

Application For A Transfer Of A Certificate Of Public Convenience And Necessity

Dear Applicants:

Thank you for taking the time to fill out an application with the Regulatory Commission of Alaska ("Commission"). Our regulations require that all *applications for a transfer of a certificate of public convenience and necessity* be filed electronically over the Commission's website. If this is your first time filing an application with the Commission, Information and Guidelines for filing an application electronically are available here:

<http://rca.alaska.gov/RCAWeb/Documents/Help/SubmissionGuide.pdf>

In addition to providing all of the information requested in APUC FORM PU 103, the application enclosed with this letter, all applications must include the following items:

- A *proposed* public notice describing the nature of the application, and that meets the language requirements set forth in [3 AAC 48.648\(e\)](#). A template notice that generally meets Commission requirements is included with this application package.
- A purchase order that demonstrates you have arranged for your *proposed* public notice to be published in a newspaper of general circulation in the state. (A purchase order can be in the form of a receipt from the newspaper or an email from the newspaper stating that you have arranged for payment and publishing of the *proposed* notice.)

Note: The applicants do not issue the final public notice. The Commission will review the proposed notice filed with your application, make changes as necessary, and issue the final public notice using the purchase order you provide with your application package.

If you do not wish to complete any portion of the application, you will have to file a motion for waiver, separate from your application, that meets the requirements set forth in [3 AAC 48.805](#)

You can request that any portion of your application be made confidential by filing a separate petition for confidentiality that meets the requirements set forth in [3 AAC 48.045](#)

If the Commission can be of further assistance with the completion of your application, call (907) 276-6222 and ask for the Engineering Section, or Common Carrier Section. Alternatively, you can send an email to: engineering.rca@alaska.gov or commoncarrier.rca@alaska.gov

Sincerely,

The Regulatory Commission of Alaska
701 West Eighth Avenue, Suite 300
Anchorage, Alaska 99501

STATE OF ALASKA

ALASKA PUBLIC UTILITIES COMMISSION

In re: Application for Transfer)	Reserved for Commission use
_____)	
of the Certificate of Public)	Date filed
_____)	
Convenience and Necessity No.)	
_____)	
to operate as a)	Docket No. _____
_____)	
_____ 1/public)	
_____)	
utility, from)	
_____)	
_____)	
to)	
_____)	
_____)	

To the Alaska Public Utilities Commission:

APPLICATION 2/

_____, hereinafter referred to as the transferor and _____ hereinafter referred to as the transferee, or together as the applicants, jointly apply for assignments to the transferee of Certificate of Public Convenience and Necessity Number _____ and in support state as follows:

1. This application is brought under the provisions of AS 42.05 to transfer the Certificate of Public Convenience and Necessity No. _____.
2. Attached hereto as Exhibit A are copies of all agreements, contracts and other data setting forth in full the terms, conditions, consideration, authority, etc. by which the

applicant proposes to effect the transfer of the certificate of public convenience and necessity.

_/ Please refer to attached instructional footnotes.

3. Attached hereto as Exhibit B is a detailed list of all assets and liabilities, which the applicants proposes to transfer, classified in accordance with the applicable uniform utility system of accounts showing the original cost when first devoted to public service or acquisition cost, whichever is lower, to the transferor, and the related accumulated depreciation to the proposed date of transfer. 3/
4. The transferee is 4/.
5. Attached hereto as Exhibit D is evidence of transferee's legal status 5/:
6. The owners of five percent or more of transferee's equity together with addresses and percent ownership of each are 6/:
7. The names and titles of transferee's key management personnel 7/ together with a resume of qualifications of each relevant to the conduct of the utility operation are:
8. The following authorizations, franchises, and permits are required by public authorities (including federal) other than by this Commission to effect the proposed transfer of ownership and operating rights:
9. Attached hereto as Exhibit E is a general narrative statement setting forth the reasons this proposed transfer is in the public interest or is not contrary to the public interest.
10. Attached hereto as Exhibit F is transferee's proposed tariff including rates, rules, and regulations.8/

_/ Please refer to attached instructional footnotes.

11. Attached hereto as Exhibit G are transferee's:9/

a. Comparative statement of financial condition at the beginning and at the end of the most recent calendar year;

b. Related comparative statements of income and undistributed earnings for the years then ended.

12. Attached is Exhibit H is transferee's statement of the sources of financing for the proposed acquisition of the transferor's utility assets and liabilities, including the terms of proposed loans and equipment contracts, and documentary evidence in support thereof.

13. By virtue of the signature below, the applicants thereby authorize the Alaska Public Utilities Commission to arrange notice of the application herein to other utilities and interested parties by publication in newspapers of general circulation in the applicant's existing and/or proposed service area, for which the transferor/transferee (cross out one) agrees to pay the cost of publication.

14. WHEREFORE, the applicants pray that the Alaska Public Utilities Commission grant the request for assignment of Certificate of Public Convenience and Necessity No. _____, and such other relief as may be necessary and proper under the circumstances.

DATED at _____, Alaska, this _____ day of _____, 2000.

Name of Transferor Name of Transferee

By: _____ By: _____
Principal officer or owner Principal officer or owner

Name and title Name and title

_/ Please refer to attached instructional footnotes.

_____ Address of Transferor	_____ Address of transferee
_____ ATTEST:	_____ ATTEST:
_____ Signature	_____ Signature
_____ Name and title	_____ Name and title

_/ Please refer to attached instructional footnotes.

STATE OF ALASKA)
) SS.
_____ JUDICIAL DISTRICT)

_____ and _____
_____, being first duly sworn, on oath
depose and say that they are respectively the _____ of
the Transferor and the _____ of the Transferee, the
applicants herein; and that they have read the foregoing
application and are familiar with the contents thereof; and that
the statements therein contained are true to the best of their
knowledge, information, and belief.

SUBSCRIBED AND SWORN TO before me this _____ day of _____,
2000.

Notary Public in and for the State
of Alaska

My commission Expires: _____

_/ Please refer to attached instructional footnotes.

(Revised 4/72)

INSTRUCTIONAL FOOTNOTES

General:

this form is furnished for your convenience to be used primarily as a working draft. Your final typed application is to be submitted in an original and one conformed copy and should not include the instructional footnotes. However, the form itself may be used as the application if you prefer to do so. In that event, any blanks not otherwise filled in should be marked "Not Applicable" or "None" as appropriate.

The application should be prepared in sufficient detail to enable you to go forward at a hearing, on reasonable notice, on the data which has been submitted and to sustain the burden of proof. The Commission is desirous of avoiding delays in processing applications. To this end it is recommended that the application and exhibits be of sufficient scope and format to be the applicant's case-in-chief in the event the matter is set for hearing.

- 1/ Under AS 42.05.221(a) separate applications are required for each type of utility, i.e.: electric, gas, water, sewer, or telecommunications.
- 2/ An original and one conformed copy of the application are to be furnished. With each application relating to a certificate, the applicant shall pay the Commission a fee of \$50.00 which shall be deposited in the General Fund of the State (AS 42.05.661).
- 3/ A tentative statement may be furnished initially with complete data furnished within 6 months of the effective date of the transfer. See Plant Instructions of the applicable utility Uniform System of Accounts.

_/ Please refer to attached instructional footnotes.

- 4/ Set forth whether (a) transferee is an individual proprietorship, partnership, or corporation, (b) the date of organization and location of principal office and (c) if a foreign corporation, the state of incorporation. A municipality need state only that it is "a municipality organized under the laws of the State of Alaska".
- 5/ For transferee corporations attach a conformed copy of:
- (a) Certificate of Incorporation executed by the Commissioner of Commerce (If a foreign corporation, the certificate to do business in Alaska executed by the Commissioner of Commerce); and
 - (b) Articles of Incorporation; and
 - (c) Bylaws

For partnerships, attach a copy of the partnership agreement in place of the foregoing. Individual proprietorships and municipalities may omit this paragraph.

- 6/ This information is required whether applicant is sole proprietorship, partnership, or corporation. In the case of a corporate applicant, the names, addresses, and percent of interest of all persons holding an "affiliated interest" (as that term is defined in AS 42.05.701(6) is also to be furnished to the extent not shown in the ownership interests listed in this paragraph. Municipalities may omit this paragraph.
- 7/ In the case of a corporate applicant, this includes but is not limited to all corporate officers.
- 8/ The original of the application should contain two additional original signed tariffs using the Commission's approved format for tariff sheets (sample attached). An increase in the rates and charges above those in effect immediately prior to the proposed transfer may not be requested in this application.
- 9/ All financial statements are to reflect the use of the applicable uniform utility system of accounts. In the event transferee was not organized by the beginning of the

_/ Please refer to attached instructional footnotes.

most recent calendar year, the account balances at the time of such organization should be substituted. Suggested forms are available at the office of the Commission. Municipalities may use a fiscal year.

_/ Please refer to attached instructional footnotes.

_/ Please refer to attached instructional footnotes.

The purpose of a tariff is two-fold, as it serves to protect the utility against unreasonable demands by the public, and conversely it protects the public against excessive charges or other abusive acts on the part of the utility.

To accomplish these purposes, however, the tariff should be as comprehensive as possible for your purpose. Probably the best composition of your tariff would be in two parts, the first setting forth the rules, regulations, and conditions under which your service is offered. The second part would set forth your rates, charges, and fees. Suggested items you may wish to include in the rules section are:

1. Authorization of rules
2. Customer information
3. Customer deposits (if any)
4. Adjustment of bills
5. Reasons for denying service
6. Customer complaints
7. Extension plan
8. Interruptions of service
9. Protective measures

The rate section of your tariff should set forth all the charges to which your customers may be subject.

The above is a sample of the Alaska Public Utilities Commission's approved format for the applicant's presentation of his tariff including rates, rules, and

regulation. Forms may be obtained at the Commission's office.

Tariff submissions should be on paper size 8 1/2 X 11.

RCA No. _____

Sheet No. _____

Canceling

Sheet No. _____

Tariff Advice No. _____		Effective _____	

Issued By: _____

By: _____

Title: _____

**REGULATORY COMMISSION OF ALASKA
MASTER UTILITY DIRECTORY INFORMATION**

Please complete form and return to:

Records and Filings
Regulatory Commission of Alaska
701 West Eighth Ave., Suite 300
Anchorage, AK 99501-3469
In Anchorage (907) 276-6222
Within Alaska (800) 390-2782

GENERAL INFORMATION UPDATE FORM

Name of Pipeline/Utility Carrier:_____

Address:_____

_____ Zip Code:_____

Telephone No:_____ Fax No:_____

EIN Number:_____ Certificate No.:_____

MANAGEMENT

List all principal management personnel

Name	Address	Local Manager	Phone No.
President:_____			
General Manager:_____			
Principal Attorney(s):_____			
Accountant:_____			
Engineer:_____			

Service Area Information

For all principal management personnel

Location	Local Address	Local Manager	Phone No.

NOTICE OF UTILITY APPLICATION

The REGULATORY COMMISSION OF ALASKA (Commission) gives notice that **APPLICANT 1** and **APPLICANT 2** filed a joint application to transfer Certificate No. **XXX** from **APPLICANT 1** to **APPLICANT 2** for the provision of **TYPE OF SERVICE**, in the area of **SERVICE AREA (COMMUNITIES SERVED)**. Docket No. **U-xx-yyy** was opened to address this matter.

APPLICANT 1 is a **TYPE OF CORPORATION**, registered in the State of **STATE**. **APPLICANT 2** is a **TYPE OF CORPORATION**, registered in the State of **STATE**.
BRIEFLY DESCRIBE TRANSFER/SALES AGREEMENT IN ONE SENTENCE.

If the application is approved as filed, **STATE THE IMPACT TRANSFER WILL HAVE ON RATES, TERMS, AND/OR SERVICES.**

In conjunction with its application, the applicants filed a request for waiver of the following requirements: **SPECIFY FILING REQUIREMENTS SUBJECT TO WAIVER REQUESTS**. Interested persons may file a response to the waiver request with the Commission by 5:00 p.m. **DATE**.

In conjunction with its application, the applicants filed a petition for confidential treatment of the following information filed in conjunction with the application: **SPECIFY APPLICATION INFORMATION FILED UNDER SEAL**. Interested persons may file a response to the petition for confidential treatment with the Commission by 5:00 p.m. **DATE**.

The Commission has not assessed the completeness of the application. The Commission may determine whether the application is complete by **DATE**.

You may obtain information about this application by contacting **POINT OF CONTACT** for **UTILITY NAME**, **ADDRESS**, **PHONE**. The complete filing is also available for inspection at the Commission's office at 701 West 8th Avenue, Suite 300, Anchorage, AK 99501; phone: (907) 276-6222, or may be viewed at the Commission's website at <http://rca.alaska.gov> by typing Docket "**U-xx-yyy**" in the *Find the Matter* search box.

To comment on this filing, please file your comments by 5:00 p.m. **DATE**, at the Commission's address given above or via our website at:

<https://rca.alaska.gov/RCAWeb/WhatsNew/PublicNoticesComments.aspx>

Please reference the docket number and include a statement that you've filed a copy of the comments with **POINT OF CONTACT** at the address given above.

Comment [BSM1]: **GREEN** represents information to be filled out by the applicant

The Commission will establish all the information in **YELLOW**.

Comment [BSM2]: Only include this language if you file a separate MOTION FOR WAIVER

Most applicants do not need to include this language.

Comment [BSM3]: Only include this language if you file a separate PETITION FOR CONFIDENTIAL TREATMENT

Most applicants do not need to include this language.

Individuals or groups of people with disabilities, who require special accommodations, auxiliary aids or service, or alternative communication formats, please contact Joyce McGowan at (907) 276-6222, toll-free at 1-800-390-2782, or TTY (907) 276-4533 or send a request via electronic mail to rca.mail@alaska.gov by **DATE**.

DATED at Anchorage, Alaska, this ??th day of **[Month, Year]**.

REGULATORY COMMISSION OF ALASKA

T.W. Patch
Chairman