

1 STATE OF ALASKA  
2 REGULATORY COMMISSION OF ALASKA  
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5 Before Commissioners: Stephen McAlpine, Chairman  
6 Rebecca Pauli  
7 Robert M. Pickett  
8 Norman Rokeberg  
9 Janis W. Wilson  
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13 REGULATORY COMMISSION OF ALASKA  
14 701 West Eighth Avenue, Suite 300  
15 Anchorage, Alaska 99501  
16 PUBLIC MEETING  
17 September 13, 2017  
18 9:00 a.m.  
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## REGULATORY COMMISSION OF ALASKA

Public Meeting

September 13, 2017

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## 1 P R O C E E D I N G S

2 CHAIRMAN McALPINE: Good morning,  
3 ladies and gentlemen. It's 9:00 a.m. This is the  
4 time set for the public meeting of the Regulatory  
5 Commission of Alaska. My name is Stephen  
6 McAlpine. With me on the dais is Commissioner  
7 Janis Wilson. Participating telephonically is  
8 Commissioner Bob Pickett. I expect to be joined  
9 shortly by Commissioner Norman Rokeberg. And  
10 Commissioner Pauli had an appointment outside of  
11 the office.

12 The first item on the agenda is public  
13 participation. Is there anyone in the audience  
14 that wishes to address the Commission at this  
15 time?

16 Seeing none, is there anyone telephonically  
17 that wishes to address the Commission?

18 Hearing none, I'll return for the last time  
19 to the audience. Is there anyone that wants to  
20 participate?

21 Seeing none, item number one, public  
22 participation is closed.

23 Item number two on the agenda is R-15-006 In  
24 the Matter of the Consideration of Revisions to  
25 Tariff Form and Filing Requirements. I'll turn to

1 Commissioner Wilson.

2 COMMISSIONER WILSON: Thank you,  
3 Mr. Chairman. These regulations are back before  
4 us again. We have adopted them and they went to  
5 the Department of Law for review. And the  
6 Department of Law has a lot of suggested changes.  
7 And so I would like to turn to staff to talk about  
8 the suggested changes.

9 MR. GAZAWAY: Commissioner, this is  
10 a relatively standard process where Law will go  
11 through edits and, if the changes are significant  
12 enough, they will require re-approval.

13 My microphone is on, so I don't know why  
14 you're not hearing me.

15 COMMISSIONER WILSON: I think the  
16 audience may not be hearing you very well.

17 CHAIRMAN MCALPINE: You're picking  
18 up.

19 MR. GAZAWAY: Okay. So bottom line  
20 is when Law goes through their edits, if they're  
21 significant enough, they will require re-approval.  
22 That's the process from them. In this case there  
23 were a couple of citations that were corrected.  
24 In other words, we had moved a section and not  
25 made the change.

1           And the other thing was a lot of the phrasing  
2   was, shall I say, archaic. We moved old  
3   regulations and they had phrasing that is no  
4   longer in vogue with the Department of Law. For  
5   example, one of the phrases that they repeatedly  
6   changed is we used to say, "The Commission will at  
7   its discretion," which is an odd way of saying,  
8   "The Commission may." So now the phrasing is,  
9   "The Commission may." And so that's the type of  
10  changes that were made.

11                   COMMISSIONER WILSON: And I  
12  understand that staff has reviewed all of the  
13  changes -- the tariff section, I mean, has  
14  reviewed all of the changes and the changes that  
15  were made are not substantive.

16                   MS. ALVEY: That's correct.

17                   COMMISSIONER WILSON: So,  
18  Commissioners, you have in your packet three  
19  documents. The first is a letter from the  
20  Department of Law, a four-page letter explaining  
21  the changes from Megyn Greider.

22           Next is the marked-up version of the  
23  regulations that we previously adopted. And the  
24  third is the re-keyed version with all of the  
25  changes that the Department of Law suggests. So

1 it's the third document that we -- that I will be  
2 asking you to adopt today.

3 MR. GAZAWAY: And I would note that  
4 probably the only document available to the public  
5 is the third document.

6 COMMISSIONER WILSON: Okay.

7 CHAIRMAN MCALPINE: Mr. Goering,  
8 it's my understanding that this does not require  
9 us to go back out for public comment; is that  
10 correct?

11 MR. GOERING: That's my  
12 understanding as well. The general rule is, as  
13 long as you are within the scope of the original  
14 notice and the notice is not stale, in other  
15 words, if it was issued less than one year ago,  
16 then you would not need to re-notice it. And I  
17 believe that both of those conditions have been  
18 met.

19 CHAIRMAN MCALPINE: Thank you.  
20 Mr. Gazaway, do you have anything further?

21 MR. GAZAWAY: No.

22 CHAIRMAN MCALPINE: The Chair will  
23 entertain a motion to adopt.

24 COMMISSIONER PICKETT: So moved.

25 CHAIRMAN MCALPINE: It's been

1 moved. We have one person here for a second.

2 COMMISSIONER WILSON: I second the  
3 motion.

4 CHAIRMAN MCALPINE: Okay. Because  
5 Commissioner Pickett is appearing telephonically,  
6 we'll conduct our vote by roll call.

7 Commissioner Wilson?

8 COMMISSIONER WILSON: Yes.

9 CHAIRMAN MCALPINE: Commissioner  
10 Pickett?

11 COMMISSIONER PICKETT: Yes.

12 CHAIRMAN MCALPINE: And I vote yes.

13 Is there anything further, Mr. Gazaway?

14 MR. GAZAWAY: No, sir.

15 CHAIRMAN MCALPINE: That will  
16 finish item number two. Item number three is  
17 other business. Is there any other business to  
18 come before the Commission this morning?

19 Hearing none, item number three is closed.

20 Mr. Goering, is the attorney general in need  
21 of an executive session?

22 MR. GOERING: Yes.

23 CHAIRMAN MCALPINE: Okay. The  
24 chair will entertain a motion -- well, first of  
25 all, can you state the purpose of the executive

1 session?

2 MR. GOERING: Yes. Thank you,  
3 Chairman McAlpine. As you may recall, the  
4 Commission has two orders on appeal in Dockets  
5 U-16-069 and U-16-071. Those are Superior Court  
6 Case Nos. 3AN-17-07893 CI and 3AN-17-08403 CI.  
7 Those involve respectively, ACS of Alaska and  
8 Matanuska Telephone Association.

9 There have been a couple of developments  
10 since the last time we spoke in executive session  
11 and I would like to seek the Commission's guidance  
12 on some pending motions and the Commission's  
13 position on those motions.

14 CHAIRMAN MCALPINE: Thank you, sir.  
15 The Chair will entertain a motion to go into  
16 executive session.

17 COMMISSIONER PICKETT: So moved.

18 CHAIRMAN MCALPINE: Is there a  
19 second?

20 COMMISSIONER WILSON: Second.

21 CHAIRMAN MCALPINE: Again by roll  
22 call, Commissioner Wilson?

23 COMMISSIONER WILSON: Yes.

24 CHAIRMAN MCALPINE: Commissioner  
25 Pickett?



1 COMMISSIONER PICKETT: Yes.

2 CHAIRMAN MCALPINE: And I vote yes.

3 We'll request -- before we do, those of you who  
4 were so kind as to give up a portion of your  
5 morning to be here today for what's been a less  
6 than exciting meeting, I can promise you that the  
7 next one will be much more exciting. And in  
8 particular, Lisa Phillips, I'd like you to be  
9 there.

10 If the public would please vacate the  
11 premises so we can close the hearing room. And  
12 thank you very much.

13 (Off record.)

14 CHAIRMAN MCALPINE: Commissioner  
15 Pickett has departed. We do have a quorum with  
16 the presence of Commissioner Rokeberg.

17 Mr. Goering, have you received enough  
18 information in the executive session?

19 MR. GOERING: Yes. Thank you,  
20 Chairman McAlpine. I have received the guidance I  
21 need. Thank you.

22 CHAIRMAN MCALPINE: Technically, I  
23 guess I should have had a motion to come back into  
24 session, but be that as it may, that concludes our  
25 business. The Chair will entertain a motion to

1 adjourn.

2 we're not adjourned. we'll just sit here all  
3 day.

4 COMMISSIONER WILSON: I move that  
5 we adjourn.

6 COMMISSIONER ROKEBERG: Second.

7 CHAIRMAN MCALPINE: Is there any  
8 opposition?

9 COMMISSIONER WILSON: No. No. Oh,  
10 that's right. We're all together now. Nobody on  
11 the phone. Okay.

12 CHAIRMAN MCALPINE: Hearing no  
13 objection. We are adjourned.

14 (Adjourned - 9:24 a.m.)  
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1 TRANSCRIBER'S CERTIFICATE

2 I, Adrianell Poteet Sorrels, hereby

3 certify that the foregoing pages numbered 1

4 through 10 are a true, accurate, and complete

5 transcript of the Public Meeting, held at the

6 Regulatory Commission of Alaska on September 13,

7 2017, transcribed by me from a copy of the

8 electronic sound recording to the best of my

9 knowledge and ability.

10 \_\_\_\_\_  
11 Date Adrianell Poteet Sorrels, Transcriber

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