MEMORANDUM

To: Senator Gary Stevens, Chair
   Legislative Budget and Audit Committee

From: Ann Wilde
   Commission Section Manager

cc: Robert M. Pickett, Chairman
   Regulatory Commission of Alaska

Subject: Quarterly report for January 1-March 31, 2017

Date: April 27, 2017

Phone: 907-263-2163
Email: Ann.Wilde@alaska.gov

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:


The Commission issued the following orders under AS 42.05.175(f)(1)-(3) during this quarter. The orders are attached.


STATE OF ALASKA
THE REGULATORY COMMISSION OF ALASKA

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

In the Matter of the Tariff Revision Designated as TA173-999 Filed by MATANUSKA TELEPHONE ASSOCIATION, INC. U-16-069

ORDER EXTENDING STATUTORY TIMELINE AND TARIFF SUSPENSION PERIOD

BY THE COMMISSION:

We suspended TA173-999 into this docket and initiated an investigation into the need for a local exchange carrier of last resort (COLR) in the study area served by Matanuska Telephone Association, Inc. (MTA). On the same day we initiated investigations into the need for a COLR in the study area served by ACS of Fairbanks, LLC d/b/a Alaska Communications Systems, Alaska Communications, ACS Local Service, and ACS and in the study areas served by ACS of Alaska, LLC d/b/a Alaska Communications Systems, Alaska Communications, ACS Local Service, and ACS. On

1Order U-16-069(1), Order Suspending TA173-999, Addressing Timeline for Decision, Designating Commission Panel, and Appointing Administrative Law Judge, dated July 27, 2016 (Order U-16-069(1)).


December 22, 2016, we issued Order U-16-069(3) with our initial impression that a COLR is not necessary and allowed MTA the opportunity to respond to the order. On January 19, 2017, MTA filed its response along with prefilled testimony from four witnesses. The statutory timeline for issuance of our final decision in this docket is March 13, 2017.

We may extend the timeline for issuance of a final order in a proceeding if we find that good cause exists to extend the timeline for 90 days or less. Dockets U-16-069, U-16-070, and U-16-071 are the first proceedings where we have evaluated the application of 3 AAC 53.345(h), the regulation that allows us to withdraw COLR status. We find that there is good cause to extend the statutory timeline for this docket because it is precedential in nature and requires thorough consideration and a careful articulation of our decision that is not possible within the current timeline. Therefore, we extend the statutory timeline for issuance of a final order and the suspension of TA 173-999, until June 9, 2017. We note that the extension will not cause harm to MTA as it remains eligible for monthly COLR support payments on a nonrefundable basis during our investigation.

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6AS 42.05.175(f).

7Order U-16-069(1) at 5.
ORDER

THE COMMISSION FURTHER ORDERS:

1. The statutory timeline for issuance of a final order in this proceeding is extended until June 9, 2017.

2. The suspension period of TA173-999 filed by Matanuska Telephone Association, Inc. is extended until June 9, 2017.

DATED AND EFFECTIVE at Anchorage, Alaska, this 8th day of March, 2017.

BY DIRECTION OF THE COMMISSION
ORDER EXTENDING STATUTORY TIMELINE AND TARIFF SUSPENSION PERIOD

BY THE COMMISSION:

We suspended TA146-117 into this docket and initiated an investigation into the need for a local exchange carrier of last resort (COLR) in the study area served by ACS of Fairbanks, LLC d/b/a Alaska Communications Systems, Alaska Communications, ACS Local Service, and ACS (ACS-F). On the same day we initiated investigations into the need for a COLR in the study area served by Matanuska Telephone Association, Inc. and in the study areas served by ACS of Alaska, LLC d/b/a Alaska Communications Systems.

1Order U-16-070(1), Order Suspending TA146-117, Addressing Timeline for Decision, Designating Commission Panel, and Appointing Administrative Law Judge, dated July 27, 2016 (Order U-16-070(1)).

Systems, Alaska Communications, ACS Local Service, and ACS. On December 23, 2016, we issued Order U-16-070(3) with our initial impression and allowed ACS-F the opportunity to respond to the order. ACS-F filed its late-filed response to Order U-16-070(3) along with prefiled testimony from three witnesses. The statutory timeline for issuance of our final decision in this docket is March 14, 2017.

We may extend the timeline for issuance of a final order in a proceeding if we find that good cause exists to extend the timeline for 90 days or less. Dockets U-16-069, U-16-070, and U-16-071 are the first proceedings where we have evaluated the application of 3 AAC 53.345(h), the regulation that allows us to withdraw COLR status. We find that there is good cause to extend the statutory timeline for this docket because it is precedential in nature and requires thorough consideration and a careful articulation of our decision that is not possible within the current timeline. Therefore, we extend the statutory timeline for issuance of a final order and the suspension of TA 146-117, for 90 days, until June 12, 2017. We note that the extension will not cause harm to ACS-F as it remains eligible for monthly COLR support payments on a non refundable basis during our investigation.

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5Motion to Accept Late Filed Response to RCA Order No.3, filed January 30,2017; ACS's Response [sic] to the Regulatory Commission of Alaska 's Initial Impression, filed January 30, 2017; Direct Testimony of Ted Moninski, filed January 30, 2017; Direct Testimony of Mark Foster, filed January 30, 2017; Direct Testimony of David C. Blessing, filed January 30, 2017.

6AS 42.05.175(f).

7Order U-16-070(1) at 5.
ORDER

THE COMMISSION FURTHER ORDERS:

1. The statutory timeline for issuance of a final order in this proceeding is extended until June 12, 2017.

2. The suspension period of TA146-117 filed by ACS of Fairbanks, LLC d/b/a Alaska Communications Systems, Alaska Communications, ACS Local Service, and ACS is extended until June 12, 2017.

DATED AND EFFECTIVE at Anchorage, Alaska, this 8th day of March, 2017.

BY DIRECTION OF THE COMMISSION
STATE OF ALASKA

THE REGULATORY COMMISSION OF ALASKA

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

In the Matter of the Tariff Revision Designated as TA205-251 Filed by ACS OF ALASKA, LLC d/b/a ALASKA COMMUNICATIONS SYSTEMS, ALASKA COMMUNICATIONS, ACS LOCAL SERVICE, AND ACS ORDER NO. 6

ORDER EXTENDING STATUTORY TIMELINE AND TARIFF SUSPENSION PERIOD

BY THE COMMISSION:

We suspended TA205-251 into this docket and initiated an investigation into the need for a local exchange carrier of last resort (COLR) in the study areas served by ACS of Alaska, LLC d/b/a Alaska Communications Systems, Alaska Communications, ACS Local Service, and ACS (ACS-AK).1 On the same day we initiated investigations into the need for a COLR in the study area served by Matanuska Telephone Association, Inc.2 and in the study area served by ACS of Fairbanks, LLC d/b/a Alaska Communications Systems, Alaska Communications, ACS Local Service, and ACS (ACS-AK).

1Order U-16-071(1), Order Suspending TA205-251, Addressing Timeline for Decision, Designating Commission Panel, and Appointing Administrative Law Judge, dated July 27, 2016 (Order U-16-071(1)).

Communications Systems, Alaska Communications, ACS Local Service, and ACS. On December 27, 2016, we issued Order U-16-071(3) with our initial impression that a COLR is not necessary and allowed ACS-AK the opportunity to respond to the order. On January 31, 2017, ACS-AK filed its response along with prefilled testimony from three witnesses. The statutory timeline for issuance of our final decision in this docket is March 14, 2017.

We may extend the timeline for issuance of a final order in a proceeding if we find that good cause exists to extend the timeline for 90 days or less. Dockets U-16-069, U-16-070, and U-16-071 are the first proceedings where we have evaluated the application of 3 AAC 53.345(h), the regulation that allows us to withdraw COLR status. We find that there is good cause to extend the statutory timeline for this docket because it is precedential in nature and requires thorough consideration and a careful articulation of our decision that is not possible within the current timeline. Therefore, we extend the statutory timeline for issuance of a final order and the suspension of TA205-251, for 90 days, until June 12, 2017. We note that the extension will not cause harm to ACS-AK as it remains eligible for monthly COLR support payments on a nonrefundable basis during our investigation.

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3 Order U-16-070(1), Order Suspending TA146-117, Addressing Timeline for Decision, Designating Commission Panel, and Appointing Administrative Law Judge, dated July 27, 2016 (Order U-16-070(1)).
4 Order U-16-071(3), Order Denying Motion to Dismiss, Issuing Initial Impression, Providing Opportunity to Respond, dated December 2, 2016.
6 AS 42.05.175(f).
7 Order U-16-071(1) at 6.
ORDER

THE COMMISSION FURTHER ORDERS:

1. The statutory timeline for issuance of a final order in this proceeding is extended until June 12, 2017.

2. The suspension period of TA205-251 filed by ACS of Alaska, LLC d/b/a Alaska Communications Systems, Alaska Communications, ACS Local Service, and ACS is extended until June 12, 2017.

DATED AND EFFECTIVE at Anchorage, Alaska, this 8th day of March, 2017.

BY DIRECTION OF THE COMMISSION