



LAWS OF ALASKA

1990

Source

SCS CSHB 300(L&C)

Chapter No.

140

AN ACT

Relating to acquisition and ownership of capital stock of a public utility by a political subdivision; relating to certain property records maintained by public utilities; and including the customers of a public utility that has an annual compensation in excess of \$50,000 in the definition of "public" for public utility regulation; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 15

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 21, 1990
Actual Effective Date: June 22, 1990

AN ACT

Relating to acquisition and ownership of capital stock of a public utility by a political subdivision; relating to certain property records maintained by public utilities; and including the customers of a public utility that has an annual compensation in excess of \$50,000 in the definition of "public" for public utility regulation; and providing for an effective date.

* Section 1. AS 37.10.085(a) is amended to read:

(a) Except as provided in (c) of this section, neither [NEITHER] the state nor a political subdivision of the state may

(1) make a subscription to the capital stock of a corporation;

(2) lend its credit for the use of a corporation; or

(3) borrow money for the use of a corporation.

* Sec. 2. AS 37.10.085 is amended by adding a new subsection to read:

(c) To the extent that the political subdivision is authorized to acquire, own, or operate a public utility, it may exercise that power by acquiring and owning, in a manner consistent with law, all of the capital stock of a corporation that owns or operates a public utility. The political subdivision's authority with respect to lending its credit and borrowing money for the use of the corporation is the same as if the political subdivision had acquired the assets of

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1 the corporation.

2 * Sec. 3. AS 42.05.461 is amended to read:

3 Sec. 42.05.461. CONTINUING PROPERTY RECORDS. The commission may
4 require a public utility to establish, provide, and maintain as a part
5 of its system of accounts, continuing property records segregated by
6 the year of placement in service, including a list or inventory of all
7 the units of tangible property used or useful in the public service,
8 identifying the property by location and project [SHOWING THE CURRENT
9 LOCATION OF THE PROPERTY UNITS BY DEFINITE REFERENCE TO THE SPECIFIC
10 LAND PARCELS UPON WHICH THE UNITS ARE LOCATED OR STORED]. The commis-
11 sion may require a public utility to keep accounts and records in
12 [SUCH] a manner that shows [AS TO SHOW, CURRENTLY,] the original cost
13 of the property when first devoted to the public service, and the
14 current related reserve for depreciation. A public utility with
15 annual revenues exceeding \$100,000 shall keep continuing property
16 records.

17 * Sec. 4. AS 42.05.720(3) is amended to read:

18 (3) "public" or "general public" means

19 (A) a [ANY] group of 10 or more customers that pur-
20 chase the service or commodity furnished by a public utility, [AS
21 DEFINED IN (4) OF THIS SECTION; AND]

22 (B) one or more customers that purchase electrical
23 service for use within an area that is certificated to and
24 presently or formerly served by an electric utility if the total
25 annual compensation that the electrical utility receives for
26 sales of electricity exceeds \$50,000; and

27 (C) a [ANY] utility purchasing the product or service
28 or paying for the transmission of electric energy, natural or
29 manufactured gas, or petroleum products that [WHICH] are re-sold

1 to a person or group included in (A) or (B) of this paragraph or
2 that [WHICH] are used to produce the service or commodity sold to
3 the public by the utility;

4 * Sec. 5. The amendment made to AS 42.05.720(3) by sec. 4 of this Act
5 does not apply to an entity that was selling a product or service to cus-
6 tomers before the effective date of this Act.

7 * Sec. 6. This Act takes effect immediately under AS 01.10.070(c).
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