



# LAWS OF ALASKA

2002

**Source**

CSSB 324(L&C)

**Chapter No.**

74

**AN ACT**

Providing that a utility or electric operating entity owned and operated by a political subdivision of the state competing directly with a telecommunications utility is not subject to the Alaska Public Utilities Regulatory Act.

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

THE ACT FOLLOWS ON PAGE 1

**Approved by the Governor:** June 20, 2002  
**Actual Effective Date:** September 18, 2002

AN ACT

1 Providing that a utility or electric operating entity owned and operated by a political  
2 subdivision of the state competing directly with a telecommunications utility is not subject to  
3 the Alaska Public Utilities Regulatory Act.

4

5 \* Section 1. AS 42.05.711(b) is amended to read:

6 (b) Except as otherwise provided in this subsection and in (o) of this section,  
7 public utilities owned and operated by a political subdivision of the state, or electric  
8 operating entities established as the instrumentality of two or more public utilities  
9 owned and operated by political subdivisions of the state, are exempt from this  
10 chapter, other than AS 42.05.221 - 42.05.281 and 42.05.385. However,

11 (1) the governing body of a political subdivision may elect to be  
12 subject to this chapter; and

13 (2) a utility or electric operating entity that is owned and operated by a  
14 political subdivision and that directly competes with another utility or electric

Chapter 74

1 operating entity is subject to this chapter and any other utility or electric operating  
2 entity owned and operated by the political subdivision is also subject to this chapter;  
3 this paragraph does not apply to a utility or electric operating entity owned and  
4 operated by a political subdivision that competes with a telecommunications  
5 utility.