STATE OF ALASKA
THE REGULATORY COMMISSION OF ALASKA

Before Commissioners:
Robert M. Pickett, Chairman
Stephen McAlpine
Antony G. Scott
Daniel A. Sullivan
Janis W. Wilson

In the Matter of the Petition Filed by ENSTAR ) U-19-101
NATURAL GAS COMPANY, A DIVISION OF ) SEMCO ENERGY, INC., Holder of Certificate 
of Public Convenience and Necessity No. 4, )
to Create a Regulatory Asset to Amortize )
Earthquake Damage Costs )

ENSTAR’S MOTION TO STRIKE UNAUTHORIZED COMMENTS REQUESTING RECONSIDERATION

In Order U-19-101(5), the Regulatory Commission of Alaska (“Commission”) granted ENSTAR Natural Gas Company, a division of SEMCO Energy, Inc.’s (“ENSTAR”) petition for approval to create a regulatory asset to recover its “significant and unusual costs” caused by the magnitude 7.1 earthquake that hit on November 30, 2018. On October 23, 2020, a non-party to the docket submitted public comments requesting reconsideration of the order.

The Commission regulation addressing reconsideration, 3 AAC 48.105, is clear that only a party to a docket may request reconsideration of a Commission order.
Within 15 days after an order of the commission is served, *a party* may file a petition for reconsideration of that order setting out specifically the grounds upon which the petitioner believes the order is unreasonable, erroneous, unlawful, or otherwise defective.²

The comments requesting reconsideration were filed by a non-party. The comments are not authorized by regulation and are, therefore, facially defective. Further, the comments were filed well beyond the January 3, 2020 deadline for public comment in this docket.³

For these reasons, ENSTAR moves to strike the unauthorized comments requesting reconsideration. Alternatively, the Commission should disregard the filing. If the Commission intends to consider the unauthorized comments, ENSTAR requests the affirmative opportunity to file a substantive response.

DATED this 27th day of October 2020, at Anchorage, Alaska.

DILLON & FINDLEY, P.C.
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² 3 AAC 48.105 (emphasis added).

CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2020, a true and correct copy of the foregoing document was served by electronic mail on the following parties:

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