

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

To: Appropriations

HOUSE BILL NO. 1620
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR
3 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\$ 4,872,897.00.

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\$ 746,994.00.



19 **SECTION 3.** Of the funds appropriated under the provisions of
20 Section 1 and Section 2, 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 the State Personnel Board
31 shall publish. The agency's personal services appropriation may
32 consist of restricted funds for approved vacancies for Fiscal Year
33 2024 that may not be utilized for active Fiscal Year 2023
34 Headcount. It shall be the agency's responsibility to ensure that
35 the funds provided for vacancies are used to increase headcount
36 and not for promotions, title changes, in-range salary adjustments
37 or any other mechanism for increasing salaries for current
38 employees. It is the Legislature's intention that no employee
39 salary falls below the minimum salary established by the
40 Mississippi State Personnel Board.

41 Additionally, the State Personnel Board shall determine and
42 publish the projected annualized payroll costs based on current
43 employees. It shall be the responsibility of the agency head to



44 ensure that actual personnel expenditures for Fiscal Year 2024 do
45 not exceed the data provided by the Legislative Budget Office. If
46 the agency's Fiscal Year 2024 projected cost exceeds the
47 annualized costs, no salary actions shall be processed by the
48 State Personnel Board except for new hires determined to be
49 essential for the agency.

50 Any transfers or escalations shall be made in accordance with
51 the terms, conditions, and procedures established by law or
52 allowable under the terms set forth within this act. The State
53 Personnel Board shall not escalate positions without written
54 approval from the Department of Finance and Administration. The
55 Department of Finance and Administration shall not provide written
56 approval to escalate any funds for salaries and/or positions
57 without proof of availability of new or additional funds above the
58 appropriated level.

59 No general funds authorized to be expended herein shall be
60 used to replace federal funds and/or other special funds used for
61 salaries authorized under the provisions of this act and which are
62 withdrawn and no longer available.

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

67 **SECTION 4.** In compliance with the "Mississippi Performance
68 Budget and Strategic Planning Act of 1994," it is the intent of



69 the Legislature that the funds provided herein shall be utilized
 70 in the most efficient and effective manner possible to achieve the
 71 intended mission of this agency. Based on the funding authorized,
 72 this agency shall make every effort to attain the targeted
 73 performance measures provided below:

	FY2024
<u>Performance Measures</u>	<u>Target</u>
76 Utility Regulatory Services	
77 Number of Utility Docket Cases	240
78 Number of Utility Complaints	4,560
79 Electric Complaints as a Percent of Total	48.00
80 Telecommunication Complaints as a	
81 Percent of Total	32.00
82 Water Complaints as a Percent of Total	10.00
83 Gas Complaints as a Percent of Total	8.00
84 Sewer Complaints as a Percent of Total	1.00
85 Average Cost per Utility Complaint	638.00
86 Time To Resolve Utility Complaints (Days)	3
87 Average Price of Electricity per	
88 Kilowatt Hour in MS for Residential	
89 Customers, by Utility Type:	
90 Investor-Owned Utilities (Cents/kWh)	0.11
91 Average Price of Electricity per	
92 Kilowatt Hour in MS for Residential	
93 Customers, by Utility Type: Electric	



94	Cooperatives (Cents/kWh)	0.11
95	Average Price of Electricity for	
96	Residential Customers in MS as a Percent	
97	of the April 2016 National Average,	
98	12.43 Cents/kWh - Investor Owned	
99	Utilities	86.89
100	Average Price of Electricity for	
101	Residential Customers in MS as a Percent	
102	of the April 2016 National Average,	
103	12.43 Cents/kWh - Electric Cooperative	95.14
104	Average Monthly Residential Electric	
105	Usage in MS (kWh)	1,200
106	Average Monthly Residential Electric	
107	Usage in MS as a Percent of the 2015	
108	National Average, 909 kWh	135.00
109	Number of Pipeline Inspections	630
110	Average Cost per Pipeline Inspection	883.00

111 A reporting of the degree to which the performance targets
112 set above have been or are being achieved shall be provided in the
113 agency's budget request submitted to the Joint Legislative Budget
114 Committee for Fiscal Year 2025.

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



119 that are authorized by the Mississippi Constitution of 1890, state
120 or federal law, or rules or regulations that implement state or
121 federal law.

122 **SECTION 6.** It is the intention of the Legislature that the
123 Public Service Commission shall maintain complete accounting and
124 personnel records related to the expenditure of all funds
125 appropriated under this act and that such records shall be in the
126 same format and level of detail as maintained for Fiscal Year
127 2023. It is further the intention of the Legislature that the
128 agency's budget request for Fiscal Year 2025 shall be submitted to
129 the Joint Legislative Budget Committee in a format and level of
130 detail comparable to the format and level of detail provided
131 during the Fiscal Year 2024 budget request process.

132 **SECTION 7.** Of the funds appropriated under the provisions of
133 Section 2 of this act, the following sum, or so much thereof as
134 may be necessary, is appropriated out of any money in the State
135 Treasury to the credit of the Capital Expense Fund, as created in
136 Section 27-103-303, Mississippi Code of 1972, and allocated in a
137 manner as determined by the State Treasurer. These funds are
138 provided for purchase of a new case tracking system for the Public
139 Service Commission for the fiscal year beginning July 1, 2023, and
140 ending June 30, 2024.....\$ 282,500.

141 **SECTION 8.** It is the intention of the Legislature that
142 whenever two (2) or more bids are received by this agency for the
143 purchase of commodities or equipment, and whenever all things



144 stated in such received bids are equal with respect to price,
145 quality and service, the Mississippi Industries for the Blind
146 shall be given preference. A similar preference shall be given to
147 the Mississippi Industries for the Blind whenever purchases are
148 made without competitive bids.

149 **SECTION 9.** It is the intention of the Legislature that the
150 Public Service Commission shall compile the amount of time that is
151 expended on each regulated entity during Fiscal Year 2023. On or
152 before August 1, 2023, the Public Service Commission shall report
153 these findings to the House of Representatives' Public Utilities
154 Committee.

155 **SECTION 10.** The money herein appropriated shall be paid by
156 the State Treasurer out of any money in the State Treasury to the
157 credit of the proper fund or funds as set forth in this act, upon
158 warrants issued by the State Fiscal Officer; and the State Fiscal
159 Officer shall issue his warrants upon requisitions signed by the
160 proper person, officer or officers, in the manner provided by law.

161 **SECTION 11.** This act shall take effect and be in force from
162 and after July 1, 2023.

