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By the Regulatory Commission of Alaska on Oct 24, 2017

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**OFFICE OF THE LIEUTENANT GOVERNOR  
 ALASKA**

**MEMORANDUM**

**TO:** J.P. Wood  
 Department of Commerce, Community & Economic Development

**FROM:** Scott Meriwether, Office of the Lieutenant Governor   
 465.4081

**DATE:** October 24, 2017

**RE:** Filed Permanent Regulations: Regulatory Commission of Alaska

Regulatory Commission of Alaska regulations re: ongoing reporting requirements for regulated utilities (3 AAC 51.030; 3 AAC 52.010 - 3 AAC 52.030; 3 AAC 52.060 - 3 AAC 52.080; 3 AAC 52.300(d); 3 AAC 52.320; 3 AAC 52.330; 3 AAC 52.358; 3 AAC 52.372; 3 AAC 52.380(e), (f); 3 AAC 52.381(c); 3 AAC 52.385(a); 3 AAC 52.390(o); 3 AAC 52.460(e); 3 AAC 52.490 - 3 AAC 52.500; 3 AAC 52.724(a)(4); 3 AAC 52.750; 3 AAC 52.755; 3 AAC 53.190(e); 3 AAC 53.410(a)(7); 3 AAC 53.460; 3 AAC 53.625(b); 3 AAC 53.710; 3 AAC 53.840(c); 3 AAC 53.890(e))

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Attorney General File:	JU2015201024
Regulation Filed:	10/23/2017
Effective Date:	11/22/2017
Print:	224, January 2018

cc with enclosures: Linda Miller, Department of Law  
 Judy Herndon, LexisNexis

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The introductory language of 3 AAC 51.030(a) is amended to read:

(a) Following the issuance of a certificate of public convenience and necessity to provide TRS in this state, the provider shall file a tariff that incorporates the terms and conditions specified in its application. The TRS provider shall serve in conformance with its tariff until service expires under the terms of the certificate or until the commission decides otherwise. The TRS provider shall file with the commission, in accordance with 3 AAC 48.095, a monthly report that includes the following information:

. . .

3 AAC 51.030(a)(1) is amended to read:

(1) the TRS surcharges assessed and the total amount of TRS revenue collected disaggregated by residential, single-line business, and multi-line business access lines based on the report supplied by local exchange carriers under 3 AAC 51.040(k)(1); the report must specify the surplus revenue account balance;

3 AAC 51.030(a)(2) is amended to read:

(2) the number of calls processed; the report must specify TRS traffic by number of calls and minutes of use and each category must be further disaggregated by jurisdiction and type of call; for the purpose of this paragraph "jurisdiction" includes local, intrastate toll, and interstate toll;

(Eff. 12/2/92, Register 124; am 2/23/2001, Register 157; am 11/6/2016, Register 220; am 11/22/2017, Register 224)

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

3 AAC 52.010(b) is amended to read:

(b) Upon acceptable showing by a utility, the commission may waive, as to that utility and using the procedures and standards set out in 3 AAC 48.805, all or any

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portion of the provisions of 3 AAC 52.010 - 3 AAC 52.080.

(Eff. 2/21/69, Register 30; am 1/13/73, Register 44; am 4/24/2004, Register 170; am 11/22/2017, Register 224)

**Authority:**    AS 42.05.141            AS 42.05.541            AS 42.05.711  
                  AS 42.05.151            AS 42.05.691

3 AAC 52.020 is amended to read:

**3 AAC 52.020. Compliance with minimum federal safety standards for gas lines.** Each utility shall construct and maintain gas transmission and distribution facilities in accordance with the minimum federal safety standards for gas lines, adopted by reference in 3 AAC 52.080. (Eff. 2/21/69, Register 30; am 1/13/73, Register 44; am 11/22/2017, Register 224)

**Authority:**    AS 42.05.291

3 AAC 52.030(b) is repealed:

(b) Repealed 11/22/2017. (Eff. 2/21/69, Register 30; am 1/13/73, Register 44; am 11/6/2016, Register 220; am 11/22/2017, Register 224)

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

3 AAC 52.060 is amended to read:

**3 AAC 52.060. Record of nonscheduled interruptions.** Each gas utility shall keep a record of each nonscheduled interruption to service, showing the location, date, time, duration, and cause of each interruption. This record shall be retained by the utility for three years and shall be made available for inspection in accordance with AS 42.05.501. (Eff. 2/21/69, Register 30; am 1/13/73, Register 44; am 11/22/2017, Register 224)

**Authority:**    AS 42.05.141            AS 42.05.501

The section heading of 3 AAC 52.070 is changed to read:

**3 AAC 52.070. Incidents.**

3 AAC 52.070(b) is amended to read:

(b) Not later than eight hours after discovery of the potential incident, each utility shall report each potential incident by electronic mail, by telephone, or in person, to the commission at the commission's office in Anchorage, Alaska, or to a person designated by the commission. If the potential incident occurs outside of normal business hours, the utility shall provide telephonic or electronic mail notification during the next business day following the potential incident. To the extent that the potential incident is not resolved at the time of the initial report, the utility shall continue to provide notification by electronic mail at least twice each business day after the initial report until the potential incident is resolved. The notification must include the location and time of the potential incident, a brief description of what occurred, the number of fatalities and personal injuries reported to the utility, and each individual to be contacted by the commission for additional information.

3 AAC 52.070(c) is amended to read:

(c) If the potential incident reported under (b) of this section is found to meet the threshold of an incident under 49 C.F.R. 191.3, adopted by reference in 3 AAC 52.080, a written report of the incident shall be filed with the commission not later than 30 calendar days after discovery of the incident, in accordance with 3 AAC 48.095. The report shall be made on the United States Department of Transportation's Pipeline and Hazardous Materials Safety Administration Form PHMSA F 7100.1 for gas distribution systems and Form PHMSA F 7100.2 for gas transmission and gathering systems. If additional relevant information is obtained after the report is submitted, the utility shall

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simultaneously file with the commission any reports made to the Pipeline and Hazardous Materials Safety Administration.

3 AAC 52.070 is amended by adding a new subsection to read:

(d) If upon further investigation a potential incident reported under (b) of this section did not meet the threshold of an incident under 49 C.F.R. 191.3, adopted by reference in 3 AAC 52.080, the utility shall notify the the commission by electronic mail not later than 30 calendar days after the initial report and explain how the potential incident fell short of the threshold for an incident. (Eff. 2/21/69, Register 30; am 1/13/73 Register 44; am 11/6/2016, Register 220; am 11/22/2017, Register 224)

**Authority:** AS 42.05.141 AS 42.05.291

3 AAC 52 is amended by adding a new section to read:

**3 AAC 52.075. Other general information to be furnished to the commission.** (a) A utility shall publish in its tariff, and on its website if available, the location and telephone number of each of its business offices, the telephone number of emergency contacts, and the normal hours of operation of each office.

(b) A utility shall submit the United States Department of Transportation's Pipeline and Hazardous Materials Safety Administration Forms PHMSA F 7100.1-1 and PHMSA F 7100.2-1 as applicable, as a part of the utility's annual report to the commission under AS 42.05.451. (Eff. 11/22/2017, Register 224)

**Authority:** AS 42.05.141 AS 42.05.291 AS 42.05.451

AS 42.05.151

3 AAC 52.080 is repealed and readopted to read:

**3 AAC 52.080. Definitions.** Unless the context requires otherwise, in 3 AAC 52.010 - 3 AAC 52.080,

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(1) "business hours" means from 8:00 a.m. to 5:00 p.m. on a day other than Saturday, Sunday, or a state legal holiday;

(2) "commission" means the Regulatory Commission of Alaska;

(3) "incident" has the meaning given in 49 C.F.R. 191.3, revised as of October 1, 2016, and adopted by reference;

(4) "minimum federal safety standards for gas lines" or "standards" means the requirements set out in 49 C.F.R. Part 192 (transportation of natural and other gas by pipeline: minimum federal safety standards), revised as of October 1, 2016, and adopted by reference;

(5) "potential incident" means an event involving the escape of gas from a gas gathering, transmission, or distribution facility, and resulting in hospitalization, fatality, or property damage that may meet the threshold of an incident, but sufficient time has not passed to verify the extent of injuries, fatalities, or property damage;

(6) "utility" means a public utility that owns, operates, manages, or controls a plant or system of facilities used for the transmission or distribution of natural or manufactured gas or other inflammable gas, to the extent that the system, plant, or facilities are included in the term "public utility" as defined by AS 42.05.990. (Eff. 2/21/69, Register 30; am 1/13/73, Register 44; am 2/24/2004, Register 170; am 11/22/2017, Register 224)

**Authority:**    AS 42.05.141            AS 42.05.291            AS 42.05.990

3 AAC 52.300(d) is repealed:

(d) Repealed 11/22/2017. (Eff. 1/5/79, Register 69; am 11/6/2016, Register 220; am 11/22/2017, Register 224)

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

3 AAC 52.320(a) is amended to read:

(a) Each telephone utility shall report to the commission, in accordance with 3 AAC 48.095, all instances where the quality of service it provides fails to meet the surveillance levels specified in 3 AAC 52.280(d), 3 AAC 52.300(a), or 3 AAC 52.310(e) for three consecutive months. That report must be filed with the commission not later than 30 days following the three-month period during which the surveillance levels have not been attained.

3 AAC 52.320(b) is amended to read:

(b) Each local exchange carrier shall notify the commission as soon as reasonably possible any outage defined in 47 C.F.R. 4.5(a), of at least 30 minutes' duration that affects 25 percent or 100 end users of an exchange, whichever is less, that causes isolation of working lines in any exchange from 911 access, or that causes a complete loss of extended area service (EAS). The notification must include

- (1) the date and time of onset of the outage;
- (2) the geographic areas affected by the outage;
- (3) cause of the outage and estimated restoration time, if known; and
- (4) the number of customers affected.

3 AAC 52.320(c) is repealed:

(c) Repealed 11/22/2017.

3 AAC 52.320 is amended by adding a new subsection to read:

(d) Each intrastate interexchange carrier shall notify the commission as soon as reasonably possible of any outage defined in 47 C.F.R. 4.5(a) that requires reporting to

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the Federal Communications Commission under 47 C.F.R. 4.9(b) or any outage that does not meet this threshold that causes a toll trunk outage of at least eight hours in duration. The notification must include

- (1) the date and time of onset of the outage;
- (2) the geographic areas affected by the outage; and
- (3) cause of the outage and estimated restoration time, if known. (Eff.

1/5/79, Register 69; am 11/6/2016, Register 220; am 11/22/2017, Register 224)

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

3 AAC 52.330 is repealed:

**3 AAC 52.330. Capital program and planning statement.** Repealed. (Eff.

1/5/79, Register 69; am 11/6/2016, Register 220; repealed 11/22/2017, Register 224)

3 AAC 52.358(e)(7) is amended to read:

(7) notify each new customer and annually notify existing customers that they may opt to receive notice of tariff revisions by electronic mail or by mail as provided in 3 AAC 52.367(e)(2); and

3 AAC 52.358(e)(8) is repealed:

(8) repealed 11/22/2017;

3 AAC 52.358(g) is amended to read:

(g) An entity registered under this section shall, on or before January 31 of each year, renew its registration by filing, in accordance with 3 AAC 48.095, 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, a verification that the entity is in compliance with the requirements



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of (e) and (f) of this section, and a verification that the entity did not have more than 1,000,000 intrastate billable minutes per month for three consecutive months in the previous calendar year.

(Eff. 5/18/2003, Register 166; am 11/6/2016, Register 220; am 11/22/2017, Register 224)

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

3 AAC 52.372(a) is amended to read:

**3 AAC 52.372. Long distance rate parity.** (a) To the extent possible and reasonable, and taking into consideration (1) costs of service; (2) changes in calling volumes; (3) changes in intrastate access charge rates; (4) jurisdictional cost differences; and (5) other relevant factors, an interexchange carrier's intrastate long distance rates must be in parity with or lower than its applicable interstate long distance rates.

3 AAC 52.372(b) is amended to read:

(b) Not later than April 30 of each year, an interexchange carrier not in conformance with (a) of this section shall file a report, in accordance with 3 AAC 48.095, providing the explanation of why it is not in conformance.

3 AAC 52.372(c) is repealed:

(c) Repealed 11/22/2017.

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3 AAC 52.372(d) is repealed:

(d) Repealed 11/22/2017. (Eff. 7/31/2011, Register 199; am 11/6/2016, Register 220; am 11/22/2017, Register 224)

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

3 AAC 52.380(e) is repealed:

(e) Repealed 11/22/2017.

3 AAC 52.380(f) is repealed:

(f) Repealed 11/22/2017. (Eff. 3/16/91, Register 117; am 9/1/2002, Register 163; am 5/18/2003, Register 166; am 9/16/2005, Register 175; am 11/6/2016, Register 220; am 11/22/2017, Register 224)

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

3 AAC 52.381(c) is repealed:

(c) Repealed 11/22/2017.

(Eff. 8/1/2015, Register 215; am 11/22/2017, Register 224)

<b>Authority:</b>	AS 42.05.141	AS 42.05.151	AS 42.05.800
	AS 42.05.145	AS 42.05.291	

3 AAC 52.385(a) is amended to read:

**3 AAC 52.385. Standards of service.** (a) The provisions of 3 AAC 52.200 - 3 AAC 52.340 do not apply to an interexchange carrier who is not a carrier of last resort under 3 AAC 52.381 - 3 AAC 52.384 and is not assigned any responsibilities of a carrier

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of last resort, except that a carrier that owns or controls interexchange facilities in the state shall comply with 3 AAC 52.280(b) for its interexchange carrier operations.

(Eff. 3/16/91, Register 117; am 9/1/2002, Register 163; am 9/16/2005, Register 175; am 8/1/2015, Register 215; am 11/22/2017, Register 224)

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

3 AAC 52.390(o) is amended to read:

(o) On or before April 30 of each year, an interexchange carrier shall file with the commission, in accordance with 3 AAC 48.095, a map or a listing identifying each location where the carrier owns or controls interexchange facilities and identifying each type of facility that is sited at each location. After an initial filing, absent changes to the facilities map or listing, the interexchange carrier shall file verification, in accordance with 3 AAC 48.095, that no changes to the map or listing have occurred. The map or listing must include

- (1) satellite and earth station radio system facilities and links;
- (2) microwave and other non-satellite-related radio facilities and links;
- (3) metallic-based cable and wire facilities; and
- (4) non-metallic-based cable and wire facilities. (Eff. 3/16/91, Register

117; am 7/8/93, Register 127; am 9/1/2002, Register 163; am 5/18/2003, Register 166; am 8/27/2004, Register 171; am 9/16/2005, Register 175; am 10/6/2013, Register 208; am 8/1/2015, Register 215; am 11/6/2016, Register 220; am 10/27/2017, Register 224; am 11/13/2017, Register 224; am 11/22/2017, Register 224)

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

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3 AAC 52.460(e) is amended to read:

(e) If scheduled outages are necessary, a utility shall make a good faith effort to do the work at a time that will cause minimal inconvenience to customers, and to notify customers in advance of the interruption. A utility shall develop and maintain a plan for notifying customers of a scheduled outage that is appropriate to the utility's available personnel levels and geographic location. The utility's plan must include public notification when five percent or more of a utility's customers in its certificated service area or all customers within a reliability reporting area are affected.

(Eff. 1/1/87, Register 100; am 11/22/2017, Register 224)

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

                  AS 42.05.151

3 AAC 52.490 is repealed and readopted to read:

**3 AAC 52.490. Other general information to be furnished to the commission.** (a) A utility shall publish in its tariff and on its website as available the location and telephone number of each of its business offices, each telephone number to report service outages, and the normal hours of operation of each office.

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

(1) for an outage that is an immediate threat to the health or safety of customers within the utility's certificated service area, the utility shall notify the commission as soon as reasonably possible; the utility shall report the outage by electronic mail, by telephone, or in person, to the commission at the commission's office in Anchorage, Alaska; the notification must include

(A) the location and time of the outage;

(B) the number of fatalities and personal injuries reported to the utility; and

(C) each individual to be contacted by the commission for additional information;

(2) for an outage described in (1) of this subsection or an outage from whatever cause, that persists for 30 minutes or more, and affects five percent or more of a utility's customers within its certificated service area or all customers within a reliability reporting area, the utility shall file with the commission, in accordance with 3 AAC 48.095 and not later than five business days after the conclusion of the outage, a written report that must include

(A) the location and time of the outage;

(B) the duration of the outage;

(C) the total number of customers affected and the number of customers without service at periodic intervals;

(D) the cause of the outage, if known;

(E) the number of fatalities and personal injuries; and

(F) each individual to be contacted by the commission for additional information;

(3) as a part of the utility's annual report to the commission under AS 42.05.451, the utility shall file a cumulative 12-month report of its service outages; the report must include

(A) the results of the calculated SAIDI, SAIFI, and CAIDI indices required under 3 AAC 52.495(f);

(B) a summary of the estimation methodologies that the utility used under 3 AAC 52.495(d) for the calculation of reliability information;

(C) a summary addressing any changes that the utility has made in the collection of data and the calculation, estimation, and reporting of reliability information in comparison to the prior reporting period; the utility shall explain why the changes occurred and explain how the changes affect the comparison of newer and older information; and

(D) a map showing the reliability reporting areas.

(c) A utility shall file with the commission not later than April 30 of each year a copy of the report made to the United States Environmental Protection Agency in accordance with 40 C.F.R. Part 98 (mandatory greenhouse gas reporting). (Eff. 1/1/87, Register 100; 11/6/2016, Register 220; am 11/22/2017, Register 224)

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

3 AAC 52 is amended by adding a new section to read:

**3 AAC 52.495. Electric service reliability rules.** (a) To the extent necessary to calculate and report reliability indices as required under 3 AAC 52.490 - 3 AAC 52.495, an electric utility shall comply with IEEE Standard 1366, *IEEE Guide for Electric Power Distribution Reliability Indices*, revised as of May 14, 2012 (IEEE 1366-2012) and adopted by reference. If there is a conflict between any provision in IEEE Standard 1366 and 3 AAC 52.490 - 3 AAC 52.495, the provisions of 3 AAC 52.490 - 3 AAC 52.495 govern.

(b) An electric utility shall include both "distribution system" outages and "interruptions caused by events outside of the distribution system" as defined in IEEE

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Standard 1366 in the electric utility's record keeping, calculations, reporting, and filing as required under 3 AAC 52.490.

(c) Except as provided in (d) of this section, an electric utility shall keep an accurate record of each outage that affects one or more customers. Each record must contain at least

(1) the date and time the outage occurred; if the exact time is unknown, the beginning of an outage is recorded as the earlier of an automatic alarm or the reported initiation time;

(2) the date and time service was restored;

(3) the number of customers affected by the outage; and

(4) the cause of the outage, if known.

(d) For outages after which an electric utility cannot obtain accurate data, the electric utility shall make reasonable estimates.

(e) An electric utility shall retain for at least five full calendar years the records associated with (c) of this section.

(f) Using records collected under (c) and (d) of this section, after December 31 of each year an electric utility shall calculate the system average interruption duration index (SAIDI), system average interruption frequency index (SAIFI), and customer average interruption duration index (CAIDI) for the previous reporting period. These indices are to be calculated for

(1) the certificated service area; and

(2) each reliability reporting area.

(g) When accurate data is not available, an electric utility may use estimates in calculating actual SAIDI, SAIFI, or CAIDI indices required under (f) of this section. (Eff. 11/22/2017, Register 224)

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

3 AAC 52.500 is amended by adding new paragraphs to read:

(33) "business day" means a day other than Saturday, Sunday, or a state legal holiday;

(34) "business hours" means the hours of 8:00 a.m. to 5:00 p.m. on a business day;

(35) "CAIDI" means customer average interruption duration index as defined in IEEE Standard 1366, adopted by reference in 3 AAC 52.495(a);

(36) "immediate threat" means a situation which urgent corrective action is necessary;

(37) "public notification" means the use of broadcast or print media, public postings, or other means appropriate to effectively notify customers of a scheduled outage;

(38) "reliability reporting area" means

(A) a non-interconnected independent electric system within the utility's certificated service area; or

(B) a geographic subdivision of a utility's certificated service area that is a distinct area for administration, operation, or data collection within the utility's certificated service area;

(39) "reporting period" means the 12-month period, based on a calendar year, for which the electric utility is reporting reliability performance;



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(40) "SAIDI" means system average interruption duration index as defined in IEEE Standard 1366, adopted by reference in 3 AAC 52.495(a);

(41) "SAIFI" means system average interruption frequency index as defined in IEEE Standard 1366, adopted by reference in 3 AAC 52.495(a). (Eff. 1/1/87, Register 100; am 4/10/92, Register 122; am 4/24/2004, Register 170; am 11/9/2014, Register 212; am 11/22/2017, Register 224)

<b>Authority:</b>	AS 42.05.141	AS 42.05.331	AS 42.05.361
	AS 42.05.151	AS 42.05.341	AS 42.05.501
	AS 42.05.291	AS 42.05.351	AS 42.05.691

3 AAC 52.724(a)(4) is amended to read:

(4) a statement of revenue and expense for the last fiscal year on a form prescribed by the commission; the utility must identify all sources of revenue including customer fees and operational subsidies from other sources; the utility may file a combined water and wastewater statement or separate water and wastewater statements;

(Eff. 6/19/2004, Register 170; am 6/3/2007, Register 182; 11/6/2016, Register 220; am 11/22/2017, Register 224)

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

3 AAC 52 is amended by adding new sections to read:

**Article 8. Refuse Utilities.**

**Section**

750. Application and purpose

755. Continuing requirements

**3 AAC 52.750. Application and purpose.** (a) The provisions of 3 AAC 52.750 and 3 AAC 52.755 apply to all refuse utilities subject to the regulatory jurisdiction of the commission and apply to the furnishing of refuse service to the public.

(b) The purpose of 3 AAC 52.750 and 3 AAC 52.755 is to establish procedural guidance for refuse utilities subject to exemption from certain regulatory requirements under AS 42.05.711(i). The provisions of 3 AAC 52.750 and 3 AAC 52.755 also provide procedural guidance to refuse utilities that become ineligible for exemption from certain regulatory requirements by virtue of exceeding the economic threshold prescribed in AS 42.05.711(i).

(c) For good cause, the commission may, using the procedures and standards set out in 3 AAC 48.805, waive all or any portion of the standards in 3 AAC 52.750 and 3 AAC 52.755 applicable to an individual refuse utility, or establish interim standards for that utility. (Eff. 11/22/2017, Register 224)

**Authority:** AS 42.05.141 AS 42.05.221 AS 42.05.421  
AS 42.05.151 AS 42.05.291 AS 42.05.711

**3 AAC 52.755. Continuing requirements.** (a) Each year, and not later than 90 days after the close of the utility's annual accounting period, a certificated refuse utility that qualifies for an exemption under AS 42.05.711(i) shall file an affidavit stating that the utility continues to meet the qualifications set out in AS 42.05.711(i). For purposes of

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identifying a utility's annual gross revenues used to determine the applicability of the exemption in AS 42.05.711(i), a refuse utility shall only consider revenues derived from regulated activities.

(b) A certificated refuse utility that previously qualified for an exemption under AS 42.05.711(i) but that has exceeded the economic threshold prescribed in AS 42.05.711(i) shall

(1) notify the commission not later than 30 days after exceeding the economic threshold; and

(2) not later than 180 days after the close of the utility's annual accounting period,

(A) file a tariff, as set out in 3 AAC 48.220 - 3 AAC 48.420;

(B) begin paying regulatory cost charges, as set out in AS 42.05.254 and 3 AAC 47; and

(C) file an annual report, as set out in AS 42.05.451. (Eff.

11/22/2017, Register 224)

<b>Authority:</b>	AS 42.05.141	AS 42.05.241	AS 42.05.451
	AS 42.05.151	AS 42.05.254	AS 42.05.691
	AS 42.05.221	AS 42.05.361	AS 42.05.711

3 AAC 53.190(e) is repealed:

(e) Repealed 11/22/2017. (Eff. 11/11/2001, Register 160; am 11/22/2017, Register 224)

<b>Authority:</b>	AS 42.05.141	AS 42.05.241	AS 42.05.810
	AS 42.05.151	AS 42.05.711	AS 42.05.990
	AS 42.05.221	AS 42.05.800	

3 AAC 53.410(a)(7)(A) is amended to read:

(A) provide service on a timely basis to requesting customers throughout the common carrier's eligible telecommunications carrier service area using its own facilities or a combination of its own facilities and resale in accordance with the common carrier's network deployment plan filed under 3 AAC 53.420 and reported and certified under 47 C.F.R. 54.316 and 54.321; and

3 AAC 53.410(a)(7)(B) is amended to read:

(B) file a report to the commission in accordance with 47 C.F.R. 54.313(a)(3) and 3 AAC 48.095 of any instance in which the carrier is unable to fulfill a customer request for service;

(Eff. 7/12/2009, Register 191; am 11/6/2016, Register 220; am 11/22/2017, Register 224)

<b>Authority:</b>	AS 42.05.141	AS 42.05.291	AS 42.05.431
	AS 42.05.145	AS 42.05.306	AS 42.05.661
	AS 42.05.151	AS 42.05.381	

3 AAC 53.460 is repealed and readopted to read:

**3 AAC 53.460. Reporting requirements.** (a) A common carrier designated as an eligible telecommunications carrier in this state and that files a report with the Federal Communications Commission under 47 C.F.R. 54.313 shall provide a copy of that report to the commission on or before July 1 of each year, in accordance with 3 AAC 48.095. The filing must be supplemented with

(1) a report identifying any designated areas that remain unserved;

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(2) a report of the common carrier's non-compliance with the requirements set out 3 AAC 53.410(a)(12), with a detailed explanation of the steps being taken to achieve compliance; and

(3) a certification that the common carrier advertised the availability of supported services throughout the eligible telecommunications carrier service area in the prior calendar year.

(b) A common carrier designated as an eligible telecommunications carrier shall file with the commission, on or before July 1 of each year and in accordance with 3 AAC 48.095, an eligible telecommunications carrier (ETC) high-cost support self-certification affidavit affirming that the high-cost universal service funds that were received in the previous year and that will be received in the future year will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended under 47 U.S.C. 254(e) (Communications Act of 1934). (Eff. 7/12/2009, Register 191; am 11/6/2016, Register 220; am 11/22/2017, Register 224)

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

3 AAC 53.625(b) is amended to read:

(b) A directory assistance provider may not charge unjust or 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. (Eff. 11/24/2004, Register 172; am 11/6/2016, Register 220; am 11/22/2017, Register 224)

**Authority:**    AS 42.05.141            AS 42.05.361            AS 42.05.411  
                  AS 42.05.145            AS 42.05.381            AS 42.05.421

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AS 42.05.151            AS 42.05.391            AS 42.05.431

AS 42.05.291

3 AAC 53.710 is repealed:

**3 AAC 53.710. Reporting requirements.** Repealed. (Eff. 3/15/96, Register 137; repealed 11/22/2017, Register 224)

3 AAC 53.840(c) is amended to read:

(c) Upon request, a private pay telephone service provider shall make available to the commission and the public a list of currently installed instruments that identifies the telephone number, the location, and the operator-service provider for each private pay telephone in service. (Eff. 9/20/96, Register 139; am 11/22/2017, Register 224)

**Authority:** AS 42.05.141            AS 42.05.291            AS 42.05.461

AS 42.05.151            AS 42.05.451

3 AAC 53.890(e) is repealed:

(e) Repealed 11/22/2017.

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

AS 42.05.151            AS 42.05.361            AS 42.05.571

AS 42.05.271            AS 42.05.371            AS 42.05.581