

By: Representatives Read, Bounds, Arnold,  
Beckett, Cockerham, Eure, Hale, Mangold,  
Oliver, Turner, Young, Stamps

To: Appropriations

HOUSE BILL NO. 1609

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 2023.

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 Fund 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, 2022, and ending June 30, 2023.....  
10 .....\$ 4,730,625.00.

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, 2022, and ending June 30, 2023.....  
18 .....\$ 464,494.00.



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.....	50
23		Part Time.....	3
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 for "Personal  
28 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023  
29 funds appropriated for that purpose unless programs or positions  
30 are added to the agency's Fiscal Year 2023 budget by the  
31 Mississippi Legislature. The Legislature shall determine the  
32 agency's personal services appropriation, which shall be published  
33 by the State Personnel Board. Additionally, the State Personnel  
34 Board shall determine and publish the projected annualized payroll  
35 costs based on current employees. It shall be the responsibility  
36 of the agency head to ensure that actual personnel expenditures  
37 for Fiscal Year 2023 do not exceed the data provided by the  
38 Legislative Budget Office. If the agency's Fiscal Year 2023  
39 projected cost exceeds the annualized costs, no salary actions  
40 shall be processed by the State Personnel Board with the exception  
41 of new hires that are determined to be essential for the agency.

42           Any transfers or escalations shall be made in accordance with  
43 the terms, conditions and procedures established by law or



44 allowable under the terms set forth within this act. The State  
45 Personnel Board shall not escalate positions without written  
46 approval from the Department of Finance and Administration. The  
47 Department of Finance and Administration shall not provide written  
48 approval to escalate any funds for salaries and/or positions  
49 without proof of availability of new or additional funds above the  
50 appropriated level.

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54 act and which are withdrawn and no longer available.

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

59 Funds have been appropriated herein for the purpose of  
60 funding Project SEC2 minimum salaries for all employees covered  
61 under the Colonel Guy Groff/Neville Kenning Variable Compensation  
62 Plan. It shall be the agency's responsibility to ensure that the  
63 funds are used to increase all employees' salaries up to the  
64 minimum level as determined by the State Personnel Board.

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:

	FY2023
<u>Performance Measures</u>	<u>Target</u>
74 Utility Regulatory Services	
75       Number of Utility Docket Cases	240
76       Number of Utility Complaints	4,560
77       Electric Complaints as a Percent of Total	48.00
78       Telecommunication Complaints as a	
79             Percent of Total	32.00
80       Water Complaints as a Percent of Total	10.00
81       Gas Complaints as a Percent of Total	8.00
82       Sewer Complaints as a Percent of Total	1.00
83       Average Cost per Utility Complaint	638.00
84       Time To Resolve Utility Complaints (Days)	3
85       Average Price of Electricity per	
86             Kilowatt Hour in MS for Residential	
87             Customers, by Utility Type:	
88                 Investor-Owned Utilities (Cents/kWh)	0.11
89       Average Price of Electricity per	
90             Kilowatt Hour in MS for Residential	
91             Customers, by Utility Type: Electric	
92                 Cooperatives (Cents/kWh)	0.11
93       Average Price of Electricity for	



94	Residential Customers in MS as a Percent	
95	of the April 2016 National Average,	
96	12.43 Cents/kWh - Investor Owned	
97	Utilities	86.89
98	Average Price of Electricity for	
99	Residential Customers in MS as a Percent	
100	of the April 2016 National Average,	
101	12.43 Cents/kWh - Electric Cooperative	95.14
102	Average Monthly Residential Electric	
103	Usage in MS (kWh)	1,200
104	Average Monthly Residential Electric	
105	Usage in MS as a Percent of the 2015	
106	National Average, 909 kWh	135.00
107	Number of Pipeline Inspections	630
108	Average Cost per Pipeline Inspection	883.00

109 A reporting of the degree to which the performance targets  
110 set above have been or are being achieved shall be provided in the  
111 agency's budget request submitted to the Joint Legislative Budget  
112 Committee for Fiscal Year 2024.

113 **SECTION 5.** None of the funds herein appropriated by this act  
114 to the Public Service Commission shall be expended for any purpose  
115 that is not actually required or necessary for performing any of  
116 the powers or duties of the Mississippi Public Service Commission  
117 that are authorized by the Mississippi Constitution of 1890, state



118 or federal law, or rules or regulations that implement state or  
119 federal law.

120       **SECTION 6.** It is the intention of the Legislature that the  
121 Public Service Commission shall maintain complete accounting and  
122 personnel records related to the expenditure of all funds  
123 appropriated under this act and that such records shall be in the  
124 same format and level of detail as maintained for Fiscal Year  
125 2022. It is further the intention of the Legislature that the  
126 agency's budget request for Fiscal Year 2024 shall be submitted to  
127 the Joint Legislative Budget Committee in a format and level of  
128 detail comparable to the format and level of detail provided  
129 during the Fiscal Year 2023 budget request process.

130       **SECTION 7.** In addition to all other sums herein  
131 appropriated, the following sum, or so much thereof as may be  
132 necessary, is appropriated out of any money in the State General  
133 Fund not otherwise appropriated, for the purpose of defraying the  
134 expenses of the Public Service Commission to administer the  
135 Mississippi Telephone Solicitation Act, for the fiscal year  
136 beginning July 1, 2022, and ending June 30, 2023.....  
137 .....\$           66,372.00.

138       **SECTION 8.** In compliance with the "Mississippi Performance  
139 Budget and Strategic Planning Act of 1994," it is the intent of  
140 the Legislature that the funds provided herein shall be utilized  
141 in the most efficient and effective manner possible to achieve the  
142 intended mission of this agency. Based on the funding authorized,



143 this agency shall make every effort to attain the targeted  
144 performance measures provided below:

145		FY2023
146	<u>Performance Measures</u>	<u>Target</u>
147	Telephone "no-call"	
148	Number of No-Call Complaints	15,425
149	Average Cost per No-Call Complaint	20.00

150 A reporting of the degree to which the performance targets  
151 set above have been or are being achieved shall be provided in the  
152 agency's budget request submitted to the Joint Legislative Budget  
153 Committee for Fiscal Year 2024.

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

162 **SECTION 10.** It is the intention of the Legislature that the  
163 Public Service Commission shall compile the amount of time that is  
164 expended on each regulated entity during Fiscal Year 2022. On or  
165 before August 1, 2022, the Public Service Commission shall report  
166 these findings to the House of Representatives' Public Utilities  
167 Committee.



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

174           **SECTION 12.** This act shall take effect and be in force from  
175 and after July 1, 2022, and shall stand repealed June 30, 2022.

