

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 1641**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

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 .....\$           4,439,358.00.

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 .....\$ 502,692.00.

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 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:

	FY2020
<u>Performance Measures</u>	<u>Target</u>
74 Utility Regulatory Services	
75       Number of Utility Docket Cases	250.00
76       Total Number of Utility Complaints	4,675.00
77       Electric Complaints as a Percentage of	
78           Total (%)	49.00
79       Telecommunication Complaints as a	
80           Percentage of Total (%)	32.00
81       Water Complaints as a Percentage of	
82           Total (%)	10.00
83       Gas Complaints as a Percentage of Total (%)	8.00
84       Sewer Complaints as a Percentage of	
85           Total (%)	1.00
86       Average Cost per Utility Complaint (\$)	650.00
87       Time To Resolve Utility Complaints (days)	3.00
88       Average Price of Electricity per	
89           Kilowatt Hour in MS for Residential	



90	Customers, by Utility Type:	
91	Investor-Owned Utilities (cents/kWh)	0.11
92	Average Price of Electricity per	
93	Kilowatt Hour in MS for Residential	
94	Customers, by Utility Type: Electric	
95	Cooperatives (cents/kWh)	0.11
96	Average Price of Electricity for	
97	Residential Customers in MS as a	
98	Percentage of the April 2016 National	
99	Average, 12.43 Cents/kWh - Investor	
100	Owned Utilities(%)	86.89
101	Average Price of Electricity for	
102	Residential Customers in MS as a	
103	Percentage of the April 2016 National	
104	Average, 12.43 Cents/kWh - Electric	
105	Cooperative (%)	95.14
106	Average Monthly Residential Electric	
107	Usage in MS (kWh)	1,250.00
108	Average Monthly Residential Electric	
109	Usage in MS as a Percentage of the 2015	
110	National Average, 909 kWh (%)	134.50
111	Number of Pipeline Inspections	650.00
112	Average Cost per Pipeline Inspection (\$)	883.00
113	A reporting of the degree to which the performance targets	
114	set above have been or are being achieved shall be provided in the	



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

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

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

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



139 Mississippi Telephone Solicitation Act, for the fiscal year  
140 beginning July 1, 2019, and ending June 30, 2020.....  
141 .....\$ 69,865.00.

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

	FY2020
<u>Performance Measures</u>	<u>Target</u>
151 Telephone "no-call"	
152       Number of NO-CALL Complaints	15,445.00
153       Average Cost per NO-CALL Complaint	20.00

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

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



164 the Mississippi Industries for the Blind whenever purchases are  
165 made without competitive bids.

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

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

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

