BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS ON REFERRAL BY THE ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of	)	
	)	OAH No. 25-0130-ABC
MATTER OF RESTAURANT EATING PLACE LICENSE #2611	)	Agency No. AMCO 25-2611
	)	
	)	OAH No. 25-0431-ABC
Protests by City of Kodiak & Kodiak Island Borough	)	Agency No. AMCO 25-2611-KIB

ORDER OF REMAND

These two related administrative appeals concern local government protests of the continuing operations of Restaurant Eating Place License No. 2611. Both the City of Kodiak and the Kodiak Island Borough protested the continued operation of the license. When the Board initially took up this matter, it denied the Borough's protest without considering its merits based on its consideration of the City's protest, which it then denied. Both protestors requested administrative hearings. Those requests were referred to the Office of Administrative Hearings and consolidated into this single proceeding.

In an unopposed motion filed March 27, 2025, AMCO advises that the City has elected to withdraw its protest, and requests a remand to the Board so that the Borough's protest can be addressed on its merits. AMCO represents that the licensee and counsel for both protestors have been advised of and are unopposed to this request. In light of the foregoing,

These matters are hereby remanded to the Alcoholic Beverage Control Board for further consideration. OAH does not retain jurisdiction and will close both case files. Any party dissatisfied with the outcome of the Board's proceedings on remand will have the right to request a new administrative hearing in accordance with the Board's statutes and regulations.

DATED: March 27, 2025.

By: Cheryl Mandala
Cheryl Mandala
Administrative Law Judge

Certificate of Service: I certify that on March 27, 2025, this Order was distributed by email to Sook C Yun; Stephani Kim-Kurosawa; Charles A. Cacciola; Scott A. Brandt-Erichsen; Kevin Higgins; and Dept. of Law Central Email. A courtesy copy was also distributed to: Jane P. Sawyer, Program Coordinator (by email).

By: Desttany Suaava
Office of Administrative Hearings