



ALASKA POWER ASSOCIATION

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LEGISLATIVE RESOLUTIONS

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ALASKA POWER ASSOCIATION

2010

RESOLUTIONS

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ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution Issuing an Urgent Legislative and Administrative Call to Action for an Energy Policy

The entire state of Alaska is facing an energy crisis. Alaska's economy was built on affordable energy. Communities statewide are faced with aging generation and transmission facilities. The unstable price and supply of fuel is increasingly impacting Alaskans everywhere.

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Without leadership from policy makers Alaska's entire economy will crumble. Policy makers must adopt and implement a statewide energy policy that focuses on regional priorities, provides commitments to short-, mid-, and long-term generation and transmission facilities, and facilitates fuel development and storage infrastructure projects with financial commitments from the State.

A large hydro electric project, developed similar to the Bradley Lake hydro project, should be the primary long-term generation priority of the State of Alaska, since it will meet the needs of 75% of Alaska's population well into the future. Additionally, the State should develop and implement viable long-term generation options for Alaskans not served by the Railbelt system, such that affordable, reliable electricity is available to every Alaskan, regardless of where they might reside.

Finally, the State of Alaska must ensure that reliable and affordable fuel is available for power generation across the state. The State of Alaska must do more to encourage natural gas exploration in Cook Inlet; and should financially participate in building natural gas storage and pipeline infrastructure. The State should ensure that generation fuel for non-interconnected utilities is available at a cost per BTU comparable to the cost of Railbelt fuel sources.

Alaska Power Association urges the Legislature and Administration to make energy policy development the highest priority for the 2010 legislative session.

(Adopted Dec. 2009)

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ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution Addressing Unaffordable Energy in Rural Alaska

Alaska's citizens are subject to the most extreme disparity in the cost of energy for homes and businesses of any state in the union. Electricity to a homeowner can cost as little as 10 cents a kilowatt-hour (kWh) and as much as \$1.20 per kWh. Heating fuel can cost as little as \$11 per million BTU (natural gas in Anchorage) and as much as \$75 and more in rural Alaska.

The cost of energy in rural Alaska has resulted in a tremendous financial burden on virtually every resident and business in these remote communities. New businesses are stymied due to the crippling cost of energy. Existing businesses are crippled and frequently forced into closure due to the high cost of energy. Schools must apply ever increasing percentages of their operating revenues towards energy costs, diverting funds from essential educational needs.

The survival of rural Alaska depends upon immediate and real relief from the cost of energy needed for electricity, heat and transportation. Rural Alaskans, despite their geographic location, are nonetheless entitled to reasonably priced energy equivalent to what it costs in urban Alaska.

The State of Alaska is strongly urged to take immediate, meaningful steps to ensure that every Alaskan has access to affordable, reliable energy for their electricity, heating and transportation needs.

(Adopted Dec. 2009)

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ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution Urging Local Parameters for Climate Change Policy

The impacts of global warming/climate change are being evinced in Alaska to a far greater extent than anywhere in the United States. Because of their familiarity with local conditions, Alaska's electric utilities are acutely aware of the issues surrounding climate change and that climate change has been linked to greenhouse gas (GHG) emissions, requiring energy providers to engage in policy and technology development to reduce GHG emissions.

Alaska Power Association (APA) members face growing uncertainty over how U.S. climate change policy will be formulated and what impacts it may have on the provision of reliable, affordable and safe electric power to Alaskans. In light of these uncertainties, APA urges inclusion of the following principles in any climate change policy:

- Congressional and/or local efforts to implement GHG reduction initiatives should be based on the goal of lowering GHG emissions and not on raising government revenues to fund unrelated activities.
- As a GHG reduction target is established for the Alaska electric utility industry, APA urges that each utility have appropriate flexibility in achieving target reduction goals.
- Any administrative effort by the Environmental Protection Agency (EPA) to regulate GHG emissions under the Clean Air Act is inappropriate and unwarranted.
- All sectors of the economy should have GHG reduction targets and timelines for achieving those targets, proportional to their contribution to GHG emissions.
- Consumer-owned utilities' local control must be recognized, including the authority to meet a GHG reduction target by means of their choosing.
- Hydropower must be recognized as a renewable, emission-free resource and, as such, be treated like all other renewable resources in meeting GHG reduction targets.
- Current and past actions implemented by Alaska's electric utilities to prevent or reduce GHG emissions, including renewable energy generation, energy efficiency, conservation and GHG mitigation programs, should all count toward meeting a GHG reduction target.
- Congressional efforts should exclude any form of auction in carbon markets and implement a hard cost "cap" to provide cost planning certainty for utilities and to protect consumers against price volatility, fraud and market manipulation, as occurred in the Western electricity markets in 2000-2001.
- Programs that encourage the development and deployment of renewable and clean energy facilities must provide incentives that are comparable for all sectors of the electric utility industry, both private and public.
- GHG targets must be adjusted if adequate renewable generation, associated transmission, and firming resources cannot be brought on-line in a timely manner because of litigation (over siting or other issues) or if the necessary technology does not exist.

Alaska Power Association urges Congress to take all of these recommendations into consideration when considering any and all climate change-related legislation and its impacts on the electric industry and its consumers.

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(Adopted Dec. 2009)



ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution Supporting Voting Via Internet for Cooperative Members

Member representation through the exercise of voting rights is a cornerstone of the principles of cooperatives. Voting is permitted under the cooperative statute in person and by U.S. mail if the cooperative's bylaws allow it. The Internet has made it possible for secure and private activity to be conducted via electronic means.

Alaska Power Association urges and supports amendments to the Alaska Statutes that would allow cooperative members to exercise their voting rights via the Internet if their bylaws so allow.

(Adopted Dec. 2007; updated Nov. 2009)

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ALASKA POWER ASSOCIATION

R E S O L U T I O N

A Resolution Urging Continued Federal Support of the Denali Commission

The Denali Commission was established by Congress in 1998 with the express mission of building essential safe, code-compliant infrastructure in rural Alaska.

Since inception, the commission has been the primary investor in critical infrastructure such as health clinics, power generation facilities and bulk fuel tank farms in dozens of rural Alaskan communities, but tens of thousands of Alaskans are still without rudimentary health services or code-compliant energy facilities.

The work of the Denali Commission is less than half complete, yet the federal administration and Congress have reduced funding for the commission by almost two thirds in recent years.

As citizens of the United States of America, rural Alaskans must be assured a minimum level of local health services and reliable provision of electric service and heating fuel.

Alaska Power Association urges the Obama Administration and Congress to restore funding to the Denali Commission so that they can continue their life-saving mission of providing essential safe, code-compliant infrastructure to the rural residents of Alaska.

(Adopted Dec. 2009)

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ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution Urging the State of Alaska to Invest in Energy Infrastructure

The Denali Commission was established by Congress in 1998 with the objective of establishing code-compliant energy facilities in rural Alaska. The commission was intended to be a joint State-Federal partnership in this endeavor.

Since inception, the Denali Commission has provided more than \$400 million in federal energy grants to develop rural tank farm and energy production facilities. The State has not provided a commensurate level of investment to bring this herculean task to fruition and, as of 2009, more than \$400 million of energy infrastructure needs are yet to be met.

Alaska Power Association urges the State of Alaska to provide matching State funds to assist the Denali Commission in achieving the mission of providing safe, code-compliant electric generation and bulk fuel tank farm facilities to serve the rural citizens of Alaska.

(Adopted Dec. 2009)

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ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution Urging the Removal of Statutes Restricting the Development of Appropriate Nuclear Power Technology in Alaska

Rural Alaska communities are highly dependent on electricity for heat, lights, refrigeration, and other basic needs. Many remote communities around the state are dependent on diesel-powered generators for their electric service needs since they are isolated and not on a power grid system.

The price of petroleum products including diesel are determined by world markets, and the increasing cost of fuel has caused a steep increase in the cost of electricity in rural Alaska. As a result, many communities are seeking alternatives to using petroleum products.

A few communities in Alaska are considering nuclear power as an alternative to diesel-powered generators. This alternative could serve other Alaska communities and/or remote industries.

The State of Alaska has statutes that restrict communities' abilities to consider this power source equal to other alternatives.

Alaska Power Association (APA) encourages the State to rescind statutes that restrict the use of appropriate nuclear technology in Alaska. Furthermore, APA urges key officials in the State Administration and Alaska Energy Authority to work with the Legislature to rescind statutes that restrict nuclear reactor technology development and/or deployment in Alaska.

(Adopted March 2009)

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ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution Opposing the Implementation of Mandatory Renewable Electricity Standards in Alaska

Many states in the Lower 48 have enacted Renewable Electricity Standards (RES). These standards compel covered utilities to acquire a stated percentage of the energy they sell from specific renewable resources. The selection of resources, the deadline for meeting different percentages, the percentages themselves, and other details vary widely among the various state standards and proposals.

More than 90 percent of Alaska's electric consumers are served by locally owned, not-for-profit utilities — a unique situation in the U.S., mirrored only by Nebraska. Absent the profit-making motive, these utilities already strive to deliver safe, reliable and cost-effective power.

A broad, balanced power supply portfolio can help electric utilities reduce their power supply costs and risks. Renewable energy can provide one part of a balanced portfolio. Although there are states in which renewable energy resources are able to give a strong showing based on costs that are on a par with traditional generation resources, Alaska is simply not one of them. In many cases, the higher costs associated with renewable energy are outweighed by their non-economic benefits to the electric utility. Alaska's electric utilities pursue renewable energy projects when they make economic sense on behalf of the consumers.

Alaska Power Association (APA) strongly supports the research and development of renewable energy, the responsible inclusion of cost-effective renewable resources in the energy portfolio, and efforts to educate policymakers and the public about renewable energy.

Furthermore, the APA membership firmly believes that an arbitrary enforcement of a mandatory Renewable Electricity Standard by the State of Alaska for electric utilities would ultimately raise electric rates for consumers, thereby lowering the overall quality of life in the state and increasing economic disparity between rural and urban regions. A federal RES should allow states to define what counts as a renewable resource for at least half of the federal standard.

(Adopted Feb. 2006; updated Oct. 2007; updated Nov. 2009)

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ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution Supporting Construction of the Alaska Natural Gas Pipeline

America's demand for natural gas is being met by decreasing supplies of domestic reserves and growing imports from foreign suppliers. Not only does this threaten the national security of the United States, but it weakens its overall economy by exacerbating its growing trade deficit.

The North Slope of Alaska has 35 trillion cubic feet (TCF) of known reserves of natural gas and it is estimated by the U.S. Geological Survey that there may be as much as 100 TCF that could be economically produced in a competitive market. This is the largest reserve of natural gas on the North American continent.

Cook Inlet reserves of natural gas available for Railbelt consumption are becoming increasingly scarce and costly to produce. Southcentral Alaska also faces the serious issues of limited natural gas storage and low system pressure which severely impacts gas deliverability to homes and businesses. There is a possibility that in the winter of 2010 Southcentral customers may experience natural gas and electric service interruptions, after the utilities have exercised all available options.

Bringing North Slope natural gas to market could enhance national security, strengthen the U.S. economy, provide a critical energy source for space heating and utility generation in the Alaska Railbelt, and be a major contributor to the State's economy and treasury.

Alaska Power Association strongly encourages our Governor, Congressional Delegation, and Legislature to take all reasonable actions to facilitate, and, if it is in the State's best interests, actively participate in the prudent development of an Alaska Natural Gas pipeline that will bring North Slope natural gas to market immediately. Alaska Power Association further encourages the use of Alaska royalty natural gas in communities along the pipeline route.

(Adopted Dec. 2004; updated 2006; updated Nov. 2009)

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ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution Urging Support for the Adaptation of Emerging Renewable and Alternative Energy Technologies in Alaska

Alaska Power Association members are facing the challenge of providing reliable and cost-effective electric power service while paying rapidly escalating costs for fuel with no substantial financial relief in sight.

This unfortunate reality, coupled with advances in the application of alternative energy technology in cold weather climates, is moving the consideration of distributed generation and renewable energy sources to the forefront of many electric utilities' long-term strategic plans. The Alaska Power Association Board of Directors recognizes that established renewable energy projects such as wind farms and alternative energy sources such as nuclear may play an important role in Alaska's future energy supply.

Without a funding mechanism to assist Alaska's electric utilities with researching and developing renewable energy generation, whether it be in the form of alternative energy project grants, low interest loans or production tax credits, the utilities are forced to decide between either not pursuing such opportunities due to their extraordinarily high capital costs or raising electric rates to help offset the cost of adding new generation into the energy portfolio. Alaska's electric utilities will pursue renewable energy projects as long as they make economic sense on behalf of the consumers.

Alaska Power Association urges the Legislature to pass legislation that includes solid funding mechanisms from an appropriation, general fund or endowment designed to assist with the research, development and eventual application of alternative energy sources into the Alaskan electric utility generation portfolio.

(Adopted March 2006; updated Oct. 2007; updated Nov. 2009)

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ALASKA POWER ASSOCIATION

R E S O L U T I O N

A Resolution Seeking State Funds to Remove Danger Trees on State-owned Lands

Bark beetle infestations have devastated spruce trees in large areas of the state. The dead spruce trees remain standing and over time will fall to the ground. Falling trees near power lines can cause extensive damage to the power lines causing service outages.

Utilities have programs to clear trees from the rights of way for their power lines. "Danger trees" are trees outside the rights-of-way that can fall into a power line. Alaska Power Association supports State grants to electric utilities to cut danger trees on State-owned lands.

(Adopted Dec. 2006; updated Oct. 2007)

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ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution Supporting Debt Assistance and Project Funding for Alaska Power Association Member Energy Projects

Alaska Power Association supports its members' efforts to obtain State and federal funding and tax-exempt financing, or funding for debt assistance, for economically viable electric utility projects that will benefit their consumers.

(Adopted Dec. 2006; updated Nov. 2008)

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ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution Supporting Full Funding for Power Cost Equalization

Alaska Power Association strongly supports full funding for Power Cost Equalization. We urge the Alaska Legislature to continue the PCE benefit at 100% for FY10 and to fully fund PCE in the Administration's FY11 operating budget.

(Adopted Dec. 2005; updated Dec. 2008; updated Nov. 2009)

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ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution Encouraging Electric Infrastructure Support for Resource Development

Alaska Power Association encourages the development of modern-class electric infrastructure to serve prudent, economically beneficial resource development projects around the state.

(Adopted Dec. 2006)

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ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution Supporting a Statutory Change to Title 36 That Would Exempt Work Done By, or Contract Work Performed on Behalf of, Local Public Utilities, Whether Cooperatively, Publicly or Privately-Owned, on Their Own Systems from the State's Little Davis-Bacon Act

In 2004, the Alaska Department of Labor took a position that DOT/PF utility relocation reimbursement agreements are public contracts subject to the Little Davis-Bacon Act, Title 36, through misapplication of HB155 from the 23rd Alaska Legislature. The change seems innocent enough, but there may be unintended consequences that will negatively affect the costs, personnel, and interface between the DOT/PF and utilities that are requested to relocate their facilities to make room for highway construction.

Construction labor for the relocations can be easily correlated to both the federal and State Little Davis-Bacon. The larger utilities tend to maintain wages near the Davis-Bacon levels, but this is not necessarily true for the smaller or remote utilities. Design labor is not covered in either the federal or State Little Davis-Bacon. Survey personnel are not covered under the federal Davis-Bacon act but are covered under the Little Davis-Bacon act.

The unintended consequences come from the changing of wages from normal utility work to DOT P/F relocation work when the worker is providing the same work product. The effect on the State will be small, while the effect on the utility, through a higher expected wage rate will be increased costs for all other utility construction and maintenance work into the long-term future.

Currently, to protect themselves from this increased cost exposure, the utilities may have the DOT/PF contract out all the design, surveying and construction efforts. This inefficient means will increase the DOT/PF involvement, costs and potentially delay relocation of utility facilities to clear the way for road construction.

Alaska Power Association supports a statutory or regulatory change to Title 36 that would exempt work done by, or contract work performed on behalf of, local public utilities, whether cooperatively, publicly or privately-owned, on their own systems from the State's Little Davis-Bacon Act, Title 36.

(Adopted Feb. 2006; updated Nov. 2008)

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ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution in Support of Changing State OSHA Regulations Regarding Power Line Approach Distances to Match Federal OSHA Regulations

Alaska Statute 18.60.670 establishes overhead power line approach distances and applies to all persons. The statute does not define a high voltage overhead electrical line or conductor nor does it increase the approach distance for voltages above 50 kV.

Changing the existing statute to match federal OSHA regulations has the positive impact of giving Alaska electric utilities the option of gaining assistance from law enforcement agencies to enforce safe public minimum approach distances in circumstances where the persons involved are not subject to OSHA regulations. It would also remove the speculation now needed to decide what is or is not a high voltage overhead line or conductor.

Alaska Power Association (APA) and the State of Alaska would both be advantaged by partnering to increase the safety margin for all of the people of Alaska which does have the potential of saving lives.

The cost to the State of Alaska in making this change is minimal. The existing statute needs only to be modified. Creating a new section is not needed. It will not increase enforcement capacity requirements.

Existing State OSHA regulations (Alaska Statute 18.60.670):

A person individually or through an agent or employee may not (1) place any type of tool, equipment, machinery, or material that is capable of lateral, vertical, or swinging motion, within 10 feet of a high voltage overhead electrical line or conductor; (2) store, operate, erect, maintain, move, or transport tools, machinery, equipment, supplies, materials, apparatus, buildings, or other structures within 10 feet of a high voltage overhead electrical line or conductor.

APA proposes the addition of this language from federal OSHA regulations:

(3) A high voltage overhead electrical line or conductor is defined as any conductor energized at a nominal voltage of 600 volts or more phase to ground (4) For voltages to ground over 50kV, the approach distance must be no less than 10 feet (305 cm) plus 4 inches (10 cm) for every 10kV over 50kV.

Alaska Power Association urges the Alaska Department of Labor and Workforce Development to amend the State OSHA regulations on power line approach distances (Alaska Statute 18.60.670) to be consistent with the federal OSHA regulations.

(Adopted Dec. 2005; updated Nov. 2008)

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ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution Regarding Small Hydropower Licensing

In 1999, the United States Congress passed a law that gives the State of Alaska the authority to assume the responsibility of licensing small hydropower projects that were otherwise the licensing jurisdiction of the Federal Energy Regulatory Commission (FERC). To qualify for the program, the projects must be of a size of 5 megawatts or less of installed capacity. Before the State may assume responsibility for these projects, it must first establish a licensing program that fulfills the legal and technical requirements of the FERC licensing program, and FERC must approve the State program before relinquishing its jurisdiction to the State of Alaska.

Alaska Power Association (APA) was very much in favor of this opportunity as long as the State program would truly expedite this otherwise cumbersome federal licensing process. Unfortunately, APA members have often found that it is more difficult to gain fair and unbiased permitting support from State agencies than it is from federal and State agencies that are subject to the jurisdiction of FERC.

In 2002, the Alaska State Legislature passed SB 140 that would require the State of Alaska to establish a small hydropower licensing process for the purpose of assuming licensing jurisdiction for such projects from the FERC. The law requires that the Regulatory Commission of Alaska (RCA) establish the program, seek jurisdiction from FERC, and administer the program.

The RCA does not have the technical expertise to administer such a program, nor does it have the necessary professional staff and resources to exert its legal, technical and scientific expertise against the federal and State permitting agencies, not to mention the special interest environmental groups, all of which may be attempting to subvert the process and the projects.

Alaska Power Association does not support the program as it is in the Regulatory Commission of Alaska and instead supports retaining jurisdiction under the Federal Energy Regulatory Commission or transferring it to the Alaska Department of Natural Resources and reexamining the draft regulations.

(Adopted Feb. 1999; updated Oct. 2006)

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ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution Encouraging ADEC to Streamline Air Quality Construction Permits

Alaska Power Association (APA) recognizes that the Alaska Department of Environmental Conservation (ADEC) is responsible for the Air Quality Construction Permitting program for Alaska. ADEC's execution of this responsibility threatens to cause significant adverse impacts on the cost of electric service and the ability of utilities to provide appropriate standby generation capacities. The ADEC's lengthy air permitting process hinders utilities' ability to readily respond to changing demand, aging units and evolving technologies. Most importantly, ADEC uses an overly fundamental view of the potential to emit (PTE) regulation that has been identified to be conservative as compared to actual emissions for rural generation facilities.

Alaska Power Association encourages ADEC to work with APA's Environmental Regulations Committee to simplify permitting procedures for Alaskan utilities. The committee will work with ADEC to develop a permitting process. APA encourages ADEC to become more familiar with power supply planning and power reliability criteria, specifically with regard to applying more relevant PTE criteria.

(Adopted Feb. 1999; updated 2006)

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ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution Urging Support for the USDA Rural Utilities Service High Energy Cost Grant Program

The USDA Rural Utilities Service High Energy Cost Grant Program provides grants for rural communities with extremely high energy costs (where the average residential expenditure for home energy is at least 275 percent of the national average) to acquire, construct, extend, upgrade, and otherwise improve energy generation, transmission, or distribution facilities.

The High Energy Cost Grant Program was authorized by Congress in the 2000 Rural Electrification Act because it covered a gap in programs that desperately needed to be filled. The funds are dispersed via a national competitive process. The program was funded at \$30 million in FY 2003. Since then, annual funding has dwindled to \$15 million in FY 2010 and funding for the next fiscal year is in jeopardy.

Alaska Power Association urges Congress and the Obama Administration to fund the USDA High Energy Cost Grant Program to the fullest extent possible. Reducing the program will not only constrain economic activity in rural areas but also worsen the nation's overall economy and unemployment, and contribute to unaffordable energy costs in rural areas where the per capita income is already the lowest in the country. Furthermore, an enormous amount of work remains to be done in Alaska to bring rural power plants up to acceptable national standards.

(Adopted Dec. 2009)

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ALASKA POWER ASSOCIATION R E S O L U T I O N

A Resolution Urging Continued Funding of the Renewable Energy Fund

Since the inception of the Renewable Energy Fund in 2008, \$125 million has been made available to design and construct renewable energy projects throughout Alaska.

During the first round of solicitation, more than \$3 billion of renewable energy projects were brought forward for potential funding.

Alaska Power Association urges the Alaska Legislature to continue funding a minimum of \$50 million annually to continue the immense effort of reducing Alaska's dependence on fossil fuels for the generation of electricity.

(Adopted March 2010)

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