MEMORANDUM

To: Representative Mike Hawker, Chair
   Legislative Budget and Audit Committee

From: Ann Wilde
       Commission Section Manager

cc: T.W. Patch, Chairman
    Regulatory Commission of Alaska

Date: July 8, 2015

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

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


U-14-102, Order Accepting Stipulation; Staying Proceeding; Vacating Procedural Schedule; Extending Statutory Timeline; Extending Suspension Period of TA35-514; and Changing Administrative Law Judge, dated May 15, 2015.


The Commission issued an order under AS 42.05.175(f)(1)-(3) in one docket during this quarter.

ORDER EXTENDING STATUTORY TIMELINE AND SUSPENSION PERIOD

BY THE COMMISSION:

The timeline for issuance of a final order in this docket is currently Tuesday, June 2, 2015.¹ On the afternoon of Thursday, May 28, 2015, the Superior Court entered orders in Case No. 3AN-14-06125 CI and Case No. 3AN-14-08890 CI, vacating Order U-13-203(10)/U-13-204(10)² and remanding matters to us for clarification. The Protesting Utilities and the Municipality of Anchorage d/b/a Municipal


²Order U-13-203(10)/U-13-204(10), Order Establishing Interim and Refundable Inception Rates for Wheeling Bradley Lake Energy from Soldotna Substation to Quartz Creek Substation; Denying Interim Inception Rates for Wheeling Non-Bradley Lake Energy and Temporary Implementation of Rules for Wheeling Energy; Extending Suspension of TA355-32; Scheduling Prehearing Conference in Docket U-13-203; Denying TA356-32 Without Prejudice to Refiling; Requiring Filings; and Closing Docket U-13-204, dated June 30, 2014 (Order U-13-203(10)/U-13-204(10)).
Light and Power (ML&P) have separately filed motions asking us to reject TA355-32 and TA356-32 with prejudice and to close Dockets U-13-203 and U-13-204. The Protesting Utilities filed a motion to dismiss this proceeding on June 1, 2015. ML&P filed a similar motion on June 2, 2015. Neither the Protesting Utilities nor ML&P filed motions for expedited consideration of their dispositive motions. Nonetheless, on June 2, 2015, later in the day, Homer Electric Association, Inc. (HEA) filed an opposition to the dispositive motions.

Under our regulations, HEA, the Alaska Energy Authority (AEA), and the Attorney General (AG) have 15 days to respond to the dispositive motions and the Protesting Utilities and ML&P have 3 business days to reply. To allow opportunity for AEA and the AG to respond and for HEA to supplement its response filed on very shortened time, we find good cause to extend the statutory timeline for this proceeding for ninety days to August 31, 2015.

The three business days between issuance of the Superior Court remand order and expiration of the statutory deadline is insufficient to allow a reasonable time for us to address the remand and issue a final order within the current statutory timeline. Accordingly, we also find good cause to extend the timeline for issuance of a final order in this docket for ninety days to August 31, 2015, to address the Superior Court's...
remand order. Further, we extend the suspension of TA355-32 to August 31, 2015, so that the end of the suspension period coincides with the final order timeline.

ORDER

THE COMMISSION FURTHER ORDERS:

1. The statutory timeline for issuance of a final order in Docket U-13-203 is extended for ninety days until August 31, 2015.

2. The suspension of TA355-32, filed November 15, 2013, by Homer Electric Association, Inc. is extended to August 31, 2015.

DATED AND EFFECTIVE at Anchorage, Alaska, this 2nd day of June, 2015.

BY DIRECTION OF THE COMMISSION

(Commissioner Janis W. Wilson, concurring in result with separate statement.)