

By: Representatives Bounds,
Anderson (122nd), Clark, Eure,
Hale, Jackson (11th), Paden,
Pigott, Read

To: Appropriations A

HOUSE BILL NO. 12

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.

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, 2025, and ending June 30, 2026.....
10\$ 5,050,924.00.

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, 2025, and ending June 30, 2026.....
18\$ 464,494.00.



SECTION 3. Of the funds appropriated under the provisions of this act, not more than the following amount of funds, with the exception of the provisions in this section, shall be expended only for "Personal Services," which includes "Vacancy Funding," for the following authorized number of employment headcount:

FUNDING:

General Funds:	\$ 4,485,084.00
Special Funds:	\$ 0.00
Total Funds:	\$ 4,485,084.00

PERSONAL SERVICES:

Employee Salaries, Wages, and

Fringe Benefits:	\$ 4,302,988.00
Progressions:	\$ 0.00
Vacancy Funding:	\$ 182,096.00
Total Personal Services:	\$ 4,485,084.00

AUTHORIZED HEADCOUNT:

Permanent:	51
Time-Limited:	6

As used in this section, the term "Personal Services" shall mean funds provided under the major object of expenditure category Personal Services for Salaries, Wages, and Fringe Benefits. Funds in this category shall not be transferred to any other category.

It is the intention of the Legislature to ensure compliance with the Variable Compensation Plan, as outlined in Section 25-9-147, Mississippi Code of 1972. Payment from these funds shall



44 be in accordance with the Variable Compensation Plan promulgated
45 by the Mississippi State Personnel Board. It is the Legislature's
46 intention that no employee's salary falls below the minimum salary
47 established by the Mississippi State Personnel Board.

48 The State Personnel Board shall determine and publish the
49 projected annual cost of "Personal Services" based on monthly and
50 year-to-date payroll expenditures in compliance with the
51 provisions of this act.

52 With the funds herein appropriated, it shall be the agency's
53 responsibility to ensure that no single personnel action or
54 combination of personnel actions, when annualized, exceeds the
55 Fiscal Year 2026 appropriation for "Personal Services" with the
56 exception of escalated funds. Further, it shall be the agency's
57 responsibility to ensure that funds required to be appropriated
58 for "Personal Services" for Fiscal Year 2027 do not exceed Fiscal
59 Year 2026 funds appropriated for that purpose unless programs or
60 positions are added to the agency's Fiscal Year 2026 budget by the
61 Mississippi Legislature.

62 If, at the time the agency takes any action to change
63 "Personal Services," the State Personnel Board determines that the
64 agency has taken or will take an action that would cause the
65 agency to exceed the funds appropriated in this act when
66 annualized for Fiscal Year 2026 or increase the need for "Personal
67 Services" for Fiscal Year 2027, when annualized, the State
68 Personnel Board shall process no salary actions until such time as



the requirements of the provisions of this section are met with the exception of new hires determined to be essential for the agency.

When used in this section, "Vacancy Funding" shall mean funds included in the Total Personal Services amount listed above and designated for approved vacancies in Fiscal Year 2026. These funds are to be utilized to increase the number of filled headcounts that were authorized but unfilled as of the last day of Fiscal Year 2025. If the agency fills additional headcounts after May 1, 2025, until the end of Fiscal Year 2025, the amount of available Vacancy Funding may be proportionally reduced to reflect the updated number of filled headcounts. The agency shall be responsible for ensuring that "Vacancy Funding" is used to increase headcounts and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees.

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 headcounts without proof of availability of new or additional funds above the appropriated level. Unless specifically noted, all Fiscal Year



94 2025 escalated headcounts have been accounted for and shall be
95 converted to authorized time-limited headcounts.

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

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

104 If the agency's total authorized headcount decreases from
105 Fiscal Year 2025 to Fiscal Year 2026, it will be the agency's
106 discretion as to what headcounts are removed.

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

114		FY2026
115	<u>Performance Measures</u>	<u>Target</u>
116	Utility Regulatory Services	
117	Number of Utility Docket Cases	142
118	Number of Utility Complaints	4,600



119	Electric Complaints as a Percent of Total	57.00
120	Telecommunication Complaints as a	
121	Percent of Total	26.00
122	Water Complaints as a Percent of Total	12.00
123	Gas Complaints as a Percent of Total	4.00
124	Sewer Complaints as a Percent of Total	1.00
125	Average Cost per Utility Complaint	638.00
126	Time To Resolve Utility Complaints (Days)	3
127	Average Price of Electricity per	
128	Kilowatt Hour in MS for Residential	
129	Customers, by Utility Type:	
130	Investor-Owned Utilities (Cents/kWh)	11.55
131	Average Price of Electricity per	
132	Kilowatt Hour in MS for Residential	
133	Customers, by Utility Type: Electric	
134	Cooperatives (Cents/kWh)	11.55
135	Average Price of Electricity for	
136	Residential Customers in MS as a Percent	
137	of the 2020 National Average, 13.15	
138	Cents/kWh - Investor Owned Utilities	87.83
139	Average Price of Electricity for	
140	Residential Customers in MS as a Percent	
141	of the 2020 National Average, 13.15	
142	Cents/kWh - Electric Cooperative	87.83
143	Average Monthly Residential Electric	



144	Usage in MS (kWh)	1186.00
145	Average Monthly Residential Electric	
146	Usage in MS as a Percent of the 2015	
147	National Average, 909 kWh	128.00
148	Number of Pipeline Inspections	900
149	Average Cost per Pipeline Inspection	883.00

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 2027.

154 **SECTION 5.** None of the funds herein appropriated by this act
155 to the Public Service Commission shall be expended for any purpose
156 that is not actually required or necessary for performing any of
157 the powers or duties of the Mississippi Public Service Commission
158 that are authorized by the Mississippi Constitution of 1890, state
159 or federal law, or rules or regulations that implement state or
160 federal law.

161 **SECTION 6.** It is the intention of the Legislature that the
162 Public Service Commission shall maintain complete accounting and
163 personnel records related to the expenditure of all funds
164 appropriated under this act and that such records shall be in the
165 same format and level of detail as maintained for Fiscal Year
166 2025. It is further the intention of the Legislature that the
167 agency's budget request for Fiscal Year 2027 shall be submitted to
168 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 to form a consumer advocacy division within the Public Service Commission, and none shall be used for the creation of new positions or the hiring of additional staff for a consumer advocacy division.

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

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon



194 warrants issued by the State Fiscal Officer; and the State Fiscal
195 Officer shall issue his warrants upon requisitions signed by the
196 proper person, officer or officers, in the manner provided by law.

197 **SECTION 11.** This act shall take effect and be in force from
198 and after July 1, 2025.

