



DEPARTMENT OF
COMMERCE
COMMUNITY AND
ECONOMIC DEVELOPMENT

Regulatory Commission of Alaska

Sarah Palin, Governor
Emil Notti, Commissioner
Anthony A. Price, Chairman

MEMORANDUM

To: Representative Ralph Samuels, Chair
Legislative Budget and Audit Committee

Date: July 9, 2008

From: Ann Wilde *AW*
Commission Section Manager

Phone: 907-263-2163
Email:

CC: Robert M. Pickett, Chairman
Regulatory Commission of Alaska

Subject: Quarterly report for April 1-June 30, 2008

Under AS 42.05.175(g), the Commission is required to file quarterly reports with the Legislative Budget and Audit Committee identifying all extensions ordered under AS 42.05.175(f).

At the request of all parties and acting in accordance with AS 42.05.175(f), the Commission extended the statutory timeline in the following dockets:

U-07-49(12), Order Extending Statutory Timeline at Request of Parties and Extending Suspension Period of Tariff Advice Filings, dated April 14, 2008.

Order U-07-5(8), Order Acknowledging Compliance Filings, Affirming Electronic Ruling Granting Request to Postpone Hearing and Extend Statutory Timeline, Requiring Filings, and Scheduling Hearing, dated June 10, 2008.

The commission issued one order under AS 42.05.175(f)(2), the provision that allows the commission to extend a timeline, for one time only, in a written order setting out the commission's findings regarding good cause.

Order R-06-3(4), Order Extending Statutory Timeline, dated June 30, 2008.

I would also like to follow-up on dockets for which the statutory timeline was extended at the request of the parties during the first quarter of 2008:

Docket U-07-5: a public hearing was conducted on July 7, 2008. A final decision is due no later than October 10, 2008.

Docket U-05-103: a final order, due April 25, 2008, was issued on April 25, 2008.

Docket U-07-104: a final order, due May 13, 2008, was issued on May 13, 2008.

Docket U-08-4: a public hearing was conducted on July 1-2, 2008. A final decision is due no later than September 30, 2008.

The orders and dockets identified above may be viewed by searching orders or matters on the Regulatory Commission of Alaska web site at <https://rca.alaska.gov/RCAWeb/Home.aspx>.

Attachment: Order R-0-3(4)

STATE OF ALASKA
THE REGULATORY COMMISSION OF ALASKA

Before Commissioners:

Anthony A. Price, Chairman
Kate Giard
Mark K. Johnson
Robert M. Pickett
Janis W. Wilson

In the Matter of the Consideration of Regulations)
Governing the Designation of Eligible)
Telecommunications Carriers)

R-06-3

ORDER NO. 4

ORDER EXTENDING STATUTORY TIMELINE

BY THE COMMISSION:

Background

We initiated this docket to establish procedures and evaluation criteria that would apply when a telecommunications carrier requests designation as an Eligible Telecommunications Carrier (ETC) in Alaska.¹ After receiving comments on appropriate procedures and criteria, we formulated proposed regulations addressing the process for obtaining and maintaining designation as an ETC in Alaska² and invited comment on the proposed regulations.³ We also held a workshop and public hearing to address mapping and ETC service area description requirements.⁴ At public meetings held May 2, 6, and 7, 2008, we considered comments and revised our ETC proposal. We voted to

¹See Order R-06-3(1), dated May 31, 2006.

²We formulated filing requirements and evaluation criteria for ETC designation requests and periodic filing requirements for ETCs at public meetings held August 24, October 2, October 26, and November 9, 2007.

³See Order R-06-3(2), *Order Issuing Proposed Regulations for Comment and Scheduling Workshop*, dated January 24, 2008.

⁴The workshop and hearing took place on February 6, 2008.

1 issue revised proposed regulations for comment and extend the statutory timeline for
2 issuing a final order in this docket to accommodate the comment period.

3 Discussion

4 When we initiate a rulemaking proceeding, the statute requires the
5 issuance of a final order no later than 730 days from the date of the initiating order.⁵ We
6 issued our initiating order in this docket on May 31, 2006, and the statutory timeline for
7 completing this docket expires May 30, 2008 absent extension.

8 Applicable statutes also provide us with the right to extend the timeline for
9 a period of up to 90 days based on a good cause finding.⁶ At the May 7, 2008 public
10 meeting we noted that extending the timeline in this proceeding would allow us to issue
11 the revised proposal for comment and assist in the development of a complete record,
12 and determined that good cause exists to extend the statutory timeline for this docket.⁷
13 Accordingly, we voted to extend the statutory timeline in this docket for 90 days.⁸ This
14 order formalizes that decision.

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21 ⁵AS 42.05.175(e). This statute was amended in 2007 to revise the timeline for
22 rulemaking dockets from 24 months to 730 days. See am § 5, 7 ch SLA 2007.

23 ⁶AS 42.05.175(f).

24 ⁷See May 11, 2008, Special Public Meeting Transcripts at 305-306.

25 ⁸*Id.* at 306.

ORDER

THE COMMISSION FURTHER ORDERS that the timeline for a final order in Docket R-06-3 is extended to August 28, 2008.⁹

DATED AND EFFECTIVE at Anchorage, Alaska, this 30th day of May, 2008.

BY DIRECTION OF THE COMMISSION



⁹If you are not interested in receiving future orders or notices concerning this subject matter, please e-mail rca.mail@alaska.gov or notify our office by mail at 701 West 8th Avenue, Suite 300 Anchorage, Alaska 99501-3469, or at 1-907-276-6222.