

Senate Amendments to House Bill No. 1733

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:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Public Service Commission for the fiscal year beginning July 1, 2025, and ending June 30, 2026.....

.....\$ 5,048,950.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Public Service Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2025, and ending June 30, 2026.....

.....\$ 464,494.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 and Section 2, the following positions are authorized:

AUTHORIZED HEADCOUNT:

22 Permanent: 51

23 Time-Limited: 6

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 2027 do not exceed Fiscal Year 2026 funds
27 appropriated for that purpose unless programs or positions are
28 added to the agency's Fiscal Year 2026 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 2026 that may be utilized to fill vacant Fiscal Year 2025
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 2026 do
45 not exceed the data provided by the Legislative Budget Office. If
46 the agency's Fiscal Year 2026 projected cost exceeds the
47 annualized costs, no salary actions shall be processed by the

State Personnel Board except for new hires determined to be essential for the agency.

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

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federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

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

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

74		FY2026
75	<u>Performance Measures</u>	<u>Target</u>
76	Utility Regulatory Services	
77	Number of Utility Docket Cases	142
78	Number of Utility Complaints	4,600
79	Electric Complaints as a Percent of Total	57.00
80	Telecommunication Complaints as a	
81	Percent of Total	26.00
82	Water Complaints as a Percent of Total	12.00
83	Gas Complaints as a Percent of Total	4.00
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)	11.55
91	Average Price of Electricity per	
92	Kilowatt Hour in MS for Residential	
93	Customers, by Utility Type: Electric	
94	Cooperatives (Cents/kWh)	11.55
95	Average Price of Electricity for	
96	Residential Customers in MS as a Percent	
97	of the 2020 National Average, 13.15	
98	Cents/kWh - Investor Owned Utilities	87.83
99	Average Price of Electricity for	

100	Residential Customers in MS as a Percent	
101	of the 2020 National Average, 13.15	
102	Cents/kWh - Electric Cooperative	87.83
103	Average Monthly Residential Electric	
104	Usage in MS (kWh)	1186.00
105	Average Monthly Residential Electric	
106	Usage in MS as a Percent of the 2015	
107	National Average, 909 kWh	128.00
108	Number of Pipeline Inspections	900
109	Average Cost per Pipeline Inspection	883.00

110 A reporting of the degree to which the performance targets
111 set above have been or are being achieved shall be provided in the
112 agency's budget request submitted to the Joint Legislative Budget
113 Committee for Fiscal Year 2027.

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

121 **SECTION 6.** It is the intention of the Legislature that the
122 Public Service Commission shall maintain complete accounting and
123 personnel records related to the expenditure of all funds
124 appropriated under this act and that such records shall be in the
125 same format and level of detail as maintained for Fiscal Year

2025. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2027 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2026 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. Of the funds appropriated under the provisions of Section 1 and Section 2, none shall be used for any function currently assigned by statute the Mississippi Public Utilities Staff to represent the broad interest of the State of Mississippi by balancing the respective concerns of the residential, commercial or industrial ratepayers, and the state and its agencies, departments, and the public utilities.

SECTION 9. It is the intention of the Legislature that the Public Service Commission shall compile the amount of time that is expended on each regulated entity during Fiscal Year 2025. On or before August 1, 2025, the Public Service Commission shall report these findings to the House of Representatives' Public Utilities

151 Committee, the Senate's Energy Committee, and the Legislative
152 Budget Office.

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

159 **SECTION 11.** This act shall take effect and be in force from
160 and after July 1, 2025, and shall stand repealed from and after
161 June 30, 2025.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR
3 2026.

SS15\HB1733A.J

Amanda White
Secretary of the Senate