

CS FOR HOUSE BILL NO. 313(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 4/22/24

Referred: Finance

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the calculation of the regulatory cost charge for public utilities and**
2 **pipeline carriers; relating to preapproval for construction of energy facilities; exempting**
3 **utilities that furnish residential waste collection services in competitive markets from**
4 **regulation; and providing for an effective date."**

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

6 *** Section 1.** AS 42.05.254(a) is amended to read:

7 (a) A regulated public utility or a certificated utility that provides
8 telecommunications services operating in the state shall pay to the commission an
9 annual regulatory cost charge in an amount not to exceed the maximum percentage of
10 adjusted gross revenue that applies to the utility sector of which the utility is a part.
11 The regulatory cost charges that the commission expects to collect from all regulated
12 utilities and certificated utilities providing telecommunications services may not
13 exceed the sum of the following percentages of the total adjusted gross revenue of all
14 regulated public utilities and certificated utilities providing telecommunications
15 services derived from operations in the state: (1) not more than .98 [.7] percent to fund

1 the operations of the commission, and (2) not more than .22 [.17] percent to fund
 2 operations of the public advocacy function under AS 42.04.070(c) and
 3 AS 44.23.020(e) within the Department of Law. An exempt utility that does not
 4 provide telecommunications services shall pay the actual cost of services provided to
 5 it by the commission.

6 * **Sec. 2.** AS 42.05 is amended by adding a new section to read:

7 **Sec. 42.05.705. Preapproval for construction of energy facility.** The
 8 commission may not require preapproval under this chapter for construction of an
 9 energy facility that is

10 (1) an electric power generating plant or combination of plants at a
 11 single site with a combined capacity of less than 15,000 kilowatts; or

12 (2) an energy storage device or combination of devices at a single site
 13 with a combined capacity of less than 15,000 kilowatts.

14 * **Sec. 3.** AS 42.05.711 is amended by adding a new subsection to read:

15 (w) A utility that furnishes collection and disposal service of garbage, refuse,
 16 trash, or other waste material to residential customers in an area where two or more
 17 utilities are competing to furnish identical service is exempt from the provisions of this
 18 chapter.

19 * **Sec. 4.** AS 42.06.286(a) is amended to read:

20 (a) A pipeline carrier operating in the state shall pay to the commission an
 21 annual regulatory cost charge in an amount not to exceed the sum of the following
 22 percentages of gross revenue derived from operations in the state: (1) not more than
 23 .98 [.7] percent to fund the operations of the commission, and (2) not more than .22
 24 [.17] percent to fund operations of the public advocacy function under
 25 AS 42.04.070(c) and AS 44.23.020(e) within the Department of Law. A regulatory
 26 cost charge may not be assessed on pipeline carrier operations unless the operations
 27 are within the jurisdiction of the commission.

28 * **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).