economist we may employ into partially exempt service, and would reaffirm the partially exempt status of our administrative law judges and attorneys.

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ORDER

THE COMMISSION FURTHER ORDERS that the transmittal letter to Governor Sarah Palin, dated February 22, 2007, is released to the public.

DATED AND EFFECTIVE at Anchorage, Alaska, this 22nd day of February, 2007.

BY DIRECTION OF THE COMMISSION

(S E A L)

Regulatory Commission of Alaska
701 West Eighth Avenue, Suite 300
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DEPARTMENT OF
COMMERCE
COMMUNITY AND
ECONOMIC DEVELOPMENT
Regulatory Commission of Alaska

Sarah Palin, Governor
Emil Notti, Commissioner
Kate Giard, Chairman

February 22, 2007

To: Honorable Sarah Palin, Governor

Re: Proposed Changes to Governing Statutes, Regulatory Commission of Alaska

From: Kate Giard, Chairman

On behalf of the Regulatory Commission of Alaska, I am pleased to provide you with the results of our public process concerning possible revisions to our enabling statutes. As has been our practice the last several years, we engaged in a systematic public process as part of our commitment to enhance Commission transparency and accountability, and to identify statutory revisions that would improve Commission processes.

As part of this process, we invited and received substantial public input and dialogue before approving the attached statutory reform proposals. We invited two rounds of comments, held a public workshop and public hearing, and discussed the proposed statutory revisions at three public meetings. The transcripts of these public proceedings can be found at http://rca.alaska.gov/data/docketDetail.html?docket=R-06-010, along with electronic versions of all Commission orders issued and public comments filed regarding these suggested statutory revisions.

On February 2, 2007, the Commission voted to transmit several proposed changes to statutes governing agency operations to you for consideration. We believe that your support for legislation containing these statutory improvements will serve the public interest.

Following is a brief description of each proposal:

Revising AS 42.05.254 (Public Utility Regulatory Cost Charge) and AS 42.06.286 (Pipeline Carrier Regulatory Cost Charge)

We seek your support for legislation which would revise the Regulatory Cost Charge (RCC) provisions of the Alaska Public Utilities Regulatory Act (AS 42.05) and the Pipeline Act (AS 42.06). The revenues of the Commission are derived almost entirely through ratepayer charges paid through their utility services and pipeline transportation bills. The legislature has enacted a statutory limit on the amount of RCCs the Commission can collect to protect ratepayers from excessive government spending.

The agency has been able to fulfill its mission and operate within these limits in the past, however, in fiscal 2008 the Commission may incur up to $1.5 million in combined PERS benefit costs plus litigation costs.

We sought public comment on whether to meet these unanticipated expenditures 1) through a reduction in personnel, 2) through an increase in the RCC rate or 3) by removing an existing exemption for electric utilities.

There was no public support for reducing our personnel, primary because those commenting were concerned that it would slow down the regulatory process. Comments generally supported the increase in the RCC amount and comments were divided on whether to remove the exemption.

The Commissioners voted to seek your support to increase the statutory regulatory cost charge limit to 0.9 percent from 0.7 percent. We believe this will provide a sufficient base of revenue to address 2008 and hopefully any subsequent increases in the PERS benefit liability.

Revising AS 42.05.571 (Civil Penalties/Public Utilities) and AS 42.06.540 (Civil Penalties/Pipeline Carriers)

Another proposal would increase the amount of civil penalties from current levels ($100 for public utilities, $500 for pipeline carriers) to $1,000 for any violation of statute or Commission directive, and would allow the Commission to assess these civil penalties against any person involved in any Commission proceeding. The small, $100 fine, has remained unchanged in statutes since 1970.[1]

[1] See § 6 ch 113 SLA 1970.

Revising AS 42.05.175 (Timelines for issuance of Final Orders)

A fourth proposal forwards several potential revisions to statutes establishing specific deadlines for Commission action in several types of proceedings. This proposal generated the most public comment, with several suggested changes to existing statutes proposed by interested parties. We incorporated one of the public proposals (a "catch-all" provision that establishes a deadline for proceedings not currently subject to such a deadline), and propose some additional revisions based on our experience with statutory deadlines.

The following four suggested statutory revisions are part of our agency restructuring efforts.

Revising AS 42.04.040 (Legal Counsel)[2]

Currently the Department of Law simultaneously fulfills several roles involving this agency, from advising the Commission[3] to appearing before the Commission as the public advocate[4] or an interested party.[5] In both its public advocate and interested party roles, the Department of Law has the ability to appeal Commission decisions. The Department of Law's simultaneous performance of different roles in Commission proceedings creates an inherent conflict of interest that at times requires special accommodations, including the need to hire outside counsel to avoid a situation where the Department of Law represents both the appellant and appellee in an agency appeal. The creation of an Office of General Counsel will allow us to avoid this potential conflict of interest.

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[2]This proposal also encompasses several statutory revisions necessary to reflect the Commission's shift from representation by the Department of Law to an Office of General Counsel. Specifically, references to the "attorney general" would be changed to the "general counsel" in AS 42.05.601(a) and 42.06.560(a). In addition, AS 42.06.140(a)(7) would be amended to clarify the Commission's involvement in federal proceedings involving pipeline carriers as well as proceedings in another state. Ir ally, the revision to AS 42.06.140 would clarify that the Department of Law may request (rather than require) the Commission's assistance in proceedings involving a pipeline carrier or affiliated interest and affecting the interests of the State of Alaska.

[3]In this capacity the Department of Law acts as our legal advisor in adjudications, rulemaking proceedings and public meetings, and defends appealed orders.

[4]Since 2003, the Department of Law has also participated in commission dockets as the public advocate. The public advocate was created in 1999, when the legislature allowed the Alaska Public Utilities Commission to sunset and created the Regulatory Commission of Alaska. At its inception the public advocate was part of the Regulatory Commission of Alaska. *See* AS 42.04.150 (repealed 2003). In 2003, the public advocacy function was transferred to the Department of Law. *See* AS 44.23.020(e).

[5]In pipeline dockets, the Department of Law's Oil and Gas section may participate as a party representing the Department of Natural Resources and the Department of Revenue, which oversee the state royalty and tax interests.

Adding AS 42.05.045 (Administrative Law Section)

Our Commission has restructured by hiring additional administrative law judges and creating an Administrative Law Section. This reform has allowed us to retain additional in-house legal expertise, and has contributed to a significant reduction in time frames for processing filings and resolving issues before this agency. Our proposed statutory revisions include a section providing statutory authorization for the Administrative Law Section.

Adding AS 42.05.047 (Natural Gas and Oil Pipeline Section)

Another agency restructuring proposal is the creation a Natural Gas and Oil Pipeline Section. Our regulation of pipeline carriers involves complicated issues and requires a significant allocation of staff resources to adequately address pipeline issues within our jurisdiction. The proposed statutory reform would allow this agency to develop and dedicate agency expertise for upcoming gas and oil pipeline issues.

Revising AS 39.25.120 (Partially Exempt Service)

A final aspect of our agency restructuring is the authorization to utilize certain partially exempt positions allocated only to departments with the State of Alaska. This statutory revision would allow the chairman and commissioners, respectively, to employ a private secretary and special assistants. In addition, this section would transition the commission section manager, chief administrative law judge, and any economist we may employ into partially exempt service, and would reaffirm the partially exempt status of our administrative law judges and attorneys.

Revising AS 42.04.020 (Commissioners)

The last statutory revision we propose concerns increasing qualification levels for commissioners. Commissioner positions at this agency are challenging and require considerable knowledge of public utility operations and management, administrative law and practice, and regulatory principles. Newly-appointed commissioners are subjected to a substantial learning curve, and an adequate professional background can expedite and enhance a commissioner's grasp of the required expertise. Certain professional backgrounds (e.g., experience in law, accounting, engineering, or regulated industry) provide a more advantageous knowledge base for a commissioner. We propose a revision to the commissioner qualification section of our enabling statute to ensure that a candidate's professional expertise correlates to the duties of a commissioner.

Request for Legislative Review of Commissioner Salary Levels

We also believe that an increase to the salaries of commissioners is necessary to attract and retain qualified professionals for future commissioner openings. The current salary structure for our commissioners was established in 1980.[6] While commissioners act in a quasi-judicial role and are required to possess considerable expertise in rendering their decisions, their positions are valued far less than their judicial counterparts or other full-time commissioner and deputy commissioner positions within the executive branch.

We have not proposed any legislative reform to increase commissioner salary levels. Instead we suggest that the Governor seek a legislative determination regarding the appropriate salary levels for commissioners. We believe that regulated industries recognize the expertise required of commissioners and are generally supportive of modernized salary levels for those commissioners.

We hope that our effort to coordinate public responses to these concepts proves valuable to you and the legislature.

cc: Michael Tibbles, Chief of Staff
Enclosure: Proposed Statutory Changes (11 pages)

[6] See §§ 10, 25 ch 3 SLA 1980.

REVISING REGULATORY COST CHARGES FOR UTILITIES UNDER AS 42.05

Article 2. Certificate of Public Convenience and Necessity

Sec. 42.05.254. Public utility regulatory cost charge.

AS 42.05.254(a), (e), and (g) are amended to read:

(a) A regulated public utility operating in the state shall pay to the commission an annual regulatory cost charge in an amount not to exceed the maximum percentage of adjusted gross revenue that applies to the utility sector of which the utility is a part. The regulatory cost charges that the commission expects to collect from all regulated utilities may not exceed the sum of the following percentages of the total adjusted gross revenue of all regulated public utilities derived from operations in the state: (1) not more than .7 percent **(.007)** to fund the operations of the commission, and (2) not more than .17 percent **(.0017)** to fund operations of the public advocacy function under AS 42.04.070(c) and AS 44.23.020(e) within the Department of Law. An exempt utility shall pay **a fee according to fee schedules approved by the commission. Effective July 1, 2007, the percentage stated in this subsection shall be not more than .9 percent (.009) to fund the operations of the commission and not more than to .22 percent (.0022) to fund the operations of the public advocacy function** [THE ACTUAL COST OF SERVICES PROVIDED TO IT BY THE COMMISSION].

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(e) The commission shall administer **and collect** the charge imposed under this section. The Department of Revenue shall [COLLECT AND] enforce the charge imposed under this section. The Department of Administration shall identify the amount of the operating budgets of the commission and the Department of Law public advocacy function under AS 42.04.070(c) and AS 44.23.020(e) that lapse into the general fund each year. The legislature may appropriate an amount equal to the lapsed amount to the commission and to the Department of Law public advocacy function under AS 42.04.070(c) and AS 44.23.020(e) for operating costs for the next fiscal year. If the legislature does so, the commission shall reduce the total regulatory cost charge collected for that fiscal year by a comparable amount.

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(g) The commission may adopt regulations under AS 44.62 (Administrative Procedure Act) necessary to administer this section, including requirements and procedures for reporting information and making quarterly payments**, and for collecting required payments**. The Department of Revenue may adopt regulations under AS 44.62 (Administrative Procedure Act) for investigating the accuracy of filed information[, AND FOR COLLECTING REQUIRED PAYMENTS].

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REVISING REGULATORY COST CHARGES FOR PIPELINES UNDER AS 42.06

Article 2. Certificate of Public Convenience and Necessity

Sec. 42.06.286. Pipeline carrier regulatory cost charge.

AS 42.06.286(a), (c), and (d) are amended to read:

(a) A pipeline carrier operating in the state shall pay to the commission an annual regulatory cost charge in an amount not to exceed the sum of the following percentages of gross revenue derived from operations in the state: (1) not more than .7 percent (.007) to fund the operations of the commission, and (2) not more than .17 percent (.0017) to fund operations of the public advocacy function under AS 42.04.070(c) and AS 44.23.020(e) within the Department of Law. A regulatory cost charge may not be assessed on pipeline carrier operations unless the operations are within the jurisdiction of the commission. **Effective July 1, 2008, the percentage stated in this subsection shall be not more than .9 percent (.009) to fund the operations of the commission and not more than .22 percent (.0022) to fund the operations of the public advocacy function**

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(c) The commission shall administer **and collect** the charge imposed under this section. The Department of Revenue shall [COLLECT AND] enforce the charge imposed under this section. The Department of Administration shall identify the amount of the operating budgets of the commission and the Department of Law public advocacy function under AS 42.04.070(c) and AS 44.23.020(e) that lapse into the general fund each year. The legislature may appropriate an amount equal to the lapsed amount to the commission and to the Department of Law public advocacy function under AS 42.04.070(c) and AS 44.23.020(e) for operating costs for the next fiscal year. If the legislature does so, the commission shall reduce the total regulatory cost charge collected for that fiscal year by a comparable amount.

(d) The commission may adopt regulations under AS 44.62 (Administrative Procedure Act) necessary to administer this section, including requirements and procedures for reporting information and making quarterly payments**, and for collecting required payments**. The Department of Revenue may adopt regulations under AS 44.62 (Administrative Procedure Act) for investigating the accuracy of filed information[, AND FOR COLLECTING REQUIRED PAYMENTS].

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PROPOSED REVISION TO INCREASE CIVIL PENALTIES

FOR PUBLIC UTILITIES (Title 42, Chapter 5)

Article 7. Judicial Review, Penalties, Enforcement.

Sec. 42.05.571. Civil penalties.

AS 42.05.571(a) is amended to read:

(a) In addition to all other penalties and remedies provided by law, any party involved in a commission docket, any public utility and every person, and their lessees or receivers appointed by a court in any way subject to the provisions of this chapter, together with their officers, managers, agents, or employees that either violate or procure, aid, or abet the violation of any provision of this chapter, or of any order, regulation, or written requirement of the commission are subject to a maximum penalty of not more than $1,000 [$100] for each violation. Each act of omission as well as each act of commission shall be considered a violation subject to the penalty.

FOR PIPELINES (Title 42. Chapter 06)

Article 6. Enforcement Provisions

Sec. 42.06.540. Civil penalties.

AS 42.06.540(a) is amended to read:

(a) In addition to all other penalties and remedies provided by law, [A] any party involved in a commission docket, any person subject to the provisions of this chapter, as well as an officer, manager, agent, or employee of that person, that either violates or procures, aids, or abets the violation of any provision of this chapter, or of an order, regulation, or written requirement of the commission is subject to a maximum penalty of not more than $1,000 [$500] for each violation.

PROPOSED REVISION TO ADD AND AMEND STATUTORY TIMELINES

Article 1. Powers and Duties of the Commission.

Sec. 42.05.175. Timelines for issuance of final orders.

AS 42.05.175(a), (b), (c), (d), (e), and (f) are amended to read:

(a) The commission shall issue a final order not later than **180 days** [SIX MONTHS] after a complete application is filed for an application [(1)] for a certificate of public convenience and necessity; [(2)] to amend a certificate of public convenience and necessity; [(3)] to transfer a certificate of public convenience and necessity; and [(4)] to acquire a controlling interest in a certificated public utility **unless the commission determines a formal hearing is necessary**. **If the commission finds that a formal hearing is necessary to determine the merits of an application, the commission shall issue a final order not later than 270 days after the complete application is filed.**

(b) Notwithstanding a suspension ordered under AS 42.05.421, the commission shall issue a final order not later than **270 days** [NINE MONTHS] after a complete tariff filing is made for a tariff filing that does not change the utility's revenue requirement or rate design.

(c) Notwithstanding a suspension ordered under AS 42.05.421, the commission shall issue a final order not later than **450 days** [15 MONTHS] after a complete tariff filing is made for a tariff filing that changes the utility's revenue requirement or rate design.

(d) The commission shall issue a final order not later than **365 days** [12 MONTHS] after a complete formal complaint is filed against a utility or, when the commission initiates a formal investigation of a utility without the filing of a complete formal complaint, not later than **365 days** [12 MONTHS] after the order initiating the formal investigation is issued.

(e) The commission shall issue a final order in a rule-making proceeding not later than **730 days** [24 MONTHS] after a complete petition for adoption, amendment, or repeal of a regulation under AS 44.62.180 - 44.62.290 is filed or, when the commission initiates a rule-making docket, not later than **730 days** 24 MONTHS after the order initiating the proceeding is issued.

(f) The commission may extend a timeline required under (a) - (e) of this section if all parties of record consent to the extension. **In addition, the commission may extend a timeline under (a) - (e) of this section** [OR IF], for one time only, before the timeline **or extension** expires, **if** the

(1) commission [REASONABLY] finds that good cause exists to extend the timeline;

(2) commission issues a written order extending the timeline and setting out its findings regarding good cause; and

(3) extension of time is 90 days or less.

ITEM #4 – PROPOSED REVISION TO ADD AND AMEND STATUTORY TIMELINES, CONT.

Article 1. Powers and Duties of the Commission, cont.

Sec. 42.05.175. Timelines for issuance of final orders, cont.

AS 42.05.175 is amended to add a new subsection to read:

(k) Effective July 1, 2007, in adjudicated docketed matters that come before the commission that are not subject to a timeline under federal law or AS 42.05.175(a) - (e), the commission shall issue a final order not later than 12 months after the filing of an initiating petition. Where the matter is commenced on the commission's own motion, a final order shall issued no later than 12 months after the issuance of an order opening docket.

(1) If the commission does not issue and serve a final order governed by this section within the applicable timeline specified, and if the commission does not extend the timeline in accordance with AS 42.05.175(f), the initiating petition shall be considered approved and shall go into effect immediately or, where the matter was commenced by commission order, the docket will be closed with no action taken.

(2) In those cases where the timeline is extended by application of AS 42.05.175(f) and the commission does not issue and serve a final order within the limits of the one-time-only extension, the initiating petition shall be considered approved and shall go into effect immediately or, where the matter was commenced by commission order, the docket shall be closed with no action taken.

AS 42.05.175 is amended to add a new subsection to read:

(l) If proceedings subject to different timelines under this section are consolidated, or if a single proceeding implicates more than one timeline under this section, the latest applicable deadline for the issuance of a final order shall apply.

ENABLING AN OFFICE OF GENERAL COUNSEL

Article 1. Commission and Staff.

Sec. 42.04.040. Legal counsel.

AS 42.04.040(a) and (b) are amended to read:

(a) There is created within the Regulatory Commission of Alaska an Office of General Counsel consisting of a general counsel, one or more assistant general counsels, if necessary, and support staff. The general counsel shall represent and advise the commission on all matters arising from the commission's regulatory responsibilities and represents the commission before any officer, department, board, commission, or court of this state, another state, or the United States. Attorney members of the Office of General Counsel serve at the pleasure of the commission. The chair of the commission manages and supervises the work efforts of members of the Office of General Counsel. Attorney members of the Office of General Counsel are in the partially exempt service and are entitled to an initial monthly salary that is not less than Step A, Range 27 nor more than Step M, Range 28, of the salary schedule in AS 39.27.011(a) for Juneau, Alaska [THE DEPARTMENT OF LAW SHALL PROVIDE FULL-TIME LEGAL COUNSEL TO THE COMMISSION].

(b) The commission may [, SUBJECT TO THE APPROVAL OF THE ATTORNEY GENERAL,] contract for the services of specialized legal counsel or legal consultants.

REVISIONS RELATED TO CREATION OF OFFICE OF GENERAL COUNSEL

FOR PUBLIC UTILITIES (Title 42, Chapter 5)

Article 7. Judicial Review, Penalties, Enforcement.

AS 42.05.601(a) is amended to read:

Sec. 42.05.601. Actions to recover damages and penalties; disposition.

(a) Actions to recover damages and penalties under this chapter shall be brought by the **commission's**[ATTORNEY] general **counsel** in a court of competent jurisdiction.

(b) All damages and penalties recovered under the provisions of this chapter shall be paid to the commission and deposited by it in the general fund of the state.

REVISIONS RELATED TO CREATION OF OFFICE OF GENERAL COUNSEL, CONT.

FOR PIPELINES (Title 42. Chapter 06)

Article 1. Powers and Duties of the Regulatory Commission of Alaska

AS 42.06.140 (a)(7) and (10) are amended to read:

Sec 42.06.140. General powers and duties

(a) The commission

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(7) may initiate, intervene in, and appear personally or by counsel and offer evidence in and participate in, any proceedings involving a pipeline carrier, and affecting the interests of the state, before any officer, department, board, commission, or court of this state, another state, or the United States;

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(10) may [SHALL] provide [ALL] reasonable assistance to the Department of Law in intervening in, offering evidence in, and participating in proceedings involving a pipeline carrier or affiliated interest and affecting the interests of the state, before an officer, department, board, commission, or court of another state or the United States.

Article 6. Enforcement Provisions

Sec. 42.06.560. Actions to recover damages and penalties; disposition.

(a) Actions to recover damages and penalties under this chapter shall be brought by the commission's[ATTORNEY] general counsel in a court of competent jurisdiction.

(b) All damages and penalties recovered under the provisions of this chapter shall be paid to the commission and deposited by it in the general fund of the state.

ENABLING AN ADMINISTRATIVE LAW SECTION

Article 1. Commission and Staff.

AS 42.04 is amended by adding a new section to read:

Sec. 42.04.045. Administrative Law Section

(a) There is created within the Regulatory Commission of Alaska the Administrative Law Section. The Administrative Law Section may employ Administrative Law Judges, Alternative Dispute Resolution Judges and Hearing Examiners to promote orderly resolution of RCA jurisdictional matters. The chair of the commission employs and supervises the work efforts of members of the Administrative Law Section.

(b) Members of the Administrative Law Section are in the partially exempt service and are entitled to an initial monthly salary that is not less than Step A, Range 25 nor more than Step M, Range 27, of the salary schedule in AS 39.27.011(a) for Juneau, Alaska.

ENABLING A NATURAL GAS AND OIL PIPELINE SECTION

Article 1. Commission and Staff.

AS 42.04 is amended by adding a new section to read:

Sec. 42.04.047. Natural Gas and Oil Pipeline Section

(a) There is created within the Regulatory Commission of Alaska a Natural Gas and Oil Pipeline Section. The Natural Gas and Oil Pipeline section is employed by the commission to promote the orderly resolution of matters within the jurisdiction of the Commission, including issues pertaining to natural gas and oil pipelines, and may include an economist, a pipeline financial analyst(s), an engineer(s), and support staff, as needed. The chair of the commission employs and supervises the work efforts of Natural Gas and Oil Pipeline Section employees.

(b) The economist is in the partially exempt service and is entitled to an initial monthly salary that is not less than Step A, Range 23 nor more than Step M, Range 26, of the salary schedule in AS 39.27.011(a) for Juneau, Alaska.

ADDING NEW PARTIALLY EXEMPT EMPLOYEES TO TITLE 39

Title 39. Public Officers and Employees.

CHAPTER 25. STATE PERSONNEL ACT.

Article 2. Coverage of Personnel.

Sec. 39.25.120. Partially exempt service.

AS 39.25.120(c)(4), (6) and (18) are amended to read:

(c) The following positions in the state service constitute the partially exempt service:

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(4) one private secretary for each head of a principal department in the executive branch **and the Regulatory Commission of Alaska**;

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(6) not more than two special assistants to the commissioner of each of the principal departments of the executive branch **and not more than one special assistant for each commissioner of the Regulatory Commission of Alaska**, but the number may be increased if the partially exempt service is extended under AS 39.25.130 to include the additional special assistants;

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(18) **the economist, managers that are not in classified service,** hearing **examiners,** [OFFICERS AND] administrative law judges**, the chief administrative law judge and attorneys within the Regulatory Commission of Alaska's Office of General Counsel**;

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COMMISSION QUALIFICATIONS & COMMISSIONER SALARY

Article 1. Commission and Staff.

Sec. 42.04.020. Commissioners.

AS 42.04.020(a) is amended to read:

(a) The commission consists of five commissioners appointed by the governor and confirmed by the legislature in joint session. To qualify for appointment as a commissioner, a person must:

(1) have one of the following qualifications:

(A) be a member in good standing of the Alaska Bar Association; [OR]

(B) have attained certification as a certified public accountant, certified financial analyst, or professional engineer, or received other nationally-recognized financial certification; or

(C) have a **post-graduate** degree from an accredited college or university [WITH A MAJOR IN ENGINEERING, FINANCE, ECONOMICS, ACCOUNTING, BUSINESS ADMINISTRATION, OR PUBLIC ADMINISTRATION]; **and**

(2) have ten years combined experience in the fields of electricity, oil and gas, solid waste management, telecommunications, water and wastewater, regulated industry, engineering, finance, economics, audit, accounting, business administration, public administration, or law,

(3) Actual **executive level** experience for a period of five years in [THE PRACTICE OF LAW OR IN] the fields of **electricity, oil and gas, solid waste management, telecommunications, water and wastewater, regulated industry,** engineering, finance, economics, **audit,** accounting, business administration, or public administration is equivalent to **the post-graduate** [A] degree **requirement stated at subsection (1)(C)**.