

By: Representatives Read, Cockerham, Arnold, Bennett, Eure, Gipson, Holland, Huddleston (30th), Myers, Thomas, Turner, Sykes, Dixon To: Appropriations

HOUSE BILL NO. 1590 (As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 MISSISSIPPI PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2019.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. The following sum, or so much thereof as may be
6 necessary, is appropriated out of any money in the State General
7 Funds not otherwise appropriated, for the purpose of defraying the
8 expenses of the Mississippi Public Service Commission for the
9 fiscal year beginning July 1, 2018, and ending June 30, 2019.....
10\$ 4,389,907.00.

11 SECTION 2. The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in the special fund in
13 the State Treasury to the credit of the Mississippi Public Service
14 Commission which is comprised of special source funds collected by
15 or otherwise available to the commission, for the purpose of
16 defraying the expenses of the commission for the fiscal year
17 beginning July 1, 2018, and ending June 30, 2019.....
18\$ 393,488.00.



19 **SECTION 3.** Of the funds appropriated under the provisions of
20 Section 1, the following positions are authorized:

21 AUTHORIZED POSITIONS:

22	Permanent:	Full Time.....	69
23		Part Time.....	6
24	Time-Limited:	Full Time.....	5
25		Part Time.....	0

26 With the funds herein appropriated, it shall be the agency's
27 responsibility to make certain that funds required to be
28 appropriated for "Personal Services" for Fiscal Year 2020 do not
29 exceed Fiscal Year 2019 funds appropriated for that purpose,
30 unless programs or positions are added to the agency's Fiscal Year
31 2019 budget by the Mississippi Legislature. Based on data
32 provided by the Legislative Budget Office, the State Personnel
33 Board shall determine and publish the projected annual cost to
34 fully fund all appropriated positions in compliance with the
35 provisions of this act. It shall be the responsibility of the
36 agency head to ensure that no single personnel action increases
37 this projected annual cost and/or the Fiscal Year 2019
38 appropriations for "Personal Services" when annualized, with the
39 exception of escalated funds and the award of benchmarks. If, at
40 the time the agency takes any action to change "Personal
41 Services," the State Personnel Board determines that the agency
42 has taken an action which would cause the agency to exceed this
43 projected annual cost or the Fiscal Year 2019 "Personal Services"



44 appropriated level, when annualized, then only those actions which
45 reduce the projected annual cost and/or the appropriation
46 requirement will be processed by the State Personnel Board until
47 such time as the requirements of this provision are met.

48 Any transfers or escalations shall be made in accordance with
49 the terms, conditions and procedures established by law or
50 allowable under the terms set forth within this act. The State
51 Personnel Board shall not escalate positions without written
52 approval from the Department of Finance and Administration. The
53 Department of Finance and Administration shall not provide written
54 approval to escalate any funds for salaries and/or positions
55 without proof of availability of new or additional funds above the
56 appropriated level.

57 No general funds authorized to be expended herein shall be
58 used to replace federal funds and/or other special funds which are
59 being used for salaries authorized under the provisions of this
60 act and which are withdrawn and no longer available.

61 None of the funds herein appropriated shall be used in
62 violation of Internal Revenue Service's Publication 15-A relating
63 to the reporting of income paid to contract employees, as
64 interpreted by the Office of the State Auditor.

65 **SECTION 4.** In compliance with the "Mississippi Performance
66 Budget and Strategic Planning Act of 1994," it is the intent of
67 the Legislature that the funds provided herein shall be utilized
68 in the most efficient and effective manner possible to achieve the



69 intended mission of this agency. Based on the funding authorized,
 70 this agency shall make every effort to attain the targeted
 71 performance measures provided below:

	FY2019
<u>Performance Measures</u>	<u>Target</u>
74 Utility Regulatory Services	
75 Number of Utility Docket Cases	265
76 Total Number of Utility Complaints	4,675
77 Electric Complaints as a Percentage of	
78 Total (%)	48.00
79 Telecommunication Complaints as a Percentage	
80 of Total (%)	32.00
81 Water Complaints as a Percentage of Total (%)	10.00
82 Gas Complaints as a Percentage of Total (%)	8.00
83 Sewer Complaints as a Percentage of Total (%)	1.00
84 Average Cost per Utility Complaint (\$)	636.00
85 Time to Resolve Utility Complaints (Days)	3
86 Average Price of Electricity per Kilowatt	
87 Hour in Mississippi for Residential	
88 Customers, by Utility Type:	
89 Investor-owned Utilities (Cents/kWh)	0.11
90 Electric Cooperatives (Cents/kWh)	0.11
91 Average Price of Electricity for Residential	
92 Customers in Mississippi as a Percentage of	
93 the April 2016 National Avg. (12.43 c/kWh):	



94	Investor-owned Utilities (%)	86.95
95	Electric Cooperatives (%)	95.14
96	Average Monthly Residential Electric Usage	
97	in Mississippi (kWh)	1,251
98	Average Monthly Residential Electric Usage in	
99	Mississippi as a Percentage of the 2015	
100	National Average, 909 kWh (%)	134.90
101	Number of Pipeline Inspections	650
102	Average Cost per Pipeline Inspection (\$)	883.00

103 A reporting of the degree to which the performance targets
104 set above have been or are being achieved shall be provided in the
105 agency's budget request submitted to the Joint Legislative Budget
106 Committee for Fiscal Year 2020.

107 **SECTION 5.** None of the funds herein appropriated by this act
108 to the Public Service Commission shall be expended for any purpose
109 that is not actually required or necessary for performing any of
110 the powers or duties of the Mississippi Public Service Commission
111 that are authorized by the Mississippi Constitution of 1890, state
112 or federal law, or rules or regulations that implement state or
113 federal law.

114 **SECTION 6.** It is the intention of the Legislature that the
115 Public Service Commission shall maintain complete accounting and
116 personnel records related to the expenditure of all funds
117 appropriated under this act and that such records shall be in the
118 same format and level of detail as maintained for Fiscal Year



119 2018. It is further the intention of the Legislature that the
 120 agency's budget request for Fiscal Year 2020 shall be submitted to
 121 the Joint Legislative Budget Committee in a format and level of
 122 detail comparable to the format and level of detail provided
 123 during the Fiscal Year 2019 budget request process.

124 **SECTION 7.** In addition to all other sums herein
 125 appropriated, the following sum, or so much thereof as may be
 126 necessary, is appropriated out of any money in the State General
 127 Fund not otherwise appropriated, for the purpose of defraying the
 128 expenses of the Public Service Commission to administer the
 129 Mississippi Telephone Solicitation Act, for the fiscal year
 130 beginning July 1, 2018, and ending June 30, 2019.....
 131\$ 69,865.00.

132 **SECTION 8.** In compliance with the "Mississippi Performance
 133 Budget and Strategic Planning Act of 1994," it is the intent of
 134 the Legislature that the funds provided herein shall be utilized
 135 in the most efficient and effective manner possible to achieve the
 136 intended mission of this agency. Based on the funding authorized,
 137 this agency shall make every effort to attain the targeted
 138 performance measures provided below:

139		FY2019
140	<u>Performance Measures</u>	<u>Target</u>
141	Telephone "no-call"	
142	Number of No-Call Complaints	15,785
143	Average Cost per No-Call Complaint (\$)	20.00



144 A reporting of the degree to which the performance targets
145 set above have been or are being achieved shall be provided in the
146 agency's budget request submitted to the Joint Legislative Budget
147 Committee for Fiscal Year 2020.

148 **SECTION 9.** It is the intention of the Legislature that
149 whenever two (2) or more bids are received by this agency for the
150 purchase of commodities or equipment, and whenever all things
151 stated in such received bids are equal with respect to price,
152 quality and service, the Mississippi Industries for the Blind
153 shall be given preference. A similar preference shall be given to
154 the Mississippi Industries for the Blind whenever purchases are
155 made without competitive bids.

156 **SECTION 10.** It is the intention of the Legislature that the
157 Public Service Commission shall compile the amount of time that is
158 expended on each regulated entity during Fiscal Year 2018. On or
159 before August 1, 2018, the Public Service Commission shall report
160 these findings to the House of Representatives' Public Utilities
161 Committee.

162 **SECTION 11.** The money herein appropriated shall be paid by
163 the State Treasurer out of any money in the State Treasury to the
164 credit of the proper fund or funds as set forth in this act, upon
165 warrants issued by the State Fiscal Officer; and the State Fiscal
166 Officer shall issue his warrants upon requisitions signed by the
167 proper person, officer or officers, in the manner provided by law.



168 **SECTION 12.** This act shall take effect and be in force from
169 and after July 1, 2018.

