

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

To: Appropriations

HOUSE BILL NO. 1609  
(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 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 .....\$ 5,005,703.00.

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 HEADCOUNT:

22           Permanent:                   52

23           Time-Limited:               5

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

40           Any transfers or escalations shall be made in accordance with  
41 the terms, conditions and procedures established by law or  
42 allowable under the terms set forth within this act. The State  
43 Personnel Board shall not escalate positions without written



44 approval from the Department of Finance and Administration. The  
45 Department of Finance and Administration shall not provide written  
46 approval to escalate any funds for salaries and/or positions  
47 without proof of availability of new or additional funds above the  
48 appropriated level.

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52 act and which are withdrawn and no longer available.

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

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

63 **SECTION 4.** In compliance with the "Mississippi Performance  
64 Budget and Strategic Planning Act of 1994," it is the intent of  
65 the Legislature that the funds provided herein shall be utilized  
66 in the most efficient and effective manner possible to achieve the  
67 intended mission of this agency. Based on the funding authorized,



68 this agency shall make every effort to attain the targeted  
69 performance measures provided below:

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



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

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

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



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

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

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



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

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

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

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

166       **SECTION 11.** The money herein appropriated shall be paid by  
167 the State Treasurer out of any money in the State Treasury to the



168 credit of the proper fund or funds as set forth in this act, upon  
169 warrants issued by the State Fiscal Officer; and the State Fiscal  
170 Officer shall issue his warrants upon requisitions signed by the  
171 proper person, officer or officers, in the manner provided by law.

172         **SECTION 12.** This act shall take effect and be in force from  
173 and after July 1, 2022.

