

3 AAC 107 is amended by adding a new section to read:

**3 AAC 107.267. State or federal funding of community facilities.** (a) A community facility is not eligible for power cost equalization if the costs of operating the community facility, or eligible portion of the community facility, are paid for by the state, federal government, or private commercial interests.

(b) As used in (a) of this section, the receipt of state or federal government funds by a community facility is not state or federal government payment for the costs of operating the community facility if the local community will receive the benefits of the power cost equalization payment, rather than the state or federal government. The local community receives the benefits of the power cost equalization payment if

- (1) the state or federal government does not direct the community facility to spend the state or federal government funds on operating costs of the community facility, and
- (2) the power cost equalization payment will not reduce the amount of state or federal government funding provided to the community facility.

(c) For all or a portion of a community facility that receives state or federal government funds to be eligible for power cost equalization payment under the criteria established in (b) of this section, the community facility must certify on a form acceptable to the authority that the receipt of state or federal government funding satisfies each condition of (b) of this section. ( EFF. 7/25/2014, Register 211 )

Authority: ~~AS 42.45.100~~<sup>2</sup>    AS 42.45.110    ~~AS 42.45.120~~<sup>2</sup>  
~~AS 42.45.130~~<sup>2</sup>    ~~AS 42.45.140~~<sup>2</sup>    AS 42.45.150  
~~AS 42.45.160~~<sup>2</sup>    ~~AS 42.45.170~~<sup>2</sup>    AS 44.83.080

3 AAC 107.270(b) is amended to read:

(b) As used in AS 42.45.150(1), "community building" means a community facility that

- (1) is not operated for profit;
- (2) is operated for the benefit of [OPEN TO] the general public;
- (3) complies with 3 AAC 107.260(1);
- (4) makes timely payments to the utility for the electric power consumed; and
- (5) complies with 3 AAC 107.260(3). (Eff. 2/16/96, Register 137; am 3/25/2005,

Register 173; am 7/25/2014 Register 211)

Authority:

AS 42.45.100  
AS 42.45.130  
AS 42.45.160

AS 42.45.110  
AS 42.45.140  
AS 42.45.170

AS 42.45.120  
AS 42.45.150  
AS 44.83.080

3 AAC 107.270(a) is amended to read:

(a) In <sup>b/v</sup> 3 AAC 107.200 - 3 AAC 107.270 [3 AAC 107.200 - 3 AAC 107.260] and in AS 42.45.110 - 42.45.170, unless the context requires otherwise,