

# Regulatory Commission of Alaska

## Fee Schedule for Exempt Public Utilities

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# Fee Schedule for Exempt Public Utilities

## ► Possible Exempt Public Utilities:

- Public utilities owned and operated by a political subdivision of the state, or electric operating entities established as the instrumentality of two or more public utilities owned and operated by political subdivisions of the state (AS 42.05.711(b))
- Commission may exempt a utility, a class of utilities, or utility service from all or a portion of this chapter (AS 42.05.711(d))
  - Example: Provisionally certificated public water and wastewater utilities
- Any electric or telephone utility that does not gross \$50,000 annually (AS 42.05.711(e))
- An electric or telephone utility that does not gross \$500,000 annually may elect to be exempt (AS 42.05.711(f))
- A utility, other than a telephone or electric utility, that does not gross \$150,000 annually may elect to be exempt (AS 42.05.711(g))
- Members of a cooperative may elect to become exempt from economic regulation (AS 42.05.771(h))
- Refuse collection utilities with annual gross revenues of \$300,000 or less (AS 42.05.711(i))

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## ► Existing Fees

Upon request for designation as an eligible telecommunications carrier (for those carriers who do not pay RCC's)	ETC	3AAC 53.410(c)	\$5,000
Registrations	IXC	3 AAC 52.358(b)	\$100
Registration Renewal	IXC	3 AAC 52.358(g)	\$50
Provisional Certification	W and WW	3 AAC 52.722(a)(12)	\$300
Provisional Certification Annual Update	W and WW	3 AAC 52.724 (a)(1)	\$100

# Fee Schedule for Exempt Public Utilities

- ▶ Examples of filings:
  - ▶ Petition to Reconsider a Final Decision
  - ▶ Petition for Confidential Treatment
  - ▶ Motion for Wavier
  - ▶ Applications for Refuse Collection Utility
  - ▶ Applications to Discontinue Certificated Services
  - ▶ Applications to Extend Service Area
  - ▶ Transfer of a Certificate
  - ▶ Acquiring a Controlling Interest in a Utility
  - ▶ Applications to Name Change of Utility or Carrier
  - ▶ Initial Finding of Public Convenience and Necessity for a New Public Water or Sewer Systems
  - ▶ Conversion from a Provisional Certificate to a Traditional Certificate
  - ▶ Application for transfer or acquisition of Certificates; Traditional and Provisional

# Fee Schedule for Exempt Public Utilities

- ▶ 3 AAC 47.100 Determination of actual costs for exempt public utilities
  - ▶ After notice and an opportunity for interested persons to be heard, the Commission will establish, by order, a schedule of actual costs of services. (3 AAC 47.100(a))
  - ▶ Actual costs will be charged based upon either actual time and materials spent on a proceeding, plus allowance for overhead, or upon an average of time, materials, and overhead for a group of similar tasks. (3 AAC 47.100(b))
  - ▶ If the service provided to an exempt public utility is not on the schedule of actual costs of services, the exempt public utility will be charged based upon actual costs for that service. (3 AAC 47.100(d))

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- ▶ Results of limited research:
  - ▶ Commission is not consistently applying 3 AAC 47.100.
- ▶ Recommendations:
  - ▶ Form an in-house working group to collect and review all existing time tracking information that has been developed by Commission staff.

Working group representation: Engineering, Common Carrier, Commission, R&F, and Administrative Law Sections
  - ▶ Review other agencies fees.
  - ▶ Determine if there is a group of similar tasks for each proceeding. Collect sufficient information to determine the average amount of time, materials, and overhead for each group of similar tasks.
  - ▶ Provide a update in three months to the Commission. The update should include draft recommendations on development of fees in accordance with 3 AAC 47.100(a).

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- ▶ Example of information already uncovered:
  - ▶ 3 AAC 52.358(b) requires a registration fee of \$100. Based on experience, staff recommends a regulation change to increase the registration fee.
  - ▶ 3 AAC 52.358(g) requires an annual registration renewal fee of \$50. Based on experience, staff recommends a regulation change to increase the annual renewal fee.
  - ▶ 3 AAC 52.722(a)(12) requires an application fee of \$300 to be include with each application. Based on time tracking records, staff recommends a regulation change to increase the application fee.
  - ▶ 3 AAC 52.724(a)(1) requires a fee of \$100 to be included with each annual update form. Based on time tracking records, staff recommends a regulation change to increase the annual update fee.

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- Loaded Labor Rates; Hourly Rates for actual costs to be allocated:

Commissioner	\$101.19
Administrative Law Judge	\$91.15
Analyst	\$84.95
Paralegal	\$56.43
Administrative Staff	\$41.45
Attorney General	\$160.88