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STATE OF ALASKA

THE REGULATORY COMMISSION OF ALASKA

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

In the Matter of the Consideration of Additional ) R-15-002  
Regulations Implementing Electronic Filing )  
ORDER NO. 3

ORDER ADOPTING REGULATIONS

BY THE COMMISSION:

Summary

We adopt regulations that amend our electronic filing procedures by transitioning to a permissive approach and allow the electronic submission of tariff revisions and other filings. The adopted regulations also require mandatory electronic submission of Regulatory Cost Charge (RCC) reports.

Procedural Background

On December 30, 2011, the Commission adopted electronic filing regulations in Docket R-09-004 requiring mandatory electronic filing in all docketed proceedings, with an opportunity for waiver.<sup>1</sup> The electronic filing regulations did not address electronic submission of tariffs, reports, or other filings. Consequently, public utilities and pipeline carriers cannot submit tariffs, reports, and other non-docket-related filings electronically unless the filing entity is participating in testing of the Commission’s electronic filing system.

<sup>1</sup>See 3 AAC 48.095. The electronic filing regulations took effect February 16, 2012.

1 We opened this proceeding to consider regulations governing electronic  
2 filing for all matters, docketed and non-docketed, and for required reports.<sup>2</sup> After  
3 holding a technical conference to discuss electronic filing procedures, we voted at our  
4 July 1, 2015, public meeting to issue proposed regulations for comment.<sup>3</sup> We  
5 subsequently issued an order inviting comment on proposed regulations that would  
6 expand electronic filing to all non-docketed matters.<sup>4</sup> We received both initial and reply  
7 comments on the proposed regulations issued with Order R-15-002(2).<sup>5</sup> We voted to  
8 adopt electronic filing regulations at a special public meeting held March 25, 2016.<sup>6</sup>

9  
10 <sup>2</sup>February 25, 2015, Public Meeting Transcript at 18-33, 65-66.

11 <sup>3</sup>July 1, 2015, Public Meeting Transcript at 23-27.

12 <sup>4</sup>Order R-15-002(2), Order *Issuing Proposed Regulations for Comment*, dated  
13 August 28, 2015. We also sought comment on difficulties with and alternative means of  
14 applying electronic signatures to filings submitted through our electronic filing system, a  
15 possible amendment to 3 AAC 48.183 (to allow notice of scheduled public meetings  
16 through publication on the agency website) and 3 AAC 48.275(h) (removing references  
17 regarding the number of copies required to be filed by a public utility or pipeline carrier  
18 submitting a cost-of-service study in support of a rate revision). *Id.* at 3.

19 <sup>5</sup>Entities filing initial comments on October 12, 2015, were Alaska  
20 Communications Systems; ENSTAR Natural Gas Company/Alaska Pipeline  
21 Company/Cook Inlet Natural Gas Storage Alaska, LLC (ENSTAR affiliates); GCI  
22 Communication Corp. d/b/a General Communication, Inc. and GCI (GCI); the  
23 Municipality of Anchorage d/b/a Anchorage Water and Wastewater Utility; the  
24 Municipality of Anchorage d/b/a Municipal Light and Power; and the Rural Coalition.  
25 Entities filing reply comments on November 12, 2015, were Alascom Inc. d/b/a AT&T  
26 Alaska/New Cingular Wireless PSC, LLC d/b/a AT&T Mobility; the Office of the Attorney  
General, Regulatory Affairs and Public Advocacy Section; the ENSTAR affiliates, GCI;  
and the Rural Coalition. The companies participating as the Rural Coalition in this  
docket were Adak Telephone Utility; Arctic Slope Telephone Association Cooperative,  
Inc.; Bettles Telephone, Inc.; Bristol Bay Telephone Cooperative, Inc.; Bush-Tell, Inc.;  
Circle Telephone & Electric, LLC; Copper Valley Telephone Cooperative, Inc.; Cordova  
Telephone Cooperative, Inc.; Interior Telephone Company, Inc.; Ketchikan Public  
Utilities; Matanuska Telephone Association, Inc.; Mukluk Telephone Company, Inc.;  
North Country Telephone, Inc.; Nushagak Telephone Cooperative, Inc.; OTZ Telephone  
Cooperative, Inc.; and Summit Telephone & Telegraph Company of Alaska, Inc. d/b/a  
Summit Telephone Company.

<sup>6</sup>March 25, 2016, Public Meeting Transcript at 63-65.

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Discussion

We have mandated the electronic submission of filings in docketed proceedings for more than four years, although a party is able to obtain a waiver of the requirement to file electronically. During that time we addressed issues that arose from implementation of electronic filing in docketed proceedings and worked on our internal processes for handling electronic filings. We received a number of inquiries from the public regarding electronic submission of filings in non-docketed matters, including tariffs and reports.

We adopt amended electronic filing regulations because our current electronic filing regulations do not address a variety of issues we expect will arise in fully implementing an electronic filing process, in all matters, both docketed and non-docketed. In addition, there are a number of existing filing requirements in regulation that require clarification in order to provide consistency. These issues are addressed in the regulations we adopt by this order.<sup>7</sup>

More specifically, we adopt regulations that (1) remove the mandatory requirement that all filings in a docketed proceeding be submitted electronically,<sup>8</sup> (2) allow for permissive electronic submission of filings in both docketed proceedings and non-docketed matters, with the exception of quarterly and annual RCC reports, (3) require mandatory electronic submission of RCC quarterly and annual reports, and (4) clarify the existing electronic filing requirement regulations. With those revisions, we move toward an electronic filing process that provides greater flexibility.

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<sup>7</sup>The regulations are attached as an appendix to this order.

<sup>8</sup>One exception to this permissive approach relates to service in a docketed matter. Based on input from participants in this proceeding, we continue to require electronic service of all documents served to other parties in a docket proceeding unless alternative service is agreed to between a sending and receiving party. See 3 AAC 48.090(b)(3).

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**ORDER**

THE COMMISSION FURTHER ORDERS that the regulations set forth in the appendix to this order are adopted.

DATED AND EFFECTIVE at Anchorage, Alaska, this 23rd day of May, 2016.

BY DIRECTION OF THE COMMISSION



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3 AAC 47.050(b) is amended to read:

(b) At the time a regulated utility or pipeline carrier submits the payment required by (a) of this section, it shall **electronically** file with the commission, **in accordance with 3 AAC 48.095**, a report that contains the ... (Eff. 10/21/92, Register 124; am 12/1/94, Register 132; readopt 12/1/95, Register 136; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.254 AS 42.06.286  
AS 42.05.151 AS 42.06.140

3 AAC 47.060 is amended to read:

Within 30 days after the filing with the commission of the annual report required by AS 42.05.451 (b) and AS 42.06.430 (7), a regulated utility or pipeline carrier shall **electronically** file with the commission, **in accordance with 3 AAC 48.095**, on a form provided by the commission, a report containing ... (Eff. 10/21/92, Register 124; readopt 12/1/95, Register 136; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.254 AS 42.06.286  
AS 42.05.151 AS 42.06.140

3 AAC 47.070(c) is amended to read:

(c) A regulated utility or pipeline carrier may implement a charge in accordance with (a) of this section, without prior commission approval, after the commission has implemented the initial or revised regulatory cost charge. Within 15 days after implementing a charge under (a) of this section, a regulated utility or pipeline carrier shall submit a tariff filing under the procedures set out in **3 AAC 48.220, 3 AAC 48.240 and 3 AAC 48.270**. (Eff. 10/21/92, Register 124; am 12/1/94, Register 132; am/readopt 12/1/95, Register 136; am 6/13/2006, Register 178; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.254 AS 42.06.286  
AS 42.05.151 AS 42.06.140

3 AAC 48.020(e) is amended to read:

(e) **Written communications are** [EXCEPT AS PROVIDED IN 3 AAC 48.090(A) AND 3 AAC 48.240, A WRITTEN COMMUNICATION IS] considered to be officially received when delivered to the commission's office **or received electronically through the commission's electronic filing systems**. A [HOWEVER, A] commissioner, or an employee designated by the commission, may also receive written communications [AWAY FROM THE COMMISSION'S OFFICE,] under conditions prescribed by the commission. (Eff. 1/13/73, Register 44; am 6/29/84, Register 90; am 4/24/2004, Register 170; am 4/20/2006, Register 178; am 2/16/2012, Register 201; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.151 AS 42.06.140

3 AAC 48.025(c) is amended to read:

(c) Filings formatted to print on paper larger than 8-1/2 inches by 11 inches may not be reduced before filing if doing so will make the substantive text, graphics, or photographic material illegible. Instead, oversized paper filings must be folded to 8-1/2 inches by 11 inches before filing. Electronic filings containing documents that should be printed on oversized paper must identify those documents and the proper paper sizes necessary to print legible copies of the documents. If the oversized document is greater than 11 inches by 17 inches and is part of a filing that is to be made electronically, a placeholder page generally describing the oversized document must be inserted in the filing where the oversized document otherwise would be and must be filed with the commission under 3 AAC 48.090(b)(3) with a cover letter that includes the commission's docket **or tariff advice number** for the corresponding electronic filing, and the title, filed date, and page reference of the electronic filing to which the oversized filing pertains. An electronic filing with a placeholder page is not complete until the paper version of the oversized document is officially received under 3 AAC 48.090(a) by the commission. Oversized documents must have not less than one-half inch margins on all sides and must be legible. (Eff. 2/16/2002, Register 201; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.151 AS 42.06.140

3 AAC 48.060 is amended by adding new sections to read:

(j) Applications for water and wastewater provisional certifications will be kept in a separate set of files and will be numbered in the same general manner described in (b) of this section, except that the capital letter "W" will be used instead of the capital letters "U" or "P."

(k) Intrastate interexchange registrations will be kept in a separate set of files and will be numbered in the same general manner described in (b) of this section, except that the capital letters "RX" will be used instead of the capital letters "U" or "P."

(l) The commission shall maintain a separate and complete file for each water and wastewater provisional certification proceeding and each intrastate interexchange registration proceeding, containing the original copy of each filing and all other material related to the proceeding. (Eff. 1/13/73, Register 44; am 6/29/84, Register 90; am 3/21/2003, Register 165; am 2/16/2012, Register 201; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.201 AS 42.06.140  
AS 42.05.151 AS 42.05.361 AS 42.06.400

3 AAC 48.090(b)(2)(A) is amended to read:

(b) Unless otherwise directed by the commission, service of pleadings, orders, and other documents is valid and complete if made in accordance with this subsection, as follows: ...

(2) a party with electronic mail shall provide the commission and other parties with the party's electronic mail address. A party shall make and accept service electronically, instead of by paper copies, in docketed proceedings [EXCEPT AS PROVIDED IN (3) OF THIS SUBSECTION]. **Compliance** [COMPLIANCE] with **this** [THE] requirement [TO PROVIDE THE ELECTRONIC MAIL ADDRESS] is achieved by including the electronic mail address within the signature block of submitted pleadings in accordance with 3 AAC 48.095(h) or within the letterhead or signature block of other correspondence. [; A PARTY THAT IS TECHNOLOGICALLY UNABLE TO MAKE AND ACCEPT SERVICE BY ELECTRONIC MEANS IN ACCORDANCE WITH THIS SUBSECTION SHALL EITHER PROVIDE PROOF OF AN EXISTING WAIVER, OR PENDING WAIVER REQUEST, OR SUBMIT A NEW REQUEST FOR A WAIVER OF ELECTRONIC SERVICE UNDER 3 AAC 48.095(l)] Concurrent with the party's first filing in the proceeding; a party that is technologically unable to send or receive electronic documents in accordance with this subsection shall indicate in the signature block "no electronic mail address." [;] **Parties** [PARTIES] shall serve other parties electronically as follows:

(A) [UNLESS THE SENDING PARTY HAS A WAIVER OR A WAIVER REQUEST PENDING UNDER 3 AAC 48.095(l),] the sending party shall use electronic mail to complete service to all other [non-waiver] parties in docketed proceedings; a sending party may **not** substitute paper service for electronic service on another party, **unless** [IF] both parties agree to be served in this manner; ...

3 AAC 48.090(b)(3) is amended to read:

(b) Unless otherwise directed by the commission, service of pleadings, orders, and other documents is valid and complete if made in accordance with this subsection, as follows: ...

(3) unless otherwise directed by the commission, a party filing on paper in accordance with 3 AAC 48.095(l), filing oversized documents in accordance with 3 AAC 48.025(c), or filing confidential material shall complete service by delivering in person, or by United States mail or a similar delivery service. [;] **A party filing oversized documents or filing confidential materials on paper to the commission, must provide electronic service of such documents to other parties in docketed proceedings, in accordance with 3 AAC 48.090(b)(2), unless the sending and receiving party agree to alternative means of service...**

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3 AAC 48.090(g) is amended to read:

(g) A party desiring to reply to an answer shall serve [THE REQUIRED NUMBER OF COPIES OF IT ON] the commission within 20 days after service of the answer.

3 AAC 48.090(h) is amended to read:

(h) If the commission so orders in any proceeding, [a copy of] any application, petition, complaint, motion, or other **document** [PAPER] designated by the commission shall be served by the party that submitted the filing on all persons whom the commission determines may be affected by the proceeding. After a proceeding has been instituted, each answer, motion or other **document** [PAPER] subsequently filed by any party must be served on all attorneys and parties of record concurrently with the filing thereof with the commission together with proof of service. (Eff. 1/13/73, Register 44; am 6/29/84, Register 90; am 8/6/92, Register 123; am 5/5/2000, Register 154; am 2/16/2012, Register 201; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.04.080 AS 42.05.151 AS 42.06.140  
AS 42.05.141 AS 42.06.055

3 AAC 48.091(g) is amended to read:

(g) In a separate motion, a party may move for expedited consideration of its principal motion by requesting relief in less time than would normally be required for the commission to issue a decision. If the party files electronically under 3 AAC 48.095, the party shall also use the commission's website features to indicate that the filing includes a motion for expedited consideration, if the motion is required to be submitted with the filing. A failure to properly indicate that the filing includes a motion for expedited consideration may delay commission review of the request. Courtesy copies of **an electronically filed** [THE] motion, regardless of when or how they are received by the commission, will not be considered part of the official record of the proceeding, and the commission will not base a timeline upon their receipt. The motion must ... (Eff. 4/13/2000, Register 154; am 2/16/2012, Register 201; am 8/18/2013, Register 207; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.04.080 AS 42.05.151 AS 42.06.140  
AS 42.05.141

3 AAC 48.095(a) is amended to read:

(a) Unless otherwise specified by order [, OR WAIVED IN ACCORDANCE WITH (j) OF THIS SECTION] or another applicable provision of this chapter, all **filings** [PARTIES AND THEIR REPRESENTATIVES PARTICIPATING IN A DOCKET PROCEEDING BEFORE] submitted to the commission, **with the exception of regulatory cost charge reports, may be filed** [SHALL FILE, SERVE, AND ACCEPT

SERVICE] electronically **or on paper. Reports submitted in accordance with 3 AAC 47.050(b) or 3 AAC 47.060 shall be filed electronically, unless waived in accordance with (l) of this section or otherwise specified by order. Parties and their representatives participating in docket proceedings before the commission shall serve and accept service electronically in accordance with 3 AAC 48.090(b).**

An electronic filing with the commission must be made through the commission's electronic filing systems using the commission's website. Public comments may be filed either electronically, including by electronic mail, or on paper. Additional copies of **an electronic** [a] filing, in any form, are not required, and may be deleted or destroyed by the commission. Electronic mail may be submitted to facilitate the commission staff's work, if requested by the staff or the commission.

3 AAC 48.095(g) is amended to read:

(g) An electronic file description and name must be as descriptive and concise as possible. The commission staff may change a file description or name if the change will assist staff processing of the file. **Commission staff will notify a filing entity, in writing, of any file description or file name changes.**

3 AAC 48.095(h)(1) is amended to read:

(h) To verify an electronic filing by signature, a filer shall do the following:

(1) an electronic filing must include at least one signature block within the filing; the cover letter, application form, motion, or similar document within a filing must include, in substantially the following format, a signature block **or letterhead** that includes the typewritten name, mailing address, telephone number, [FACSIMILE NUMBER,] and electronic mail address of the signatory authorized to sign under 3 AAC 48.100(g) **and 3 AAC 48.270(a)**:

Contact Name

Mailing Address

City, State, Zip Code

Phone: (xxx) xxx-xxxx

[FAX: (xxx) xxx-xxxx]

Electronic Mail Address: xxx@xxx.xxx;

3 AAC 48.095(k) is amended to read:

3 AAC 48.095(k) is amended to read:

(k) Service of filings **in formal proceedings, as defined in 3 AAC 48.070,** [UNDER THIS SECTION] must comply with 3 AAC 48.090(b).

3 AAC 48.095(l) is repealed in its entirety:

(I) The following procedures and requirements apply to a waiver from the electronic filing requirements of this section:

(1) a person requesting a waiver from the requirements of this section must file an original and two copies of a pleading entitled "Request for Waiver of Electronic Filing Requirements"; the provisions of 3 AAC 48.091 do not apply to a request for waiver submitted under this section; the administrative law judge assigned to a [THE] docket **or commission staff member assigned to review a report filed under 3 AAC 47.050(b) or 3 AAC 47.060** may reject a paper filing made without a pending waiver request, or proof of an existing waiver, if the filing was required to be submitted electronically;

(2) a request for a waiver of the electronic filing requirements for the duration of a docket **or for a report filed under 3 AAC 47.050(b) or 3 AAC 47.060** may be granted if the requesting person

(A) does not own or have reasonable access to the electronic equipment and software necessary to make the electronic filing;

(B) does not have a broadband Internet access connection to make the electronic filing;

(C) would incur interexchange per-minute charges to make the electronic filing;

(D) lacks a scanner, and the scanner is necessary for the person to make the electronic filing; or

(E) provides an affidavit setting out the factual basis for why compliance is not reasonably possible or would lead to undue hardship;

(3) the requesting person must file with the commission and serve on all other parties the request for a waiver concurrently with the person's first filing in the docket proceeding; while the request for a waiver is pending, all other parties to the proceeding shall complete service in person upon the requesting person, or by United States mail or a similar delivery service;

(4) a party may not file an opposition to a request for a waiver;

(5) the commission or an administrative law judge may deny a request for a waiver for good cause; if no action is taken on a request for a waiver five business days or earlier after filing, the request for a waiver is granted;

(6) if, after receiving a waiver under this subsection, a person becomes able to send and receive electronic filings, the person shall notify the commission

immediately; the waiver of the electronic filing requirements automatically terminates upon receipt by the commission of that notice;

(7) a waiver of electronic filing requirements applies to a party's participation in a specific docket proceeding **or a specific report filed under 3 AAC 47.050(b) or 3 AAC 47.060** and continues for the duration of that docket **or the specific report** unless terminated under (6) of this subsection, or otherwise stated in a commission order. (Eff. 2/16/2012, Register 201; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.151 AS 42.06.140

3 AAC 48.100 is amended to read:

General requirements of **filings** [PLEADINGS].

3 AAC 48.100(g)(2) is amended to read:

(g) Beneath the signature of every attorney of record, party, or other person appearing on a **filing** [PLEADING], there must be typed, stamped, or printed the person's name and, for initial proceedings, the person's mailing address, telephone number, [FACSIMILE NUMBER,] attorney bar number, **and electronic mail address, if applicable** [, AND ELECTRONIC MAIL ADDRESS]. The correct legal name of an unrepresented party, or the firm name of a party's representative, who signs the pleading must appear above the signature of the person signing the pleading on behalf of that entity. The first pleading of a party, and only the first, must ...

(2) state the name, title, mailing address, facsimile number, and electronic mail address, **if applicable**, of the person to whom correspondence and communications [IN THE PROCEEDING] are to be addressed. (Eff. 1/13/73, Register 44; am 6/29/84, Register 90; am 8/6/92, Register 123; am 4/24/2004, Register 170; am 2/16/2012, Register 201; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.451 AS 42.06.140  
AS 42.05.151

3 AAC 48.142 is amended to read:

Discovery requests and responses to discovery requests must be served electronically as provided in 3 AAC 48.090(b) (2), (4), and (5), unless electronic filing has been waived under 3 AAC 48.095(l) or **the sending and receiving party agree to alternative means of service**. If electronic filing has been waived the parties shall determine how discovery is served. Responses to discovery requests may be shared among the parties by **other** means [OTHER THAN ELECTRONIC MAIL], if all parties agree. If the parties cannot agree on how discovery is served, the presiding officer will determine how discovery is served. Discovery requests and responses to discovery

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requests are not filed with the commission when served. (Eff. 8/18/2013, Register 207; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.671 AS 42.06.445  
AS 42.05.151 AS 42.06.140

3 AAC 48.182(b) is amended to read:

(b) Notice of a regular or special public meeting **may** [WILL] be published by the commission in a newspaper of general circulation in the area where the meeting will be held and teleconferenced. Notice will [ALSO] be posted at the commission's offices **and may be posted on the commission's website**. Notice of a regular and special meeting will include the date, time, and place of the meeting; general topics to be discussed or considered; and the location of any teleconferencing facilities that will be used.

3 AAC 48.182(c) is amended to read:

(c) Notice of an emergency public meeting **may** [WILL] be published by the commission as provided for under (b) of this section if the commission determines that sufficient time is available. Otherwise, notice of an emergency public meeting will be posted by the commission on the public notice board at the commission's offices **and may be posted on the commission's website**. [AND] **Notice of an emergency public meeting** will include the date, time, and place of the meeting; general topics to be discussed or considered; and location of any teleconferencing facilities that will be used. Reasonable attempts will be made in writing or by telephone by the commission to provide notice to known interested persons on the topics scheduled for the emergency public meeting.

3 AAC 48.182(d) is repealed in its entirety.

[(d) NOTICE OF EACH PUBLIC MEETING WILL BE RECORDED ON THE COMMISSION'S PUBLIC MEETING RECORDING AND WILL INCLUDE DATE, TIME, AND PLACE OF THE MEETING AND GENERAL TOPICS TO BE DISCUSSED OR CONSIDERED AT THAT MEETING.] (Eff. 6/27/92, Register 122; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.06.140(a) AS 44.62.310(e)  
AS 42.05.151

3 AAC 48.183(a) is amended to read:

(a) In addition to the notice provisions of 3 AAC 48.182 for public meetings of the commission, an agenda of each public meeting of the commission will be printed and

available for public inspection and copying at the commission's offices [.] **and may be posted on the commission's website.**

3 AAC 48.183(b) is amended to read:

(b) The commission **may post on its website or** [WILL] deliver by hand, by United States mail or a similar delivery service, or by electronic mail a copy of an agenda to each known participant in a proceeding listed on the agenda [AND TO EACH AGENDA SUBSCRIBER AS PROVIDED UNDER (E) OF THIS SECTION].

3 AAC 48.183(c) is amended to read:

(c) A copy of an agenda of each regular public meeting and of each special public meeting will be available and **may be** mailed by the commission **or posted on the commission's website** at least one week before the scheduled date of the meeting.

3 AAC 48.183(d) is amended to read:

(d) A copy of an agenda of an emergency meeting [WILL] **may** be mailed by the commission **or posted on the commission's website** as soon as the agenda is available, but by no later than one week after the scheduled date of the emergency meeting.

3 AAC 48.183(e) is repealed in its entirety.

[(e) A SUBSCRIPTION TO PUBLIC MEETING AGENDAS IS AVAILABLE FROM THE COMMISSION AT COST SET BY THE COMMISSION.](Eff. 6/27/92, Register 122; am 2/16/2012, Register 201; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.151 AS 42.06.140

3 AAC 48.220(a) is amended to read:

(a) **Each** [AN ORIGINAL AND 10 COPIES OF EACH] utility tariff filing must be on file with the commission at least 45 days before the tariff may take effect unless the commission, by order, authorizes the filing to take effect in less than 45 days after the date of filing, or unless another commission regulation provides for a different filing method or time period. **Each** [AN ORIGINAL AND 10 COPIES OF EACH] initial pipeline tariff filing shall be on file with the commission at least 90 days before it may become effective unless the commission, by order, authorizes the filing to become effective in less than 90 days from the date of delivery. **Each** [AN ORIGINAL AND 10 COPIES OF EACH] revised pipeline tariff must be on file with the commission at least 30 days before the tariff may take effect unless the commission, by order, authorizes the filing to take effect in less than 30 days after the date of filing. Each filing must be transmitted to the

commission by means of consecutively numbered letters designated as "Tariff Advice Letter No. 1, 2, 3, etc." Every advice letter must contain the applicable information set out in 3 AAC 48.270, unless another commission regulation provides otherwise. If a utility or pipeline carrier desires an effective date before the end of the statutory notice period for a filing, the utility or pipeline carrier shall request an earlier effective date and set out the reasons in the tariff advice letter. The utility or pipeline carrier shall attach rate studies or supply other information pertinent to the filing. If interim approval of a tariff filing is sought, that request must also be set out in the tariff advice letter. (Eff. 11/16/73, Register 48; am 6/29/84, Register 90; am 8/6/92, Register 123; am 9/16/2005, Register 175; am 4/24/2009, Register 190; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 42.05.141	AS 42.05.361	AS 42.05.421
	AS 42.05.151	AS 42.05.371	AS 42.06.140
	AS 42.05.231	AS 42.05.391	AS 42.06.350
	AS 42.05.241	AS 42.05.411	AS 42.06.390

3 AAC 48.240(a) is amended to read:

(a) **Unless otherwise specified by order or another applicable provision of this chapter, tariff filings may be submitted electronically, in accordance with 3 AAC 48.095.** No tariff or tariff revision filed by a utility or pipeline carrier will be accepted for filing unless it is **received by** [DELIVERED TO] the commission free of all delivery charges or claims no later than **5:00** [4:30] p.m. of a regular business day. **Unless otherwise directed by the commission, a public utility or pipeline carrier filing on paper shall submit an original and five copies of each tariff advice filing.**

3 AAC 48.240(c) is amended to read:

(c) Tariff filings, **whether received on paper or electronically** [DELIVERED] after **5:00** [4:30] p.m. on a regular business day, or on a Saturday, Sunday, or legal holiday for Alaska state offices, will be stamped as having been **received** [DELIVERED] on the commission's next regular business day. The day after the **received** [DELIVERY] date will be counted as the first day of the period of notice to the commission in accordance with AS 01.10.080. Every Saturday, Sunday, or legal holiday during the succeeding 29, 44, or 89 days, whichever is applicable, will be counted as part of the notice period, except that if the notice period ends on a Saturday, Sunday, or legal holiday, the notice period will be extended to the end of the commission's next regular business day. (Eff. 11/16/73, Register 48; am 6/29/84, Register 90; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 42.05.141	AS 42.05.411	AS 42.06.350
	AS 42.05.151	AS 42.06.140(a)	AS 42.06.390
	AS 42.05.361		

3 AAC 48.270(a) is amended to read:

(a) Every tariff filing required by 3 AAC 48.200 - 3 AAC 48.430, except filings directly related to applications for new or amended certificates of public convenience and necessity, must be transmitted to the commission by a consecutively numbered original advice letter [AND 10 COPIES]. Advice letters may be on either letterhead or plain paper, but must be eight and one-half inches by 11 inches, must contain the exact legal name, [AND] return address **and electronic mail address, if applicable** of the filing utility or pipeline carrier, and must be in substantially the following form:

Tariff Advice Letter No. ....  
(Date; also return  
address if not shown  
on letterhead.)  
address)

Regulatory Commission of Alaska  
(Anchorage, Alaska office

Commissioners:

The tariff filing described below is transmitted to you for filing, in compliance with the Alaska Public Utilities Regulatory Act (or the Pipeline Act, as applicable) and 3 AAC 48.200 - 3 AAC48.430. (List here the tariff sheets that are being filed, substantially in the form shown below.)

Tariff Sheet Number		Cancels Sheet Number
Schedule or		
Original Revised		Original Revised
Rule Number		

(Insert here a statement setting out the estimated number of customers or shippers who will be affected by each separate schedule listed and the estimated annual revenues under both the existing and proposed rates. If the filing is for a new service; will not increase any rate or charge, result in the termination of an existing service, or conflict with any other schedule or rate; or will not in any other way adversely affect customers, shippers, or the public, insert a statement to that effect. If the filing is based upon a comprehensive study, submit a copy of the study or the working papers used by the utility or pipeline carrier.

When a special contract is filed, name the signatories to it; give the date of execution; briefly outline the provisions of the contract; and state the reason the customer was not required to take service under an existing tariff schedule or an appropriate revision of it, designed to accommodate the customer and all others similarly situated. If a commission order is in any way involved, cite it also.

Specify the exact date on which the utility or pipeline carrier wishes the entire filing to take effect. If a utility or pipeline carrier wishes a tariff filing, or any designated part of it, to take effect in less than the period prescribed by statute, conclude the advice letter with a statement of the reason, in sufficient detail, to support a finding by the commission that "for good cause shown the filing should be allowed to take effect

before the end of the statutory notice period." If interim approval of a tariff filing is requested, that request must also be set out in the tariff advice letter.)

Very truly yours,  
(Exact Legal Name of Utility or Pipeline Carrier in Capital Letters)

(Name of Representative Authorized To Issue Tariffs of Utility or Pipeline Carrier)

\_\_\_\_\_  
(Title)

(Eff. 5/9/75, Register 54; am 6/29/84, Register 90; am 8/6/92, Register 123; am 4/24/2004, Register 170; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 42.05.141	AS 42.06.140	AS 42.06.380
	AS 42.05.151	AS 42.06.350	AS 42.06.390
	AS 42.05.411	AS 42.06.360	

3 AAC 48.275(h) is amended to read:

(h) In addition to any other supporting studies required by this chapter, if a proposed tariff revision includes a rate redesign, other than an across-the-board increase, a cost-of-service study and a narrative explaining the methodology used in the study must be submitted [IN THE SAME NUMBER OF COPIES AS REQUIRED UNDER 3 AAC 48.270(a)]. (Eff. 9/12/75, Register 55; am 6/8/78, Register 66; am 6/29/84, Register 90; am 1/10/99, Register 149; am 5/5/2000, Register 154; am 3/21/2003, Register 165; am 8/19/2006, Register 179; am 1/9/2009, Register 189; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_).

<b>Authority:</b>	AS 42.04.080	AS 42.05.411	AS 42.06.350
	AS 42.05.141	AS 42.05.431	AS 42.06.370
	AS 42.05.151	AS 42.05.441	AS 42.06.390
	AS 42.05.361	AS 42.06.055	AS 42.06.430
	AS 42.05.391	AS 42.06.140	

3 AAC 48.280(b) is amended to read:

(b) The statutory period of notice to the commission and the public with respect to special contracts, and every new or revised tariff rate, charge, rule, regulation, condition of service, or practice, starts running as of the day after the date the filing is **received** [DELIVERED] **by** the commission in accordance with 3 AAC 48.240. In computing the statutory notice period, no consideration will be given to notice by telephone, **electronic mail** or **facsimile** [TELEGRAPH].

3 AAC 48.280(e)(1)-(2) is amended to read:

(e) The commission will, in its discretion, and on a case-by-case basis, prescribe one or more appropriate additional means by which a tariff filing must be noticed to the public, including, but not limited to

(1) publication in one or more newspapers or via other news media at the expense of the filing entity; **or** [AND]

(2) individual notice to all customers or shippers to be affected [, EITHER BY DIRECT MAIL AT THE EXPENSE OF THE UTILITY OR PIPELINE CARRIER] **either by hand, by United States mail or a similar delivery service,** under conditions prescribed by the commission, or by the commission itself [, USING PLAIN UNSEALED ENVELOPES THAT HAVE BEEN STAMPED, ADDRESSED, AND FURNISHED BY THE UTILITY OR PIPELINE CARRIER]. (Eff. 11/16/73, Register 48; am 6/29/84, Register 90; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 42.05.141	AS 42.05.411	AS 42.06.350
	AS 42.05.151	AS 42.06.140(a)	AS 42.06.390
	AS 42.05.361		

3 AAC 48.290(a) is amended to read:

(a) **Comments may be filed either electronically, including by electronic mail or on paper.** Any person desiring to submit a **comment in response to** [STATEMENT OF INTEREST IN, OR OBJECTION TO,] a tariff filing may be asked to do so not later than 20 days after the **received** date of [DELIVERY TO] the commission unless a longer period, not in excess of 30 days, is granted by public notice, or by notice in writing. Every notice to the public by **hand, United States mail or a similar delivery service** [direct mail] or by means of a paid legal advertisement in any news media shall specify the deadline date for **comments** [RESPONSES TO THE FILING].

3 AAC 48.290(b)(1)-(6) is amended to read:

(b) **Comments** [OBJECTIONS, OR STATEMENTS OF INTEREST,] must be submitted [in writing] with a copy to the utility or pipeline carrier; must be signed by the interested person or the person's authorized representative; and must contain at least the following information:

(1) reference to the applicable docket number, tariff advice letter number, or file reference specified in the notice;

(2) name, [and] **mailing address and electronic mail address, if applicable** of the person filing, regardless of whether the person is a customer of the utility or a shipper with the pipeline carrier; and if the person is a customer or shipper, the **physical** address of the place or places where service is taken, or the place or places where shipment is received by the carrier;

(3) reason for filing, if not a customer or shipper, together with any supporting factual data;

(4) whether or not **the comment** [OBJECTION] is made on behalf of self or on behalf of other named persons, or an organized group, association, company, etc.;

(5) the person's **comment** [OBJECTION OR INTEREST] in the noticed matter with reasonable particularity, and as concisely as possible; and

(6) statement that a true copy of the same **comment** [STATEMENT OF INTEREST OR OBJECTION] has been served on the utility or pipeline carrier that made the tariff filing, together with the date it was either **electronically** mailed or [HAND-]delivered **by hand, United States mail or similar delivery service** to the utility or pipeline carrier.

3 AAC 48.290(c) is amended to read:

(c) A customer of a utility, or a shipper with a pipeline carrier, has unquestioned standing to file a timely **comment on** [STATEMENT OF INTEREST IN OR OBJECTION TO] a filing by that utility or pipeline carrier. The standing of others to file **comments** [THESE STATEMENTS] depends upon the nature of their interest, the merit of their position, the extent to which their **comments** [STATEMENTS] are supported by accurate factual data, and such other factors as the commission considers pertinent. **Comments** [A STATEMENT OF INTEREST] may be summarily dismissed, or ignored, if the commission finds the **comment** [STATEMENT] is based upon erroneous assumptions or appears to be motivated mainly by a desire to harass or embarrass the utility or pipeline carrier or to protect the economic interests of the competitors of the utility or pipeline carrier. A person who is denied standing may file a motion asking the commission to reconsider its decision and indicating the reason the motion should be granted. (Eff. 11/16/73, Register 48; am 6/29/84, Register 90; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 42.05.141	AS 42.06.140(a)	AS 42.06.370
	AS 42.05.151	AS 42.06.350	AS 42.06.390

3 AAC 49.060(c) is amended to read:

(c) The date on which the commission receives an application for a recount, rather than the date of mailing or transmission of the application, determines whether the application is filed within the time allowed under (a) of this section. If the actual physical delivery [BY TELEGRAM] of a copy in substance of the statements made in the application for recount is received in the commission's office before **5:00** [4:30] p.m., Alaska Standard or Daylight Time, as the case may be, on the due date, the application will be accepted; however, the original signed application must be postmarked at or before midnight, Alaska Standard or Daylight Time, as the case may be, of the same day.

3 AAC 49.060(g) is amended to read:

(g) The commission will give the utility or cooperative, or any other interested party, or the one or more persons appointed to represent the applicant during the recount, notice of the time and place of the recount by certified mail [, TELEGRAM,] or telephone. (Eff. 8/14/80, Register 75; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.151(a) AS 42.05.712

3 AAC 51.030(a) is amended to read:

(a) Following the issuance of a certificate of public convenience and necessity to provide TRS in this state, the provider shall file a tariff that incorporates the terms and conditions specified in its application. The TRS provider shall serve in conformance with its tariff until service expires under the terms of the certificate or until the commission decides otherwise. The TRS provider shall file with the commission, **in accordance with 3 AAC 48.095**, a monthly report that includes the following information: ... (Eff. 12/2/92, Register 124; am 2/23/2001, Register 157; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.151 AS 42.05.296

3 AAC 51.040(c) is amended to read:

(c) After the commission determines the surcharge, each local exchange carrier shall submit to the commission a compliance tariff filing that includes the surcharge using the procedures set out in **3 AAC 48.220, 3 AAC 48.240, and 3 AAC 48.270**. (Eff. 12/2/92, Register 124; am 2/23/2001, Register 157; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.296 AS 42.05.321  
AS 42.05.151 AS 42.05.311

3 AAC 52.030(b) is amended to read:

(b) Each utility shall file with the commission, **in accordance with 3 AAC 48.095**, a plan for inspection and maintenance of each pipeline facility owned or

operated by the utility, and any changes in the plan. If the commission finds that the plan is inadequate to achieve safe operation, the commission shall, after notice and opportunity for a hearing, require the plan to be revised. (Eff. 2/21/69, Register 30; am 1/13/73, Register 44; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.461 AS 42.05.501

3 AAC 52.070(c) is amended to read:

(c) A written report of each accident shall be filed with the commission within 20 days after each accident, **in accordance with 3 AAC 48.095**. The report shall be made on the commission's "Gas Distribution Pipeline Accident or Incident Report" form or the United States Department of Transportation's Form DOT-F-7100.2 for transmission and gathering systems. If the accident investigation is not completed within the 20-day period, the utility shall file an additional written report with the commission, **in accordance with 3 AAC 48.095**, upon the completion of the investigation and a written report of the progress of the investigation every 90 days until the investigation is complete. (Eff. 2/21/69, Register 30; am 1/13/73, Register 44; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.291

3 AAC 52.300(d) is amended to read:

(d) Each utility shall make answering time studies of its operator services, using recognized sampling techniques, to the extent and with the frequency necessary to determine compliance with this section. Monthly summaries of these studies, prepared with respect to each appropriate operator grouping, must be filed with the commission promptly after the end of each calendar quarter, **in accordance with 3 AAC 48.095**. (Eff. 1/5/79, Register 69; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.291 AS 42.05.331  
AS 42.05.151

3 AAC 52.320(a) is amended to read:

(a) Each telephone utility shall report to the commission, **in accordance with 3 AAC 48.095**, all instances where the quality of service it provides fails to meet the surveillance levels specified in these standards for three consecutive months. That report must be filed with the commission within 30 days following the three-month period during which the surveillance levels have not been attained.

3 AAC 52.320(b) is amended to read:

(b) Each telephone utility shall report as soon as reasonably possible to the commission, **in accordance with 3 AAC 48.095**, any specific occurrence or development which disrupts the service to five percent or more of its subscribers in a particular exchange or which has a significant adverse effect on toll network performance. A failure of the automatic number-identifying equipment or a failure of 25 percent or more trunks in any trunk group for a period of more than one hour is considered a significant disruption of service. (Eff. 1/5/79, Register 69; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141                      AS 42.05.291                      AS 42.05.331  
                  AS 42.05.151

3 AAC 52.330 is amended to read:

In addition to the annual report required by AS 42.05.451(b), a telephone utility shall file annually with this commission, **in accordance with 3 AAC 48.095**, a listing of its projected capital improvements projects that exceed \$15,000, arranged by major plant categories, for the current year and the ensuing two years. This filing must include a technical planning statement giving the reasoning underlying the construction program and a demand and facility chart for each central office entity or toll switching facility. The commission will prescribe the form or the format of the report. It is understood that changes after filing may be necessary as economic conditions, experience, and further study dictate. (Eff. 1/5/79, Register 69; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141                      AS 42.05.151                      AS 42.05.511

3 AAC 52.333(c)(1) is amended to read:

(c) If a local exchange telephone utility receives a bona fide request for interconnection in an exchange where interstate equal access is not being provided at the time of the request, that utility shall provide 2-PIC dialing at the same time and on the same schedule as required by the Federal Communications Commission for the implementation of interstate equal access. In this event, presubscription balloting for intrastate interexchange carriers shall be conducted by that utility in coordination with balloting for interstate interexchange carriers, as follows:

(1) At least 45 days in advance of the mailing of interstate interexchange presubscription ballots, a local exchange telephone utility shall file with the commission for review and approval, **in accordance with 3 AAC 48.095**, a proposed intrastate interexchange presubscription ballot that lists the available intrastate interexchange carriers. The ballot must clearly state that a customer may select different interexchange carriers for intrastate and interstate interexchange services. (Eff. 6/27/92, Register 122; am 10/29/94, Register 132; am 11/11/2001, Register 160; am 4/24/2004, Register 170; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.311 AS 42.05.800  
AS 42.05.151 AS 42.05.321 AS 42.05.810

3 AAC 52.358(b) is amended to read:

(b) Except as provided in (c) of this section, an entity registering under this section shall submit a registration fee of \$100, and shall file, **in accordance with 3 AAC 48.095**, the following information on a form prescribed by the commission: ...

3 AAC 52.358(g) is amended to read:

(g) An entity registered under this section shall, on or before January 31 of each year, renew its registration by filing a form prescribed by the commission **in accordance with 3 AAC 48.095**. The registration renewal must include a statement of any changes to information submitted with the entity's registration, an annual registration renewal fee of \$50, and a verification that the entity is in compliance with the requirements of (e) and (f) of this section. (Eff. 5/18/2003, Register 166; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.381 AS 42.05.661  
AS 42.05.151 AS 42.05.411 AS 42.05.711  
AS 42.05.221 AS 42.05.431 AS 42.05.810  
AS 42.05.361

3 AAC 52.367(c)(1)(D) is amended to read:

(c) A registered entity's online tariff must include a table of contents and a section for setting out notices of any proposed tariff revisions, and must set out in plain language a statement of the following:

(1) customer complaint information, including ...

(D) the commission's **mailing address, Internet address of the commission's website and** toll-free telephone number;

3 AAC 52.367(d)(1) is amended to read:

(d) At least 30 days before revising a provision of its online tariff, a registered entity shall file with the commission **in accordance with 3 AAC 48.220, 3 AAC 48.240 and 3 AAC 48.270** [AN ORIGINAL AND TWO PAPER COPIES OF]

(1) the proposed tariff revision[, AND A COMPACT DISC OR 3.5-INCH DISKETTE CONTAINING THE PROPOSED REVISED TARIFF IN PC-COMPATIBLE, HYPERTEXT MARKUP LANGUAGE (HTML) FORMAT]; ...

3 AAC 52.367(f)(4)-(5) is amended to read:

(f) Public notice of a registered entity's proposed tariff revision must include a plainly written general description of the proposed tariff revision that is accurate and sufficient to alert consumers of any change to a rate or rule applicable to them, and also must include the following specific information:

(4) a statement that any person may, within 20 days after the date of the notice, file comments on the tariff revision with the commission by mail, **through the commission's website** or by electronic mail;

(5) the commission's **mailing address, the Internet address of the commission's website** and electronic mail address where comments may be filed. (Eff. 5/18/2003, Register 166; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 42.05.141	AS 42.05.381	AS 42.05.431
	AS 42.05.151	AS 42.05.411	AS 42.05.711
	AS 42.05.361		

3 AAC 52.372(b) is amended to read:

(b) No later than three months after the elimination, under 3 AAC 53.350(c), of the carrier common line charge, an interexchange carrier shall file a report, **in accordance with 3 AAC 48.095** describing changes it has made in intrastate long distance rates. For a period of five full calendar years thereafter, no later than March 31 of each year, an interexchange carrier shall file an annual report, **in accordance with 3 AAC 48.095** demonstrating the extent to which the carrier reduced intrastate long distance rates in the preceding calendar year in conformance with (a) of this section. The interexchange carrier's annual report must either demonstrate flow-through of access charge savings based upon the methodology developed through industry consensus and set out in the joint report submitted to the commission on December 13, 2001 in Docket R-01-1, or demonstrate reasonable progress towards achieving parity between intrastate long distance rates and interstate long distance rates. Under either approach, the annual report must include a schedule showing the change in dollars and minutes of intrastate long distance from year to year segregated between intrastate residential long distance and intrastate business long distance. (Eff. 7/31/2011, Register 199; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 42.05.141	AS 42.05.321	AS 42.05.571
	AS 42.05.145	AS 42.05.381	AS 42.05.581
	AS 42.05.151	AS 42.05.391	AS 42.05.611
	AS 42.05.311	AS 42.05.431	AS 42.05.840

3 AAC 52.380(e) is amended to read:

(e) An interexchange carrier that owns or controls interexchange facilities in the state shall file annually with the commission, **in accordance with 3 AAC 48.095**, a report identifying occurrences of the carrier's noncompliance with the state telecommunications modernization plan set out in 3 AAC 53.700 - 3 AAC 53.720. The carrier shall also identify progress toward compliance with the deadline requirements of 3 AAC 53.700 - 3 AAC 53.720.

3 AAC 52.380(f) is amended to read:

(f) An interexchange carrier or alternate operator service provider shall annually submit calendar year traffic data, disaggregated by month, within 90 days after the end of each calendar year. The traffic data must be submitted in a format prescribed by the commission **in accordance with 3 AAC 48.095**. (Eff. 3/16/91, Register 17; am 9/1/2002, Register 163; am 5/18/2003, Register 166; am 9/16/2005, Register 175; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 42.05.141	AS 42.05.221	AS 42.05.431
	AS 42.05.151	AS 42.05.241	AS 42.05.990

3 AAC 52.390(f) is amended to read:

(f) For each proposed retail tariff revision, an interexchange carrier shall give public notice of that tariff revision by publication in a widely distributed newspaper of general circulation and shall file with the commission a [WRITTEN AND AN ELECTRONIC] copy of each notice. The carrier shall publish and file each notice no later than five days after filing the proposed tariff revision with the commission.

3 AAC 52.390(g) is amended to read:

(g) For each proposed wholesale tariff revision, an interexchange carrier shall provide public notice of that tariff revision on its Internet web site and shall file with the commission [BOTH A WRITTEN AND AN ELECTRONIC] a copy of the notice. The carrier shall post and file the notice no later than five days after filing the proposed tariff revision with the commission.

3 AAC 52.390(h)(6) is amended to read:

(h) In a notice required under (f) or (g) of this section, the carrier shall provide a general description of the proposed tariff revision that is accurate, written in plain English, and in sufficient detail to explain the proposal. The notice must include the following information:

(6) a statement similar to the following: "Any person may file written comments on this tariff revision with the Regulatory Commission of Alaska **on paper** [,] **at** 701 West Eighth Avenue, Suite 300, Anchorage, Alaska 99501 **or electronically via**

**the commission's website at (Internet web site address)**. To assure that the Commission has sufficient time to consider the comments before the revision takes effect, your comments must be filed with the Commission no later than (a specific date, not a weekend or holiday, approximately 7-10 days before the filing takes effect)."

3 AAC 52.390(m) is amended to read:

(m) On or before March 31 of each year, an interexchange carrier shall file, **in accordance with 3 AAC 48.095** a financial report of the carrier's intrastate interexchange operations in the state for the previous calendar year. Non-interexchange operations must be excluded from the financial report. The financial report must include detailed information regarding ...

3 AAC 52.390(n) is amended to read:

(n) On or before March 31 of each year, an interexchange carrier that under (c) of this section is a carrier of last resort or is assigned a responsibility of a carrier of last resort shall file, **in accordance with 3 AAC 48.095**

3 AAC 52.390(o) is amended to read:

(o) On or before March 31 of each year, an interexchange carrier shall file with the commission, **in accordance with 3 AAC 48.095**, a map or a listing identifying each location where the carrier owns or controls interexchange facilities and identifying each type of facility that is sited at each location. After an initial filing, absent changes to the facilities map or listing, the interexchange carrier shall file verification, **in accordance with 3 AAC 48.095** that no changes to the map or listing have occurred. If the interexchange carrier does not own or control an interexchange facility in the state, ... (Eff. 3/16/91, Register 117; am 7/8/93, Register 127; am 9/1/2002, Register 163; am 5/18/2003, Register 166; am 8/27/2004, Register 171; am 9/16/2005, Register 175; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141                      AS 42.05.151                      AS 42.05.800  
                 AS 42.05.145                      AS 42.05.291

3 AAC 52.450(c)(1)(H) is amended to read:

(c) The following notice requirements apply to service disconnections permissible under (b) of this section:

(1) Except as provided in (2) of this subsection and in (d) of this section, a utility shall, at least 15 days before the scheduled date of disconnection, mail or deliver to the customer a written notice of its intent to disconnect service. A copy of the termination notice must be simultaneously forwarded to any third party designated by

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the customer on a service application. The notice must contain, at a minimum, the following information:

(H) the telephone number and mailing address of the commission, the Internet address of the commission's website, and a statement that the customer may file a complaint with the commission under 3 AAC 48.120 or 3 AAC 48.130 if not satisfied with the utility's response or resolution of a contested bill or tariff provision; and ... (Eff. 1/1/87, Register 100; am 4/10/92, Register 122; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.151 AS 42.05.291

3 AAC 52.470(e) is amended to read:

(e) Upon entering into a contract with a nonregulated vendor, other than a contract with a qualifying facility as defined in 3 AAC 50.820(11) , for the purchase of energy, including electrical energy or capacity, natural or manufactured gas, diesel oil or gasoline, or any other fuel source, for a term exceeding 12 months, a utility shall file with the commission the following information, in accordance with 3 AAC 48.095: ... (Eff. 1/1/87, Register 100; am 1/11/2004, Register 169; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.291 AS 42.05.691  
AS 42.05.151

3 AAC 52.490(b)(2)-(3) is amended to read:

(b) A utility shall submit information to the commission regarding service outages as follows:

(2) for an interruption of service, from whatever cause, which affects five percent or more of a utility's total customers or affects a discrete community of customers, and persists for three hours or more, the written report must include a description of the cause and extent of the outage, and must be filed within five working days after service is restored, in accordance with 3 AAC 48.095; and

(3) a cumulative 12-month report of its service outages must be filed as a part of the utility's annual report to the commission under AS 42.05.451, in accordance with 3 AAC 48.095. (Eff. 1/1/87, Register 100; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.291 AS 42.05.501  
AS 42.05.151

3 AAC 52.504(h) is repealed in its entirety:

[(h) THE ELECTRIC UTILITY MUST SUBMIT THE INFORMATION REQUIRED IN (g) OF THIS SECTION ON A 3.5-INCH DISKETTE OR A COMPACT DISC, AND IN AN ELECTRONIC FORMAT COMPATIBLE WITH THE COMMISSION'S DATA-PROCESSING EQUIPMENT AND SOFTWARE, UNLESS THE COMMISSION WAIVES THIS REQUIREMENT BECAUSE THE ELECTRIC UTILITY LACKS A READILY ACCESSIBLE MEANS OR THE CAPABILITY TO PROVIDE ITEMS IN THE REQUIRED ELECTRONIC FORMAT.] (Eff. 1/11/2004, Register 169; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 42.05.141	AS 42.05.711	AS 42.45.160
	AS 42.05.151	AS 42.45.110	AS 42.45.170
	AS 42.05.381	AS 42.45.130	

3 AAC 52.506(h) is repealed in its entirety:

[(h) THE GAS UTILITY MUST SUBMIT THE INFORMATION REQUIRED IN (g) OF THIS SECTION ON A 3.5-INCH DISKETTE OR A COMPACT DISC, AND IN AN ELECTRONIC FORMAT COMPATIBLE WITH THE COMMISSION'S DATA-PROCESSING EQUIPMENT AND SOFTWARE, UNLESS THE COMMISSION WAIVES THIS REQUIREMENT BECAUSE THE GAS UTILITY LACKS A READILY ACCESSIBLE MEANS OR THE CAPABILITY TO PROVIDE ITEMS IN THE REQUIRED ELECTRONIC FORMAT.] (Eff. 1/11/2004, Register 169; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 42.05.141	AS 42.05.711	AS 42.45.160
	AS 42.05.151	AS 42.45.110	AS 42.45.170
	AS 42.05.381	AS 42.45.130	

3 AAC 52.640(b) is amended to read:

(b) A nonregulated participating electric utility shall request a change in its power cost equalization per kilowatt-hour, **in accordance with 3 AAC 48.095**, if the utility has ...

3 AAC 52.640(f)(2) is amended to read:

(f) A participating electric utility shall file with the commission a periodic fuel or purchased power cost report as follows:

(2) for a nonregulated participating electric utility, except as provided in (g) of this section, the report required by this subsection shall be filed **in accordance with 3 AAC 48.095** on the dates and forms prescribed by the commission based on the historical frequency of a utility's fuel and power purchases and shall include all of the

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following information or supporting documents: ... (Eff. 10/28/89, Register 112; am 5/18/96, Register 138; am 9/11/2004, Register 171; am 4/28/2005, Register 174; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 42.05.141	AS 42.45.110	AS 42.45.160
	AS 42.05.151	AS 42.45.130	AS 42.45.170

3 AAC 52.660(a) is amended to read:

(a) In order for the commission to determine whether the power cost equalization per kilowatt-hour of a participating electric utility is just and reasonable, a utility shall annually file **in accordance with 3 AAC 48.095** [WITH THE COMMISSION] a report for review. (Eff. 10/28/89, Register 112; am 9/11/2004, Register 171; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 42.05.141	AS 42.45.110	AS 42.45.160
	AS 42.05.151	AS 42.45.130	AS 42.45.170

3 AAC 52.722(a) is amended to read:

(a) A utility that is eligible under 3 AAC 52.720 to apply for provisional certification must provide the following information **in accordance with 3 AAC 48.095** **and** on a form prescribed by the commission: ... (Eff. 6/19/2004, Register 170; am 6/3/2007, Register, 182; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 42.05.141	AS 42.05.241	AS 42.05.271
	AS 42.05.151	AS 42.05.254	AS 42.05.691
	AS 42.05.221		

3 AAC 52.724(a) is amended to read:

(a) A provisionally certificated utility shall file the following information each year, no later than 180 days after the close of the utility's annual accounting period, **in accordance with 3 AAC 48.095**: ... (Eff. 6/19/2004, Register 170; am 6/3/2007, Register 182; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 42.05.141	AS 42.05.241	AS 42.05.451
	AS 42.05.151	AS 42.05.254	AS 42.05.691
	AS 42.05.221		

3 AAC 52.726(a) is amended to read:

(a) A provisionally certificated utility shall include the following statement on each bill sent to a customer:

"You should contact us first if you have a complaint about your water or wastewater service. If you are not satisfied after contacting us, you may then file a complaint with the Regulatory Commission of Alaska **on paper at 701 West Eighth Avenue, Suite 300, Anchorage, Alaska 99501, electronically via the commission's website at (Internet web site address) or telephonically** [The Regulatory Commission of Alaska may be contacted toll-free] at 1-800-390-2782, or TDD (907) 276-4533." (Eff. 6/19/2004, Register 170; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 425.05.151

3 AAC 52.732 is amended to read:

A provisionally certificated utility may revise its tariffs without commission approval, but must file any revision within 30 days after the effective date of the revised tariff. The filing must **be submitted in accordance with 3 AAC 48.240 and 3 AAC 48.270 and** state the effective date of the revised tariff. (Eff. 6/19/2004, Register 170, am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.151 AS 42.05.361

3 AAC 52.900(b) is amended to read:

(b) The purpose of 3 AAC 52.900 - 3 AAC 52.940 is to establish a method for reasonable compensation for joint use if a utility owning a pole and another utility fail to agree on compensation for joint use of the pole. An agreement for joint use must be filed with the commission **in accordance with 3 AAC 48.095**. Absent unusual circumstances, the commission will assert its authority over joint use only if the utilities disagree on the terms of joint use or a joint use agreement, or if the commission has reason to believe that the utilities are not acting in accordance with the intent of AS 42.05. (Eff. 5/8/88, Register 106; am 2/2/2003, Register 165; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.151 AS 42.05.311 AS 42.05.321

3 AAC 52.930 is amended to read:

If an attaching utility and a pole-owning utility cannot reach agreement on a joint-use issue, including compensation, a complaint may be filed with the commission, and served on the other party, **in accordance with 3 AAC 48.095**, setting out the relevant facts and asking for relief. The other party may file an answer to the complaint within 20 days after service of that complaint. (Eff. 5/8/88, Register 106; am 2/2/2003, Register 165; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

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**Authority:** AS 42.05.151 AS 42.05.311 AS 42.05.321

3 AAC 53.243(d)(2) is amended to read:

(d) In connection with any changes to the services offered by a carrier under (c) of this section, the carrier shall, before offering the service,

(2) file with the commission, **in accordance with 3 AAC 48.240**, an informational filing that includes a copy of the tariff sheets and a letter identifying ...

3 AAC 53.243(f)(2) is amended to read:

(f) The provisions of 3 AAC 48.220(c) do not apply to special contracts for services where there is no dominant carrier. Unless a petition for confidential treatment is filed under 3 AAC 48.045, a local exchange carrier may implement a special contract without approval of the commission by

(2) filing with the commission, **in accordance with 3 AAC 48.240** ... (Eff. 9/16/2005, Register 175; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.241 AS 42.05.711  
AS 42.05.151 AS 42.05.431 AS 42.05.990  
AS 42.05.221

3 AAC 53.245(d) is amended to read:

(d) A petition for a rate modification filed under this section must also be filed in accordance with **3 AAC 48.240 and** 3 AAC 48.270, and must include the following: (Eff. 9/16/2005, Register 175; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.381 AS 42.05.421  
AS 42.05.151

3 AAC 53.265(m) is amended to read:

(m) No later than 14 business days after denying a request for service, a local exchange carrier of last resort shall submit, to the commission's staff with oversight of consumer protection, **in accordance with 3 AAC 48.095**, a report regarding the denial of the request for service. The report must include ... (Eff. 7/31/2011, Register 199; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.261 AS 42.05.291

AS 42.05.145  
AS 42.05.151

AS 42.05.271

AS 42.05.301

3 AAC 53.290(f) is amended to read:

(f) Unless otherwise provided in 3 AAC 53.243, a local exchange carrier shall publish a public notice of all proposed tariff revisions in a local, general circulation newspaper no later than three days after filing it with the commission. The public notice must contain a general description of the filing that is accurate, written in plain English, and sufficient to alert consumers of tariff revisions that may affect either the rules or rates applicable to them. The notice must include sentences containing the following information: the date the utility made or will make its filing with the commission; the date the revisions are expected to become effective; and a statement that both the proposed revisions and the utility's current tariff are available for review at the utility's office for which an address and office hours are provided. The notice must contain sentences similar to the following: "Any person may file comments on this tariff revision with the Regulatory Commission of Alaska (**mailing address and Internet web site address**). To assure that the commission has sufficient time to consider the comments before the revisions take effect, (utility name) suggests that you file comments no later than (a specific date, not a weekend or holiday, approximately 7-10 days before the filing takes effect)."

3 AAC 53.290(i) is amended to read:

(i) On or before March 31 of each year, **in accordance with 3 AAC 48.095**, a local exchange carrier shall file a financial report of the carrier's operations in the state for the previous calendar year. The carrier's out-of-state operations must be excluded from the financial report. The carrier's financial report must include the following detailed information regarding its local exchange operations: (Eff. 6/21/98, Register 146; am 1/11/2001, Register 160; am 4/24/2004, Register 170; am 9/16/2005, Register 175; am 7/31/2011, Register 199; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.221 AS 42.05.711  
AS 42.05.151 AS 42.05.241 AS 42.05.990

3 AAC 53.320(b) is amended to read:

(b) No later than October 1 of each year, **in accordance with 3 AAC 48.095**, the administrator shall submit the proposed budget described in (a) of this section to the commission for approval for the following year. (Eff. 1/10/99, Register 149; am 7/31/2011, Register 199; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.431 AS 42.05.800  
AS 42.05.145 AS 42.05.711 AS 42.05.840

AS 42.05.151

3 AAC 53.330(a)(3)-(4) is amended to read:

(a) To maintain approval under 3 AAC 53.310,

(3) the administrator shall report annually to the commission, **in accordance with 3 AAC 49.095** an itemization of monthly administrative costs, including expenses, receipts, and payments associated with the administration of the AUSF; the administrator shall provide the commission full access to the data collected under or prepared through the administration of the AUSF;

(4) the administrator shall report quarterly to the commission, **in accordance with 3 AAC 48.095** on the disbursement of money from the AUSF along with any recommended changes to the universal service surcharge factor; the administrator shall keep separate accounts for the universal service surcharge collected and universal service support disbursed; and ... (Eff. 1/10/99, Register 149; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 42.05.141	AS 42.05.431	AS 42.05.800
	AS 42.05.145	AS 42.05.711	AS 42.05.840
	AS 42.05.151		

3 AAC 53.440(a) is amended to read:

(a) A common carrier seeking designation as an eligible telecommunications carrier must file, for each study area or portion of a study area where eligible telecommunications carrier designation is sought, a request, **in accordance with 3 AAC 48.095**, that includes

3 AAC 53.440(b) is amended to read:

(b) The requesting common carrier shall serve a copy of its petition, **in accordance with 3 AAC 48.090**, on any common carrier that has been designated as an eligible telecommunications carrier in any part of the proposed eligible telecommunications carrier service area. (Eff. 7/12/2009, Register 191; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 42.05.141	AS 42.05.145	AS 42.05.151
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3 AAC 53.460(a) is amended to read:

(a) A common carrier designated as an eligible telecommunications carrier shall provide on or before March 31 of each year, **in accordance with 3 AAC 48.095** (Eff. 7/12/2009, Register 191; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.151 AS 42.05.291  
AS 42.05.145

3 AAC 53.625(b) is amended to read:

(b) A directory assistance provider may not charge unjust and unreasonable rates for 411 dialed or 907-555-1212 dialed intrastate directory assistance, grant an unreasonable preference or advantage, or subject a customer to an unreasonable prejudice or disadvantage. If only one directory assistance provider serves all customers in the state, that provider shall file its contracts and contract amendments for the provision of 411 dialed and 907-555-1212 dialed intrastate directory assistance with the commission, **in accordance with 3 AAC 48.095**. Unless the commission initiates an investigation, a filing under this subsection becomes effective 30 days after filing. (Eff. 11/24/2004, Register 172; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.361 AS 42.05.411  
AS 42.05.151 AS 42.05.381 AS 42.05.421  
AS 42.05.145 AS 42.05.391 AS 42.05.431  
AS 42.05.291

3 AAC 53.750(b) is amended to read:

(b) The commission will establish a deadline for the submission of requests for the establishment of public interest pay telephones that meet the criteria for that designation as set out in 3 AAC 53.745. A request must **be submitted in accordance with 3 AAC 48.095 and** indicate the exchange and the physical address or location for each public interest pay telephone. A request to designate an existing pay telephone as a public interest pay telephone must include sufficient cost and revenue information for the commission to determine the profitability of the pay telephone. (Eff. 1/11/2001, Register 157; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 42.05.141 AS 42.05.311 AS 42.05.810  
AS 42.05.151 AS 42.05.321 AS 42.05.840  
AS 42.05.291