

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

To: Appropriations

HOUSE BILL NO. 1620

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 2024.

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, 2023, and ending June 30, 2024.....
10\$ 4,793,357.00.

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, 2023, and ending June 30, 2024.....
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 2025 do not exceed Fiscal Year 2024 funds
27 appropriated for that purpose unless programs or positions are
28 added to the agency's Fiscal Year 2024 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 2024 do not exceed the data provided by the
36 Legislative Budget Office. If the agency's Fiscal Year 2024
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		FY2024
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 2025.

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 2023. It is further the intention of the Legislature that the
124 agency's budget request for Fiscal Year 2025 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 2024 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, 2023, and ending June 30, 2024.....
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		FY2024
144	<u>Performance Measures</u>	<u>Target</u>
145	Telephone "no-call"	
146	Number of No-Call Complaints	65,000
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 2025.

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 2023. On or
163 before August 1, 2023, 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, 2023, and shall stand repealed June 30, 2023.

