

By: Representatives Read, Cockerham, Arnold, Bennett, Clark, Eure, Hines, Holland, Horan, Myers, Turner, Willis, Sykes To: Appropriations

HOUSE BILL NO. 1641 (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 2020.

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, 2019, and ending June 30, 2020.....
10\$ 4,522,303.00.

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, 2019, and ending June 30, 2020.....
18\$ 503,300.00.



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 2021 do not
29 exceed Fiscal Year 2020 funds appropriated for that purpose,
30 unless programs or positions are added to the agency's Fiscal Year
31 2020 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 2020
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 2020 "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 Funds are provided herein for all full-time employees to
49 receive up to a Three Percent (3%) pay increase to the realignment
50 component of the Variable Compensation Plan, excluding head of
51 agencies, board members and commission members.

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

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64 act and which are withdrawn and no longer available.

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



69 **SECTION 4.** In compliance with the "Mississippi Performance
70 Budget and Strategic Planning Act of 1994," it is the intent of
71 the Legislature that the funds provided herein shall be utilized
72 in the most efficient and effective manner possible to achieve the
73 intended mission of this agency. Based on the funding authorized,
74 this agency shall make every effort to attain the targeted
75 performance measures provided below:

	FY2020
<u>Performance Measures</u>	<u>Target</u>
Utility Regulatory Services	
Number of Utility Docket Cases	250
Total Number of Utility Complaints	4,675
Electric Complaints as a Percentage of	
Total (%)	49.00
Telecommunication Complaints as a	
Percentage of Total (%)	32.00
Water Complaints as a Percentage of	
Total (%)	10.00
Gas Complaints as a Percentage of Total (%)	8.00
Sewer Complaints as a Percentage of	
Total (%)	1.00
Average Cost per Utility Complaint (\$)	650.00
Time To Resolve Utility Complaints (days)	3
Average Price of Electricity per	
Kilowatt Hour in MS for Residential	



94 Customers, by Utility Type:

95 Investor-Owned Utilities (cents/kWh) 0.11

96 Average Price of Electricity per

97 Kilowatt Hour in MS for Residential

98 Customers, by Utility Type: Electric

99 Cooperatives (cents/kWh) 0.11

100 Average Price of Electricity for

101 Residential Customers in MS as a

102 Percentage of the April 2016 National

103 Average, 12.43 Cents/kWh - Investor

104 Owned Utilities(%) 86.89

105 Average Price of Electricity for

106 Residential Customers in MS as a

107 Percentage of the April 2016 National

108 Average, 12.43 Cents/kWh - Electric

109 Cooperative (%) 95.14

110 Average Monthly Residential Electric

111 Usage in MS (kWh) 1,250

112 Average Monthly Residential Electric

113 Usage in MS as a Percentage of the 2015

114 National Average, 909 kWh (%) 134.50

115 Number of Pipeline Inspections 650

116 Average Cost per Pipeline Inspection (\$) 883.00

117 A reporting of the degree to which the performance targets

118 set above have been or are being achieved shall be provided in the



119 agency's budget request submitted to the Joint Legislative Budget
120 Committee for Fiscal Year 2021.

121 **SECTION 5.** None of the funds herein appropriated by this act
122 to the Public Service Commission shall be expended for any purpose
123 that is not actually required or necessary for performing any of
124 the powers or duties of the Mississippi Public Service Commission
125 that are authorized by the Mississippi Constitution of 1890, state
126 or federal law, or rules or regulations that implement state or
127 federal law.

128 **SECTION 6.** It is the intention of the Legislature that the
129 Public Service Commission shall maintain complete accounting and
130 personnel records related to the expenditure of all funds
131 appropriated under this act and that such records shall be in the
132 same format and level of detail as maintained for Fiscal Year
133 2019. It is further the intention of the Legislature that the
134 agency's budget request for Fiscal Year 2021 shall be submitted to
135 the Joint Legislative Budget Committee in a format and level of
136 detail comparable to the format and level of detail provided
137 during the Fiscal Year 2020 budget request process.

138 **SECTION 7.** In addition to all other sums herein
139 appropriated, the following sum, or so much thereof as may be
140 necessary, is appropriated out of any money in the State General
141 Fund not otherwise appropriated, for the purpose of defraying the
142 expenses of the Public Service Commission to administer the



143 Mississippi Telephone Solicitation Act, for the fiscal year
144 beginning July 1, 2019, and ending June 30, 2020.....
145\$ 69,865.00.

146 **SECTION 8.** In compliance with the "Mississippi Performance
147 Budget and Strategic Planning Act of 1994," it is the intent of
148 the Legislature that the funds provided herein shall be utilized
149 in the most efficient and effective manner possible to achieve the
150 intended mission of this agency. Based on the funding authorized,
151 this agency shall make every effort to attain the targeted
152 performance measures provided below:

	FY2020
<u>Performance Measures</u>	<u>Target</u>
155 Telephone "no-call"	
156 Number of NO-CALL Complaints	15,445
157 Average Cost per NO-CALL Complaint (\$)	20.00

158 A reporting of the degree to which the performance targets
159 set above have been or are being achieved shall be provided in the
160 agency's budget request submitted to the Joint Legislative Budget
161 Committee for Fiscal Year 2021.

162 **SECTION 9.** It is the intention of the Legislature that
163 whenever two (2) or more bids are received by this agency for the
164 purchase of commodities or equipment, and whenever all things
165 stated in such received bids are equal with respect to price,
166 quality and service, the Mississippi Industries for the Blind
167 shall be given preference. A similar preference shall be given to



168 the Mississippi Industries for the Blind whenever purchases are
169 made without competitive bids.

170 **SECTION 10.** It is the intention of the Legislature that the
171 Public Service Commission shall compile the amount of time that is
172 expended on each regulated entity during Fiscal Year 2019. On or
173 before August 1, 2019, the Public Service Commission shall report
174 these findings to the House of Representatives' Public Utilities
175 Committee.

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

182 **SECTION 12.** This act shall take effect and be in force from
183 and after July 1, 2019.

