

Senate Amendments to House Bill No. 1710

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

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, 2020, and ending June 30, 2021.....
10\$ 4,048,094.00.

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, 2020, and ending June 30, 2021.....
18\$ 445,553.00.

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.....	55
23		Part Time.....	4
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 2022 do not
29 exceed Fiscal Year 2021 funds appropriated for that purpose,
30 unless programs or positions are added to the agency's Fiscal Year
31 2021 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 2021
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 2021 "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:

72		FY2021
73	<u>Performance Measures</u>	<u>Target</u>

74	Utility Regulatory Services	
75	Utility Docket Cases (Number of)	240
76	Utility Complaints (Number of)	4,560
77	Electric Complaints as a Percentage of	
78	Total (%)	48.00
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 (\$)	638.00
87	Time To Resolve Utility Complaints (Days)	3
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)	1,300
108	Average Monthly Residential Electric	
109	Usage in MS as a Percentage of the 2015	
110	National Average, 909 kWh (%)	135.00
111	Pipeline Inspections (Number of)	630
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 2022.

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 2020. It is further the intention of the Legislature that the
 130 agency's budget request for Fiscal Year 2022 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 2021 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, 2020, and ending June 30, 2021.....
 141\$ 65,324.00.

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:

149		FY2021
150	<u>Performance Measures</u>	<u>Target</u>
151	Telephone "no-call"	

152 No-Call Complaints (Number of) 15,425
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 2022.

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 2020. On or
169 before August 1, 2020, 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, 2020, and shall stand repealed June 30, 2020.

SS05\HB1710A.J

Eugene S. Clarke
Secretary of the Senate