



Regulatory Commission of Alaska

MEMORANDUM

To: Senator Gary Stevens, Chair
Legislative Budget and Audit Committee

Date: April 27, 2017

From: Ann Wilde *AW*
Commission Section Manager

Phone: 907-263-2163
Email: Ann.Wilde@alaska.gov

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

Subject: Quarterly report for January 1-March 31, 2017

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

Acting in accordance with AS 42.05.175(f) and with the consent of the parties, the Commission extended the statutory timeline in the following dockets:

U-13-168/U-13-169/U-13-170/U-13-171/U-13-172/U-13-173/U-13-174/U-13-175/
U-13-176/U-13-177/U-13-178/U-13-179, *Order Granting Unopposed Motion to Stay, Extending Statutory Timeline, and Extending Tariff Suspension Periods*, dated January 19, 2017.

U-16-093, *Order Granting Request for Expedited Consideration, Granting Request for Extension of Time to File Comments, and Extending Statutory Timeline with Consent of the Parties*, March 3, 2017.

U-17-002, *Order Addressing Consolidation, Granting Petition to Intervene, Adopting Procedural Schedule, Extending Statutory Timeline With the Consent of All Parties, Extending Tariff Suspension Period, and Requiring Filing*, dated March 7, 2017.

The Commission issued the following orders under AS 42.05.175(f)(1)-(3) during this quarter. The orders are attached.

U-16-069, *Order Extending Statutory Timeline and Tariff Suspension Period*, dated March 8, 2017.

U-16-070, *Order Extending Statutory Timeline and Tariff Suspension Period*, dated March 8, 2017.

U-16-071, *Order Extending Statutory Timeline and Tariff Suspension Period*, dated March 8, 2017.

1 STATE OF ALASKA

2 THE REGULATORY COMMISSION OF ALASKA

3
4 Before Commissioners:

Robert M. Pickett, Chairman
Stephen McAlpine
Rebecca L. Pauli
Norman Rokeberg
Janis W. Wilson

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7 In the Matter of the Tariff Revision Designated as)
8 TA173-999 Filed by MATANUSKA TELEPHONE)
ASSOCIATION, INC.)

U-16-069

ORDER NO. 6

9
10 ORDER EXTENDING STATUTORY TIMELINE AND TARIFF
11 SUSPENSION PERIOD

12 BY THE COMMISSION:

13 We suspended TA173-999 into this docket and initiated an investigation into
14 the need for a local exchange carrier of last resort (COLR) in the study area served by
15 Matanuska Telephone Association, Inc. (MTA).¹ On the same day we initiated
16 investigations into the need for a COLR in the study area served by ACS of Fairbanks,
17 LLC d/b/a Alaska Communications Systems, Alaska Communications, ACS Local
18 Service, and ACS² and in the study areas served by ACS of Alaska, LLC d/b/a Alaska
19 Communications Systems, Alaska Communications, ACS Local Service, and ACS.³ On

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21 ¹Order U-16-069(1), *Order Suspending TA173-999, Addressing Timeline for*
Decision, Designating Commission Panel, and Appointing Administrative Law Judge,
dated July 27, 2016 (Order U-16-069(1)).

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23 ²Order U-16-070(1), *Order Suspending TA146-117, Addressing Timeline for*
Decision, Designating Commission Panel, and Appointing Administrative Law Judge,
dated July 27, 2016.

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25 ³Order U-16-071(1), *Order Suspending TA205-251, Addressing Timeline for*
Decision, Designating Commission Panel, and Appointing Administrative Law Judge,
dated July 27, 2016.

1 December 22, 2016, we issued Order U-16-069(3) with our initial impression that a COLR
2 is not necessary and allowed MTA the opportunity to respond to the order.⁴ On
3 January 19, 2017, MTA filed its response along with prefiled testimony from four
4 witnesses.⁵ The statutory timeline for issuance of our final decision in this docket is
5 March 13, 2017.

6 We may extend the timeline for issuance of a final order in a proceeding if
7 we find that good cause exists to extend the timeline for 90 days or less.⁶ Dockets
8 U-16-069, U-16-070, and U-16-071 are the first proceedings where we have evaluated
9 the application of 3 AAC 53.345(h), the regulation that allows us to withdraw COLR status.
10 We find that there is good cause to extend the statutory timeline for this docket because
11 it is precedential in nature and requires thorough consideration and a careful articulation
12 of our decision that is not possible within the current timeline. Therefore, we extend the
13 statutory timeline for issuance of a final order and the suspension of TA173-999, until
14 June 9, 2017. We note that the extension will not cause harm to MTA as it remains
15 eligible for monthly COLR support payments on a nonrefundable basis during our
16 investigation.⁷

20 ⁴Order U-16-069(3), *Order Denying Motion to Dismiss, Issuing Initial Impression,*
21 *Allowing Opportunity to Respond, and Granting Motion, in Part*, dated December 22,
2016.

22 ⁵*Matanuska Telephone Association, Inc.'s Response to the Regulatory*
23 *Commission of Alaska's Initial Impression*, filed January 19, 2017; *Supplemental Pre Filed*
24 *Testimony of Michael C. Burke*, filed January 19, 2017; *Supplemental Prefiled Testimony*
25 *of Dustin Johnson*, filed January 19, 2017; *Supplemental Prefiled Testimony of Eric*
26 *Tankersley*, filed January 19, 2017.

⁶AS 42.05.175(f).

⁷Order U-16-069(1) at 5.

ORDER

THE COMMISSION FURTHER ORDERS:

1. The statutory timeline for issuance of a final order in this proceeding is extended until June 9, 2017.

2. The suspension period of TA173-999 filed by Matanuska Telephone Association, Inc. is extended until June 9, 2017.

DATED AND EFFECTIVE at Anchorage, Alaska, this 8th day of March, 2017.

BY DIRECTION OF THE COMMISSION



Regulatory Commission of Alaska
701 West Eighth Avenue, Suite 300
Anchorage, Alaska 99501
(907) 276-6222; TTY (907) 276-4533

1 STATE OF ALASKA

2 THE REGULATORY COMMISSION OF ALASKA

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4 Before Commissioners:

Robert M. Pickett, Chairman
Stephen McAlpine
Rebecca L. Pauli
Norman Rokeberg
Janis W. Wilson

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6
7 In the Matter of the Tariff Revision Designated as)
8 TA146-117 Filed by ACS OF FAIRBANKS, LLC)
9 d/b/a ALASKA COMMUNICATIONS SYSTEMS,)
ALASKA COMMUNICATIONS, ACS LOCAL)
SERVICE, AND ACS)

U-16-070

ORDER NO. 6

10
11 ORDER EXTENDING STATUTORY TIMELINE AND TARIFF
12 SUSPENSION PERIOD

13 BY THE COMMISSION:

14 We suspended TA146-117 into this docket and initiated an investigation into
15 the need for a local exchange carrier of last resort (COLR) in the study area served by
16 ACS of Fairbanks, LLC d/b/a Alaska Communications Systems, Alaska Communications,
17 ACS Local Service, and ACS (ACS-F).¹ On the same day we initiated investigations into
18 the need for a COLR in the study area served by Matanuska Telephone Association, Inc.²
19 and in the study areas served by ACS of Alaska, LLC d/b/a Alaska Communications
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22 ¹Order U-16-070(1), *Order Suspending TA146-117, Addressing Timeline for*
23 *Decision, Designating Commission Panel, and Appointing Administrative Law Judge*,
dated July 27, 2016 (Order U-16-070(1)).

24 ²Order U-16-069(1), *Order Suspending TA173-999, Addressing Timeline for*
25 *Decision, Designating Commission Panel, and Appointing Administrative Law Judge*,
dated July 27, 2016.

1 Systems, Alaska Communications, ACS Local Service, and ACS.³ On December 23,
2 2016, we issued Order U-16-070(3) with our initial impression and allowed ACS-F the
3 opportunity to respond to the order.⁴ ACS-F filed its late-filed response to Order
4 U-16-070(3) along with prefiled testimony from three witnesses.⁵ The statutory timeline
5 for issuance of our final decision in this docket is March 14, 2017.

6 We may extend the timeline for issuance of a final order in a proceeding if
7 we find that good cause exists to extend the timeline for 90 days or less.⁶ Dockets
8 U-16-069, U-16-070, and U-16-071 are the first proceedings where we have evaluated
9 the application of 3 AAC 53.345(h), the regulation that allows us to withdraw COLR status.
10 We find that there is good cause to extend the statutory timeline for this docket because
11 it is precedential in nature and requires thorough consideration and a careful articulation
12 of our decision that is not possible within the current timeline. Therefore, we extend the
13 statutory timeline for issuance of a final order and the suspension of TA146-117, for 90
14 days, until June 12, 2017. We note that the extension will not cause harm to ACS-F as it
15 remains eligible for monthly COLR support payments on a non refundable basis during
16 our investigation.⁷

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19 ³Order U-16-071(1), *Order Suspending TA205-251, Addressing Timeline for*
20 *Decision, Designating Commission Panel, and Appointing Administrative Law Judge*,
dated July 27, 2016.

21 ⁴Order U-16-070(3), *Order Denying Motion to Dismiss, Issuing Initial Impression,*
22 *Providing Opportunity to Respond*, dated December 23, 2016.

23 ⁵*Motion to Accept Late Filed Response to RCA Order No.3*, filed January 30, 2017;
24 *ACS's Resonse [sic] to the Regulatory Commission of Alaska 's Initial Impression*, filed
January 30, 2017; *Direct Testimony of Ted Moninski*, filed January 30, 2017; *Direct*
Testimony of Mark Foster, filed January 30, 2017; *Direct Testimony of David C. Blessing*,
filed January 30, 2017.

25 ⁶AS 42.05.175(f).

26 ⁷Order U-16-070(1) at 5.

ORDER

THE COMMISSION FURTHER ORDERS:

1. The statutory timeline for issuance of a final order in this proceeding is extended until June 12, 2017.

2. The suspension period of TA146-117 filed by ACS of Fairbanks, LLC d/b/a Alaska Communications Systems, Alaska Communications, ACS Local Service, and ACS is extended until June 12, 2017.

DATED AND EFFECTIVE at Anchorage, Alaska, this 8th day of March, 2017.

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7 In the Matter of the Tariff Revision Designated as)
TA205-251 Filed by ACS OF ALASKA, LLC d/b/a)
8 ALASKA COMMUNICATIONS SYSTEMS,)
ALASKA COMMUNICATIONS, ACS LOCAL)
9 SERVICE, AND ACS)

U-16-071

ORDER NO. 6

10
11 ORDER EXTENDING STATUTORY TIMELINE AND TARIFF
12 SUSPENSION PERIOD

13 BY THE COMMISSION:

14 We suspended TA205-251 into this docket and initiated an investigation into
15 the need for a local exchange carrier of last resort (COLR) in the study areas served by
16 ACS of Alaska, LLC d/b/a Alaska Communications Systems, Alaska Communications,
17 ACS Local Service, and ACS (ACS-AK).¹ On the same day we initiated investigations
18 into the need for a COLR in the study area served by Matanuska Telephone Association,
19 Inc.² and in the study area served by ACS of Fairbanks, LLC d/b/a Alaska
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21

22 ¹Order U-16-071(1), *Order Suspending TA205-251, Addressing Timeline for*
23 *Decision, Designating Commission Panel, and Appointing Administrative Law Judge,*
dated July 27, 2016 (Order U-16-071(1)).

24 ²Order U-16-069(1), *Order Suspending TA173-999, Addressing Timeline for*
25 *Decision, Designating Commission Panel, and Appointing Administrative Law Judge,*
dated July 27, 2016.
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1 Communications Systems, Alaska Communications, ACS Local Service, and ACS.³ On
2 December 27, 2016, we issued Order U-16-071(3) with our initial impression that a COLR
3 is not necessary and allowed ACS-AK the opportunity to respond to the order.⁴ On
4 January 31, 2017, ACS-AK filed its response along with prefiled testimony from three
5 witnesses.⁵ The statutory timeline for issuance of our final decision in this docket is
6 March 14, 2017.

7 We may extend the timeline for issuance of a final order in a proceeding if
8 we find that good cause exists to extend the timeline for 90 days or less.⁶ Dockets
9 U-16-069, U-16-070, and U-16-071 are the first proceedings where we have evaluated
10 the application of 3 AAC 53.345(h), the regulation that allows us to withdraw COLR status.
11 We find that there is good cause to extend the statutory timeline for this docket because
12 it is precedential in nature and requires thorough consideration and a careful articulation
13 of our decision that is not possible within the current timeline. Therefore, we extend the
14 statutory timeline for issuance of a final order and the suspension of TA205-251, for 90
15 days, until June 12, 2017. We note that the extension will not cause harm to ACS-AK as
16 it remains eligible for monthly COLR support payments on a nonrefundable basis during
17 our investigation.⁷

20 ³Order U-16-070(1), *Order Suspending TA146-117, Addressing Timeline for*
21 *Decision, Designating Commission Panel, and Appointing Administrative Law Judge*,
dated July 27, 2016 (Order U-16-070(1)).

22 ⁴Order U-16-071(3), *Order Denying Motion to Dismiss, Issuing Initial Impression,*
Providing Opportunity to Respond, dated December 2, 2016.

23 ⁵ACS's *Response to the Regulatory Commission of Alaska's Initial Impression*, filed
24 January 31, 2017; *Direct Testimony of Ted Moninski*, filed January 31, 2017; *Direct*
Testimony of Mark Foster, filed January 31, 2017; *Direct Testimony of David C. Blessing*,
filed January 31, 2017.

25 ⁶AS 42.05.175(f).

26 ⁷Order U-16-071(1) at 6.

ORDER

THE COMMISSION FURTHER ORDERS:

1. The statutory timeline for issuance of a final order in this proceeding is extended until June 12, 2017.

2. The suspension period of TA205-251 filed by ACS of Alaska, LLC d/b/a Alaska Communications Systems, Alaska Communications, ACS Local Service, and ACS is extended until June 12, 2017.

DATED AND EFFECTIVE at Anchorage, Alaska, this 8th day of March, 2017.

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