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SC

FILE NO. 8

Recommendation No. 7

The APUC should seek upgrading of salary levels for professional support staff.

The Alaska Public Utilities Commission has been hindered for the past nine years by difficulties in recruiting and retaining employees for the Utility Financial Analysis Section and Utilities Engineering Section. The average length of time vacancies exist before Utility Financial Analyst (UFA) positions can be filled is nine months and Utilities Engineer (UE) positions can be filled is eleven months. One UFA III position was created in July of 1975 and has not been filled to date. Discussions with Commission personnel indicated that qualified applicants for the UFA III position have been discouraged by the salary range and have been able to obtain employment with utility companies for higher salaries.

The difficulty in recruiting highly qualified personnel for positions such as the UFA III led the Commission to reclassify several higher level positions to entry level positions. This action was taken to allow the Commission to provide in-house training for less experienced individuals for advancement into the more demanding positions. The Commission's experience, however, has been that persons receiving the in-house training remain an average of only one year. We were again told by Commission personnel that these individuals, having received APUC training, are then qualified for positions with utility companies offering higher salaries.

In recognition of the recruitment and retention problems at APUC, Arthur Young & Co., investigated the compensation levels as part of their 1978 Management Audit of the Commission. They reviewed the January 1978 study on salary levels done by the Division of Personnel which concluded that salary adjustments were not justified at that time. Arthur Young & Co. found that study incomplete in that it compared APUC salary levels with similarly titled positions in other states and with a Fairbanks utility, but did not include a survey of positions in the Anchorage area.

Arthur Young & Co. did conduct a survey in Anchorage and, although they couldn't determine the true prevailing wage rates for the area because of the limited response rate, they were able to identify material pay differences. "... with four major employers within the Anchorage area which, historically, have consistently competed with the APUC in recruiting for and retaining individuals in professional positions in the Commission (specifically, Utility Engineers and Utility Financial Analysts)." The percentage difference between the weighted average of the responses and the state salary range midpoint revealed a deficiency in the state range from 25.5% to 43.5%.

As part of our investigation into this problem we compared job descriptions for the UFA III position at APUC and the Tariff Specialist position at the Alaska Transportation Commission. Even though the description of duties for these two positions are very similar, there is a difference of three salary ranges or a deficiency of 25%.

In addition to the creation of a work backlog, the staffing problem has resulted in recruitment and reliance on less experienced personnel or contracts with expensive consultants. UFA I and UFA II personnel have been required to perform the job requirements of UFA III's including testifying at formal Commission proceedings. During those proceedings attorneys representing utilities have, on occasion, reduced the credibility of Commission employees as expert witnesses during cross examination by reviewing their credentials on the record. If the public interest is to be effectively protected by the Alaska Public Utilities Commission, compensation levels should be established which will allow recruitment and encourage retention of qualified, experienced staff.

Recommendation No. 8

The APUC should implement a time management system.

As part of their 1978 Management Audit of APUC, Arthur Young & Co. developed a time management system to assist the Commission in prioritizing, planning, and scheduling work, monitoring work in process and work accomplished; and establishing functional and position objectives. Our discussions with Commissioners and staff and a review of processing time for Commission actions demonstrate a continuing need for implementation of such a system.

An effective time management system could alleviate delays in processing tariff filings. Our tests showed that the review process, from receipt of application to final order by the Commission, averages 13 months. This has resulted in an increasing need to suspend tariffs for more than a single six month period. Long range planning of Commissioner and staff time and resources would allow for more effective and efficient use of time and resources and the rendering of Commission decisions in a more timely fashion. This is particularly important in a time of spiraling costs when delays in Commission decisions have a confiscatory effect on utilities.

Recommendation No. 9

The APUC should develop a cross-reference system for Commission orders and decisions by the courts.

The APUC currently files Commission orders by docket number and in a chronological order file and maintains reference cards by utility name, but does not maintain a topical

cross-reference system. Decisions from the courts on appeals of Commission decisions are filed with the related docket by docket number.

Currently the best catalog of prior Commission decision is in the memories of individual Commissioners and staff members. Access to this unwritten catalog is not always possible, at best time consuming for all parties, and becomes less reliable with the passage of time. A cross-reference system of orders and decisions by major issues involved and/or precedents set would provide efficient access to past decisions to allow analysis by staff and decisions by Commissioners to be made consistently from case to case and in accordance with relevant court decisions. It could also reduce application processing and hearing time by allowing any applicant's attorney to review prior decisions and cases which are similar to his/her client's case.

Recommendation No. 10

The Commissioners of the APUC Should restrict their involvement in the administrative function of the agency.

Arthur Young & Co., in their management audit of September 1978, delineated the responsibilities of the Commissioners and Executive Director in the following way: the Commissioners, through the Chairman, should prescribe the limitations of authority of the Executive Director regarding policies, expenditures, and personnel actions; the Executive Director should provide central leadership, direction, administration and control over the Commission's operational and administrative functions within the limits as set out by the Commissioners. We recommend the Commissioners restrict their involvement in administrative matters to setting policy, and delegate to the Executive Director authority for carrying out the necessary actions to employ that policy.

The Commissioners became involved in administrative matters several years ago to carry on the management responsibilities of an Executive Director who was absent for extended periods of time due to illness. There have been several vacancies since that time due to resignations or dismissal of individuals in the Executive Director position, and during the majority of those vacancies, a Commissioner acted as Executive Director. Through discussions with staff and personal observation we learned that the involvement of the Commissioners in administrative functions has extended to times when the Executive Director position was filled. This duplication of authority has confused reporting relationships within the agency and consumed the Commissioners' time unnecessarily.

In addition to being an inefficient use of time, the direct involvement of Commissioners in the daily management of agency operations is inappropriate. Because the staff of

the APUC is a party to most of the formal proceedings heard before the Commission, the Commissioners are prohibited from ex parte communications (discussion of a proceeding without all parties to that proceeding being present). Supervision of staff activities by any Commissioner could, therefore compromise the independence of the staff/Commissioner relationship.

Recommendation No. 11

The APUC should seek to establish separate collocation codes for each section of the Commission.

Allocations and expenditures for all operating costs of the APUC are channelled through a single collocation code. Establishment of separate collocation codes would provide the Commission with an effective management tool for efficient use of funds.

There are competing needs for funds in all object groups and no method of assuring all needs are treated adequately. There are such competing needs, for example, in the travel category. The Commissioners require travel funds for holding public hearings and formal proceedings outside of Anchorage to provide easier access by the affected consumers. They also require funds to participate in meetings held outside Alaska which provide education in utility regulatory processes and information on trends in national policy. Staff financial analysts and engineers require travel funds to perform field audits on utilities seeking certification or a tariff change from the Commission. Commission administration requires travel funds to provide employee training and development. All these needs are of sufficient merit to necessitate budgeting by section to assure no one use depletes funds needed for other uses.

Recommendation No. 12

The Office of the Governor should keep the appointment of Chairman of the Alaska Public Utilities Commission current.

AS 42.05.020(b) states "The governor shall designate one member of the commission as chairman of the commission. This member shall serve as chairman for a term of four years, but may be appointed for successive terms." The term of the present chairman of the APUC expired November 30, 1977 and, to date, a period of 20 months, no new appointment or reappointment to this position has been made.

We recommend that the Office of the Governor appoint a new chairman or reappoint the existing chairman of the APUC as soon as possible and in the future make such appointments in a timely manner.

Subsequent Event

The present chairman of the APUC was reappointed to the chairmanship on July 31, 1979. That term will expire November 30, 1981.

ANALYSIS OF PUBLIC NEED

Limited Analysis

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

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

The Commission has performed in a dedicated, conscientious manner to ensure that utilities are fit, willing and able to provide utility services, and to regulate them in such a manner as to provide adequate service to Alaskan consumers at the lowest reasonable rates. However, the Commission's effectiveness and efficiency in performing mandated responsibilities have been limited by a burgeoning workload and internal management problems (see Recommendation No. 2 through No. 5, No. 7 through No. 11).

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

The operation of the Alaska Public Utilities Commission has been impeded by current statutes and regulations. The definition of public utility is too broad and should be limited to allow the Commission to devote its limited time and resources to regulation of utilities of sufficient import. There is also a need for statutory and regulatory amendments to allow for more effective case management and to avoid court appeals of Commission decisions (see Recommendation No. 2 through No. 6).

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

The Commission has recommended few statutory changes in the past five years. They have not actively sought any changes which would limit the number or type of utilities which are currently regulated even though aware such an action would improve their effectiveness while still serving the public interest (see Recommendation No. 2 through No. 6).

- IV. 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 which it has provided.

All formal proceedings are properly and timely noticed and open to the public. The Commission has held public hearings and formal proceedings within the service areas of the utilities before them to facilitate public attendance and participation.

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

As stated under criteria IV, proceedings are properly and timely noticed and open to the public. Additionally, any interested person or party may intervene in a formal Commission proceeding if their intervention will be conducive to the ends of justice and will not unduly delay the conduct of such a proceeding.

- VI. 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 the ombudsman have been processed and resolved.

The Commission adopted regulations in 1973 for informal and formal complaint procedures. Procedures for informal complaints, include a requirement that the complaint be made first with the utility before being filed with the Commission. If the complaint cannot be resolved informally, formal complaint procedures may be used including, if good cause is shown, a formal investigation. The Consumer Protection Section Chief of the APUC estimates that of the approximately 1,500 informal complaints received annually, 2-6 end up as formal complaints. The Office of the Ombudsman received approximately 12 complaints and all were pending action or satisfactorily resolved by the APUC.

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

The Commission, prior to granting a Certificate of Public Convenience and Necessity to a public utility, is required to determine that the applicant is fit, willing and able to provide the utility services applied for. APUC employs Utility Financial Analysts and Utilities Engineers to perform the necessary analyses to make this determination. However, recruitment and retention problems with those positions have impeded the Commission's ability to perform those duties (see Recommendation No. 7).

- VII. 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 hiring practices or Commission appointments that are contrary to the State personnel practices.

- IX. 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.

Please refer to the previous section, Findings and Recommendations.

APPENDIXES

APPENDIX A

ALASKA PUBLIC UTILITIES COMMISSION REVENUES
COMPARED TO EXPENDITURES
Fiscal Year 1978

UNAUDITED¹

Revenue Collected	\$40,174.63
Expenditures	<u>(\$1,751,317.29)</u>
Excess of Expenditures Over Revenues	<u><u>(\$1,712,142.66)</u></u>

SCHEDULE 1
COLLECTED REVENUES

<u>Revenue Type</u>	<u>Amount</u>	<u>Collection Time</u>
Injunction and Monetary Sanction	\$1,000/violation day up to \$200,000	When assessed
Civil Penalties	Up to \$100/violation	When Assessed
Application Fee	\$50.00	Upon Application
Expenses of Hearing	As provided in AS 42.05.651	When assessed
Sale of Public Documents	Varies by type of document	When assessed

Note 1

The records were not audited by us and accordingly we do not express an opinion on them. The source of the revenues was the Prior Year (FY '78) Unrestricted Receipt Balances. The source of the expenditures was the Prior Year (FY'78) Authorization Balances.

APPENDIX B

QUESTIONNAIRE SENT TO OTHER STATES'
UTILITY REGULATORY AGENCIES

1. Does your agency regulate:
- a. fixed utilities only? 12%
 - b. fixed and transportation utilities only? 22%
 - c. fixed and pipeline utilities only? 12%
 - d. fixed, transportation and pipeline utilities? 54%

2. What are the advantages and disadvantages of an agency regulating more than one group of utilities?

advantages: centralization of expertise; cost savings; economics of scale; flexibility of staff; less duplication of personnel and functions; none.

disadvantages: hard to employ sufficient staff to cover all utilities, some utilities may be ignored, lack of coordination, none.

3. Do you feel that the advantages outweigh the cost of maintaining two or three separate agencies?

Yes 81% No 9% No
Opinion 9%

Comments: *Overall operating cost is considerably less for one agency than for several agencies; favor separate agency to regulate transportation; key is in adequate staff; one agency would expedite and save duplications.*

4. Can a commissioner/board member or administrative officer realistically develop the expertise to render decisions in fixed, transportation and/or pipeline utility cases?

Yes 88% No 6% No
Opinion 6%

Comments: *If technically trained and experienced staff is available to provide him with the proper background and assistance it will require time and dedication as well as integrity.*

5. If your agency is administered by a Board or Commission:
- a. How many commissioners/board members serve? 3 (60%)
5 (31%)
7 (9%)
- b. How long are their terms? 6 yr. (67%), 4 yr. (21%), 3 yr. (3%),
5 yr. (3%), 8 yr. (3%), 10 yr. (3%)
- c. Is there a limit to the number of consecutive terms they may serve? no (97%) yes (3%)

(If yes, please state what the limit is.) 12 years

6. How many full-time staff members are employed by your agency? average 206
7. What was your final fiscal year 1978 budget? avg. \$5,480,148
8. How many of the following types of fixed utilities does your agency regulate? Note: If none, please indicate why (i.e. a. no such utility operates in the state; b. that type of utility is regulated by another state agency; or c. utility is exempt from state regulation).

<u>utility</u>	<u>number</u>	<u>if none, why</u>
electric	avg. (32 states)=33	
gas	avg. (31 states)=20, none: 1 state	b (1 state)
telecommuni- cation	avg. (32 states)=49	
sewer	avg. (30 states)=60, none: 11 states	c (11 states)
water	avg. (30 states)=167, none: 2 states	c (2 states)
CATV	avg. (3 states)=36, none: 29 states	a (1 state), unspec. (1 state) b (5 states), c (22 states)
garbage	avg. (3 states)=526, none: 29 states	a (1 state), unspec. (1 state) c (27 states)

9. Are all utilities regulated for the following?
- a. authority to operate Yes 91% No 6% No response 3%
- b. fair and reasonable rates Yes 91% No 9%
- c. rate design Yes 94% No 6%
- d. service area Yes 97% No 3%
- e. quality of service Yes 100% No _____

If no, please explain which utilities are exempt, and from what facet of regulation.

Practices of municipal utilities not subject to our jurisdiction, municipal utilities exempt from rate regulation, mutual and cooperative telephone companies with less than 2000 main stations, gas and electric by franchises, elect coops and municipals, municipal water utilities.

10. Are the following types of utilities regulated for fair and reasonable rates?

a. utilities owned and operated by a political subdivision of the state? Yes 25% No 75%

b. nonprofit cooperative corporations? Yes 38% No 56%* No Response 3% N/A 3%

11. If a utility is exempt from economic regulation what mechanism is used to ensure adequate service at reasonable rates?

*The market mechanism, political process, municipal authorities for municipal utilities, REA board members ensure reasonable rates for cooperatives, public pressure on elected officials, city governing body for municipal utilities, local units of government, local board for coops, courts. *members of cooperatives may petition for regulation*

12. Have small utilities been exempted from regulation through adoption of a threshold of gross revenue or output capacity? If yes, please state the amount of threshold.

<u>utility</u>	<u>no</u>	<u>yes</u>	<u>N/A</u>	<u>threshold</u>
electric	100%	0	0	
gas	94%	3%	3%	10 customers (3)*
telecommunications	100%	0	0	10 customers (3)*
sewer	60%	9%	31%	100 customers (2)* 50 customers (5)*
water	81%	16%	3%	9 customers (4)* 10 customers (3)* 50 customers (5)*
CATV	31%	0	69%	100 customers (2)*
garbage	34%	0	66%	
other	Public Movers 1 response Air Conditioning 1 response			*See question 13 for explanation.

13. Are there any conditions under which a utility under the threshold for regulation might still be regulated?

(1) upon petition of ratepayers or by legislative action, (2) no, (3) by request of company, (4) if they request regulation or if the Legislature mandates it, (5) if majority of customers petition, upon petition, regulation shall be for one year or so long as the Commission or a majority of customers desire.

14. Is your agency or state legislature currently considering deregulation of any category of public utilities?

yes: 31% no: 69%

transportation, air carriers, charter party carriers, sightseeing and tour buses, warehousemen, water and sewer, household goods, water coops carriers, new PBX systems, radiotelephone utilities, some classes of motor carriers, water carriers and certain types of motor buses; cooperative telephone companies; sand & gravel trucks; public movers & refuse companies.

15. Is there a program used to spotcheck the performance and/ or rates of the utilities through unannounced inspections or audits?

yes: 65% no: 44%

all rate applications, random audits of telecommunications regarding quality of service, financial audits at least once every 2 years, management audits, unannounced safety and service inspections, testing of meters; announced inspections only.

If yes:

- (a) How often are such checks made?

Random; varies widely; each month's fuel cost is checked; other items are done periodically; annual announced audit of major companies; annually, service and safety more frequently.

- (b) What percentage of the regulated utilities are checked each year?

10-20%; 35-40%; majority; between 75-100%; 30-40%; 50-80%; 80% larger utilities 100%, smaller utilities varies; all utilities once yearly.

16. In evaluating a rate application:

- (a) What factors does the agency consider in determining a rate base?

Original costs, reconstruction costs, depreciation, advances in aid of construction, contributions in aid of construction, limited CWIP, income tax deferrals, materials and supplies, inventory, prepaid items, special deposits and cash working capital; average plant in service, land & property held for future use must meet test of reasonableness and are determined on a case by case basis;

- (b) What factors does it exclude from consideration?

Number of responses in ()

None: (3), customer deposits, advances: (3), plant held for future use: (1) CWIP: (8), contributed property: (2), compensating bank balances: (1), not used or useful: (4), contributions in aid of construction: (3), depreciation reserve: (2), deferred investment tax credit: (2), advances in aid of construction: (2), preliminary land & survey transaction: (1), advertising: (1)

17. For each of the fixed utilities, what does the agency consider to be a fair rate of return on investment:

<u>Utility</u>	<u>rate of return</u> (range)	average
electric	5.0-10.0 (coops), 8.5-14.5	10.87
gas	8.5-14.5	10.93
telecommunications	8.0-14.5	10.24
sewer	5.0-16.0	9.75
water	5.0-16.0	10.52
CATV	13.5-15.0	14.06
garbage	11.8	

18. Do you require audited financial statements from all utilities?

Yes 56%* No 41% No Response 3%

If yes, how often? annually: 56%, every rate case: 6%, monthly: 6%
* several noted that annual financial statements were required but need not be audited.

19. Does your staff perform a thorough analysis of rate packages or rate design?

yes: 97%
sometimes: 3%
no: -0-

Note 1

Number of questionnaires sent to other state regulatory agencies	50
Number of state regulatory agencies who responded	32
Response Rate	64%

APPENDIX C

QUESTIONNAIRE SENT TO APUC REGULATED ELECTRIC AND
TELEPHONE NONPROFIT COOPERATIVE CORPORATIONS

- (1) Are you aware of Senate Bill 133 (attachment 1), and the proposed substitute to that bill (attachment 2) introduced during the current legislative session, which would have exempted nonprofit cooperative corporations from economic regulation by the Alaska Public Utilities Commission?

Yes 100% No -0-

- (2) Did you support the passage of:

- (a) SB 133 as originally introduced:

Yes 88% No 12%

- (b) The proposed substitute for SB 133?

Yes 63% No 25% No answer 12%

- (3) What do you feel would be the advantages to the utility and its membership of the passage of such a bill ?

Number of responses in ()
*reduction of regulatory cost (7),
reduce time lag, able to adjust rates on more timely basis (5),
cut unnecessary red tape (1),
reduce workload (1),
more realistic revenue estimates (1),*

- (4) What do you feel would be the disadvantages to the utility and its membership of the passage of such a bill?

*added local responsibility, more "heat" on board and management (2)
APUC requires utility to be fair to all consumer classes (1)
lack of ability to establish certified service areas (1)
APUC provides advice on operational & financial problems (1)
none (2)*

- (5) If you do not support SB 133 or its proposed substitute, are there any changes to the existing statutes or regulations of the APUC you feel should be made?

Yes 25% No -0- No Response 75%

Number of responses in ()

(5) Please explain:

APUC should be required to file statement of estimated cost to consumers of any proposed rules: (1)
Change reporting requirements to conform with REA reporting requirements: (1)

(6) If your utility is exempted from economic regulation by the APUC, what mechanism would be used to ensure that your consumers receive adequate service at reasonable rates?

Board of Directors: (5), REA: (5), Members: (5), Management: (3), independent auditor: (1), employment of competent rate consultants: (1), constant computer review of rate of return: (1), National Rural Utilities Cooperative Finance Corporation: (1)

(7) Does this mechanism exist now or would it need to be implemented?

Already exists: (4)
Beginning stages of implementation: (1)

(8) How many members currently belong to your cooperative?

avg. 4576

(9) Please indicate when your last three general membership meetings were held and indicate whether a quorum was constituted for each meeting.

<u>Meeting Date</u>	<u>Quorum</u>			
<i>varied</i>	Yes <u>88%</u>	No <u>12%</u>		
	Yes <u>76%</u>	No <u>12%</u>	No. Ans.	<u>12%</u>
	Yes <u>76%</u>	No <u>12%</u>	No. Ans.	<u>12%</u>

- (10) Please indicate when your last three board of directors meetings were held and indicate whether a quorum was constituted for each meeting.

<u>Meeting Date</u>	<u>Quorum</u>	
<i>varied</i>	Yes <u>100%</u>	No <u>-0-</u>
	Yes <u>100%</u>	No <u>-0-</u>
	Yes <u>100%</u>	No <u>-0-</u>

- (11) What has been the cost of APUC regulation for your utility for each of the years listed below:

<u>Year</u>	<u>Actual</u>	<u>Allowed by APUC</u>
<u>1978</u>	<i>varied</i>	<i>same or pending</i>
<u>1979</u>	<i>varied</i>	<i>same or pending</i>

- (12) What is your current procedure for handling consumer complaints?

investigated by staff, if unresolved referred to general manager, if unresolved referred to board of directors: (6)
investigated by staff, investigated by management if serious, directed to board if general or political in nature: (1)
investigated by general manager, if unresolved referred to board: (1)

- (13) How many consumer complaints were received:

(a) Three years ago? *avg. of 6* responses=102*
 (b) Two years ago? *avg. of 6* responses=37*
 (c) last year? *avg. of 6* responses=60*

* *there were 8 responses, however, 2 stated they do not maintain records of this information*

- (14) What is the average length of time from when a complaint is received until it is resolved?

if resolved by employees 0-5 days, by board 30-60 days: (1)
2 days: (1)
0-2 days: (1)
2-3 hours: (1)
usually 2 days, sometimes 1-2 weeks: (1)

(15) Do you believe that the Alaska Public Utilities Commission has operated in the public's best interests?

Yes 37% No 25% No Response 38%

Comments: APUC does not have proper staff: (1), burden consumers with unnecessary regulatory costs: (1), delaying rate increase requests for maximum allowable time causes serious depletion in member-owners equity and placed coops in precarious financial straits: (2), consumer complaints officer has been helpful: (1)

(16) Do you have any complaints concerning the service provided by the Commissioners or the staff of the APUC?

Yes 76% No 12% No Response 12%

Please explain: require excess amount of data: (1), provided misdirection of requirements: (1), takes forever to get anything done: (1), Commission's news releases are often an insult to the integrity and professionalism of the utility: (1), full-time legal council should be retained.

(17) Additional Comments?

gotten hide bound with rigid regulation: (1); some Commissioners and staff are very dedicated: (1), poorly managed: (1), revolving door employee turnover compromises APUC competence: (1), Management Audit of Commission was waste of money; (1), REA coops are very responsive to their memberships demands: (1)

Note 1

Number of Questionnaires sent to APUC regulated Electric and Telephone Nonprofit Cooperative Corporations	17
Number of Responses Received	8
Response Rate	47%

APPENDIX D

QUESTIONNAIRE SENT TO ATTORNEYS WHO
PRACTICE BEFORE THE ALASKA PUBLIC UTILITIES COMMISSION

	<u>Number of Responses</u>
1. Are there any statutes or regulations that you believe to be obsolete, vague, conflicting, unduly restrictive, and/or inadequate to allow the Commission to effectively and efficiently regulate public utilities in Alaska?	
<i>no, not that I have come across</i>	2
<i>none, but I believe APUC should regulate municipalities</i>	1
<i>3AAC 48.170-3AAC 48.080(c) are not consistent with laws of Alaska</i>	1
<i>yes, AS 42.05.421 should be amended to strike the word "initial" and require decisions within 6 month period.</i>	1
<i>AS 42.05.030 should be 5-year term</i>	1
<i>AS 42.05.035 probably unconstitutional breach of separation of powers</i>	1
<i>AS 42.05.050 commission members should not provide the expertise</i>	1
<i>other</i>	9
2. Do you believe the Commission's procedures for processing applications, hearings, and issuing final orders are adequate? Inadequate? Please explain.	
<i>adequate, however informal conferences could save time</i>	1
<i>adequate, concerns of communities have been handled expeditiously</i>	1
<i>yes</i>	2
<i>3AAC 48.080(c) does not provide due process</i>	1
<i>APUC should be faulted for not requiring pre-hearing conferences in complicated cases</i>	1

wholly inadequate, utilized to serve the convenience of the Commission without regard to the interests of the public or the utility 1

rate filings based on a cost-of-living, inflation or consumer price index, or reflective of such, should require only administrative review for approval 1

where growth is rapid and constant, a year-end test year for determination of rates makes more sense than a 13-month test year 1

other 3

3. Are complaints against public utilities resolved in a judicious and expeditious manner, and are those utilities found in violation of APUC's laws, rules and regulations disciplined by the Commission?

Number of Responses

yes 2

yes to first part, don't know to second part 1

judicious, more time needed whereby minor adjustments could be approved quickly and economically 1

cannot comment 2

4. Are regulated utilities and/or the general public given;

- a. adequate notice of impending Commission activity?

Yes 71% No 29%

- b. adequate opportunity for input into Commission decisions?

Yes 8% No 14%

5. What evidence exists demonstrating that the absence of regulation and/or the Alaska Public Utilities Commission would be detrimental to the public's best interests?

No reasonable excuse exists for regulating a small, isolated utility to the same extent as one of comparable size in an expanding area.

1

Unregulated monopolies will charge what they can to maximize profits at the expense of the customer

3

Must have separate service areas to avoid duplication of services

2

RCA

1

Commission has saved Alaskans millions of dollars and kept service to a high level

1

6. Are there any types of public utilities which could be deregulated with respect to certification (designation of geographically described service area) and/or economic regulation (regulation of rates, quality of service, and management practices) without affording the public less protection?

Yes 43% No 43% No Response 14%

If yes, please name the type of utility, the type of deregulation (certification and/or economic), and the consequences, both harmful and beneficial.

<u>Utility</u>	<u>Type of Deregulation</u>	<u>Consequences</u>	<u>Number of Responses</u>
<i>small utilities with annual gross revenues less than \$500,000</i>	<i>paperwork</i>	<i>less cost to utility less cost to consumers less work for Commission</i>	1
<i>garbage collectors</i>	<i>100%</i>	<i>Beneficial</i>	2
<i>CATV</i>	<i>all except provisions for safety of public as to installation</i>	<i>regulation by contract beneficial, regulation by consumer advocate</i>	2

7. Other comments.

Number of
Responses

The APUC is the best run administrative agency in Alaska, it should be retained in its present form.

1

The present Commissions philosophy does not allow any reward or incentive for outstanding efficiency, service, or control.

1

The Commission should be commended for its prompt response to utility emergencies in small towns on short notice.

1

Note 1

Number of Questionnaires sent to attorneys practicing before the APUC

36

Number of Responses Received

7

Response Rate

19%



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

October 5, 1979

RECEIVED

OCT 5 1979

LEGISLATIVE
AUDIT

Mr. Gerald L. Wilkerson
Legislative Auditor
Division of Legislative Audit
Pouch W
Juneau, Alaska

Dear Mr. Wilkerson:

We have reviewed the Alaska Public Utilities Commission's response to your preliminary audit report of the Commission as of August 1, 1979.

We are forwarding the Commission's response for your information. The Executive Branch of Alaska Government; however, reserves the right to make additional reviews and analyses concerning the advisability of combining the Alaska Public Utilities Commission, the Alaska Transportation Commission, and the Alaska Pipeline Commission into a single regulatory commission. Additionally, the Office of the Governor has noted your Recommendation No 12 - to keep the appointment of Chairman of the APUC current.

Sincerely,

A handwritten signature in cursive script that reads "Richard A. Smith".

Richard A. Smith
State Internal Auditor

RAS/PJA/mjc
Enclosure

ALASKA PUBLIC UTILITIES COMMISSION
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

1100 MacKay Building
338 Denali Street
Anchorage, Alaska 99501

Phone (907) 276-6222

October 5, 1979

RECEIVED

OCT 5 1979

LEGISLATIVE
AUDIT

Mr. Gerald L. Wilkerson
Legislative Auditor
Pouch W
Juneau, Alaska 99811

Dear Mr. Wilkerson:

The following is the response of the Alaska Public Utilities Commission to the Performance Review of the Alaska Public Utilities Commission by the Division of Legislative Audit.

Recommendation No. 1

The Alaska Public Utilities Commission, the Alaska Transportation Commission and the Alaska Pipeline Commission should be combined into a single regulatory commission.

The Alaska Public Utilities Commission (referred to hereinafter as APUC or Commission) believes it is appropriate to re-evaluate the merits of a single commission mode of regulating utilities. At this time, however, the APUC cannot unequivocally state that the three regulatory commissions should be combined into a single agency because no documentation that would support that conclusion has been made available to the Commission. The Commission believes it is misleading to make a recommendation of this significance solely on the basis of a comparison of "schemes" used by other states. Certainly the dominant regulatory framework in other states lends credence to the proposition that it is timely to reassess the value to the Alaska public to continue three separate regulatory agencies.

A tabular comparison of various regulatory frameworks is presented to support this recommendation. While informative, the Commission does not believe this analysis is sufficient

documentation on which to base this substantive recommendation. As the analysis indicates, the number of Commissioners has a direct relationship to the number and type of professional Staff. This, in turn, is influenced by its methods of operation, the scope of a Commission's statutory responsibilities, and the number of utilities subject to regulation.

The Commission offers the following comments regarding the advantages postulated by the auditors of a single regulatory agency.

(1) The Commission concurs that a single regulatory agency could result in a reduction in the number of regulatory Commissioners. However, someone must preside at hearings; and, therefore, the establishment of hearing officer positions would be required to offset the diminution in Commissioners. There are jurisdictions that utilize hearing officers to conduct public hearings and to draft proposed decisions for Commissioners' review and determination. The APUC Commissioners hear cases and write substantive orders without the benefit of such Staff* assistance.

(2) Because of the specialization required of the Commission's professional Staff, i.e., expertise in telecommunications, electric, gas, sewer and water utilities, the Commission questions the degree of flexibility that would exist with a combined Staff. The Commission believes that the interchangeability of staff could be limited in practice to emergency-type situations. An analysis of the regulatory responsibilities of the Alaska Pipeline Commission and the Alaska Transportation Commission should provide more factual information in this regard. The Commission does agree that a combined clerical support Staff could provide more flexibility and create a more efficient flow of paperwork.

(3)(4)(5) The Commission believes that joint hearing and reproduction facilities and a shared publications library would provide for more efficient services, not only for a consolidated regulatory body but also for the existing regulatory Commissions. To this end, the Commission has recommended in its last two budgets that the three Commissions be physically co-relocated to a facility that would permit realization of these economies.

*The average regulatory commission in the United States has approximately 200 Staff members as contrasted with 32 Staff assigned to the APUC.

(6) The Commission does not have enough firsthand experience with sophisticated word-processing equipment to comment on this possible reduction.

The APUC strongly supports the concept that adequate human resources, whether in the form of commissioners, hearing officers or other staff, must be provided if the regulatory duties and responsibilities delegated by the Legislature are to be performed in an efficient and effective manner. Moreover, sufficient resources to perform the job are as important under the existing regulatory configuration as they would be in a prospective consolidation into one agency.

Reliance on outside regulatory formulae to support a merger should also be tempered by recognition of circumstances which make regulation unique in Alaska. For example, the APUC is still actively involved in the certification of utilities, in marked contrast to most jurisdictions in the "Lower 48" which have been fully carved up into utility service areas. This is especially pertinent not only to rural Alaska which is in a developmental stage in the utility arena but also extends to the State's largest metropolitan areas where telecommunications utilities have been the subject of recent certification proceedings. While not commanding the newspaper headlines generated by rate increases, the certification process is critical to the public protection function of regulation because it establishes the foundation for a utility's future service and rates.

The APUC believes that concurrent with the sunset review of the Alaska Pipeline Commission, the Division of Legislative Audit or an independent consulting firm should perform a cost-benefit analysis of combining the three regulatory commissions into one. The study should examine both the existing and alternative regulatory frameworks to identify the potential operational and financial gains and losses to be realized under a single consolidated agency.

If the desirability of implementing this recommendation is affirmed by such an in-depth analysis, the Commission strongly believes that the Legislature should assess the scope of the existing responsibilities of the three regulatory commissions before the decision to merge is made. Should the Alaska Transportation Commission continue to regulate dumptrucks and helicopters? Should the APUC continue to regulate

garbage and cable television utilities? What will be the magnitude of the workload of the Pipeline Commission after the TAPS case is completed? Resolution of these and other policy issues would facilitate the Legislature's efforts to define the appropriate regulatory framework for Alaska inasmuch as a determination of whether one commission would better serve the public interest than the existing three do is, in part, dependent on what responsibilities would reside with the single successor agency.

It may be difficult to divorce the mechanics of a merger from any assessment of its practicality and desirability. In this regard affirmative action to consolidate the existing regulatory agencies should include a detailed implementation plan with a realistic timetable which acknowledges that preservation of pending, current, and past decisions of each Commission is critical to the successful transition to one regulatory agency.

The fundamental purpose of the Alaska Public Utilities Commission is to protect the public by awarding certificates of public convenience and necessity to qualified providers of utility services and to ensure that certificated utilities, except where exempted by statute, provide adequate, efficient, and safe services and facilities to the public at just and reasonable rates, terms, and conditions. These two major functions are broadly defined as certification and economic regulation. It should be noted that the consumer protection function of the Commission falls within the broad definition of economic regulation.

The following four recommendations have a common theme. They propose to reduce the scope of the Commission's duties and responsibilities under AS 42.05 by deregulating certain types and sizes of public utilities. These recommendations reflect the audit team's awareness of the acute strains that the APUC's current workload places on its limited resources and ability to competently perform the responsibilities delegated by the Legislature. Additionally, it represents some of the current thinking regarding the necessity and desirability of regulation. After consideration of these

factors, the auditors identified those utilities where they perceived deregulation would have the least detrimental impact on the Alaskan public.

The Legislature faces the choice, implicit in the audit, of prioritizing the responsibilities of the APUC by deregulation of certain utilities or the allocation of adequate resources to the agency to fulfill its statutory assignments. The ultimate policy determination of which, if any, utilities should be exempt from regulation resides exclusively within the purview of the Legislature as the sole source of the Commission's authority. If the deregulation course is elected, it is the Commission's position that the audit team's priorities are generally acceptable with some specific exceptions. These exceptions and the Commission's view of the potential impact of deregulation in the recommended areas are provided to ensure that the ultimate decision is made with the experience and information of the APUC in concert with input from the private sector and the consuming public.

Recommendation No. 2

AS 42.05 should be amended to allow the Alaska Public Utilities Commission to cease all certification and regulation of cable television.

The Commission believes that the definition of telecommunications as found in AS 42.05.701(8) mandates the certification and regulation of cable television (CATV).

The Commission believes that certification should be required for CATV utilities providing service to 10 or more customers. This provides certain minimal protection to the public with respect to the fitness and ability of the serving utilities as more fully discussed in the response to Recommendation #5. More importantly, certification is necessary to assure the orderly development of basic telecommunications services throughout Alaska in light of nationwide technological developments and regulatory trends.

Current legislation before Congress and a more liberal regulation policy by the Federal Communications Commission indicate that telephone companies will shortly be in the position to offer broadband communications* which could

*Broadband communication includes the full range of communication information including, but not limited to, basic telephone, data, and television.

include facilities for television distribution. Ultimately, basic telephone and television service could become so commingled that the economic viability of regulated communication services could be affected.

In some jurisdictions, municipalities award a franchise to a CATV utility. While on the surface this appears to be an attractive alternative to state regulation, the record in recent CATV certification proceedings involving Anchorage and Fairbanks indicates that in the "Lower 48" there has been political abuse of this process and that municipalities which do not have technical and rate-making expertise are unduly burdened by the responsibility to assess which applicant best serves the public interest. In place of economic regulation, municipal bodies have in some instances substituted a shortening of the franchise period, hoping to influence the franchise holder to charge reasonable rates and provide adequate service -- a practice that could backfire and leave the consumer without any service.

The APUC has determined that the public interest is not necessarily served by economic regulation of small cable television utilities and has exempted small CATV's from regulation in a number of instances. These are Eielson Air Force Base, Metlakatla, Craig, Klawock and Thorne Bay. While independently assessing the "nonessential" quality of cable television services, the Legislature should be aware that the APUC files are replete with complaints against CATV utilities, particularly from rural parts of Alaska where there is a captive audience with no alternative form of entertainment and where the entities providing the service have their base of operations outside the State of Alaska.

Recommendation No. 3

AS 42.05 should be amended to allow the Public Utilities Commission to cease certification and regulation of those utilities furnishing collection and disposal service of garbage, refuse, trash, and other waste material.

The Commission supports the elimination of regulation of garbage utilities from its responsibilities and agrees with the economic justification articulated by the sunset auditors.

The Commission would be remiss, however, if it failed to apprise the Legislature of its concerns regarding deregulation

of this public utility service. Based on Commission experience there is a need for some governmental entity to oversee garbage, refuse and disposal operations. Garbage and refuse disposal has long been considered an essential public health and sanitation service, more frequently than not owned, operated or contracted for by municipal governments. The impact of deregulation in this area would be felt primarily by a small percentage of consumers residing outside municipal boundaries. The Commission believes it would be in the public interest to ensure that the municipalities have sufficient extraterritorial jurisdiction under AS 29.48:037 and AS 29.48.040 to oversee the entirety of these operations.

The Commission would also point out to the Legislature that the Department of Environmental Conservation (DEC) currently issues permits for sanitary landfill use and promulgates regulations governing solid waste management. In this regard, the Legislature may wish to consider the DEC as an alternative to municipal regulation of garbage and refuse. The adequacy and availability of a sanitary landfill to a garbage utility is frequently a significant problem which has been brought to the Commission's attention. Because of DEC's current responsibilities in this area, it is appropriate to consider this alternative which would provide end-to-end regulation of garbage utility services.

If a legislative determination is made that garbage utilities should come under the jurisdiction of a state regulatory commission, it may be more in keeping with transportation regulatory practices for the Transportation Commission to resume this function.

Recommendation No. 4

AS 42.05 should be amended to allow non-profit telephone and electric cooperatives to petition for withdrawal from APUC economic regulation.

The Alaska Public Utilities Commission will concur with this recommendation. However, it is the Commission's experience that consumers of electric and telephone cooperatives frequently perceive little difference between co-ops and other public utilities, even though the members own the business and elect the board of directors. The Commission believes that if AS 42.05 is amended to incorporate this recommendation, it would be desirable to promulgate regulations establishing

an orderly procedure for withdrawal from economic regulation by cooperatives.

To further expand AS 42.05.711(b) to allow cooperatives that have withdrawn from economic regulation to subsequently return to the full regulatory jurisdiction of the Commission, while a desirable safeguard of the public interest, could have a detrimental effect on the ability of the APUC to administer and finance its on-going functions. For example, relevant Commission experience is the refusal of the Rural Electrification Administration to provide additional loan monies to the Tlingit-Haida Regional Electric Authority (THREA) until it submitted to APUC jurisdiction. THREA acceded to the jurisdiction of the APUC in December, 1978, because of its financial crises. Significant concerns of the THREA ratepayers and the mayors of the respective villages in which the utility is located has required the Commission to expend dollars for consultant services that would otherwise have been available to fund other existing responsibilities of the agency. Realizing that the decision to return to economic regulation will likely occur only when the cooperative is experiencing significant difficulty, the Commission believes it would be necessary and appropriate to minimize any impact on its existing workload by promulgating regulations governing reinstatement of full regulation after such an election.

It should also be noted that an unregulated telephone cooperative could cause unnecessary expansion of toll facilities of the long lines carrier. A local telephone cooperative not only has an impact on its primary customers but on those who utilize one or two communication networks desiring access to the local exchange. For example, a small deficiency in an unregulated telephone central office switch can deny access to 10 percent of incoming toll calls. It is uneconomical to have a telephone call cross the lower 48 states and be transmitted to the satellite and an Alaska terrestrial facility only to be denied at the terminating central office.

Recommendation No. 5

AS 42.05 should be amended to exempt from economic regulation all utilities with annual gross revenues not exceeding \$100,000.

The Commission concurs with this recommendation.

However, the Commission believes it is in the public interest to continue to require certification of all utilities providing service to 10 or more customers, irrespective of annual gross revenues.

A certificate of public convenience and necessity from a qualified independent agency assures the consuming public that a utility is fit, willing and able to provide service. In addition, a certificate provides economic protection to the small business from unauthorized or potentially ruinous competition. The Commission believes that certification is particularly important to protect the public interest when a small utility will be physically tied to a larger utility network, such as the case of a local exchange telephone company interconnected to the long lines telecommunications carrier or an electric grid system connecting more than one power utility.

Based on the APUC's 1978 Annual Report, 13 utilities currently subject to economic regulation would become exempt if this amendment were approved with the \$100,000 cutoff level. The majority of the 13 utilities are small water companies which historically have generated numerous consumer complaints. These complaints have required a significant commitment of time by the APUC Consumer Protection Section for its investigation and possible resolution and by Commissioners and Staff in public hearings. The Commission would be remiss if it did not point out to the Legislature that the volume of complaints received from the consumers of these relatively small utilities indicates reliance on the public protection provided by regulation for adequate service. Because water service is a necessity, some entity, be it legislative or administrative, will inherit the consumer protection function that the APUC has provided.

The comments of the APUC's Chief of Finance are germane and the Commission believes they should be drawn to the attention of the legislature:

"Water bills have a tendency to be lower than electric or telephone. Therefore, I question whether a gross revenue standard is a fair reflection of the number of people involved. I do not believe the same gross revenue cutoff should be applied to all types of utilities. I think the deregulation of electric and telephone under \$100,000 gross revenues is a good recommendation. Water and sewer should have a different standard.

Some of our most difficult and demanding cases are water utilities. The filings are often poor and inaccurate and accounting records are often nonexistent or in 'shoe-boxes.' We truly protect the public in our review of these utilities. Any given case may require a great deal of time on our part, but I feel it is time well spent. Unlike garbage collection, water service is definitely a necessity."

Recommendation No. 6

The statutes and regulations governing the Alaska Public Utilities Commission should be revised.

The Commission agrees that its statutes and regulations should be revised. The following comments are offered in response to the specific examples delineated by the auditors.

(1) The two cases cited by the auditors "mix apples and oranges." In one, Docket U-75-95 a Commission decision has been upheld in Superior Court that disallowed unamortized rate case expense in a utility's rate base. At issue in the other, Docket U-76-66, was the protection of the public from duplicative utility expenses. Both of these issues are matters of regulatory policy over which the APUC needs discretion and flexibility to respond to current theories and to individual cases.

The Commission believes, however, that regulations establishing guidance for supporting documentation required to justify both internal and external rate case expense are necessary and desirable. The Commission's posture for four years has been reactive. Unfortunately, its workload, mandated by other statutory requirements, has preempted the time necessary to notice, consider and adopt regulations that would allow the regulatory process to function more efficiently.

(2) The Commission concurs that the promulgation of industry performance standards for all regulated utilities is necessary and desirable, but it is also a function of available resources to establish the standards and to enforce them. At the present time the APUC has no operational budget to enforce the existing telephone service standards.

(3) The Commission has requested clarification of its

statute regarding the transfer of certificates of public convenience and necessity. (HB675, 1978 Session.) More interest was generated in the existing statutory ambiguity as a result of PACOM's announced intentions to acquire a controlling interest in RCA ALASCOM. However, the statute remains; and, to date, affected utilities have acceded to Commission jurisdiction in this matter in accordance with the Commission's interpretation of its statute and regulations. Nonetheless, the Commission continues to support clarifying legislation.

(4) The Commission plans to eliminate the discrepancies between its statute and regulations by January 1, 1980.

Recommendation No. 7

The APUC should seek upgrading of salary levels for professional support staff.

There is no question that the most frustrating, expensive and time-consuming problem in the Commission's operation has been the vacancy factor and turnover of its professional Staff as a result of the compensation level.

A salary survey performed by the Division of Personnel in 1977 compared salaries of the Commission's professional Staff to salaries paid by regulatory commissions in other states with a cost-of-living additive. This did not and does not consider reality. The Commission loses its professional people to consulting firms and utilities operating in Alaska, not outside of Alaska. In addition, the Commission has experienced turnover because other State agencies offer a higher salary for the same qualifications and experience. Effective protection of the public interest and efficient utilization of its financial resources dictate that the APUC compensate its professional Staff at a level which attracts and retains qualified and experienced personnel.

Recommendation No. 8

The APUC should implement a time management system.

The Commission concurs that a time management system is a useful administrative tool. The Commission's experience in filling successive vacancies in the Executive Director position has not allowed institution of such a system to date. However, the Commission anticipates that the new

administrative Staff will implement such a system as rapidly as time, knowledge, and experience permit.

Recommendation No. 9

The APUC should develop a cross-reference system for Commission orders and decisions by the courts.

The cross-reference system suggested by this recommendation is desirable and necessary. With adequate funding the computer capability of the Commission could provide the foundation of a cross-reference system for current Commission actions. To recover the decisions of the first eight years of the Commission requires time and budget that is non-existent at present. The Commission plans to dedicate a portion of the time of its newly classified paralegal position to this assignment.

Recommendation No. 10

The Commissioners of the APUC should restrict their involvement in the administrative function of the agency.

The theory behind this recommendation is sound but its strict application must be tempered by reality. As one Staff section head stated in response to this recommendation, "Until we have written policies, a topical reference system and a knowledgeable, interested, hard-working executive director, I don't see how the Commissioners can be expected to restrict their involvement in the administrative function of this agency."

It is the goal of the Commissioners to be relieved of their direct involvement in the administration of the APUC. History dictates this is an evolutionary process. Reality dictates that the Commissioners are ultimately responsible for the public perception of the APUC. Their oversight responsibilities and input in administrative matters will continue as an informative tool for the Staff's managers.

It should be noted that the Commissioners have no independent professional staff and must rely on existing staff personnel for technical expertise and advice only when it does not compromise the independence of the parties in proceedings.

Recommendation No. 11

The APUC should seek to establish separate collocation codes for each section of the Commission.

It may be that the implementation of this recommendation is desirable.

The Commission does have some reservations in this regard due to the small size of its sections, ranging from one to six people. In the past the budget has been earmarked to the workload confronting the Commission. In most proceedings at least two staff sections, the Commission's legal personnel and the Commissioners are involved. Budgeting has been a matter of compromise, cooperation, and re-prioritizing to address the situation at hand.

The Commission will explore with the auditors the perceived benefits to be gained through section collocation codes.

COMMENTS ON ANALYSIS OF PUBLIC NEED

II. "There is also a need for statutory and regulatory amendments to allow for more effective case management and to avoid court appeals of Commission decisions (see Recommendation No. 2 through No. 6)."

It is overly simplistic to assume that statutory and regulatory amendments will eliminate court appeals of APUC decisions. Regulatory and administrative law are evolutionary elements in the system of common law applicable to Commission proceedings. Also, the volatility of regulatory theory and policy combined with the likelihood of a dissatisfied party is conducive to litigation in some instances. Given the nature and scope of APUC activity during recent years, there has been a relatively small number of Commission orders that have been appealed to the Superior Court.

An appeal of a Commission decision, per se, is not an undesirable result of Commission action. In certain instances it is in the public interest to have the case law and statutes clarified and amplified through the appeal process.

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

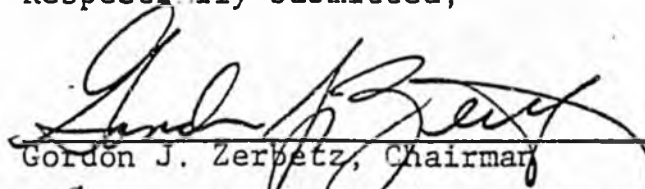
The APUC has been actively involved in reacting to substantive

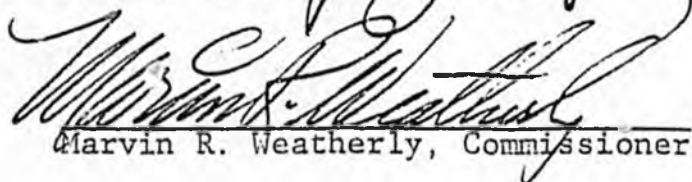
Oct. 5, 1979

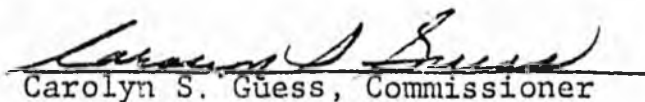
pieces of legislation proposed by others in the past few years. In addition, the Commission has served as a resource to both the Governor's office and the legislative branch of government in the energy and telecommunications fields. And, it well may be more fruitful for deregulation recommendations to come from without rather than from within the Commission.

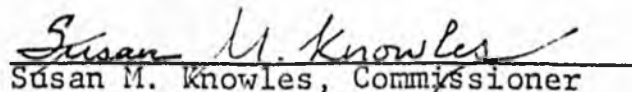
The Alaska Public Utilities Commission believes that the audit conducted by the Division of Legislative Audit was a constructive exercise for the Commission and commends the auditors for the performance of their responsibilities in a thoughtful and unobtrusive manner.

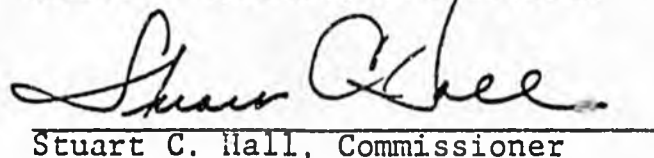
Respectfully submitted,


Gordon J. Zerbetz, Chairman


Marvin R. Weatherly, Commissioner


Carolyn S. Guess, Commissioner


Susan M. Knowles, Commissioner


Stuart C. Hall, Commissioner



Supreme Court

State of Alaska

April 15, 1977

CHIEF JUSTICE
ROBERT BOOCHEVER

JUSTICES
JAY A. RABINOWITZ
ROGER G. CONNOR
ROBERT C. ERWIN
EDMOND W. BURKE

POUCH U
STATE COURT AND OFFICE BUILDING
JUNEAU, ALASKA
99811
907-463-3410

The Hon. Ed Willis
Alaska Senate
Pouch V
Juneau, Alaska 99811

Re: Bell Telephone. v. A.P.U.C.
Superior Case No. 76-2838

Dear Senator Willis:

I have now received a report from Presiding Judge Moody pertaining to the above-entitled case. I am enclosing the a self-explanatory copy of Judge Moody's letter and a copy of Judge Arnold's letter to Ms. Thoms. Similar inquiries to that of Ms. Thoms were received from other residents of Eagle River, and it is my understanding that each has been answered in full.

Thank you for calling this matter to my attention.

Sincerely yours,

Robert Boochever
Chief Justice



Trial Courts

State of Alaska

THIRD JUDICIAL DISTRICT
303 K STREET
ANCHORAGE, ALASKA 99501

RALPH E. MOODY
Presiding Judge

April 12, 1977

Honorable Robert Boochever
Chief Justice, Alaska Supreme Court
Pouch U, State Court & Office Building
Juneau, Alaska 99811

Re: Bell Telephone v. A.P.U.C.,
No. 76-2338--Administrative Appeal

Dear Mr. Chief Justice:

Only after considerable investigation were we able to reconstruct what has, or rather, what has not happened in this particular case.

From the attached copies, you can see that we have answered every inquiry, with the exception of Senator Willis' which was addressed to you, explaining the situation.

In addition to insuring no more unnecessary delays in this particular case, I have directed the Area Court Administrator to research every pending administrative appeal to see if others may need special attention at this time.

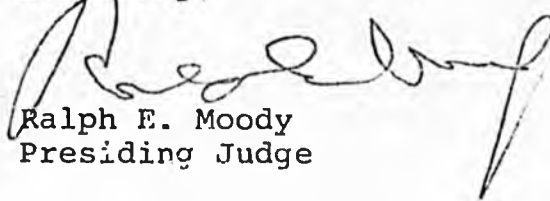
Although it appears that the court was, in part, responsible for this inexcusable delay, it would not have occurred if the attorneys had actively pursued an early disposition.

Honorable Robert Boochever
April 12, 1977

2

We are now working under the activity and pressures of over 8,000 pending civil cases in the Anchorage Trial Courts, and each day that number increases. Nevertheless, we will certainly try to prevent a reoccurrence of this type of problem.

Sincerely,

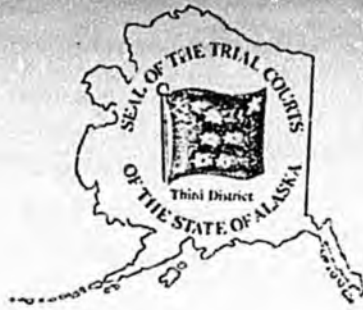


Ralph E. Moody
Presiding Judge

REM: dpd

Enclosures 7

cc:
Area Court Administrator



Trial Courts

State of Alaska

THIRD JUDICIAL DISTRICT
303 K STREET
ANCHORAGE, ALASKA 99501

JAMES E. ARNOLD
Area Court Administrator

April 7, 1977

Ruth J. Thoms
Box 236
Eagle River, AK 99577

Dear Ms. Thoms:

I will commence by apologizing for the delay in answering your letter of March 13, 1977 to Mr. Arthur Snowden, II, which was referred to me. The delay was caused by my investigating and determining just what happened in this particular case.

I have found that Bell Utilities and Development, Inc. appealed from a decision of the APUC denying it a rate increase. The notice was filed on April 13, 1976. On April 26, 1976, Judge Lewis granted Bell a preliminary injunction allowing it to collect the increased rate pending the disposition of the appeal. Bell was ordered to deposit the collected increase in a special interest-bearing account.

On April 26, 1976, Judge Lewis signed an order setting administrative appeal procedures, dealing principally with the preparation of the agency record for the Court's review. Paragraph 3 of the Order required the record to be filed with the Court within sixty (60) days of the service of the Order. This Order was served by mail on May 5, 1976.

For reasons that do not appear in the Court file, the agency record was not delivered to the Court until December 3, 1976. Bell also supplemented the record by filing additional documents on January 10, 1977.

Judge Lewis retired in February 1977, and through error and the enormous press of the business of the Court, this matter lay unnoticed and unattended until you, and other interested citizens, brought the matter to our attention.

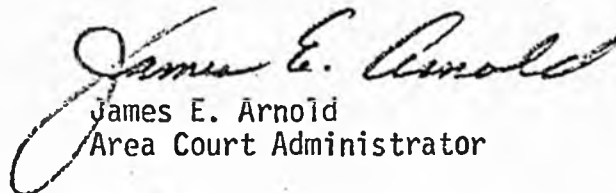
Upon learning of the problem, I requested and obtained authority from the Chief Justice for an assignment for Judge Lewis to return and complete

this matter. The matter has been scheduled and calendared before Judge Lewis on April 12, 1977 at which time I presume he will issue an Order setting a schedule for briefing and allowing the parties to notice the matter for oral arguments, if they so desire.

The Presiding Judge and I will monitor the future progress of this matter, and will insure that there are no more unnecessary delays in a resolution of this dispute.

Please contact me if I can be of any further assistance in this or any other matter.

Sincerely,



James E. Arnold
Area Court Administrator

JEA:cm

cc: Chief Justice Boochever
Presiding Judge
Arthur H. Snowden, II
Judge Lewis

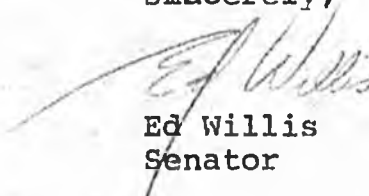
April 19, 1977

Honorable Robert Boochever
Chief Justice, Alaska Supreme Court
Pouch V, State Court & Office Building
Juneau, Alaska 99811

Dear Chief Justice Boochever:

I wish to thank you for investigating the delay in the resolution of Supreme Court Case 76-2838. I sincerely appreciate your prompt and effective response to my request; and I am sure all of the affected residents of Eagle River also appreciate your effort.

Sincerely,



Ed Willis
Senator

EW/amk

STATE OF ALASKA

ALASKA PUBLIC UTILITIES COMMISSION DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

JAY S. HAMMOND, Governor

1100 MacKay Building
338 Denali Street
Anchorage, Alaska 99501

Phone (907) 276-6222

March 24, 1980

Senator W. E. "Brad" Bradley
Chairman, Senate Commerce Committee
Pouch V
Juneau, Alaska 99811

Dear Senator Bradley:

As a follow-up to the Sunset Review of the Alaska Public Utilities Commission I am enclosing supporting documentation for additional Commission staff in order to carry out our existing responsibilities in a timely manner.

As the audit verified, the present level of staffing is inadequate to meet the responsibilities mandated to the Commission under AS 42.05. Testimony from utilities and ARECA during the public hearings of both the Senate and House Commerce Committees support this fact.

To summarize the contents of the enclosed package, 15 additional personnel would be needed if the APUC is to continue its ongoing responsibilities in a more responsive and efficient manner, i.e., the way "we would like to do the state's business". These personnel would be assigned to the following sections:

Engineering - (4)

Engineer II - cable television
Engineer II - energy
Engineer I - energy
Engineer I - telecommunications

Utility Financial Analysts - (3)

UFA III
UFA I
UFA I

Tariff Analyst - (1)

TA III - (new classification)

Communications Carrier Section - (3)

Economist II

Research Analyst II

Clerk Typist III

Administrative Support for above personnel - (4)

Word Processing Supervisor

Word Processing Operator

Clerk Typist III

Clerk Typist I

The approximate salaries of these individuals is \$603,000. Our current budget which is before the Finance Committees is approximately \$1.6 million. This does not include an increase to raise the professional staff salaries to a comparable level; if that occurs, and the Commission is optimistic that it will, an additional \$60,000 would be added to our current budget.

In order to give your committee an idea of the impact of the deregulation recommendations, the Commission provides the following observations: (all elimination of positions refer to the 15 additional positions and not existing positions)

Sunset Recommendation 2 - total deregulation of cable-television utilities: - eliminate one engineering position.

Sunset Recommendation 3 - total deregulation of garbage and refuse utilities: eliminate one financial analyst.

Sunset Recommendation 4 - deregulation of telephone and electric cooperatives: if the 12 electric cooperatives and 7 telephone cooperatives elected deregulation by September 1, 1980, eliminate 1 financial analyst and 1 Engineer II.

Sunset Recommendation 5 - economic deregulation of all small utilities grossing less than \$100,000: This would not materially affect personnel requirements.

Whether or not which, if any, administrative support positions could be eliminated would depend on the implementation of Sunset Recommendations #2 - #5.

In summary, 4 of the 15 additional professional personnel would not be required if the legislature deregulated cable-television, and garbage, and if all REA co-ops elected deregulation by September 1, 1980.

Sincerely,



Carolyn S. Guess
Commissioner

Enclosure
CSG/rt

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- Organization Chart
- Principal Programs
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- Organization Chart
- Principal Programs
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A. Administrative Section

- FY 81 Budget Allocations
- APUC Staff Organization Chart
- Administrative Support Organization Chart
- Adjusted FY 81 Budget

ALASKA PUBLIC UTILITIES COMMISSION

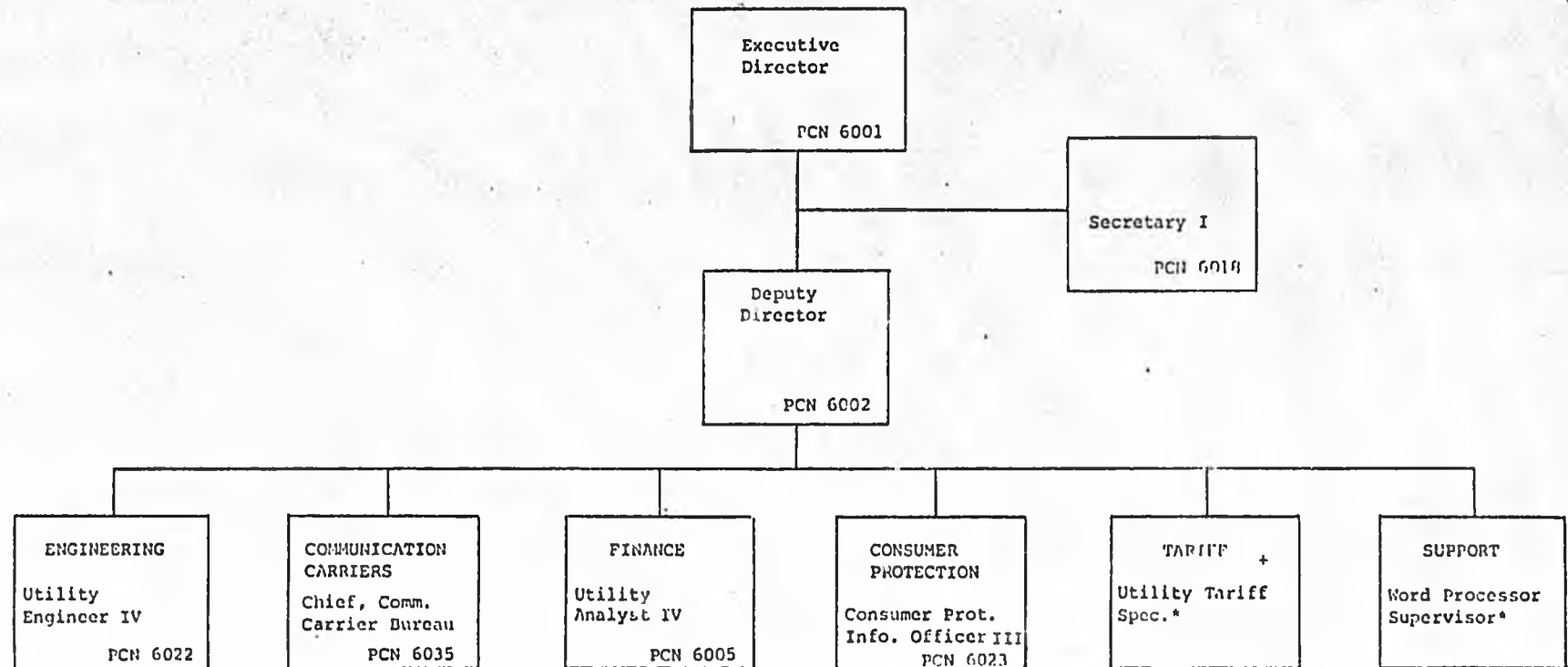
ALLOCATION OF GOVERNORS BUDGET

FY 81

(In Thousands)

	<u>Commissioners</u>	<u>Administration</u>	<u>Engineering</u>	<u>Communications Carriers</u>	<u>Finance</u>	<u>Tariff</u>	<u>Consumer Protection</u>	<u>Total</u>
100 Personal Services	\$352.9	\$232.7	\$300.3	\$46.6	\$255.5	\$76.7	\$122.1	\$1,386.8
200 Travel	15.0	2.8	16.3	6.4	16.1		1.5	58.1
300 Contractual Services	49.2	112.9	7.8	3.3	9.9	4.5	17.1	204.7
400 Commodities	2.5	3.7	1.7	1.0	1.7	1.0	3.0	14.6
500 Equipment		5.4	1.0		1.6		2.0	10.0
Total	<u>\$419.6</u>	<u>\$357.5</u>	<u>\$327.1</u>	<u>\$57.3</u>	<u>\$284.8</u>	<u>\$82.2</u>	<u>\$145.7</u>	<u>\$1,674.2</u>

STAFF ORGANIZATION CHART

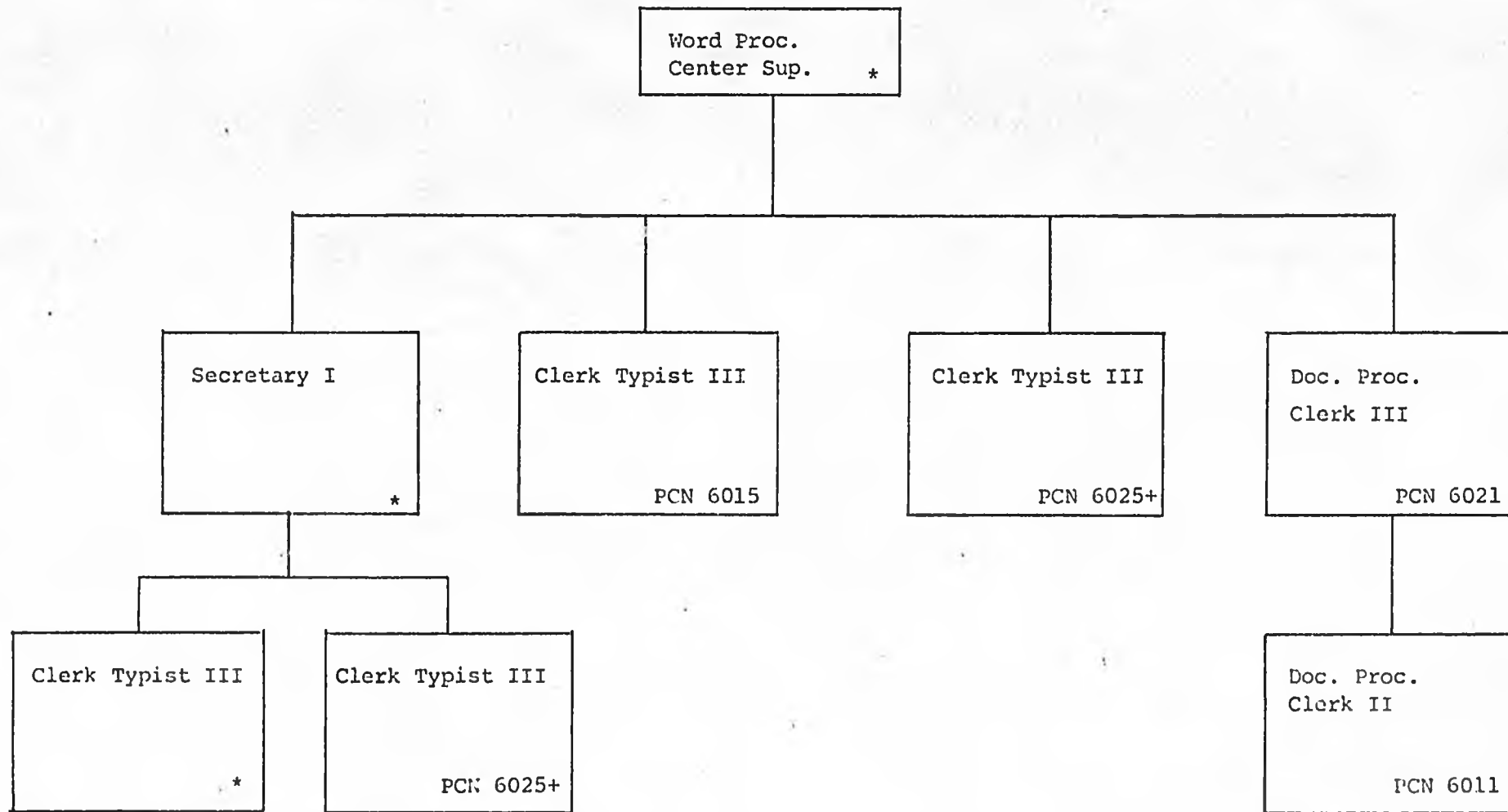


*New position

+New classification requested

ALASKA PUBLIC UTILITIES COMMISSION

SUPPORT ORGANIZATION CHART



*New position requested

+Permanent 1/2 time position

EXECUTIVE DIRECTOR
ADMINISTRATION
FY 81 BUDGET
(In Thousands)

	Allocated FY 81 Budget	Comparable Salary Increment		Adequate Staff Increment	Adjusted FY 81 Budget
100 Personal Services	\$232.7	\$	(1)	\$79.4	\$312.1
200 Travel	2.8				2.8
300 Contractual Services	112.9		(2)	1.5	114.4
400 Commodities	3.7		(3)	1.5	5.2
500 Equipment	<u>5.4</u>	_____	(4)	<u>2.0</u>	<u>7.4</u>
Total	<u>\$357.5</u>	=====		<u>\$84.4</u>	<u>\$441.9</u>

(1) Word Processing Supervisor \$25,373
 Word Processing Operator 19,883
 Clerk Typist III 18,243
 Clerk I 15,944
\$79,443

(2) Maintenance of Equipment \$ 1,000
 Training Fees 500
1,500

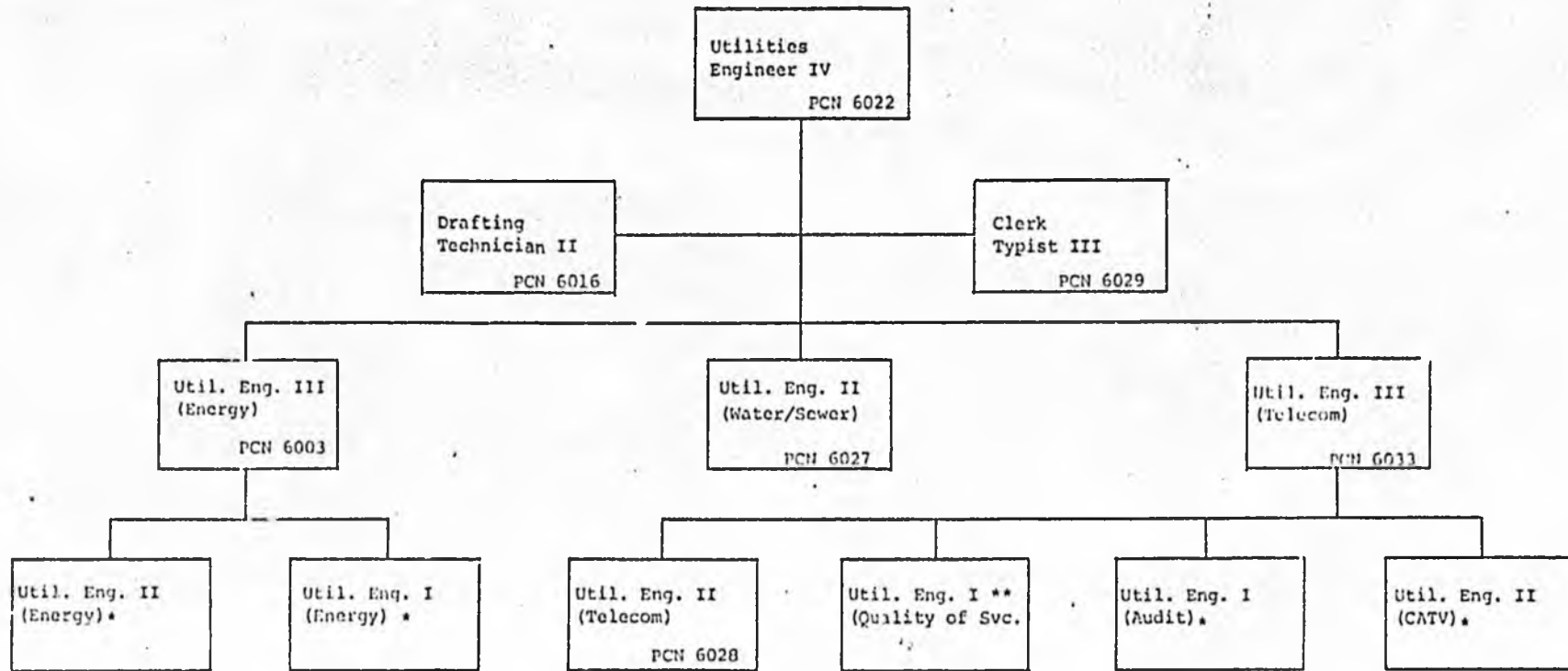
(3) Office Supplies \$ 1,500

(4) Office Equipment \$ 2,000

B. Engineering Section

- Organization Chart
- Principal Programs
- Adjusted FY 81 Budget

ENGINEERING ORGANIZATION CHART



*New position requested

**New position requested in Governor's FY81 Budget Request

Principal Programs in Engineering

Rate Base

1. Audit Continuing Property Records and determine whether plant is used and useful.

This involves auditing on a sampling basis and requires the use of layout drawings and staking sheets to determine the actual location of the equipment. Physical testing of telephone equipment (amplifiers, etc.) may be required to assure that particular equipment is actually in use.

2. Determine if rate base is reasonable or unduly inflated due to poor decisions.

Work done on occasional basis at the Commission has revealed that some utilities do not have sufficient control over the rate base. Examples include: 1) Plans based on outdated forecasts done in the lower 48 which also ignored higher Alaskan labor rates have resulted in uneconomical additions to plant and 2) projects placed in limbo before they materialize accumulate excessive engineering labor hours before they became active.

3. Audit of Work Orders and associated accounting.

This is necessary to establish the reasonableness of material, engineering, labor, supply and overhead charges to determine the proper allocation between capital and expense costs, and to insure prompt capitalization and retirement of property.

4. Review depreciation rates and studies.

In many locations of Alaska, depreciation rates may differ from industry norm due to the unique conditions encountered.

Rate Design/Tariffs

1. Review allocation studies.

This involves detailed studies of equipment and of the effort involved to put it into service which will determine a fair and reasonable allocation of charges to the various types of services offered by utilities. In telecommunications utilities tend to assign excessive costs to noncompetitive services.

2. Review reasonableness of material, engineering and labor rates used to develop individual tariffs. Work is similar to that described in 1 above and may include the witnessing of actual installations.

3. Approve portions of tariff text that is related to equipment and engineering.

Quality of Service

1. Develop and update service standards.

To date, only telecommunications service standards have been promulgated (3 AAC 52.200-3 AAC 52.340). Standards should be developed for electric, water/sewer, and other utilities. Once developed, standards must be updated to keep current with changing conditions.

2. Field Testing

Only actual on site testing can determine the quality of service provided. It is planned to have an Engineer I "on the road" about 40% of the time who will use specialized test equipment and will audit outage logs to determine the level of service provided by utilities. The engineer will also analyze service problems and determine whether they are caused by faulty or insufficient equipment or poor management control. Emphasis will be placed in telecommunications which is particularly sensitive to service problems where localized minor problems often affect the entire network. For example, poor operator answer time, aside from irritating customers, causes needless use of long distance circuits for the sole purpose of ringing the operator. This in turn distorts usage data and leads to major expenditures for unnecessary equipment additions. Another example is the underprovision of low cost terminal equipment which causes backups in the satellite network.

3. Review of service reliability and contingency plans. Age and reliability of primary and backup equipment will be considered to determine their adequacy. It is planned to study the economic feasibility of providing equipment diversity. Commission involvement seems also necessary to encourage utilities to develop and maintain contingency plans for emergency situations.

4. Review adequacy of system design.

On site review of existing and planned additions to facilities frequently reveal bottlenecks and weak spots which require urgent correction. Beside on site review, it is planned to maintain usage trend data of principal equipment and facilities to pinpoint potential deficiencies.

5. Test accuracy of long distance billing.

Long distance billing is performed by equipment that is integral with central office switching machines. For this reason, the testing of the accuracy of this billing lies with the APUC rather than the Weights & Measures Section.

6. Investigation of Quality of Service Complaints.

This work consists in conducting special investigations related to specific customer complaints.

Management Review

1. Evaluation of Utility Construction Programs.

Construction programs will be reviewed to determine whether they are adequate to meet current and future service needs. Work will consist in ferreting out weak points and in determining whether plans are compatible between utilities. Included will be discussion with utilities whether corrective action is practical and a review regarding practical implementations of new or alternate technologies (e.g., energy sources). It is expected that economic studies will be made or reviewed where alternate courses of actions are possible. It is believed that Commission review of construction programs is especially necessary when such programs are dictated by parent companies in the lower 48 without much regard or appreciation of Alaskan needs.

2. Productivity Studies.

Labor costs and productivity will be examined for reasonableness. This will include a comparison of productivity rates between companies and include a careful review of cases where productivity rates in Alaska deviate from those in the lower 48.

3. Maintenance Programs.

Utility maintenance programs will be evaluated through examination of records and routine maintenance procedures.

4. Investigation of Management Troublespots.

Programming is now underway to establish computer auditing of utility annual reports. It is planned to have computerized ratio and trend analysis pinpoint possible management trouble spots which subsequently will be investigated (e.g., strong deviations from the mean of General & Administrative expenses per customer; excessive uncollectibles per customer, etc.).

Certification/ transfers

Applications for, or transfers of a certificate of public convenience and necessity require an investigation in the applicant's fitness, willingness and ability to operate the contemplated utility service. Engineering applies this criterion to the review of the applicant's plans, of his management, engineering and operational strengths, and coordinates with the finance section in determining financial fitness.

Special Projects

These will primarily consist in the establishment of new methods and procedures for the engineering section.

ENGINEERING, ENVIRONMENTAL PROTECTION
AND PLANNING SECTION
FY 81 BUDGET
(In Thousands)

	Allocated FY 81 Budget	Comparable Salary Increment		Adequate Staff Increment	Adjusted FY 81 Budget
100 Personal Services	\$300.3	\$16.2	(1)	\$139.7	\$456.2
200 Travel	16.3		(2)	8.3	24.6
300 Contractual Services	7.8		(3)	20.8	28.6
400 Commodities	1.7		(4)	.2	1.9
500 Equipment	<u>1.0</u>	_____	(5)	<u>3.8</u>	<u>4.8</u>
Total	<u>\$327.1</u>	<u>\$16.2</u>		<u>\$172.8</u>	<u>\$516.1</u>

(1) Engineer II - CAMV \$ 38,592
 Engineer II - Energy 38,592
 Engineer I - Energy 31,258
 Engineer I - Telecom 31,258
\$139,700

(2) Staff Audits \$ 2,500
 NARUC School 1,200
 NARUC Meetings 1,400
 Industry Schools 1,200
 Compliance Investigation 2,000
\$ 8,300

(3) Postage and Telephone \$ 2,400
 Office Space 16,500
 Maintenance of Equipment 1,000
 Training Fees 900
\$ 20,800

(4) Office Supplies \$ 200

(5) Office Equipment \$ 3,800

C. Communication Carrier Section

- Organization Chart
- Principal Programs
- Adjusted FY 81 Budget

COMMUNICATIONS CARRIERS SECTION
 FY 81 BUDGET
 (In Thousands)

	<u>Allocated FY 81 Budget</u>	<u>Comparable Salary Increment</u>		<u>Adequate Staff Increment</u>	<u>Adjusted FY 81 Budget</u>
100 Personal Services	\$ 46.6	\$ 3.3	(1)	\$ 86.0	\$135.9
200 Travel	6.4		(2)	3.5	9.9
300 Contractual Services	3.3		(3)	8.8	12.1
400 Commodities	1.0		(4)	.4	1.4
500 Equipment	<u> </u>	<u> </u>	(5)	<u>2.1</u>	<u>2.1</u>
Total	<u>\$ 57.3</u>	<u>\$ 3.3</u>		<u>\$100.8</u>	<u>\$161.4</u>

(1) Utility Economist \$38,592
 Research Analyst II 29,164
 Clerk Typist III 18,243
\$85,999

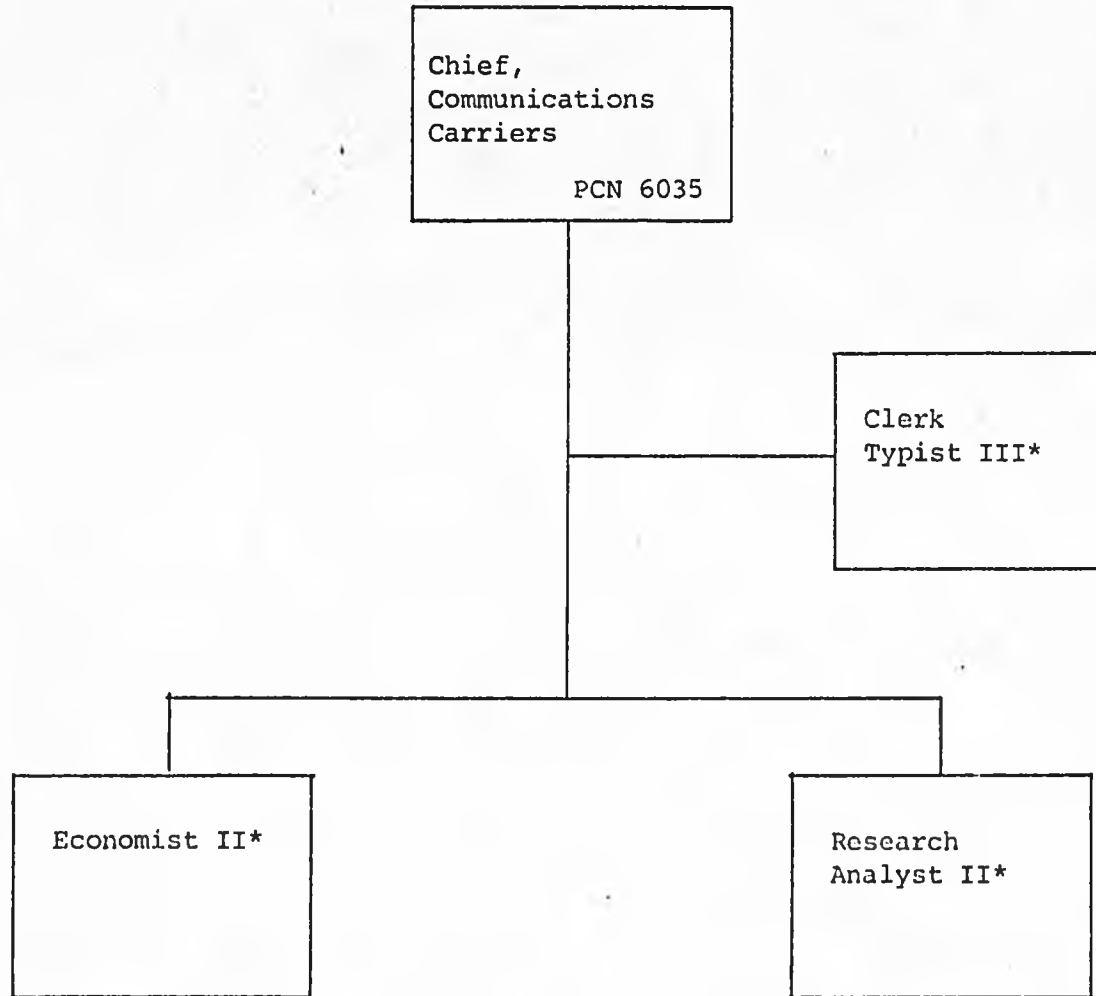
(2) Administrative \$ 900
 NARUC School 1,200
 NARUC Meetings 1,400
\$ 3,500

(3) Printing \$ 1,000
 Office Space 7,800
\$ 8,800

(4) Office Supplies \$ 400

(5) Office Equipment \$ 2,100

ALASKA PUBLIC UTILITIES COMMISSION
COMMUNICATIONS CARRIERS ORGANIZATION CHART



*New position requested.

PRINCIPAL PROGRAMS IN COMMUNICATION CARRIERS

COMMUNICATIONS ACT REWRITE

Congress and the Administration are currently considering amending the Communications Act of 1934, the legislation that created the Federal Communications Commission. Four bills have been introduced, two in the Senate and two in the House, and the Administration is aggressively promoting its own proposal through the National Telecommunications and Information Agency.

Some of the proposals would drastically alter the arrangements under which telephone companies are interconnected. Specifically at issue is the division of toll revenue between long distance companies and local companies. One proposal is that the present system of toll settlements be replaced by a system of "access charges".

Just as the viability of telephone service in Alaska is sensitive to specific toll settlement arrangements, it would be similarly sensitive to specific access charge or other arrangements. It is essential that the APUC monitor rewrite progress and provide input as appropriate.

TOLL RATE DESIGN

In considering Alascom's request for a permanent general rate increase (Docket U-78-4) the APUC has elected to separate the issue of toll rate design and first consider the

question of an "across the board" rate increase. The first phase of the proceeding is expected to reach a conclusion in the near future and the Commission will soon begin consideration of rate design.

Rate design is the process whereby, having determined the utility's overall revenue requirement, the Commission determines specific rates for specific services. Toll rate design answers such questions as whether a call from Anchorage to Iliamna should cost more than a call from Anchorage to Juneau, considering that the distance is smaller but the cost of completing the call may be greater.

Toll rate design is a very complex matter and will require a great deal of attention by the Section as well as the services of one or more consultants.

RURAL TELEPHONE DEVELOPMENT

Although telephone service is generally available to all Alaskans, many villages are served by only a single telephone. In the past few years, few companies have applied to the APUC for certification to provide local exchange service in villages, and a small number of villages are presently receiving such service.

Local exchange operation in a village is, unfortunately, an economically marginal operation. The viability of a local exchange company is very sensitive to the toll settlements arrangements (or access charge arrangements that may be instituted by a

Communications Act rewrite) in effect. To insure continued rural telephone development, it is essential that the Commission, through this Section, monitor the progress of rural telephone developments and the economic health of the small local exchange companies.

STATE NETWORK DEVELOPMENT

As the State's telecommunications needs grow, so its telecommunications network must grow to meet those needs. The network must provide a sufficient number of circuits of adequate quality, and in addition, the circuits must be reliable.

The network will meet needs only if it is developed in accordance with good engineering practice. To insure proper network development, the Section must, with the support of the Engineering Section, monitor the process.

Alaska State Legislature

TELECONFERENCE HEARINGS



SUBJECT: *APUC*

COMMITTEE: *SENATE COMMERCE COMMITTEE*

DATE: *3/13/80*

TIME: *1:30*

SITES PARTICIPATING: *ALL*

CONFERENCE MODE: *Audio*

LOCATION: *Soldotna*

MODERATOR: *Rhoda Eady*

NOTES:

CONFIRMATION OF CONFERENCE
CENTER: _____

PUBLICITY: *Committee made*

Invitational -

	Date	Quantity
PSAs		
News releases (local)	<i>Clavin Chueha Crosby</i>	<i>4 papers</i>
News releases (outlying media)	<i>} KSRN. } KBB1</i>	<i>} radio</i>
Direct mail	_____	_____
Phone contacts	<input checked="" type="checkbox"/>	_____
Other:		

NUMBER IN ATTENDANCE 1
NUMBER TESTIFYING 0

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME NORMAN WALLIS

Here to Testify

REPRESENTING PENINSULA

Here to Observe ✓

SANITATION

MAILING ADDRESS P.O. Box 599, KANAI AK zip 99611

TELEPHONE NUMBER 262-4127

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Norman F. Wallis
(signature)

EVALUATION: Have you participated in other legislative teleconferences? YES If so, how many? 3

How did you learn about this hearing?

Would you have participated in this hearing if the network were not available? NO

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? _____

DATE 3/13/80 SUBJECT APUC LOCATION Seldotna

TELECONFERENCE HEARINGS



SUBJECT: ALASKA PUBLIC UTILITIES COMM.

COMMITTEE: *Senate*
~~SENATE~~ COMMERCE

DATE: MARCH ¹¹ 5, 1980, Y Court 2-13-20 at 3:00 p.m.

TIME: 3:00 PM

SITES PARTICIPATING:

CONFERENCE MODE: AUDIO

LOCATION: ROOM 301, S. O. B.

MODERATOR:

NOTES:

CONFIRMATION OF CONFERENCE
CENTER: YES

PUBLICITY:

Invitational -

	Date	Quantity
PSAs	<u>3/7</u>	<u>3</u>
News releases (local.)	<u>KTA Daily News</u> <u>KX3D</u> <u>KTKN</u>	<u> </u>
News releases (outlying media)	<u> </u>	<u> </u>
Direct mail	<u> </u>	<u> </u>
Phone contacts	<u> </u>	<u> </u>
Other:		

NUMBER IN ATTENDANCE
NUMBER TESTIFYING

3/11 *3/13*
2 1
0 1

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Malcolm Cheek Here to Testify ?
REPRESENTING Matanuska Electric Assoc. Here to Observe
(office) P.O. Box 1148 Palmer AK 99645
MAILING ADDRESS (Home) P.O. Box 3010 Wasilla AK zip 99687
TELEPHONE NUMBER 745-3231

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Malcolm Cheek
(signature)

EVALUATION: Have you participated in other legislative teleconferences? yes If so, how many? One
How did you learn about this hearing?
Public Notice

Would you have participated in this hearing if the network were not available? yes

If yes, did you use the network
 instead of travel
 instead of phone conversations
 instead of mailed testimony?

Are you also providing written testimony? Have Already

DATE 3/13/80 SUBJECT Sunset Review - ABUC LOCATION

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Henry H. Wutzl

Here to Testify _____

REPRESENTING MEA

Here to Observe X

MAILING ADDRESS P.O. Box 1148 zip 99645

TELEPHONE NUMBER 745-3231

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

(signature)

EVALUATION: Have you participated in other legislative teleconferences? _____ If so, how many? _____

How did you learn about this hearing?

Would you have participated in this hearing if the network were not available? _____

If yes, did you use the network

_____ instead of travel

_____ instead of phone conversations

_____ instead of mailed testimony?

Are you also providing written testimony? _____

DATE _____ SUBJECT _____ LOCATION _____