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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
 THIRD JUDICIAL DISTRICT AT ANCHORAGE

ANCHORAGE MUNICIPAL)	
ASSEMBLY,)	
)	
Appellant)	
)	
v.)	
)	
REGULATORY COMMISSION OF)	Case No. 3AN-24-_____ CI
ALASKA; MUNICIPALITY OF)	
ANCHORAGE d/b/a MUNICIPAL LIGHT)	RCA Nos. U-18-102/U-19-
& POWER; ENSTAR NATURAL GAS)	020/U-19-021
CO.; PROVIDENCE HEALTH &)	
SERVICES; GOLDEN VALLEY)	
ELECTRIC ASSOCIATION, INC.;)	
STATE OF ALASKA; ALASKA)	
ENERGY AUTHORITY; HOMER)	
ELECTRIC ASSOCIATION, INC.;)	
ALASKA ELECTRIC AND ENERGY)	
COOP., INC.; MATANUSKA ELECTRIC)	
ASSOCIATION, INC.; CHUGACH)	
ELECTRIC ASSOCIATION, INC.; JL)	
PROPERTIES; ALASKA NATIVE)	
HEALTH CONSORTIUM,)	
)	
Appellees.)	
)	

STATEMENT OF POINTS ON APPEAL

The Anchorage Municipal Assembly (the “Assembly”), through counsel and pursuant to Alaska Rule of Appellate Procedure 602 submits the following Statement of Points on Appeal.

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1. The Regulatory Commission of Alaska (“RCA”) erred in denying the Assembly’s Petition to Intervene, dated April 15, 2024, because the Assembly meets the requirements of 3 AAC 48.110(a) and has a statutory right to intervene.

2. The RCA erred in denying the Assembly’s Petition to Intervene because the Assembly should have been granted permissive intervention.

3. The RCA erred by misconstruing the Assembly’s Motion to Reopen Dockets and Modify Order No. 39 Dated May 28, 2020, as a motion for reconsideration of the RCA’s Order U-18-102(44)/U-19-020(39)/U-19-021 (“Order 39”).

4. The RCA erred when it denied the Assembly’s request to modify Order 39 to allow the Municipality to vote as a member of the Eklutna Operating Committee (the “EOC”) for the purposes of implementation of the 1991 Fish and Wildlife Agreement.

5. The RCA erred when it determined that it lacked statutory authority to reopen the dockets referenced in the Assembly’s Motion.

6. The RCA’s decision was arbitrary, capricious, and an abuse of discretion.

7. The RCA erred when it relied on facts not in the record.

8. The RCA lacked jurisdiction to enter Order 39.

9. Order 39 violates state and federal law.

DATED: April 24, 2024.

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Assembly*