

**R-15-002, Electronic Filing Regulations  
Decisional Matrix**

On December 30, 2011, the Commission adopted electronic filing regulations in Docket R-09-004. The regulations required mandatory electronic filing in all docket proceedings, with an opportunity for waiver (*see* 3 AAC 48.095). Among other things, the regulations also amended the Commission’s service requirements (*see* 3 AAC 48.090(b)), motion practice (*see* 3 AAC 48.091) and pleading requirements (*see* 3 AAC 48.100). The electronic filing of any confidential record was strictly prohibited. The electronic filing regulations took effect February 16, 2012.

Due to time constraints within the docket, the electronic filing regulations did not address the electronic submission of tariff advice filings or required Commission reporting. Consequently, public utilities and pipeline carriers are currently required submit tariff revisions and reports in hard copy (10 + an original) to the Commission, with the exception of beta testers/tariff filers. In this docket proceeding, Staff is recommending that the Commission amend its regulations to allow for the permissive submission of filings in all docket and non-docket related proceedings. Staff is also recommending that the Commission require mandatory electronic filing for all Regulatory Cost Charge (RCC) quarterly and annual reports.

**3 AAC 47.050(b). Regulatory cost charge quarterly payments; reporting requirements.**

The Commission has accepted electronic submission of quarterly Regulatory Cost Charge (RCC) reports since approximately 2008. The vast majority of economically regulated public utilities and pipeline carriers submit their RCC quarterly reports on an electronic form provided on the Commission’s website. Commission Staff working with RCC filers believes that a mandatory requirement that all RCC quarterly reports be submitted electronically will help streamline the Commission’s internal review and processing; therefore, Staff recommends that 3 AAC 47.050(b) be amended to require mandatory electronic submission of RCC quarterly reports.

Existing Regulation	Staff Proposed Regulation
(b) At the time a regulated utility or pipeline carrier submits the payment required by (a) of this section, it shall file with the commission a report that contains the ...	(b) At the time a regulated utility or pipeline carrier submits the payment required by (a) of this section, it shall <b>electronically</b> file with the commission a report that contains the ...

**3 AAC 47.060. Annual reporting requirements.**

The Commission has accepted electronic submission of annual Regulatory Cost Charge (RCC) reports since approximately 2008. The vast majority of economically regulated public utilities and pipeline carriers submit their RCC annual reports on an electronic form provided on the Commission’s website. Commission Staff working with RCC filers believes that a mandatory requirement that all RCC annual reports be submitted electronically will help streamline the Commission’s internal review and processing; therefore, Staff recommends that 3 AAC 47.060 be amended to require mandatory electronic submission of RCC annual reports.

Existing Regulation	Staff Proposed Regulation
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 file with the commission, on a form provided by the commission, a report containing	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 <b>electronically</b> file with the commission, on a form provided by the commission, a report containing

**NEW SECTION: 3 AAC 47.065. Electronic filing requirements for regulatory cost charge quarterly and annual reports.**

The Commission has accepted electronic submission of quarterly and annual Regulatory Cost Charge (RCC) reports since approximately 2008. The vast majority of economically regulated public utilities and pipeline carriers submit their RCC quarterly and annual reports on an electronic form provided on the Commission’s website. Commission Staff working with RCC filers believes that a mandatory requirement that all RCC reports be submitted electronically will help streamline the Commission’s internal review and processing. While Chapter 48 of the regulations includes rules governing electronic filing, Chapter 47 does not. Therefore, Staff recommends that the Commission create section 3 AAC 47.065 to address the electronic submission of filings under Chapter 47. Staff’s proposed regulations mirror the language used with mandatory electronic filing in docket proceedings under 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
	(a) Unless otherwise specified by order, or waived in accordance with 3 AAC 48.095(d) of this section or another applicable provision of this chapter, all public utilities and pipeline carriers operating in Alaska shall submit quarterly regulatory cost charge reports under 3 AAC 47.050(b) and annual regulatory cost charge reports under 3 AAC 47.070 electronically. An electronic filing with the commission must be made through the commission’s electronic filing systems using the commission’s website. Additional copies of a filing, in any form, are not required, and may be deleted or destroyed by the commission.
	(b) Upon request and in accordance with 3 AAC 48.095(b)(1)-(5), the commission may issue a user name and password to a person that seeks to file electronically through the commission’s electronic filing systems using the commission’s website.
	(c) If a filer does not receive an electronic mail acknowledgement that the commission has received an electronic filing, the filer shall contact the commission to verify that the electronic filing has been received.

Continued ... 3 AAC 47.065. Electronic filing requirements for regulatory cost charge quarterly and annual reports.

Existing Regulation	Staff Proposed Regulation
	(d) 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";
	(2) a request for a waiver of the electronic filing requirements for reports required under (a) of this section 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 commission 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;
	(4) 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;
	(5) a waiver of electronic filing requirements, under this section applies only to regulatory cost charge quarterly under 3 AAC 47.050(b) and regulatory cost charge annual reports under 3 AAC 47.060 and continues for all future reports unless terminated under (4) of this subsection, or otherwise stated in a commission letter order.

**3 AAC 47.070(c). Billing of regulatory cost charges.**

Revisions to the Regulatory Cost Charge (RCC) are implemented by inclusion on a utility or pipeline carrier’s tariff sheets. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of tariff filings. Proposed regulations governing how an electronic tariff filing should be submitted to the Commission are included in 3 AAC 48.220, 3 AAC 48.240 and 3 AAC 48.270. In order to ensure that an entity implementing a RCC does so in accordance with the Commission’s tariff procedures, Staff recommends that 3 AAC 47.070(c) be amended to include references to 3 AAC 48.220 and 3 AAC 48.240.

Existing Regulation	Staff Proposed Regulation
(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 48.270.	(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 <b>3 AAC 48.220, 3 AAC 48.240 and</b> 3 AAC 48.270.

**3 AAC 48.020. Communications.**

In general, 3 AAC 48.020 discusses how members of the public communicate with the Commission.

3 AAC 48.020(e): The term “written communication” is defined in 3 AAC 48.820(54) and includes documents filed on paper and documents filed electronically when electronic filing is authorized by the Commission. Electronic filing is currently mandatory in all docket proceedings; however, Staff is recommending that the Commission allow for the permissive electronic submission of filings in docket and non-docket related proceedings. Staff believes that it is no longer necessary to include language in 3 AAC 48.020(e), which states that written communication must be served to the Commission at its offices (i.e. paper copy service). In addition, Staff believes that references to 3 AAC 48.090(A) and 3 AAC 48.240, which discuss the service of docket pleadings and tariff filings will no longer be necessary if the Commission chooses to allow permissive electronic filing. Therefore, Staff recommends amending 3 AAC 48.020(e) to remove references to 3 AAC 48.090(A) and 3 AAC 48.240 and include language that states that the Commission will receive filings by paper delivery to its offices and electronically through its electronic filing systems.

Existing Regulation	Staff Proposed Regulation
(e) 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. 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.	(e) <b>Written communications are</b> [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 <b>or received electronically through the commission’s electronic filing systems.</b> <b>A</b> [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.

**Continued ... 3 AAC 48.020. Communications.**

3 AAC 48.020(h)(5): The term “written communication” is defined in 3 AAC 48.820(54) and includes documents filed on paper and documents filed electronically when electronic filing is authorized by the Commission. Therefore, Staff believes that it is not necessary to state that an ex parte communication may be filed by electronic mail or in writing, since “in writing” by definition would include electronic mail. Staff recommends that the Commission remove the reference to electronic mail from 3 AAC 48.020(h)(5).

Existing Regulation	Staff Proposed Regulation
<p>(h) Communications not prohibited by (g) of this section include communications (5) during a scheduled meeting between commissioners or commission staff members and a regulated entity to discuss utility and pipeline projects, industry trends, technology, and developments, if those persons do not discuss an issue in a pending adjudicatory proceeding; within two business days after that meeting, a commissioner or commission staff member involved in the communication shall submit, by electronic mail or in writing to the commission staff member who supervises the commission's records and filings section, a statement that includes the following information:</p>	<p>(h) Communications not prohibited by (g) of this section include communications (5) during a scheduled meeting between commissioners or commission staff members and a regulated entity to discuss utility and pipeline projects, industry trends, technology, and developments, if those persons do not discuss an issue in a pending adjudicatory proceeding; within two business days after that meeting, a commissioner or commission staff member involved in the communication shall submit, [BY ELECTRONIC MAIL OR] in writing to the commission staff member who supervises the commission's records and filings section, a statement that includes the following information:</p>

3 AAC 48.020(j): The term “written communication” is defined in 3 AAC 48.820(54) and includes documents filed on paper and documents filed electronically when electronic filing is authorized by the Commission. Therefore, Staff believes that it is not necessary to state that an ex parte communication may be filed by electronic mail or in writing, since “in writing” by definition would include electronic mail. Staff recommends that the Commission remove the reference to electronic mail from 3 AAC 48.020(j).

Existing Regulation	Staff Proposed Regulation
<p>(j) If an ex parte communication prohibited by (g) of this section occurs, the commissioner, presiding officer, or commission staff member involved in the communication shall submit, within two business days after the prohibited ex parte communication occurs, and either by electronic mail or in writing to the commission staff member who supervises the commission's records and filings section and to all commissioners, a statement that includes the following information:</p>	<p>(j) If an ex parte communication prohibited by (g) of this section occurs, the commissioner, presiding officer, or commission staff member involved in the communication shall submit, within two business days after the prohibited ex parte communication occurs, [AND EITHER BY ELECTRONIC MAIL OR] in writing to the commission staff member who supervises the commission's records and filings section and to all commissioners, a statement that includes the following information:</p>

**3 AAC 48.025. Format for filings.**

In general, 3 AAC 48.025 details the form and filing requirements for documents that are submitted to the Commission.

3 AAC 48.025(c): This subsection describes the general filing requirements for oversized paper filings. An electronic docket filing that includes an oversized document is required to include a placeholder page in the electronic filing where the oversized document would otherwise be and file a cover letter that includes a reference to the docket number for the corresponding electronic filing. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of tariff filings. Therefore, Staff recommends that the Commission amend 3 AAC 48.025(c) to require the cover letter attached to an oversized paper document to include a reference to docket or tariff advice number for the corresponding electronic filing.

Existing Regulation	Staff Proposed Regulation
(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.	(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 number for the corresponding electronic filing, and the title, filed date, and page reference of the electronic filing to which the oversized filing pertains.	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 number <b>or tariff advice number</b> 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.	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.

**Continued ... 3 AAC 48.025. Format for filings.**

3 AAC 48.025(d): In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of docket and non-docket related proceedings, including tariff filings. The regulations governing how an electronic tariff filing should be submitted to the Commission are included in 3 AAC 48.220. In order to ensure that an entity submitting an electronic filing with distinct divisions does so in accordance with docket and tariff procedures, Staff recommends amending 3 AAC 48.025(d) to include references to the tariff filing requirements found under 3 AAC 48.220.

Existing Regulation	Staff Proposed Regulation
(d) Filings that are formatted to include distinct divisions, whether filed on paper or electronically in accordance with 3 AAC 48.095, must identify those divisions by a cover page inserted at the beginning of the division indicating the name or title of each division. The name or title must be roughly centered on the page and be exclusive of all other information.	(d) Filings that are formatted to include distinct divisions, whether filed on paper or electronically in accordance with 3 AAC 48.095 <b>or 3 AAC 48.220</b> , must identify those divisions by a cover page inserted at the beginning of the division indicating the name or title of each division. The name or title must be roughly centered on the page and be exclusive of all other information.

**3 AAC 48.060. Formal and informal procedures and files.**

In general, section 3 AAC 48.060 outlines the naming conventions that the Commission will observe in formal docket proceedings and informal complaint proceedings.

**NEW SUBSECTION 3 AAC 48.060(j):** The current regulations do not address the naming conventions that will be used for water and wastewater provisional certification applications. In order to properly describe the other types of informal or non-docket related proceedings before the Commission and their naming conventions, Staff recommends that 3 AAC 48.060 be amended to include subsection (j), which describes the naming convention for waster and wastewater provisional certification applications.

Existing Regulation	Staff Proposed Regulation
	(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.”

**NEW SUBSECTION 3 AAC 48.060(k):** Similar to water and wastewater provisional certifications, Section 3 AAC 48.060 does not address the naming conventions that will be used for intrastate interexchange registration filings. In order to properly describe the other types of informal and non-docket related proceedings before the Commission and their naming conventions, Staff recommends that 3 AAC 48.060 be amended to include subsection (k), which describes the naming convention for intrastate interexchange registration filings.

Existing Regulation	Staff Proposed Regulation
	(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.”

**Continued ... 3 AAC 48.060. Formal and informal procedures and files.**

**NEW SUBSECTION 3 AAC 48.060(I):** In addition to naming conventions, 3 AAC 48.060 also describes how the Commission will maintain its records for formal and informal proceedings; however, water and wastewater provisional applications and intrastate interexchange registration filings are not described in the current regulations. Therefore, Staff recommends that 3 AAC 48.060 be amended to include subsection (I), which describes how the Commission will maintain provisional applications and registration filings.

Existing Regulation	Staff Proposed Regulation
	(I) 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.

**3 AAC 48.070(b). Formal proceedings.**

3 AAC 48.070(b) states that tariff advice filings are not considered formal proceedings before the Commission, unless they are suspended by order. The regulation does not address water and wastewater provisional certification applications or intrastate interexchange registration filings, which are also considered informal or non-docket related proceedings; therefore, Staff recommends that a reference to provisional certification applications and intrastate interexchange registration filings be included in 3 AAC 48.070(b).

Existing Regulation	Staff Proposed Regulation
(b) A tariff filing will not be docketed or considered in a formal proceeding unless it is suspended by order of the commission within the statutory notice period.	(b) A tariff filing, <b><u>application for provisional certification or intrastate interexchange registration</u></b> will not be docketed or considered in a formal proceeding unless it is suspended by order of the commission within the statutory notice period.

**3 AAC 48.090. Filing, service, amendment and disposition of pleadings.**

In general, 3 AAC 48.090 discusses how service to other parties and the Commission is to be completed in docket proceedings.

3 AAC 48.090(b): The regulations requiring mandatory electronic filing and service in all docket proceedings include provisions that allow for parties to seek a waiver of the service requirements. Since the adoption of these regulations in 2011, the Commission has not received any requests for waiver of the requirements. Staff believes that most parties submitting filings to the Commission in docket proceedings are (1) technologically advanced to do so and (2) do not see any benefit in providing service via paper. Therefore, Staff recommends that the Commission amend 3 AAC 48.090(b)(2)(A) and allow for permissive electronic service in all docket proceedings.

Existing Regulation	Staff Proposed Regulation
(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:	(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 with 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 shall serve other parties electronically as follows:	(2) a party with electronic mail <b>will</b> [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; <b>Compliance</b> [COMPLIANCE] with <b>this</b> [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;] <b>A</b> [A] party that is technologically unable to send or receive electronic documents <b>will</b> [IN ACCORDANCE WITH THIS SUBSECTION SHALL] indicate in the signature block "no electronic mail address. ";] <b>Parties</b> [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 substitute paper service for electronic service on another party, if both parties agree to be served in this manner;	(A) [UNLESS THE SENDING PARTY HAS A WAIVER OR A WAIVER REQUEST PENDING UNDER 3 AAC 48.095(l),] the sending party <b>may</b> [SHALL] use electronic mail to complete service to all other [non-waiver] parties in docketed proceedings; a sending party may substitute paper service for electronic service on another party, if both parties agree to be served in this manner;

**Continued ... 3 AAC 48.090. Filing, service, amendment and disposition of pleadings.**

Continued ... 3 AAC 48.090(b)

3 AAC 48.090(b)(3): In this docket proceeding, Staff is recommending that the Commission remove the requirement for mandatory electronic filing in all docket proceedings and allow for permissive electronic filing. Removal of this requirement would no longer require the waiver provisions for electronic filing found in 3 AAC 48.095(l); therefore, Staff recommends that the Commission amend 3 AAC 48.090(b)(3) to remove the reference to 3 AAC 48.095(l).

Existing Regulation	Staff Proposed Regulation
(b)(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,	(b)(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,

3 AAC 48.090(g): Since pleadings currently submitted into a docket proceeding are required to be filed electronically, Staff recommends that the reference in 3 AAC 48.090(g) to the number of copies that must be submitted by a party in reply to answer is unnecessary and should be removed.

Existing Regulation	Staff Proposed Regulation
(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.	(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): Since the adoption of the electronic filing regulations in 2011, the term “paper” has come to refer to items that are submitted by hand or mailed to the Commission. In order to provide clarity within the regulations, Staff recommends that the references to “paper” in 3 AAC 48.090(h) be amended and replaced with the word “document,” which can be used for electronic filings or filings submitted on paper.

Existing Regulation	Staff Proposed Regulation
(h) If the commission so orders in any proceeding, a copy of any application, petition, complaint, motion, or other 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 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.	(h) If the commission so orders in any proceeding, [a copy of] any application, petition, complaint, motion, or other <b>document</b> [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 <b>document</b> [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.

**3 AAC 48.091(g). Motions.**

3 AAC 48.091(g) describes the process by which a party may submit expedited consideration of a motion. Since 2011, the Commission has required all motions submitted into docket proceedings to be filed electronically. In this docket proceeding, Staff is recommending that the Commission remove the requirement for mandatory electronic filing in docket proceedings and allow for permissive electronic filing. In order to ensure that filers with the Commission understand that motions for expedited consideration may be submitted either electronically or on paper, Staff recommends that the language in 3 AAC 48.091(g) be amended to clarify that courtesy copies of electronically filed motions may be destroyed and will not be considered part of the official record be removed.

Existing Regulation	Staff Proposed Regulation
<p>(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 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</p>	<p>(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 <b>an electronically filed</b> [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</p>

**3 AAC 48.095. Electronic filing requirements.**

In general, 3 AAC 48.095 describes the electronic filing requirements for docket proceedings before the Commission.

3 AAC 48.095(a): In this docket proceeding, Staff is recommending that the Commission (1) remove the mandatory requirement for electronic filing in docket proceedings and (2) allow permissive electronic filing in docket and non-docket related proceedings, including tariff filings and Commission mandated reports. Staff believes that that most parties submitting filings to the Commission in docket and non-docket related proceedings are (1) technologically advanced to do so and (2) do not see any benefit in providing service via paper. Therefore, Staff recommends that 3 AAC 48.095(a) be amended to remove language requiring mandatory electronic filing in docket proceedings.

Existing Regulation	Staff Proposed Regulation
<p>(a) Unless otherwise specified by order, or waived in accordance with (l) of this section or another applicable provision of this chapter, all parties and their representatives participating in a docket proceeding before the commission shall file, serve, and accept service electronically. 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 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.</p>	<p>(a) Unless otherwise specified by order [, OR WAIVED IN ACCORDANCE WITH (l) OF THIS SECTION] or another applicable provision of this chapter, all <b>filings</b> [PARTIES AND THEIR REPRESENTATIVES PARTICIPATING IN A DOCKET PROCEEDING] before the commission <b>may be submitted</b> [SHALL FILE, SERVE, AND ACCEPT SERVICE] electronically. 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 <b>an electronic</b> [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.</p>

**Continued ... 3 AAC 48.095. Electronic filing requirements.**

3 AAC 48.095(h)(1): Currently, electronic filings are required to include a signature block. 3 AAC 48.095(h)(1) states that an electronic filing’s signature block should reflect the contact information for the signatory authorized to sign the filing in accordance with the Commission’s general pleading requirements. In this docket proceeding, Staff is recommending that the Commission allow electronic filing in docket and non-docket related proceedings; therefore, Staff believes that a reference to the information for the authorized representative of a public utility or pipeline carrier submitting a tariff filing should also be included in the regulation. Thus, Staff recommends that 3 AAC 48.095(h) be amended by adding a reference to 3 AAC 48.270(a).

Existing Regulation	Staff Proposed Regulation
<p>(h) To verify an electronic filing by signature, a filer shall do the following:</p> <p>(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 the following format, a signature block 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) :</p> <p>Contact Name  Mailing Address  City, State, Zip Code  Phone: (xxx) xxx-xxxx  Fax: (xxx) xxx-xxxx  Electronic Mail Address: xxx@xxx.xxx;</p>	<p>(h) To verify an electronic filing by signature, a filer shall do the following:</p> <p>(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 the following format, a signature block 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) <b>and 3 AAC 48.270(a)</b>:</p> <p>Contact Name  Mailing Address  City, State, Zip Code  Phone: (xxx) xxx-xxxx  Fax: (xxx) xxx-xxxx  Electronic Mail Address: xxx@xxx.xxx;</p>

3 AAC 48.095(k): Service to the Commission and other parties is only required in formal docket proceedings. In this docket proceeding, Staff is recommending that the Commission allow electronic filing in docket and non-docket related proceedings and believes that language is needed in order to distinguish between formal and informal proceedings with regard to service. Therefore, Staff recommends that 3 AAC 48.095(k) be amended by adding language that states service of formal filings must comply with 3 AAC 48.090(b).

Existing Regulation	Staff Proposed Regulation
<p>(k) Service of filings under this section must comply with 3 AAC 48.090(b).</p>	<p>(k) Service of filings <b>in formal proceedings</b> under this section must comply with 3 AAC 48.090(b).</p>

**Continued ... 3 AAC 48.095. Electronic filing requirements.**

3 AAC 48.095(l): This subsection currently describes how a party in a docket proceeding may obtain a waiver of the mandatory electronic filing requirements. Staff is recommending that the Commission remove the mandatory requirement to submit filings in docket proceedings electronically and instead allow for permissive electronic filing in all docket and non-docket related proceedings. Therefore, Staff recommends that the Commission repeal the electronic filing waiver requirements under 3 AAC 48.095(l).

Existing Regulation	Staff Proposed Regulation
(l) The following procedures and requirements apply to a waiver from the electronic filing requirements of this section:	[(l) 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 the docket 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;	[(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 THE DOCKET 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 may be granted if the requesting person	[(2) A REQUEST FOR A WAIVER OF THE ELECTRONIC FILING REQUIREMENTS FOR THE DURATION OF A DOCKET 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;	[(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;	[(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;	[(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	[(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;	[(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;	[(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;	[(4) A PARTY MAY NOT FILE AN OPPOSITION TO A REQUEST FOR A WAIVER;]

**Continued ... 3 AAC 48.095. Electronic filing requirements.**

Continued ... 3 AAC 48.095(l)

Existing Regulation	Staff Proposed Regulation
(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;	[(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;	[(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 and continues for the duration of that docket unless terminated under (6) of this subsection, or otherwise stated in a commission order.	[(7) A WAIVER OF ELECTRONIC FILING REQUIREMENTS APPLIES TO A PARTY'S PARTICIPATION IN A SPECIFIC DOCKET PROCEEDING AND CONTINUES FOR THE DURATION OF THAT DOCKET UNLESS TERMINATED UNDER (6) OF THIS SUBSECTION, OR OTHERWISE STATED IN A COMMISSION ORDER.]

**3 AAC 48.100(g)(2). General requirements of pleadings.**

Pleadings filed with the Commission are required to be signed electronically or in ink. 3 AAC 48.100(g)(2) requires additional contact information of the signatory to be placed below the signature. Currently, the Commission requires mandatory electronic filing in all docket proceedings, thus a signature block on a pleading is required to include an electronic mail address. In this docket proceeding, Staff is recommending that the Commission remove the mandatory requirement to submit filings in docket proceedings electronically and instead allow for permissive electronic filing; therefore, Staff recommends that 3 AAC 48.100(g)(2) be amended to state that the electronic mail address of a signatory should be included within the signature block of a pleading, if applicable.

Existing Regulation	Staff Proposed Regulation
(g) Beneath the signature of every attorney of record, party, or other person appearing on a 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, 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	(g) Beneath the signature of every attorney of record, party, or other person appearing on a <b>filing</b> [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, <b>and electronic mail address, if applicable</b> [, 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 of the person to whom correspondence and communications in the proceeding are to be addressed.	(2) state the name, title, mailing address, facsimile number, and electronic mail address, <b>if applicable</b> , of the person to whom correspondence and communications [IN THE PROCEEDING] are to be addressed.

**3 AAC 48.142. Service of discovery.**

In this docket proceeding, Staff is recommending that the Commission remove the requirement for mandatory electronic filing in docket proceedings. Removal of this requirement would no longer require parties in a docket proceeding to serve discovery electronically or seek a waiver of the electronic filing requirements. Therefore, Staff recommends that the Commission amend 3 AAC 48.142 to remove references to mandatory electronic service of discovery requests and responses.

Existing Regulation	Staff Proposed Regulation
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) . 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 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 requests are not filed with the commission when served.	Discovery requests and responses to discovery requests <b>may</b> [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). 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 <b>other</b> 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 requests are not filed with the commission when served.

**3 AAC 48.160(b). Briefs.**

Currently, briefs submitted into a docket proceeding are required to be filed electronically; therefore, Staff recommends that the reference in 3 AAC 48.160(b) to the number of copies that must be submitted by a party is unnecessary and should be removed.

Existing Regulation	Staff Proposed Regulation
(b) Except as otherwise provided in this section, briefs must be submitted in compliance with the provisions of 3 AAC 48.090 - 3 AAC 48.100, including requirements dealing with heading, caption, size of paper, typing, margins, number of copies, and proof of service.	(b) Except as otherwise provided in this section, briefs must be submitted in compliance with the provisions of 3 AAC 48.090 - 3 AAC 48.100, including requirements dealing with heading, caption, size of paper, typing, margins, [NUMBER OF COPIES,] and proof of service.

**3 AAC 48.182. Notice of public meetings.**

In general, 3 AAC 48.082 describes how the Commission will provide notice of its public meetings.

3 AAC 48.182(b): Traditionally, the Commission has posted a copy of the notice of a regular or special public meeting at the Commission’s offices and on its website. In order to reflect this process, Staff recommends amending 3 AAC 48.182(b) to include a reference to the Commission’s website.

Existing Regulation	Staff Proposed Regulation
(b) Notice of a regular or special public meeting 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. 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.	(b) Notice of a regular or special public meeting 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 <b>and on the Commission’s website</b> . 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.

**Continued ... 3 AAC 48.182. Notice of public meetings.**

3 AAC 48.182(c): This subsection describes how the Commission will notice an emergency public meeting. Similar to a regular or special public meeting, an emergency public meeting is made available at the Commission’s office and on its website. In order to reflect this process, Staff recommends amending 3 AAC 48.182(c) to include a reference to the Commission’s website.

Existing Regulation	Staff Proposed Regulation
<p>(c) Notice of an emergency public meeting 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 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.</p>	<p>(c) Notice of an emergency public meeting 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 <b>and on the Commission’s website.</b> [AND] <b>Notice of an emergency public meeting</b> 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.</p>

**3 AAC 48.190. Official record.**

In this docket proceeding, Staff is recommending that the Commission remove the requirement for mandatory electronic filing in docket proceedings and permissive electronic filing in docket and non-docket related proceedings. Removal of this requirement would allow the Commission to maintain an official record of all proceedings on paper or electronically. Therefore, Staff recommends that 3 AAC 48.190 be amended to reflect that the Commission will print paper copies of all electronic files scanned into its electronic filing system and will maintain a paper version of each docket and non-docket related proceeding.

Existing Regulation	Staff Proposed Regulation
<p>The official record of each proceeding before the commission is a paper printing of the electronic file. The official record includes any paper documents or exhibits filed in accordance with this chapter that have not been scanned into the commission's electronic filing systems.</p>	<p>The official record of each proceeding before the commission <b>includes any paper documents or exhibits filed in accordance with this chapter and the</b> [IS A] paper printing of the electronic <b>files</b> [FILE] <b>scanned into the commission’s electronic filing system.</b> [THE OFFICIAL RECORD INCLUDES ANY PAPER DOCUMENTS OR EXHIBITS FILED IN ACCORDANCE WITH THIS CHAPTER THAT HAVE NOT BEEN SCANNED INTO THE COMMISSION'S ELECTRONIC FILING SYSTEMS.]</p>

**3 AAC 48.220. Filing of tariff.**

In general, 3 AAC 48.220 describes the form and filing requirements for tariff filings.

3 AAC 48.220(a): This subsection describes the regulatory timelines associated with tariff filings and the number of copies of each tariff filing that must be on file with the Commission. In this docket proceeding, Staff is recommending that the Commission allow for permissive electronic filing in non-docket related matters, including tariff filings. Thus, a regulated entity would be allowed to submit a tariff filing either on paper or electronically; therefore, Staff believes that the reference in 3 AAC 48.220(a) to the number of copies that must be submitted with a tariff filing is unnecessary and should be removed.

Existing Regulation	Staff Proposed Regulation
(a) 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.	(a) <b>Each</b> [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.
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.	<b>Each</b> [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.
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.	<b>Each</b> [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.	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.	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.	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.

**3 AAC 48.240. Delivery of tariff.**

In general, 3 AAC 48.240 describes the delivery and calculation of statutory timelines for tariff filings submitted to the Commission.

3 AAC 48.240(a): In this docket proceeding, Staff is recommending that the Commission allow permissive electronic filing in docket and non-docket related proceedings, including tariff filings. Staff believes that that most entities submitting tariff filings to the Commission are technologically advanced to do so and do not see any benefit in continuing to submit filings on paper. Therefore, Staff recommends that 3 AAC 48.240(a) be amended to allow for the electronic and paper submission of tariff filings. Staff’s proposed language mirrors the current language in 3 AAC 48.095(a).

This subsection states that the Commission will not accept a tariff filing unless it is “delivered” to the Commission free of all delivery charges no later than 4:30 p.m. Staff believes that the use of the word “delivered” within the context of this regulation is confusing, since the Commission uses a date stamp with the title “Received Date” on all tariff advice filings. The stamped “received” date is the date upon which the Commission calculates the statutory timeline for a tariff filing. In order to provide clarity within the regulation, as well as the Commission’s actual practice, Staff recommends that the Commission amend 3 AAC 48.240(a) to remove the word “delivered” and replace it with the word “received.”

Further, the Commission has previously determined that for the proposes submitting filings to the Commission, those received after 5:00 p.m. will be counted as received the next business day (3 AAC 48.090(a)). In order to bring consistency the regulations regarding the submission of tariff filings, Staff recommends that 3 AAC 48.240(a) be amended to reflect 5:00 p.m. as the time by which a tariff filing must be submitted by the Commission in order to be counted as filed on that day.

Existing Regulation	Staff Proposed Regulation
(a) No tariff or tariff revision filed by a utility or pipeline carrier will be accepted for filing unless it is delivered to the commission free of all delivery charges or claims no later than 4:30 p.m. of a regular business day.	(a) <b><u>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.</u></b> No tariff or tariff revision filed by a utility or pipeline carrier will be accepted for filing unless it is <b><u>received by [DELIVERED TO]</u></b> the commission free of all delivery charges or claims no later than <b><u>5:00</u></b> [4:30] p.m. of a regular business day.

**Continued ... 3 AAC 48.240. Delivery of tariff.**

3 AAC 48.240(c): Similar to 3 AAC 48.240(a), this subsection states that a tariff filing delivered to the Commission after 4:30 p.m. on a regular business day will be stamped as having been “delivered” on the Commission’s next business day. The Commission uses a date stamp with the title “Received Date” on all tariff advice filings. The stamped “received” date is the date upon which the Commission calculates the statutory timeline for a tariff filing. Staff believes that the use of the word “delivered” and “delivery” within the context of this regulation is confusing and therefore recommends that the Commission amend 3 AAC 48.240(c) to remove the word “delivered” and replace it with the word “received.”

In addition, since the Commission date stamps tariff filings as “received” if they submitted before 5:00 p.m. on a regular business day, Staff recommends that the reference to “4:30 p.m.” be removed and replaced with “5:00 p.m.” This proposed language is consistent with the process observed with regard to docket related filings. Finally, in order to reflect Staff’s recommendation that the Commission allow for paper or electronic submission of tariff filings, Staff recommends that 3 AAC 48.240(c) be amended to include a reference the proposed two forms of submission (i.e. on paper and electronically).

Existing Regulation	Staff Proposed Regulation
<p>(c) Tariff filings delivered after 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 delivered on the commission's next regular business day. The day after the 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.</p>	<p>(c) Tariff filings, <b>whether submitted on paper or electronically</b> [DELIVERED] after <b>5:00</b> [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 <b>received</b> [DELIVERED] on the commission's next regular business day. The day after the <b>received</b> [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.</p>

**3 AAC 48.270. Advice letters.**

In general, 3 AAC 48.270 describes the format that should be observed for tariff advice letters submitted to the Commission, as well as the information that should be included in each letter

3 AAC 48.270(a): The requirements of this subsection are considered part of the Commission’s form and filing requirements and are used as a basis for the rejection of non-compliant tariff filings. Since Staff is recommending that the Commission allow for the electronic submission of tariff filings, Staff believes that tariff advice letters should include an entity’s electronic mail address, if applicable.

In addition, each tariff advice letter is required to identify the number of customers or shippers that will be affected by a proposed tariff revision, as well as the revenue impact. Furthermore, a tariff advice letter is required to identify whether or not proposed revisions are for a new service and if so, any adverse effects on customers. The current language used to describe the required tariff advice letter information is confusing and has resulted in different interpretations of the regulation, which has caused inconsistency in the rejection of tariff filings. In order to address this issue and provide clarity within the regulation, Staff recommends amending 3 AAC 48.270(a) by removing “if then” language from the regulation and replacing it with simplified language detailing exactly what information should be provided in every tariff advice letter and specific information that should be provided in tariff advice letters that accompany proposals for new service.

Existing Regulation				Staff Proposed Regulation																			
<p>(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 of the filing utility or pipeline carrier, and must be in substantially the following form:</p> <p>Tariff Advice Letter No. ....                      (Date; also return address if not shown on letterhead.)</p> <p style="text-align: right;">Regulatory Commission of Alaska                      (Anchorage, Alaska office address)</p>				<p>(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 <b>and electronic mail address, if applicable</b> of the filing utility or pipeline carrier, and must include be in substantially the following form:</p> <p>Tariff Advice Letter No. ....                      (Date; also return address if not shown on letterhead.)</p> <p style="text-align: right;">Regulatory Commission of Alaska                      (Anchorage, Alaska office address)</p>																			
<p>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.)</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 25%;">Tariff Sheet Number</td> <td style="width: 25%;">Cancels Sheet Number</td> <td style="width: 25%;">Schedule or</td> <td style="width: 25%;"></td> </tr> <tr> <td>Original    Revised</td> <td>Original    Revised</td> <td>Rule Number</td> <td></td> </tr> </table>				Tariff Sheet Number	Cancels Sheet Number	Schedule or		Original    Revised	Original    Revised	Rule Number		<p>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.)</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 25%;">Tariff Sheet Number</td> <td style="width: 25%;">Cancels Sheet Number</td> <td style="width: 25%;">Schedule or</td> <td style="width: 25%;"></td> </tr> <tr> <td>Original    Revised</td> <td>Original    Revised</td> <td>Rule Number</td> <td></td> </tr> </table>				Tariff Sheet Number	Cancels Sheet Number	Schedule or		Original    Revised	Original    Revised	Rule Number	
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**Continued ... 3 AAC 48.270. Advice letters.**

Continued ... 3 AAC 48.270(a)

<b>Existing Regulation</b>	<b>Staff Proposed Regulation</b>
<p>(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.</p>	<p>(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.</p>
<p>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.</p>	<p>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.</p>
<p>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.)</p> <p style="text-align: right;">Very truly yours, (Exact Legal Name of Utility or Pipeline Carrier in Capital Letters)</p> <p style="text-align: right;">(Name of Representative Authorized To Issue Tariffs of Utility or Pipeline Carrier)</p>	<p>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.)</p> <p style="text-align: right;">Very truly yours, (Exact Legal Name of Utility or Pipeline Carrier in Capital Letters)</p> <p style="text-align: right;">(Name of Representative Authorized To Issue Tariffs of Utility or Pipeline Carrier)</p>

**3 AAC 48.280. Notice and effective date.**

In general, 3 AAC 48.280 discusses the statutory notice period and effective date that will be observed for tariff advice filings submitted to the Commission.

3 AAC 48.280(b): This subsection states that the Commission will calculate the statutory notice period for a tariff filing beginning the date after the filing is “delivered” to the Commission. Staff believes that the use of the word “delivered” within the context of this regulation is confusing since the Commission uses a date stamp with the title “Received Date” on all tariff advice filings. The stamped “received” date is the date upon which the Commission calculates the statutory timeline for a tariff filing. In order to provide clarity within the regulation, as well as the Commission’s actual practice, Staff recommends that the Commission amend 3 AAC 48.280(b) to remove the word “delivered” and replace it with the word “received.”

In addition, 3 AAC 48.280(b) states that the notice by telephone or telegraph of a tariff filing will not be used in the computation of the statutory notice period. Staff believes that with the advent of electronic mail, facsimile and the Internet, few people, if any, still use this form of communication. Therefore, Staff recommends that the Commission remove the reference to the receipt of a telegraph and amend 3 AAC 48.280(b) to reflect that the Commission will not consider notification by telephone, electronic mail or facsimile of a tariff filing in the computation of the filing’s statutory timeline.

Existing Regulation	Staff Proposed Regulation
(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 delivered to the commission in accordance with 3 AAC 48.240. In computing the statutory notice period, no consideration will be given to notice by telephone or telegraph.	(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 <b>received</b> [DELIVERED] to the commission in accordance with 3 AAC 48.240. In computing the statutory notice period, no consideration will be given to notice by telephone, <b>electronic mail</b> or <b>facsimile</b> [TELEGRAPH].

**Continued ... 3 AAC 48.280. Notice and effective date.**

3 AAC 48.280(e)(1)-(2): This subsection gives the Commission discretionary authority to require a tariff advice filing to be noticed to the public through newspaper publication and individual notice to customers. The Commission typically chooses to provide public notice of a tariff filing through publication in one or more newspapers; therefore, the use of the word “and” implies that the Commission, in addition to newspaper publication, will send individual public notices to each customer. Staff believes that issuing both forms of public notice in accordance with 3 AAC 48.280(e)(1) would be a waste of Commission and utility/pipeline carrier resources and recommends that the Commission amend the regulation by removing the word “and” and replacing it with “or.” Staff believes that this would allow the Commission to choose one of two ways to provide notice of a proposed tariff filing to the public.

In addition, 3 AAC 48.280(e)(2) states that individual notice to all customers or shippers affected by a proposed tariff revision will be affected by direct mail or by the Commission using envelopes that have been furnished by the utility or pipeline carrier. Traditionally, the Commission has not required an entity to prepare the envelopes used for individual notice of proposed tariff revisions. The expense and time associated with this task has been born by the Commission. Therefore, Staff recommends that the regulation be amended by removing references to “direct mail” and language stating that a utility or pipeline carrier provide unsealed, stamped and addressed envelopes at the entity’s expense to the Commission. Further, language should be added to 3 AAC 48.280(e)(2) stating that individual notice to all affected customers and shippers should be affected “by hand, United States mail or similar delivery service.” This language mirrors the Commission’s definition of “service” under 3 AAC 48.820(35).

Existing Regulation	Staff Proposed Regulation
(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	(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; and	(1) publication in one or more newspapers or via other news media at the expense of the filing entity; <u>or</u> [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 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.	(2) individual notice to all customers or shippers to be affected [, EITHER BY DIRECT MAIL AT THE EXPENSE OF THE UTILITY OR PIPELINE CARRIER] <u>either by hand, by United States mail or a similar delivery service,</u> 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].

**3 AAC 48.290. Response to notice.**

In general, 3 AAC 48.290 outlines how a person may respond to the public notice of a tariff advice filing.

3 AAC 48.290(a): The Commission generally refers to statements or objections made in response to proposed tariff revisions as “comments” and tracks such documents as “comments” within the Commission’s filing database (i.e. STAR). Staff believes that the use of “statement of interest” and “objection” in reference to what the Commission considers “informal” filings (i.e. tariff filings) is inaccurate and therefore recommends that the Commission amend 3 AAC 48.290(a) to remove such phrases. In addition, the Commission currently accepts paper and electronic submission of public comments in docket and non-docket related proceedings, including tariff filings. Thus, Staff also recommends that the Commission amend the regulation to reflect the multiple forms in which the Commission will accept public comments.

Additionally, this subsection states that the Commission may request that comments be “delivered” within 20 days of the public notice. The Commission uses a date stamp with the title “Received Date” on all filings, including comments. The stamped “received” date is the date upon which the Commission determines whether the comments were timely submitted. In order to provide clarity within the regulation, as well as the Commission’s actual practice, Staff recommends that the Commission amend 3 AAC 48.290(a) to remove the word “delivered” and replace it with the word “received.”

Finally, the Commission typically provides notice by paid legal advertisement, but in some instances may also provide notice by hand, United States mail or similar delivery service. Therefore, Staff recommends that the reference to “direct mail” be removed from 3 AAC 48.290(a) and replaced with language stating that individual public notice to all affected customers or shippers may be provided by “hand, United States mail or similar delivery service.”

Existing Regulation	Staff Proposed Regulation
<p>(a) Any person desiring to submit a statement of interest in, or objection to, a tariff filing may be asked to do so not later than 20 days after the 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 direct mail or by means of a paid legal advertisement in any news media shall specify the deadline date for responses to the filing.</p>	<p>(a) <b><u>Comments maybe filed either electronically, including by electronic mail or on paper.</u></b> Any person desiring to submit a <b><u>comment in response to</u></b> [STATEMENT OF INTEREST IN, OR OBJECTION TO,] a tariff filing may be asked to do so not later than 20 days after the <b><u>received</u></b> 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 <b><u>hand, United States mail or a similar delivery service</u></b> [direct mail] or by means of a paid legal advertisement in any news media shall specify the deadline date for <b><u>comments</u></b> [RESPONSES TO THE FILING].</p>

**Continued ... 3 AAC 48.290. Response to notice.**

3 AAC 48.290(b)(2),(4)-(6): Each of these subsections refer to “statements of interest” or “objections” made in response to proposed tariff revisions. The Commission generally refers to such filings as “comments” and tracks such documents as “comments” within the Commission’s filing database (i.e. STAR). Staff believes that the use of “statement of interest” and “objection” in reference to what the Commission considers “informal” filings (i.e. tariff filings) is inaccurate and therefore recommends that the Commission amend 3 AAC 48.290(b), 3 AAC 48.290(b)(4), 3 AAC 48.290(b)(5) and 3 AAC 48.290(b)(6) to remove such phrases.

3 AAC 48.290(b)(2) states that a public comment must include the name and address of the person submitting the comment. The Commission currently accepts paper and electronic submission of public comments in docket and non-docket related proceedings, including tariff filings. Thus, Staff recommends that the Commission amend the regulation to reflect that a public comment should include the name, “mailing” addressed and “electronic mail address, if applicable” of the person submitting a comment.

Finally, 3 AAC 48.290(b)(6) requires a public comment to include a statement that a true copy of the comments have been served on the utility or pipeline carrier that submitted the proposed tariff revisions, as well as the date of such service. The definition of “service” provided under 3 AAC 48.820(35) states that “service” maybe affected “by hand, United States mail or similar delivery service.” Therefore, Staff recommends that the reference to “hand-delivered” be removed from 3 AAC 48.290(b)(6) and replaced with language stating that service of public comments to a utility or pipeline carrier may be provided by “hand, United States mail or similar delivery service.”

Existing Regulation	Staff Proposed Regulation
(b) 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:	(b) <b>Comments</b> [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;	(1) reference to the applicable docket number, tariff advice letter number, or file reference specified in the notice;
(2) name and address 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 address of the place or places where service is taken, or the place or places where shipment is received by the carrier;	(2) name, [and] <b>mailing</b> address <b>and electronic mail address, if applicable</b> 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 <b>physical</b> 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;	(3) reason for filing, if not a customer or shipper, together with any supporting factual data;
(4) whether or not objection is made on behalf of self or on behalf of other named persons, or an organized group, association, company, etc.;	(4) whether or not <b>the comment</b> [OBJECTION] is made on behalf of self or on behalf of other named persons, or an organized group, association, company, etc.;

**Continued ... 3 AAC 48.290. Response to notice.**

Continued ... 3 AAC 48.290(b)(2),(4)-(6)

Existing Regulation	Staff Proposed Regulation
(5) the person's objection or interest in the noticed matter with reasonable particularity, and as concisely as possible; and	(5) the person's <b>comment</b> [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 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 mailed or hand-delivered to the utility or pipeline carrier.	(6) statement that a true copy of the same <b>comment</b> [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 <b>electronically</b> mailed or [HAND-]delivered <b>by hand, United States mail or similar delivery service</b> to the utility or pipeline carrier.

3 AAC 48.290(c): This subsection refers to the submission of “statements of interest” or “objections” to proposed tariff revisions, as well as what information must be presented in order for the Commission to find merit in a statement of interest or objection. The Commission generally refers to statements or objections made in response to proposed tariff revisions as “comments” and tracks such documents as “comments” within the Commission’s filing database (i.e. STAR). Staff believes that the use of “statement of interest” and “objection” in reference to what the Commission considers “informal” filings (i.e. tariff filings) is inaccurate and therefore recommends that the Commission amend 3 AAC 48.290(c) to remove such phrases.

Existing Regulation	Staff Proposed Regulation
(c) A customer of a utility, or a shipper with a pipeline carrier, has unquestioned standing to file a timely statement of interest in or objection to a filing by that utility or pipeline carrier. The standing of others to file these statements depends upon the nature of their interest, the merit of their position, the extent to which their statements are supported by accurate factual data, and such other factors as the commission considers pertinent. A statement of interest may be summarily dismissed, or ignored, if the commission finds the 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.	(c) A customer of a utility, or a shipper with a pipeline carrier, has unquestioned standing to file a timely <b>comment on</b> [STATEMENT OF INTEREST IN OR OBJECTION TO] a filing by that utility or pipeline carrier. [THE STANDING OF OTHERS TO FILE THESE STATEMENTS DEPENDS UPON THE NATURE OF THEIR INTEREST, THE MERIT OF THEIR POSITION, THE EXTENT TO WHICH THEIR STATEMENTS ARE SUPPORTED BY ACCURATE FACTUAL DATA, AND SUCH OTHER FACTORS AS THE COMMISSION CONSIDERS PERTINENT.] <b>Comments</b> [A STATEMENT OF INTEREST] may be summarily dismissed, or ignored, if the commission finds the <b>comment</b> [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.]

**3 AAC 48.458(a). Simplified pipeline tariff.**

Under the regulations there are a select number of pipeline carriers that are allowed to submit simplified pipeline tariffs to the Commission for approval on an abbreviated and expedited manner. Traditionally, these types of filings have been submitted as tariff filings, which are required to be submitted on paper. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including tariff filings. Therefore, in order to ensure that pipeline carriers are aware that the Commission will accept paper or electronic submission of any simplified pipeline tariff filing, Staff recommends that the Commission amend 3 AAC 48.758(a) to state that such filings, unless otherwise ordered or specified in another applicable provision of the regulations may be submitted electronically, in accordance with 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(a) A simplified pipeline tariff must contain rules complying with 3 AAC 48.462, rates complying with 3 AAC 48.464, or both. The provisions of 3 AAC 48.200 - 3 AAC 48.410 are generally applicable to simplified pipeline tariff filings under 3 AAC 48.450 - 3 AAC 48.490, except	(a) <b>Unless otherwise specified by order or another applicable provision of this chapter, a simplified pipeline tariff may be submitted electronically, in accordance with 3 AAC 48.095.</b> A simplified pipeline tariff must contain rules complying with 3 AAC 48.462, rates complying with 3 AAC 48.464, or both. The provisions of 3 AAC 48.200 - 3 AAC 48.410 are generally applicable to simplified pipeline tariff filings under 3 AAC 48.450 - 3 AAC 48.490, except
(1) the provisions of 3 AAC 48.275(a) , (c), (g), (h) and (i) do not apply to those filings; and	(1) the provisions of 3 AAC 48.275(a) , (c), (g), (h) and (i) do not apply to those filings; and
(2) as otherwise provided in 3 AAC 48.450 - 3 AAC 48.490.	(2) as otherwise provided in 3 AAC 48.450 - 3 AAC 48.490.

**3 AAC 48.710(a). Filing requirements.**

This subsection generally discusses electric cooperative simplified rate filings. Traditionally, these types of filings have been submitted as tariff filings, which are required to be submitted on paper. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including tariff filings. Therefore, in order to ensure that electric cooperatives are aware that the Commission will accept paper or electronic submission of any simplified electric rate filing, Staff recommends that the Commission amend 3 AAC 48.710(a) to state that such filings, unless otherwise ordered or specified in another applicable provision of the regulations may be submitted electronically, in accordance with 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(a) A rate adjustment filing under 3 AAC 48.700 - 3 AAC 48.790 is governed by 3 AAC 48.240 and 3 AAC 48.270.	(a) <b>Unless otherwise specified by order or another applicable provision of this chapter, a simplified rate filing for an electric cooperative may be submitted electronically, in accordance with 3 AAC 48.095.</b> A rate adjustment filing under 3 AAC 48.700 - 3 AAC 48.790 is governed by 3 AAC 48.240 and 3 AAC 48.270.

**3 AAC 49.060. Recount.**

In general, 3 AAC 49.060 describes the procedures the Commission will observe in recounting deregulation election ballots.

3 AAC 49.060(c): This subsection discusses how the Commission will determine the timeline for a deregulation recount application. The regulation still references the Commission’s acceptance of a telegram, as a means of delivery of an application. Staff believes that with the advent of electronic mail, facsimile and the Internet, few people, if any, still use this form of communication. Therefore, Staff recommends that the Commission remove the reference to the receipt of a telegram from 3 AAC 49.060(c).

In addition, in its initial electronic filing regulations docket (R-09-004) the Commission determined that for the proposes of calculating statutory and regulatory timelines, filings submitted after 5:00 p.m. would be counted as received the next business day (3 AAC 48.090(a)). Therefore, Staff recommends that 3 AAC 49.060(c) be amended to reflect 5:00 p.m. as the time by which a deregulation recount application must be submitted by the Commission in order to be counted as filed on that day.

Existing Regulation	Staff Proposed Regulation
(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 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.	(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 <b>5:00</b> [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): If the Commission chooses to perform a recount of deregulation election ballots, it must notify the utility or any interested party of the time and place of the recount. Similar to 3 AAC 49.060(c) the regulation still references a telegram as a means of notification. Staff believes that with the advent of electronic mail, facsimile and the Internet, few people, if any, still use this form of communication. Additionally, the Commission would still be required to provide notification of the ballot recount by certified mail; therefore, Staff recommends that the Commission remove the reference to telegram from 3 AAC 49.060(g).

Existing Regulation	Staff Proposed Regulation
(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.	(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.

**3 AAC 51.030(a). Requirements of telecommunications relay service provider.**

The Telecommunications Relay Service (TRS) provider in Alaska is required to submit a report to the Commission that addresses monthly operations and quality of service information. These reports have traditionally been submitted on paper; however, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings. Therefore, in order to ensure that the TRS provider in Alaska is aware that the Commission will accept paper or electronic submission of all monthly operational and quality of service reports, Staff recommends that the Commission amend 3 AAC 52.030(a) to include references to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(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 a monthly report that includes the following information:	(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, <u>under 3 AAC 48.095</u> , a monthly report that includes the following information:

**3 AAC 51.040(c). Funding of telecommunications relay service.**

The Commission establishes the Telecommunications Relay Service (TRS) surcharge to provide funding for telecommunications service to the deaf, hard-of-hearing and speech-impaired. Local exchange carriers implement new TRS surcharges by submitted tariff advice filings. In this docket proceeding, Staff is recommending that the Commission also allow for the electronic submission of tariff filings. The regulations governing how an electronic tariff filing should be submitted to the Commission will be included in 3 AAC 48.220, 3 AAC 48.240 and 3 AAC 48.270. In order to ensure that an entity implementing a new TRS surcharge does so in accordance with tariff procedures, Staff recommends that the Commission amend 3 AAC 47.040(c) to include references to additional tariff filing requirements.

Existing Regulation	Staff Proposed Regulation
(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 48.270.	(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 <u>3 AAC 48.220, 3 AAC 48.240, and 3 AAC 48.270</u> .

**3 AAC 52.030(b). Records, reports, and inspection for compliance.**

Gas utilities are required to file with the Commission a plan for inspection and maintenance of each of the pipeline facilities it owns or operates. Reports were not included as part of the Commission’s initial electronic filing regulations and therefore, are required to be submitted on paper. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including reports. Therefore, in order to ensure that gas utilities are aware that the Commission will accept paper or electronic submission of any inspection and maintenance plans, Staff recommends that the Commission amend 3 AAC 52.030(b) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(b) Each utility shall file with the commission 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.	(b) Each utility shall file with the commission, <b>in accordance with 3 AAC 48.095</b> , 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.

**3 AAC 52.070(c). Accidents or incidents.**

This subsection requires gas utilities to provide written accident reports to the Commission. These reports have traditionally been submitted on paper; however, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including reports. Therefore, in order to ensure that gas utilities are aware that the Commission will accept paper or electronic submission of any accident reports or updates to any accident report, Staff recommends that the Commission amend 3 AAC 52.070(c) to include references to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(c) A written report of each accident shall be filed with the commission within 20 days after each accident. 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 upon the completion of the investigation and a written report of the progress of the investigation every 90 days until the investigation is complete.	(c) A written report of each accident shall be filed with the commission within 20 days after each accident, <b>in accordance with 3 AAC 48.095</b> . 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 <b>and in accordance with 3 AAC 48.095</b> upon the completion of the investigation and a written report of the progress of the investigation every 90 days until the investigation is complete.

**3 AAC 52.300(d). Operator handled calls.**

Telephone utilities are required to submit answering time studies of their operator services to the Commission after the end of each calendar quarter. Reports were not included as part of the Commission’s initial electronic filing regulations and therefore, are required to be submitted on paper. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including reports. Therefore, in order to ensure that telephone utilities are aware that the Commission will accept paper or electronic submission of any answering time studies, Staff recommends that the Commission amend 3 AAC 52.300(d) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(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.	(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, <b>in accordance with 3 AAC 48.095.</b>

**3 AAC 52.320. Information to be furnished.**

In general, 3 AAC 52.320 requires telephone utilities to provide quality of service and service disruption reports to the Commission.

3 AAC 52.320(a): This subsection requires a telephone utility to report to the Commission instances where the quality of service fails to meet specific levels for three consecutive months. These reports have traditionally been submitted on paper; however, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including reports. Therefore, in order to ensure that telephone utilities are aware that the Commission will accept paper or electronic submission of any service quality reports, Staff recommends that the Commission amend 3 AAC 52.320(a) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(a) Each telephone utility shall report to the commission 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.	(a) Each telephone utility shall report to the commission, <b>in accordance with 3 AAC 48.095,</b> 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.

**Continued ... 3 AAC 52.320. Information to be furnished.**

3 AAC 52.320(b): In addition to quality of service reporting, telephone utilities are required to report service disruptions that affect five percent or more of its subscribers in a specific exchange or effect long distance service. These reports have traditionally been submitted on paper. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including reports. In order to ensure that telephone utilities are aware that the Commission will accept paper or electronic submission of any service disruption report, Staff recommends that the Commission amend 3 AAC 52.320(b) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(b) Each telephone utility shall report as soon as reasonably possible to the commission 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.	(b) Each telephone utility shall report as soon as reasonably possible to the commission <b><u>and in accordance with 3 AAC 48.095,</u></b> 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.

**3 AAC 52.330. Capital program and planning statement.**

Telephone utilities are required to annually submit to the Commission a list of projected capital improvement projects for the current year and ensuing two years. These types of reports have traditionally been submitted on paper to the Commission. Since, Staff is recommending that the Commission allow for the electronic or paper submission of docket and non-docket related filings, Staff recommends that the Commission amend 3 AAC 52.330 to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
In addition to the annual report required by AS 42.05.451(b), a telephone utility shall file annually with this commission 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.	In addition to the annual report required by AS 42.05.451(b), a telephone utility shall file annually with this commission, <b><u>in accordance with 3 AAC 48.095,</u></b> 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.

**3 AAC 52.333(c)(1). Access to intrastate interexchange carriers.**

This subsection requires a local exchange carrier to submit to the Commission for review and approval any proposed intrastate interexchange ballots for the presubscription of service. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings. In order to ensure that local exchange carriers are aware that the Commission will accept paper or electronic submission of any intrastate interexchange ballots, Staff recommends that the Commission amend 3 AAC 52.333(c)(1) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(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:	(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 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.	(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 <b>and in accordance with 3 AAC 48.095</b> , 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.

**3 AAC 52.358. Registration.**

In general, 3 AAC 52.358 outlines the process the Commission will observe when processing an intrastate interexchange carrier’s request for registration and the information that a carrier must provide in order for its registration request to be considered complete.

3 AAC 52.358(b): Intrastate interexchange carriers are required to submit specific information in support of a registration request. Traditionally, the Commission has processed this information in an RX docket, which is considered “informal” and therefore have not been required to submit such filings under 3 AAC 48.095. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, which would include RX dockets. In order to ensure that interexchange carriers are aware that the Commission will accept paper or electronic submission of an application for registration, Staff recommends that the Commission amend 3 AAC 52.358(b) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(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 the following information on a form prescribed by the commission:	(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 <u>in accordance with 3 AAC 48.095</u> the following information on a form prescribed by the commission:

3 AAC 52.358(g): This subsection requires a registered intrastate interexchange carrier to submit an annual registration renewal. Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings. In order to ensure that interexchange carriers are aware that the Commission will accept paper or electronic submission of the required annual registration renewal, Staff recommends that the Commission amend 3 AAC 52.358(g) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(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. 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.	(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 <u>and in accordance with 3 AAC 48.095</u> . 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.

**3 AAC 52.367. Online tariff of registered entities.**

In general, 3 AAC 52.367 discusses the online tariff requirements for registered intrastate interexchange carriers.

3 AAC 52.367(c)(1)(D): This subsection outlines the customer complaint procedures that must be included in a registered carrier’s online tariff. Specifically, a registered carrier must include in its tariff customer complaint information, such as the company’s address and toll-free telephone number, the process for resolving complaints, as well as the Commission’s contact information . The Commission currently accepts paper, electronic and telephonic submission of customer complaints; therefore, Staff recommends amending 3 AAC 52.367(c)(1)(D) to include a reference to the Commission’s mailing address and internet web site address.

Existing Regulation	Staff Proposed Regulation
(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:	(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	(1) customer complaint information, including
(A) an address and toll-free telephone number for customer complaints;	(A) an address and toll-free telephone number for customer complaints;
(B) a process for resolving complaints with customers;	(B) a process for resolving complaints with customers;
(C) a statement that any unresolved disputes may be brought to the attention of the commission; and	(C) a statement that any unresolved disputes may be brought to the attention of the commission; and
(D) the commission's address and toll-free telephone number;	(D) the commission's <b>mailing</b> address, <b>Internet address of the commission’s website</b> <b>and</b> toll-free telephone number;

**Continued ... 3 AAC 52.367. Online tariff of registered entities.**

3 AAC 52.367(d)(1): Registered intrastate interexchange carriers are allowed to implement revisions to their online tariffs with 30 days notice to the Commission. Traditionally, these types of filings have been required to be submitted on paper. Since, Staff is recommending that the Commission allow for the electronic or paper submission of tariff filings, Staff believes that references to the paper submission of such tariff filings be removed and replaced with references to the Commission’s general tariff form and filing requirements.

Further, this subsection requires a registered entity to submit a proposed tariff filing, along with a 3.5-inch diskette or compact disc of the information. Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including tariff filings. If a filing under 3 AAC 52.367(d) is received electronically, there would be no need for the filer to also submit a diskette or compact disc (i.e. the required information would already be in an electronic format). Further, 3 AAC 48.090(b)(3)(A) requires the filing of a disc with any paper copy submission of a docket or non-docket related filing, if possible. Under either filing scenario, the Commission would receive an electronic copy of the required information; therefore, Staff recommends that the Commission repeal the portion of 3 AAC 52.367(d)(1) that refers to the submission of a diskette or compact disc.

Existing Regulation	Staff Proposed Regulation
(d) At least 30 days before revising a provision of its online tariff, a registered entity shall file with the commission an original and two paper copies of	(d) At least 30 days before revising a provision of its online tariff, a registered entity shall file with the commission <u>in accordance with 3 AAC 48.220, 3 AAC 48.240 and 3 AAC 48.270</u> [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;	(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): Public notices issued by a registered interexchange carrier for a tariff revision are required to include a sentence that notifies the public that their comments may be filed with the Commission, as well as the Commission’s contact information. The Commission currently accepts paper and electronic submission of public comments; therefore, Staff recommends amending 3 AAC 52.367(f)(4) and 3 AAC 52.367(f)(5) to include references to the Commission’s mailing address and internet web site address.

Existing Regulation	Staff Proposed Regulation
(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:	(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 or by electronic mail;	(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, <b><u>through the commission’s website</u></b> or by electronic mail;
(5) the commission's address and electronic mail address where comments may be filed.	(5) the commission's <b><u>mailing address, the Internet address of the commission’s website</u></b> and electronic mail address where comments may be filed.

**3 AAC 52.372(b). Long distance rate reductions from elimination of carrier common line rates.**

Since the Commission’s elimination of the carrier common line charge, interexchange carriers have been required to file an annual report to the Commission demonstrating the extent to which a carrier has reduced long distance rates in the preceding calendar year. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including reports. In order to ensure that interexchange carriers are aware that the Commission will accept paper or electronic submission of the required annual reporting, Staff recommends that the Commission amend 3 AAC 52.372(b) to include references to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(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 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 demonstrating the extent to which the carrier reduced intrastate long distance rates in the preceding calendar year in conformance with (a) of this section.	(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, <b>in accordance with 3 AAC 48.095</b> 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, <b>in accordance with 3 AAC 48.095</b> 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.	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.

**3 AAC 52.380. Reporting, verification, and auditing requirements.**

In general, 3 AAC 52.380 discusses the information that interexchange carriers are required to submit in accordance with the Alaska Intrastate Interexchange Access Charge Manual (AllACM).

3 AAC 52.380(e): Facilities based interexchange carriers are required to annually submit a report identifying occurrences of the carrier’s noncompliance with the state telecommunications modernization plan. Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including reports. In order to ensure that interexchange carriers are aware that the Commission will accept paper or electronic submission of the required annual reporting, Staff recommends that the Commission amend 3 AAC 52.380(e) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(e) An interexchange carrier that owns or controls interexchange facilities in the state shall file annually with the commission 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.	(e) An interexchange carrier that owns or controls interexchange facilities in the state shall file annually with the commission <b>and in accordance with 3 AAC 48.095</b> 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): This subsection requires an interexchange carrier or alternate operator service provider to annually submit traffic data to the Commission. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings. In order to ensure that interexchange carriers and alternate operator service providers are aware that the Commission will accept paper or electronic submission of the required annual traffic data, Staff recommends that the Commission amend 3 AAC 52.380(f) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(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.	(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 <b>and in accordance with 3 AAC 48.095</b> .

**3 AAC 52.390. Miscellaneous provisions.**

In general, 3 AAC 52.390 describes miscellaneous competitive intrastate interexchange carrier requirements.

3 AAC 52.390(f): This subsection requires interexchange carriers to provide to the Commission an electronic copy of the public notice for each proposed retail tariff revision. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including tariff filings. Staff believes that ultimate purpose of this regulation is to ensure that the Commission receives a copy of the public notice, regardless of its filing format; therefore, Staff recommends that the Commission amend the language in 3 AAC 52.390(f) by removing the references to an electronic copy of a public notice.

Existing Regulation	Staff Proposed Regulation
(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.	(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): An interexchange carrier is required to provide the Commission with an electronic copy of the public notice for each proposed wholesale tariff revision. Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including tariff filings. Staff believes that ultimate purpose of this regulation is to ensure that the Commission receives a copy of the public notice, regardless of its filing format; therefore, Staff recommends that the Commission amend the language in 3 AAC 52.390(g) by removing the references to an electronic copy of a public notice.

Existing Regulation	Staff Proposed Regulation
(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 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.	(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.

**Continued ... 3 AAC 52.390. Miscellaneous provisions.**

3 AAC 52.390(h)(6): Public notices issued by an interexchange carrier for a retail tariff revision are required to include a sentence that notifies the public that their comments may be filed with the Commission. The Commission currently accepts paper and electronic submission of public comments; therefore, Staff recommends amending 3 AAC 52.390(h)(6) to include a reference to the Commission’s mailing address and internet web site address.

Existing Regulation	Staff Proposed Regulation
<p>(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:</p> <p>(6) a statement similar to the following: "Any person may file written comments on this tariff revision with the Regulatory Commission of Alaska, 701 West Eighth Avenue, Suite 300, Anchorage, Alaska 99501. 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)."</p>	<p>(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:</p> <p>(6) a statement similar to the following: "Any person may file written comments on this tariff revision with the Regulatory Commission of Alaska <b>on paper</b> [,] <b>at</b> 701 West Eighth Avenue, Suite 300, Anchorage, Alaska 99501 <b>or electronically via the commission’s website at (Internet web site address)</b>. 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)."</p>

3 AAC 52.390(m): Interexchange carriers are required to submit a financial report of the carriers operations to the Commission on or before March 31 of each year. Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings. In order to ensure that interexchange carriers are aware that the Commission will accept paper or electronic submission of the required annual report, Staff recommends that the Commission amend 3 AAC 52.390(m) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
<p>(m) On or before March 31 of each year, an interexchange carrier shall file 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</p>	<p>(m) On or before March 31 of each year, an interexchange carrier shall file, <b>in accordance with 3 AAC 48.095</b> 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</p>

**Continued ... 3 AAC 52.390. Miscellaneous provisions.**

3 AAC 52.390(n): This subsection describes the annual information that must be submitted by the interexchange Carrier of Last Resort (COLR) to the Commission. Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings. In order to ensure that an interexchange COLR is aware that the Commission will accept paper or electronic submission of the required annual reporting, Staff recommends that the Commission amend 3 AAC 52.390(n) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(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	(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, <b><u>in accordance with 3 AAC 48.095</u></b>

3 AAC 52.390(o): Interexchange carriers are required to annually submit a map or listing of all locations where the carrier owns or controls interexchange facilities. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings. In order to ensure that interexchange carriers are aware that the Commission will accept paper or electronic submission of the required annual reporting, Staff recommends that the Commission amend 3 AAC 52.390(o) to include references to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(o) On or before March 31 of each year, an interexchange carrier shall file with the commission 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 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,	(o) On or before March 31 of each year, an interexchange carrier shall file with the commission <b><u>and in accordance with 3 AAC 48.095</u></b> 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, <b><u>in accordance with 3 AAC 48.095</u></b> 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,

**3 AAC 52.450(c)(1)(H). Disconnection of service.**

A utility seeking to disconnect service must properly notify the customer prior to disconnection. Specifically, each disconnection notice must include a sentence that notifies the customer that complaints may be filed with the Commission. The Commission currently accepts paper, electronic and telephonic submission of customer complaints; therefore, Staff recommends amending 3 AAC 52.450(c)(1)(H) to include a reference to these customer complaint formats.

Existing Regulation	Staff Proposed Regulation
(c) The following notice requirements apply to service disconnections permissible under (b) of this section:	(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 the customer on a service application. The notice must contain, at a minimum, the following information:	(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 the customer on a service application. The notice must contain, at a minimum, the following information:
(H) the telephone number and address of the commission 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	(H) the telephone number and <u>mailing</u> address of the commission, the <u>Internet address of the commission's website</u> , 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

**3 AAC 52.470(e). Engineering standards; energy purchase contracts.**

Upon entering into a contract with a non-regulated vendor for term exceeding 12 months, a utility is required to submit a copy of the contract, load forecasting data and additional documentation with the Commission. Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings. In order to ensure that filers are aware that the Commission will accept paper or electronic submission of the information required under 3 AAC 42.470(e), Staff recommends that the Commission amend the section to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(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:	(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, <b>in accordance with 3 AAC 48.095</b> :

**3 AAC 52.490(b)(2)-(3). Other general information to be furnished to the commission.**

Electric utilities are required to submit service outage reports to the Commission. 3 AAC 52.490(b)(2)-(3) discusses the timing of such reports, what information should be included and the form in which such reports should be submitted to the Commission. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including reports. In order to ensure that electric utilities are aware that the Commission will accept paper or electronic submission of service outage reports, Staff recommends that the Commission amend 3 AAC 52.490(b)(2)-(3) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
<p>(b) A utility shall submit information to the commission regarding service outages as follows:</p> <p>(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; and</p>	<p>(b) A utility shall submit information to the commission regarding service outages as follows:</p> <p>(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, <b><u>in accordance with 3 AAC 48.095</u></b>; and</p>
<p>(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.</p>	<p>(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 <b><u>and in accordance with 3 AAC 48.095</u></b>.</p>

**3 AAC 52.504(h). Filing requirements for electric utilities.**

3 AAC 52.504(h) requires an electric utility submitting a Cost of Power Adjustment (COPA) filing to the Commission to include as part of its submission a 3.5-inch diskette or compact disc of the information required to support entries into the cost-of-power balancing account. Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including tariff filings. If a filing under 3 AAC 52.504(h) is received electronically, there would be no need for the filer to also submit a diskette or compact disc (i.e. the required information would already be in an electronic format). Further, 3 AAC 48.090(b)(3)(A) requires the filing of a disc with any paper copy submission of a docket or non-docket related filing, if possible. Under either filing scenario, the Commission would receive an electronic copy of the required information; therefore, Staff recommends that the Commission repeal 3 AAC 52.504(h) in its entirety.

Existing Regulation	Staff Proposed Regulation
<p>(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.</p>	<p>[(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.]</p>

**3 AAC 52.506(h). Filing requirements for gas utilities.**

Similar to 3 AAC 52.504(h), this subsection requires a gas utility submitting a Gas Cost Adjustment (GCA) filing to the Commission to include as part of its submission a 3.5-inch diskette or compact disc of the information required to support entries into the cost-of-gas balancing account. Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including tariff filings. If a filing under 3 AAC 52.506(h) is received electronically, there would be no need for the filer to also submit a diskette or compact disc (i.e. the required information would already be in an electronic format). Further, 3 AAC 48.090(b)(3)(A) requires the filing of a disc with any paper copy submission of a docket or non-docket related filing, if possible. Under either filing scenario, the Commission would receive an electronic copy of the required information; therefore, Staff recommends that the Commission repeal 3 AAC 52.506(h) in its entirety.

Existing Regulation	Staff Proposed Regulation
(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.	[(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.]

**3 AAC 52.640. Adjustments to power cost equalization.**

In general, 3 AAC 52.640 describes the process by which a Power Cost Equalization (PCE) participant may request a change to its PCE per kilowatt-hour rate.

3 AAC 52.640(b): This subsection describes the circumstances under which a nonregulated participating electric utility may request a change in its PCE per kilowatt hour rate. Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings. In order to ensure that non-regulated PCE participants are aware that the Commission will accept paper or electronic submission of a proposed PCE rate change, Staff recommends that the Commission amend 3 AAC 53.640(b) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(b) A nonregulated participating electric utility shall request a change in its power cost equalization per kilowatt-hour if the utility has	(b) A nonregulated participating electric utility shall request a change in its power cost equalization per kilowatt-hour, <b>in accordance with 3 AAC 48.095</b> , if the utility has
(1) experienced a change in its fuel or purchased power costs; or	(1) experienced a change in its fuel or purchased power costs; or
(2) changed its rates.	(2) changed its rates.

**Continued ... 3 AAC 52.640. Adjustments to power cost equalization.**

3 AAC 52.640(f)(2): Non-regulated PCE participants are required to submit periodic fuel or purchased power cost reports to the Commission. In this proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including reports. In order to ensure that non-regulated PCE participants are aware that the Commission will accept paper or electronic submission of the required reports, Staff recommends that the Commission amend 3 AAC 53.640(f)(2) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(f) A participating electric utility shall file with the commission a periodic fuel or purchased power cost report as follows:	(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 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 following information or supporting documents:	(2) for a nonregulated participating electric utility, except as provided in (g) of this section, the report required by this subsection shall be filed <b>in accordance with 3 AAC 48.095</b> and 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 following information or supporting documents:

**3 AAC 52.660(a). Annual filing requirements.**

Participating Power Cost Equalization (PCE) participants are required to annually file a report with the Commission in order to determine whether the PCE rate per kilowatt hour is just and reasonable. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including reports. In order to ensure that PCE participants are aware that the Commission will accept paper or electronic submission of the required annual report, Staff recommends that the Commission amend 3 AAC 53.660(a) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(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 with the commission a report for review.	(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 <b>in accordance with 3 AAC 48.095</b> [WITH THE COMMISSION] a report for review.

**3 AAC 52.722(a). Application for provisional certification.**

This subsection outlines the information that must be provided by a utility seeking provisionally certification. Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings. In order to ensure that filers are aware that the Commission will accept paper or electronic submission of an application for provisional certification, Staff recommends that the Commission amend 3 AAC 53.722(a) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(a) A utility that is eligible under 3 AAC 52.720 to apply for provisional certification must provide the following information on a form prescribed by the commission:	(a) A utility that is eligible under 3 AAC 52.720 to apply for provisional certification must provide the following information <b>in accordance with 3 AAC 48.095 and</b> on a form prescribed by the commission:

**3 AAC 52.724(a). Continuing requirements.**

Provisionally certificated entities are required to annually submit specific financial and operational information. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including reports. In order to ensure that filers are aware that the Commission will accept paper or electronic submission of annual financial and operational reports from provisionally certificated entities, Staff recommends that the Commission amend 3 AAC 53.724(a) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(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:	(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 <b>and in accordance with 3 AAC 48.095:</b>

**3 AAC 52.726(a). Customer complaints.**

3 AAC 52.726(a) discusses the information that a provisionally certificated entity must include on each bill sent to its customers. The Commission currently accepts paper, electronic and telephonic submission of customer complaints; therefore, Staff recommends amending 3 AAC 52.726(a) to include a reference to these customer complaint formats, as well as the Commission’s mailing address and internet web site address.

Existing Regulation	Staff Proposed Regulation
<p>(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. The Regulatory Commission of Alaska may be contacted toll-free at 1-800-390-2782, or TDD (907) 276-4533."</p>	<p>(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 <b>on paper at 701 West Eighth Avenue, Suite 300, Anchorage, Alaska 99501, electronically via the commission’s website at <a href="http://www.state.ak.us/rca">www.state.ak.us/rca</a> or telephonically</b> [The Regulatory Commission of Alaska may be contacted toll-free] at 1-800-390-2782, or TDD (907) 276-4533."</p>

**3 AAC 52.732. Tariff revisions.**

Provisionally certificated utilities may revise their tariffs without Commission approval; however, any such revision must be submitted to the Commission within 30 days after the effective date of the revised tariff. Traditionally, these types of filings have been required to be submitted on paper. Since, 3 AAC 52.732 references tariff filing submissions and Staff is recommending that the Commission allow for the electronic or paper submission of such filings, Staff recommends that 3 AAC 52.372 be amended to include a reference to 3 AAC 48.240.

Existing Regulation	Staff Proposed Regulation
<p>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 state the effective date of the revised tariff.</p>	<p>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 <b>be submitted in accordance with 3 AAC 48.240 and</b> state the effective date of the revised tariff.</p>

**3 AAC 52.900(b). Application and purpose.**

This subsection states that the purpose of 3 AAC 52.900 – 3 AAC 52.940 is to establish a method for compensation for joint use facilities. An agreement for joint use must be submitted to the Commission. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings. In order to ensure that filers are aware that the Commission will accept paper or electronic submission of joint use agreements, Staff recommends that the Commission amend 3 AAC 53.900(b) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(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. 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.	(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 <b>in accordance with 3 AAC 48.095</b> . 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.

**3 AAC 52.930. Procedure.**

If a joint use agreement cannot be reached between an attaching utility and a pole-owing utility, a complaint may be filed with the Commission. An answer to the complaint must be submitted within 20 days after the service. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings. In order to ensure that filers are aware that the Commission will accept paper or electronic submission of complaints and answers to the complaint, Staff recommends that the Commission amend 3 AAC 52.930 to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
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, 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.	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, <b>in accordance with 3 AAC 48.095</b> , 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.

**3 AAC 53.190(e). Procedures for changing an authorized telecommunications carrier.**

A local exchange, intrastate interexchange or interstate telecommunications carrier that files a report to the Federal Communications Commission (FCC) under 47 C.F.R. 64.1180 is required to submit a copy of that report to the Commission. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including reports. In order to ensure that filers are aware that the Commission will accept paper or electronic submission reports submitted to the FCC, Staff recommends that the Commission amend 3 AAC 53.190(e) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(e) A local exchange, intrastate interexchange, or interstate telecommunications carrier that provides service in this state and files a report with the Federal Communications Commission under 47 C.F.R. 64.1180 shall file a copy of that report with the commission.	(e) A local exchange, intrastate interexchange, or interstate telecommunications carrier that provides service in this state and files a report with the Federal Communications Commission under 47 C.F.R. 64.1180 shall file a copy of that report with the commission <b><u>in accordance with 3 AAC 48.095.</u></b>

**3 AAC 53.243. Retail services for which there is no dominant carrier.**

In general, 3 AAC 53.243 applies to retail services provided where there is no local exchange carrier in the competitive market with a dominant carrier status for the services.

3 AAC 53.243(d)(2): This subsection requires a carrier to submit an informational filing to the Commission for retail rate changes, new or repackaged services and bundled service offerings. Traditionally, these types of filings have been treated as tariff filings and have been required to be submitted on paper. Since, 3 AAC 53.243(d)(2) references informational filing submissions and Staff is recommending that the Commission allow for the electronic or paper submission of such filings, Staff recommends that 3 AAC 53.243(d)(2) be amended to include a reference to 3 AAC 48.240.

Existing Regulation	Staff Proposed Regulation
(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,	(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 an informational filing that includes a copy of the tariff sheets and a letter identifying	(2) file with the commission, <b><u>in accordance with 3 AAC 48.240,</u></b> an informational filing that includes a copy of the tariff sheets and a letter identifying

**Continued ... 3 AAC 53.243. Retail services for which there is no dominant carrier.**

3 AAC 53.243(f)(2): This subsection requires a carrier to submit a special contract for local exchange services where there is no dominant carrier. Traditionally, these types of filings have been treated as tariff filings and have been required to be submitted on paper. Since, 3 AAC 53.243(f)(2) references informational filing submissions and Staff is recommending that the Commission allow for the electronic or paper submission of such filings, Staff recommends that 3 AAC 53.243(f)(2) be amended to include a reference to 3 AAC 48.240.

Existing Regulation	Staff Proposed Regulation
(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	(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	(2) filing with the commission, <b>in accordance with 3 AAC 48.240</b>

**3 AAC 53.245(d). Competitive entry rate modification.**

An incumbent local exchange carrier may petition the Commission to modify its existing retail local exchange rates to establish new rates for a noncompetitive area. 3 AAC 53.245(d) requires a rate modification petition to be filed in accordance with the Commission’s tariff advice filing letter requirements. Since, 3 AAC 53.245(d) references tariff filing submissions and Staff is recommending that the Commission allow for the electronic or paper submission of such filings, Staff recommends that 3 AAC 53.245(d) be amended to include a reference to 3 AAC 48.240.

Existing Regulation	Staff Proposed Regulation
(d) A petition for a rate modification filed under this section must also be filed in accordance with 3 AAC 48.270, and must include the following:	(d) A petition for a rate modification filed under this section must also be filed in accordance with <b>3 AAC 48.240 and</b> 3 AAC 48.270, and must include the following:

**3 AAC 53.265(m). Local exchange carriers of last resort.**

A local exchange Carrier of Last Resort (COLR) is required to notify the consumer protection section of the Commission of an instance in which the carrier denies a request for service. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings. In order to ensure that filers are aware that the Commission will accept paper or electronic submission of COLR reports detailing any service denials, Staff recommends that the Commission amend 3 AAC 53.265(m) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(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, a report regarding the denial of the request for service. The report must include	(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 <b>and in accordance with 3 AAC 48.095</b> , a report regarding the denial of the request for service. The report must include

**3 AAC 53.290. Miscellaneous provisions.**

In general, 3 AAC 53.290 describes miscellaneous competitive local exchange carrier requirements.

3 AAC 53.290(f): This subsection discusses the information that must be included in a public notice for a tariff filing submitted by a local exchange carrier. Specifically, each notice must include a sentence that notifies the public that their comments may be filed with the Commission. The Commission currently accepts paper and electronic submission of public comments; therefore, Staff recommends amending 3 AAC 53.290(f) to include a reference to the Commission’s mailing address and internet web site address.

Existing Regulation	Staff Proposed Regulation
(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.	(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 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 (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)."	The notice must contain sentences similar to the following: "Any person may file comments on this tariff revision with the Regulatory Commission of Alaska ( <b>mailing address and Internet web site address</b> ). 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)."

**Continued ... 3 AAC 53.290. Miscellaneous provisions.**

3 AAC 53.290(i): This subsection requires local exchange carriers to submit a financial report of its operations in the state for the previous calendar year. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including reports. In order to ensure that filers are aware that the Commission will accept paper or electronic submission of annual local exchange carrier financial reports, Staff recommends that the Commission amend 3 AAC 53.290(i) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(i) On or before March 31 of each year, 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:	(i) On or before March 31 of each year <b>and in accordance with 3 AAC 48.095</b> , 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:

**3 AAC 53.320(b). Budget approval; administrative costs.**

3 AAC 53.320(b) discusses the timeline by which the Alaska Universal Service Fund (AUSF) administrator must submit its budget to the Commission for approval. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings. In order to ensure that the administrator of the AUSF is aware that the Commission will accept paper or electronic submission of information and reports, Staff recommends that the Commission amend 3 AAC 53.320(b) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(b) No later than October 1 of each year, the administrator shall submit the proposed budget described in (a) of this section to the commission for approval for the following year.	(b) No later than October 1 of each year <b>and in accordance with 3 AAC 48.095</b> , the administrator shall submit the proposed budget described in (a) of this section to the commission for approval for the following year.

**3 AAC 53.330(a). Reports, audits, and separation of money.**

In order to maintain its approval under 3 AAC 53.310, the administrator of the Alaska Universal Service Fund (AUSF) must provide to the Commission with reports regarding the administrator’s accounting practices, disbursement of money from the AUSF and itemized monthly administrative costs. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including reports. In order to ensure that the administrator of the AUSF is aware that the Commission will accept paper or electronic submission of information and reports, Staff recommends that the Commission amend 3 AAC 53.330(a) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(a) To maintain approval under 3 AAC 53.310,	(a) To maintain approval under 3 AAC 53.310,
(1) the administrator shall keep the amount allocated for universal service support in the AUSF in an account separate from other money under the control of the administrator;	(1) the administrator shall keep the amount allocated for universal service support in the AUSF in an account separate from other money under the control of the administrator;
(2) the AUSF and the accounting practices of the administrator are subject to a yearly audit by an independent accounting firm and may be subject to an additional audit during the year by the commission, if ordered by the commission; the AUSF and the accounting practices of the administrator are subject to a close-out audit at the end of the administrator's term;	(2) the AUSF and the accounting practices of the administrator are subject to a yearly audit by an independent accounting firm and may be subject to an additional audit during the year by the commission, if ordered by the commission; the AUSF and the accounting practices of the administrator are subject to a close-out audit at the end of the administrator's term;
(3) the administrator shall report annually to the commission 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;	(3) the administrator shall report annually to the commission <b>and in accordance with 3 AAC 49.095</b> 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 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	(4) the administrator shall report quarterly to the commission <b>and in accordance with 3 AAC 48.095</b> 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
(5) at the request of the commission, the administrator may audit one or more public utilities required to pay the universal service surcharge and one or more public utilities that have received disbursements from the AUSF; the administrator shall establish procedures to verify universal service surcharge payments in to the AUSF and universal service support disbursed from the AUSF; the administrator may suspend or delay disbursements for universal service support to a public utility if that utility fails to adequately verify the amount of universal service support claimed, or if the commission issues an order to suspend or delay disbursement.	(5) at the request of the commission, the administrator may audit one or more public utilities required to pay the universal service surcharge and one or more public utilities that have received disbursements from the AUSF; the administrator shall establish procedures to verify universal service surcharge payments in to the AUSF and universal service support disbursed from the AUSF; the administrator may suspend or delay disbursements for universal service support to a public utility if that utility fails to adequately verify the amount of universal service support claimed, or if the commission issues an order to suspend or delay disbursement.

**3 AAC 53.440. Procedural requirements for requests for eligible telecommunications carrier designation.**

In general, 3 AAC 53.440 describes the process by which a telecommunications carrier may submit a request for designation as an eligible telecommunications carrier.

3 AAC 53.440(a): This subsection states that a carrier seeking eligible telecommunications carrier status must submit a request to the Commission for each study area or portion of a study where the company seeks designation. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings. In order to ensure that filers are aware that the Commission will accept paper or electronic submission of requests for designation as an eligible telecommunications carrier, Staff recommends that the Commission amend 3 AAC 53.440(a) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(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 that includes	(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 <b>in accordance with 3 AAC 48.095</b> that includes

3 AAC 53.440(b): Carriers seeking eligible telecommunications carrier designation are required to serve a copy of their request on any carrier that is currently designated as an eligible telecommunications carrier in any part of its proposed service area. The service of such pleadings can be completed either on paper or electronically; therefore, Staff recommends that 3 AAC 53.440(b) be amended to include a reference to the service requirements under 3 AAC 48.090.

Existing Regulation	Staff Proposed Regulation
(b) The requesting common carrier shall serve a copy of its petition on any common carrier that has been designated as an eligible telecommunications carrier in any part of the proposed eligible telecommunications carrier service area.	(b) The requesting common carrier shall serve a copy of its petition, <b>in accordance with 3 AAC 48.090</b> , on any common carrier that has been designated as an eligible telecommunications carrier in any part of the proposed eligible telecommunications carrier service area.

**3 AAC 53.460(a). Reporting requirements.**

3 AAC 53.460(a) outlines the annual information that eligible telecommunications are required to provide the Commission. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings, including reports. In order to ensure that filers are aware that the Commission will accept paper or electronic submission of annual eligible telecommunication carrier reports, Staff recommends that the Commission amend 3 AAC 43.460(a) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
(a) A common carrier designated as an eligible telecommunications carrier shall provide on or before March 31 of each year	(a) A common carrier designated as an eligible telecommunications carrier shall provide on or before March 31 of each year <b>and in accordance with 3 AAC 48.095</b>

**3 AAC 53.625(b). Directory assistance providers.**

This subsection requires a directory assistance provider serving all customers in the State to submit all contracts and contracts amendments to the Commission. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings. In order to ensure that filers are aware that the Commission will accept paper or electronic submission of directory assistance provider contracts and contract amendments, Staff recommends that the Commission amend the regulation to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
<p>(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. Unless the commission initiates an investigation, a filing under this subsection becomes effective 30 days after filing.</p>	<p>(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 <b><u>in accordance with 3 AAC 48.095.</u></b> Unless the commission initiates an investigation, a filing under this subsection becomes effective 30 days after filing.</p>

**3 AAC 53.750(b). Designation of public interest pay telephones.**

3 AAC 53.750(b) outlines the procedures the Commission will observe in designating a public pay telephone service provider. In this docket proceeding, Staff is recommending that the Commission allow for the electronic submission of all docket and non-docket related filings. In order to ensure that filers are aware that the Commission will accept paper or electronic submission of such requests, Staff recommends that the Commission amend 3 AAC 53.750(b) to include a reference to the electronic filing regulations in 3 AAC 48.095.

Existing Regulation	Staff Proposed Regulation
<p>(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 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.</p>	<p>(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 <b><u>be submitted in accordance with 3 AAC 48.095 and</u></b> 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.</p>