

Byron Mallott  
Lieutenant Governor  
State Capitol  
Juneau, Alaska 99811  
907.465.3520  
WWW.LTGOV.ALASKA.GOV




530 West 7<sup>th</sup> Ave, Suite 1700  
Anchorage, Alaska 99501  
907.269.7460  
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Linda Mattson  
Department of Commerce, Community and Economic Development

**FROM:** April Simpson, Office of the Lieutenant Governor   
465.4081

**DATE:** September 27, 2018

**RE:** Filed Permanent Regulations: Department of Commerce, Community and Economic Development

Department of Commerce, Community and Economic Development regulation re: bulk fuel loan program (3 AAC 161.050(b)(1); 3 AAC 161.900)

---

Attorney General File:	JU2017200551
Regulation Filed:	9/27/2018
Effective Date:	10/27/2018
Print:	228, January 2019

cc with enclosures: Linda Miller, Department of Law  
Judy Herndon, LexisNexis

**ORDER ADOPTING CHANGES TO REGULATIONS**  
**OF THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC**  
**DEVELOPMENT**


The attached two pages of regulations, dealing with adding a biomass fuel definition for the bulk fuel loan program, are adopted and certified to be a correct copy of the regulation changes that the Department of Commerce, Community, and Economic Development adopts under the authority of AS 44.33.020, AS 42.45.250 – 42.45.299 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Department of Commerce, Community and Economic Development paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 4.3.18

  
\_\_\_\_\_  
Micaela Fowler, Special Assistant,  
Department of Commerce, Community, and  
Economic Development

**FILING CERTIFICATION**

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that<sup>1</sup> on September 27, 2018, at 11:42 a.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

  
\_\_\_\_\_  
Lieutenant Governor

Effective: October 27, 2018.

Register: 228, January 2019

3 AAC 161.050(b)(1) is amended to read:

(1) purchase fuel other than bulk [PETROLEUM] fuels; or

(Eff. 9/2/2008, Register 188; am. 1/28/2009, Register 189; am 3/8/2013, Register 205; am 10/27/2018, Register 228)

**Authority:** AS 42.45.250 AS 42.45.260 AS 42.45.270

3 AAC 161.900 is amended to read:

**3 AAC 161.900. Definitions.** In this chapter, unless the context requires otherwise,

(1) “bulk fuel” means bulk petroleum fuels or biomass fuel;

(2) “bulk fuel loan” means a loan made under AS 42.45.260 from the bulk fuel loan account;

(3) “bulk fuel bridge loan” means a loan made under AS 42.45.270 from the bulk fuel bridge loan account;

(4) “division” means the division in the Department of Commerce, Community, and Economic Development that is responsible for community and regional affairs;

(5) “Native village council” means

(A) a council organized under 25 U.S.C. 476 (sec. 16 of the Indian Reorganization Act);

(B) the council for the Annette Island Reserve established by 25 U.S.C. 495 for the Metlakatla Indian Community; or

(C) a traditional village council recognized by the United States as eligible for federal aid to Indians; [.]

Register 228, January 20 19

COMMERCE, COMMUNITY AND EC. DEV.

that is " (A)

(6) "biomass fuel" means a product derived from wood, such as wood pellets, wood chips, or cord wood, or from other organic matter, which is proven and feasible for use as fuel to generate heat or electricity. (Eff. 1/28/2009, Register 189; am 3/8/2013, Register 205; am 10/27/2018, Register 228)

Authority: AS 42.45.250

AS 42.45.260

AS 42.45.270

# MEMORANDUM

## State of Alaska Department of Law


**To:** The Honorable Byron Mallott  
Lieutenant Governor

**Date:** September 24, 2018

**File No.:** JU2017200551

**Thru:**

**Tel. No.:** 465-3600

**From:** Steven C. Weaver   
Senior Assistant Attorney General  
and Assistant Regulations Attorney  
Legislation and Regulations Section

**Re:** Department of Commerce,  
Community, and Economic  
Development regulations re: bulk fuel  
loan program (3 AAC 161.050(b)(1);  
3 AAC 161.900)

The Department of Law has reviewed the attached regulations of the Department of Commerce, Community, and Economic Development against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. I have reviewed this project under a specific delegation of authority dated September 21, 2018 from the Regulations Attorney. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Department of Commerce, Community, and Economic Development after the close of the public comment period. The regulations concern the use of proceeds from bulk fuel loans to purchase biomass fuel in bulk, and define "biomass fuel".

The February 1, 2018 public notice and the April 3, 2018 adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations.

SCW

cc: Honorable Mike Navarre, Commissioner  
Department of Commerce, Community, and Economic Development

Micaela Fowler, Special Assistant  
Department of Commerce, Community, and Economic Development

Linda Mattson, Regulations Contact  
Department of Commerce, Community, and Economic Development

Melissa Taylor, Deputy Director  
Division of Community and Regional Affairs  
Department of Commerce, Community, and Economic Development

Jane Sullivan  
Division of Community and Regional Affairs  
Department of Commerce, Community, and Economic Development

April Simpson, Notary Administrator  
Office of the Lieutenant Governor

Mary Lynn Macsalka, Assistant Attorney General  
Labor and State Affairs Section

# MEMORANDUM


## State of Alaska Department of Law

**TO:** Hon. Byron Mallott  
Lieutenant Governor

**DATE:** September 21, 2018

**FILE NO.:** JU2017200551

**TELEPHONE NO.:** (907) 465-3600

**FROM:** Susan R. Pollard   
Chief Assistant Attorney General  
and Regulations Attorney  
Legislation/Regulations Section

**SUBJECT:** Specific delegation of authority  
regarding regulations review on  
Department of Commerce,  
Community, and Economic  
Development regulations re: bulk  
fuel loan program (3 AAC  
161.050(b)(1); 3 AAC 161.900)

By this memorandum, I am delegating my authority as Regulations Attorney under AS 44.62 to Assistant Attorney General Steven C. Weaver for the above-referenced regulations project. Under this delegation of authority, Steven Weaver has my full authority under AS 44.62 to conduct the legal review under AS 44.62 and take necessary actions on this regulations project.

If you have questions, please let me know.

SCW

cc w/enc: Scott C. Meriwether, AAC Coordinator  
Office of the Lieutenant Governor  
  
April Simpson, Notary Administrator  
Office of the Lieutenant Governor  
  
Steven C. Weaver  
Sr. Assistant Attorney General and  
Assistant Regulations Attorney  
Legislation/Regulations Section



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

**Department of Commerce, Community,  
and Economic Development**

OFFICE OF THE COMMISSIONER

P.O. Box 110800  
Juneau, Alaska 99811-0800  
Main: 907.465.2500  
Programs fax: 907.465.5442

**ALASKA DEPARTMENT OF COMMERCE, COMMUNITY, AND  
ECONOMIC DEVELOPMENT**

**Delegation of Authority**

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations, outside of the Division of Corporations, Business and Professional Licensing (CBPL), but for the Department of Commerce, Community, and Economic Development (DCCED), under the Alaska Administrative Procedure Act, is hereby delegated to:

Micaela Fowler  
Legislative Liaison  
Office of the Commissioner  
DCCED  
P.O. Box 110800  
Juneau, AK 99811-0800  
907-465-2503  
mfowler@alaska.gov

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations of the Division of Corporations, Business and Professional Licensing, under the Alaska Administrative Procedure Act, is hereby delegated to:

Janey Hovenden  
Director  
CBPL  
DCCED  
P.O. Box 110806  
Juneau, AK 99811-0806  
907-465-2538  
jhovenden@alaska.gov



NOTICE OF PROPOSED CHANGES OF THE BULK FUEL REVOLVING LOAN FUND  
IN THE REGULATIONS OF THE DEPARTMENT OF COMMERCE, COMMUNITY  
AND ECONOMIC DEVELOPMENT

The Department of Commerce, Community and Economic Development proposes to amend regulations in 3 AAC 161 dealing with program standards to further define eligible bulk fuel, including the following:

- (1) 3 AAC 161.050(b)(1) is proposed to be amended as follows: deletion of the word "petroleum" to be consistent with the new definition of "bulk fuel", which is also amended by these proposed regulations;
- (2) 3 AAC 161.900 is proposed to be amended as follows: amends the definition of "bulk fuel" to include biomass fuel, and adds a new definition for "biomass fuel" to mean a product derived from wood, such as wood pellets, wood chips, or cord wood, or other organic matter, which is proven and feasible as fuel to generate heat or electricity; the intended effect is to define biomass fuel.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jane Sullivan, Department of Commerce, Community, and Economic Development, DCRA, Attn: Bulk Fuel Loan Fund Regulations Review, at 550 W 7th Ave. Suite 1640, Anchorage, AK 99501. Additionally, the Department of Commerce, Community, and Economic Development will accept comments by facsimile at 907-269-4539 and by electronic mail at [jane.sullivan@alaska.gov](mailto:jane.sullivan@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. **The comments must be received not later than 4:30 p.m. on March 9, 2018.**

You may submit written questions relevant to the proposed action to Jane Sullivan by email at [jane.sullivan@alaska.gov](mailto:jane.sullivan@alaska.gov), or by mail at Department of Commerce, Community, and Economic Development, DCRA, Attn: Bulk Fuel Loan Fund Regulations Review, at 550 W 7th Ave. Suite 1640, Anchorage, AK 99501. **The questions must be received at least 10 days before the end of the public comment period.** The department will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System at <https://www.commerce.alaska.gov/web/dcra/>.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jane Sullivan by email at [jane.sullivan@alaska.gov](mailto:jane.sullivan@alaska.gov) and phone number 907-269-4614 not later than February 28, 2018, at 4:30 p.m. to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System, on the website of the Division of Community and Regional Affairs at <https://www.commerce.alaska.gov/web/dcra/> and by contacting Jane Sullivan by email at [jane.sullivan@alaska.gov](mailto:jane.sullivan@alaska.gov), and phone number, 907-269-4614.

After the public comment period ends, the Department of Commerce, Community, and Economic Development will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. You should comment during the time allowed if your interests could be effected.

**Statutory authority:** AS 42.45.250, AS 42.45.260, AS 42.45.270

**Statutes being implemented, interpreted, or made specific:** AS 42.45.250, AS 42.45.260, AS 42.45.270

**Fiscal information:** The proposed regulation changes are not expected to require an increased appropriation.

Date: January 29, 2018

Melissa Taylor, Deputy Director  
Division of Community and  
Regional Affairs, Department of  
Commerce, Community, and Economic Development

Published: February 1, 2018



## Online Public Notices



VIEW

## Notice

[Home](#)[Search](#)[Browse](#)[View](#)[Log In](#)

## NOTICE OF PROPOSED CHANGES OF THE BULK FUEL REVOLVING LOAN FUND IN THE REGULATIONS OF THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

## Tools

[Print](#)[Short URL](#)

## Share



### NOTICE OF PROPOSED CHANGES OF THE BULK FUEL REVOLVING LOAN FUND

### IN THE REGULATIONS OF THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

The Department of Commerce, Community and Economic Development proposes to amend regulations in 3 AAC 161 dealing with program standards to further define eligible bulk fuel, including the following:

- (1) 3 AAC 161.050(b)(1) is proposed to be amended as follows: deletion of the word "petroleum" to be consistent with the new definition of "bulk fuel", which is also amended by these proposed regulations;
- (2) 3 AAC 161.900 is proposed to be amended as follows: amends the definition of 'bulk fuel' to include biomass fuel, and adds a new definition for "biomass fuel" to mean a product derived from wood, such as wood pellets, wood chips, or cord wood, or other organic matter, which is proven and feasible as fuel to generate heat or electricity; the intended effect is to define biomass fuel.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jane Sullivan, Department of Commerce, Community, and Economic Development, DCRA, Attn: Bulk Fuel Loan Fund Regulations Review, at 550 W 7<sup>th</sup> Ave. Suite 1640, Anchorage, AK 99501. Additionally, the Department of Commerce, Community, and Economic Development will accept comments by facsimile at 907-269-4539 and by electronic mail at [jane.sullivan@alaska.gov](mailto:jane.sullivan@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. **The comments must be received not later than 4:30 p.m. on March 9, 2018.**

You may submit written questions relevant to the proposed action to Jane Sullivan by email at [jane.sullivan@alaska.gov](mailto:jane.sullivan@alaska.gov), or by mail at Department of Commerce, Community, and Economic Development, DCRA, Attn: Bulk Fuel Loan Fund Regulations Review, at 550 W 7<sup>th</sup> Ave. Suite 1640, Anchorage, AK 99501. **The questions must be received at least 10 days before the end of the public comment period.** The department will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System at <https://www.commerce.alaska.gov/web/dcra/>.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jane Sullivan by email at [jane.sullivan@alaska.gov](mailto:jane.sullivan@alaska.gov) and phone number 907-269-4614 not later than February 28, 2018, at 4:30 p.m. to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System, on the website of the Division of Community and Regional Affairs at <https://www.commerce.alaska.gov/web/dcra/> and by contacting Jane Sullivan by email at [jane.sullivan@alaska.gov](mailto:jane.sullivan@alaska.gov), and phone number, 907-269-4614.

After the public comment period ends, the Department of Commerce, Community, and Economic Development will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. You should comment during the time allowed if your interests could be effected.

**Statutory authority:** AS 42.45.250, AS 42.45.260, AS 42.45.270

**Statutes being implemented, interpreted, or made specific:** AS 42.45.250, AS 42.45.260, AS 42.45.270

**Fiscal information:** The proposed regulation changes are not expected to require an increased appropriation.

Date: January 29, 2018

-----//s//-----

Melissa Taylor, Deputy Director  
Division of Community and Regional Affairs  
Department of Commerce, Community,  
and Economic Development

## Attachments, History, Details

### Attachments

- [Additional Regulations Notice Information Bulk Fuel Revolving Loan Fund.pdf](#)
- [Affidavid of Notice of Proposed Regulation Bulk Fuel Revolving Loan Fund .pdf](#)
- [Proposed Regulations - Bulk Fuel Revolving Loan Fund .pdf](#)

### Revision History

- Created 1/29/2018 11:41:47 AM by oalucero
- Modified 1/29/2018 11:46:53 AM by oalucero
- Modified 1/30/2018 9:31:58 AM by oalucero

### Details

- |                       |  |
|-----------------------|--|
| Department:           | Commerce, Community and Economic Development |
| Category:             | Regulations                                  |
| Sub-Category:         | Notice of Proposed Regulations               |
| Location(s):          | Statewide                                    |
| Project/Regulation #: | 3 AAC 161                                    |
| Publish Date:         | 1/30/2018                                    |
| Archive Date:         | 3/10/2018                                    |
| Events/Deadlines:     |  |

[Help](#) [Alaska Admin Journal](#) [Contact](#)

[State of Alaska](#) [myAlaska](#) [My Government](#) [Resident](#) [Business in Alaska](#) [Visiting Alaska](#) [State Employees](#)

State of Alaska | © 2018 | [Webmaster](#)



**ADDITIONAL REGULATION NOTICE INFORMATION**  
**(AS 42.45. 250 – 299)**

1. Adopting agency: Department of Commerce, Community, and Economic Development
2. General subject of regulation: Bulk Fuel Revolving Loan Fund
3. Citation of regulation (may be grouped): 3 AAC 161
4. Department of Law file number, if any: JU2017200551

5. Reason for the proposed action:

- ( ) Compliance with federal law or action (identify): \_\_\_\_\_
- ( ) Compliance with new or changed state statute
- ( ) Compliance with federal or state court decision (identify): \_\_\_\_\_
- (X) Development of program standards
- ( ) Other (identify): \_\_\_\_\_

6. Appropriation/Allocation: none

7. Estimated annual cost to comply with the proposed action to:

A private person: none

Another state agency: none

A municipality: none

8. Cost of implementation to the state agency and available funding (in thousands of dollars): The cost associated with the administration of the Bulk Fuel Revolving Loan Fund will continue to be paid from the Department of Commerce, Community, and Economic Development. The cost of implementation of changes made to the current regulations will not increase.

	Initial Year FY <u>2018</u>	Subsequent Years
Operating Cost	\$ <u>0</u>	\$ <u>0</u>
Capital Cost	\$ <u>0</u>	\$ <u>0</u>
1002 Federal receipts	\$ <u>0</u>	\$ <u>0</u>
1003 General fund match	\$ <u>0</u>	\$ <u>0</u>
1004 General fund	\$ <u>0</u>	\$ <u>0</u>
1005 General fund/program	\$ <u>0</u>	\$ <u>0</u>
Other (identify)	\$ <u>0</u>	\$ <u>0</u>

9. The name of the contact person for the regulation:

Name: Jane Sullivan

Title: Local Government Specialist, Department of Commerce, Community, and Economic Development, Division of Community and Regional Affairs

Address: 550 W. 7<sup>th</sup> Ave. Suite 1640, Anchorage, AK 99501

Telephone: 907-269-4614

E-mail address: jane.sullivan@alaska.gov

10. The origin of the proposed action:

☒ Staff of state agency

☐ Federal government

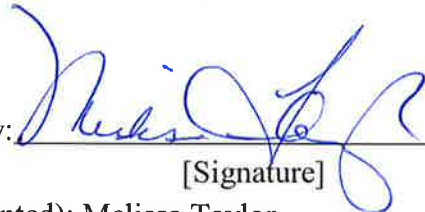
☐ General public

☐ Petition for regulation change

☐ Other (identify):

11. Date: 01/29/2018

Prepared by:

  
[Signature]

Name (printed): Melissa Taylor

Title (printed): Deputy Director, Department of Commerce, Community and Economic Development, Division of Community and Regional Affairs



270228  
0001416123  
\$383.48

# AFFIDAVIT OF PUBLICATION

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Joleesa Stepetin  
being first duly sworn on oath deposes and  
says that he/she is a representative of the  
Anchorage Daily News, a daily newspaper.  
That said newspaper has been approved  
by the Third Judicial Court, Anchorage,  
Alaska, and it now and has been published  
in the English language continually as a  
daily newspaper in Anchorage, Alaska, and  
it is now and during all said time was  
printed in an office maintained at the  
aforesaid place of publication of said  
newspaper. That the annexed is a copy of  
an advertisement as it was published in  
regular issues (and not in supplemental  
form) of said newspaper on

February 01, 2018

and that such newspaper was regularly  
distributed to its subscribers during all of  
said period. That the full amount of the fee  
charged for the foregoing publication is not  
in excess of the rate charged private  
individuals.

Signed

*Joleesa Stepetin*

Subscribed and sworn to before me  
this 1st day of February, 2018

*Britney Thompson*

Notary Public in and for  
The State of Alaska.  
Third Division  
Anchorage, Alaska  
MY COMMISSION EXPIRES

*2/23/2019*  
Notary Public  
BRITNEY L. THOMPSON  
State of Alaska  
My Commission Expires Feb 23, 2019

**NOTICE OF PROPOSED CHANGES OF THE BULK FUEL REVOLVING LOAN FUND**  
**IN THE REGULATIONS OF THE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT**

The Department of Commerce, Community and Economic Development proposes to amend regulations in 3 AAC 161 dealing with program standards to further define eligible bulk fuel, including the following:

- (1) 3 AAC 161.050(b)(1) is proposed to be amended as follows: deletion of the word "petroleum" to be consistent with the new definition of "bulk fuel", which is also amended by these proposed regulations;
- (2) 3 AAC 161.900 is proposed to be amended as follows: amends the definition of "bulk fuel" to include biomass fuel, and adds a new definition for "biomass fuel" to mean a product derived from wood, such as wood pellets, wood chips, or cord wood, or other organic matter, which is proven and feasible as fuel to generate heat or electricity; the intended effect is to define biomass fuel.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jane Sullivan, Department of Commerce, Community, and Economic Development, DCRA, Attn: Bulk Fuel Loan Fund Regulations Review, at 550 W 7th Ave. Suite 1640, Anchorage, AK 99501. Additionally, the Department of Commerce, Community, and Economic Development will accept comments by facsimile at 907-269-4539 and by electronic mail at [jane.sullivan@alaska.gov](mailto:jane.sullivan@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. **The comments must be received not later than 4:30 p.m. on March 9, 2018.**

You may submit written questions relevant to the proposed action to Jane Sullivan by email at [jane.sullivan@alaska.gov](mailto:jane.sullivan@alaska.gov), or by mail at Department of Commerce, Community, and Economic Development, DCRA, Attn: Bulk Fuel Loan Fund Regulations Review, at 550 W 7th Ave. Suite 1640, Anchorage, AK 99501. **The questions must be received at least 10 days before the end of the public comment period.** The department will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System at <https://www.commerce.alaska.gov/web/dcra/>.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jane Sullivan by email at [jane.sullivan@alaska.gov](mailto:jane.sullivan@alaska.gov) and phone number 907-269-4614 not later than February 28, 2018, at 4:30 p.m. to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System, on the website of the Division of Community and Regional Affairs at <https://www.commerce.alaska.gov/web/dcra/> and by contacting Jane Sullivan by email at [jane.sullivan@alaska.gov](mailto:jane.sullivan@alaska.gov), and phone number, 907-269-4614.

After the public comment period ends, the Department of Commerce, Community, and Economic Development will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. You should comment during the time allowed if your interests could be affected.

**Statutory authority:** AS 42.45.250, AS 42.45.260, AS 42.45.270

**Statutes being implemented, interpreted, or made specific:** AS 42.45.250, AS 42.45.260, AS 42.45.270

**Fiscal information:** The proposed regulation changes are not expected to require an increased appropriation.

Date: January 29, 2018

Melissa Taylor, Deputy Director  
Division of Community and  
Regional Affairs, Department of  
Commerce, Community, and Economic Development

Published: February 1, 2018

AFFIDAVIT OF NOTICE OF PROPOSED REGULATION  
AND FURNISHING OF ADDITIONAL INFORMATION

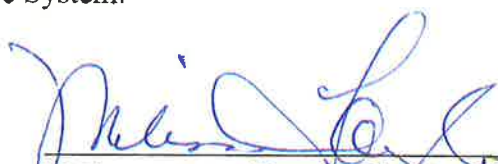
I, Melissa Taylor, Deputy Director, Division of Community and Regional Affairs, of Department of Commerce, Community, and Economic Development being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 3 AAC 161 has been given by being

- (1) published in a newspaper or trade publication;
- (2) furnished to interested persons;
- (3) furnished to appropriate state officials;
- (4) furnished to the Department of Law, along with a copy of the proposed regulation;
- (5) furnished electronically to incumbent State of Alaska legislators;
- (6) furnished to the Legislative Affairs Agency, Division of Legal and Research Services;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);
- (8) furnished electronically, along with a copy of the proposed regulation, to the Legislative Affairs Agency, the chair of the Community and Regional Affairs Committee of the Alaska Senate and House of Representatives, the Administrative Regulation Review Committee, and the legislative council.

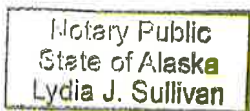
As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: January 29, 2018

  
\_\_\_\_\_  
Melissa Taylor, Deputy Director, Division of  
Community and Regional Affairs,  
Department of Commerce, Community, and  
Economic Development

Subscribed and sworn to before me at Anchorage, Alaska on  
January 29, 2018.

January 29, 2018



[NOTARY SEAL]

  
\_\_\_\_\_  
Notary Public in and for the State of Alaska

AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Micaela Fowler, Special Assistant, Commissioner for the Department of Commerce, Community, and Economic Development being duly sworn, state the following:

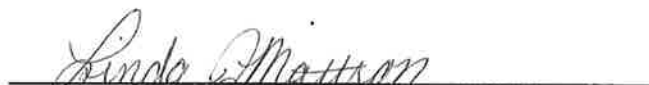
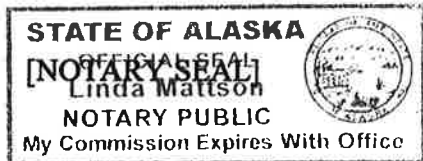
In compliance with AS 44.62.215, the Department of Commerce, Community and Economic Development did not receive any factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Commerce, Community and Economic Development regulation dealing with adding a biomass fuel definition for the bulk fuel loan program.

Date: 4.3.18



Micaela Fowler, Special Assistant  
Department of Commerce, Community, and  
Economic Development

Subscribed and sworn to before me at 9:10 am on  
April 3, 2018  
(date)

  
Notary Public in and for the State of Alaska