

Senate Amendments to House Bill No. 1787

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:

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, 2024, and ending June 30, 2025.....
10\$ 4,918,797.00.

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, 2024, and ending June 30, 2025.....
18\$ 464,494.00.

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: 51

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 2026 do not exceed Fiscal Year 2025 funds
27 appropriated for that purpose unless programs or positions are
28 added to the agency's Fiscal Year 2025 budget by the Mississippi
29 Legislature. The Legislature shall determine the agency's personal
30 services appropriation, which the State Personnel Board shall
31 publish. In accordance with applicable laws, if an agency
32 determines that its personal services amount is insufficient, the
33 agency must contact the State Personnel Board. Any adjustment to
34 the personal services amount must be approved by the State
35 Personnel Director and the State Fiscal Officer after consultation
36 with the Legislative Budget Office. Any adjustment shall be
37 reported to the Legislative Budget Office and the House and Senate
38 Appropriations Chairmen. The agency's personal services
39 appropriation may consist of restricted funds for approved
40 vacancies for Fiscal Year 2025 that may not be utilized for active
41 Fiscal Year 2024 headcount. It shall be the agency's
42 responsibility to ensure that the funds provided for vacancies are
43 used to increase headcount and not for promotions, title changes,
44 in-range salary adjustments, or any other mechanism for increasing
45 salaries for current employees. If the State Personnel Board
46 determines that an agency has used provided vacancy funds for any
47 of the mechanisms previously listed, the State Personnel Board

48 shall not process any additional salary actions for the agency in
49 the current fiscal year, except for new hires determined by the
50 State Personnel Board to be essential for the agency. It is the
51 Legislature's intention that no employee salary falls below the
52 minimum salary established by the Mississippi State Personnel
53 Board.

54 Additionally, the State Personnel Board shall determine and
55 publish the projected annualized payroll costs based on current
56 employees. It shall be the responsibility of the agency head to
57 ensure that actual personnel expenditures for Fiscal Year 2025 do
58 not exceed the data provided by the Legislative Budget Office. If
59 the agency's projected cost for Fiscal Year 2025 exceeds the
60 annualized costs, no salary actions shall be processed by the
61 State Personnel Board except for new hires determined to be
62 essential for the agency.

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

72 No general funds authorized to be expended herein shall be
73 used to replace federal funds and/or other special funds used for

74 salaries authorized under the provisions of this act and which are
75 withdrawn and no longer available.

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

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

	FY2025
<u>Performance Measures</u>	<u>Target</u>
Utility Regulatory Services	
Number of Utility Docket Cases	169
Number of Utility Complaints	4,600
Electric Complaints as a Percent of Total	58.00
Telecommunication Complaints as a	
Percent of Total	26.00
Water Complaints as a Percent of Total	12.00
Gas Complaints as a Percent of Total	3.00
Sewer Complaints as a Percent of Total	1.00
Average Cost per Utility Complaint	638.00
Time To Resolve Utility Complaints (Days)	3

100	Average Price of Electricity per	
101	Kilowatt Hour in MS for Residential	
102	Customers, by Utility Type:	
103	Investor-Owned Utilities (Cents/kWh)	0.13
104	Average Price of Electricity per	
105	Kilowatt Hour in MS for Residential	
106	Customers, by Utility Type: Electric	
107	Cooperatives (Cents/kWh)	0.13
108	Average Price of Electricity for	
109	Residential Customers in MS as a Percent	
110	of the April 2016 National Average,	
111	12.43 Cents/kWh - Investor Owned	
112	Utilities	86.89
113	Average Price of Electricity for	
114	Residential Customers in MS as a Percent	
115	of the April 2016 National Average,	
116	12.43 Cents/kWh - Electric Cooperative	95.14
117	Average Monthly Residential Electric	
118	Usage in MS (kWh)	1,200
119	Average Monthly Residential Electric	
120	Usage in MS as a Percent of the 2015	
121	National Average, 909 kWh	135.00
122	Number of Pipeline Inspections	900
123	Average Cost per Pipeline Inspection	883.00
124	A reporting of the degree to which the performance targets	
125	set above have been or are being achieved shall be provided in the	

126 agency's budget request submitted to the Joint Legislative Budget
127 Committee for Fiscal Year 2026.

128 **SECTION 5.** None of the funds herein appropriated by this act
129 to the Public Service Commission shall be expended for any purpose
130 that is not actually required or necessary for performing any of
131 the powers or duties of the Mississippi Public Service Commission
132 that are authorized by the Mississippi Constitution of 1890, state
133 or federal law, or rules or regulations that implement state or
134 federal law.

135 **SECTION 6.** It is the intention of the Legislature that the
136 Public Service Commission shall maintain complete accounting and
137 personnel records related to the expenditure of all funds
138 appropriated under this act and that such records shall be in the
139 same format and level of detail as maintained for Fiscal Year
140 2024. It is further the intention of the Legislature that the
141 agency's budget request for Fiscal Year 2026 shall be submitted to
142 the Joint Legislative Budget Committee in a format and level of
143 detail comparable to the format and level of detail provided
144 during the Fiscal Year 2025 budget request process.

145 **SECTION 7.** It is the intention of the Legislature that
146 whenever two (2) or more bids are received by this agency for the
147 purchase of commodities or equipment, and whenever all things
148 stated in such received bids are equal with respect to price,
149 quality and service, the Mississippi Industries for the Blind
150 shall be given preference. A similar preference shall be given to

151 the Mississippi Industries for the Blind whenever purchases are
152 made without competitive bids.

153 **SECTION 8.** It is the intention of the Legislature that the
154 Public Service Commission shall compile the amount of time that is
155 expended on each regulated entity during Fiscal Year 2024. On or
156 before August 1, 2024, the Public Service Commission shall report
157 these findings to the House of Representatives' Public Utilities
158 Committee, the Senate's Energy Committee, and the Legislative
159 Budget Office.

160 **SECTION 9.** The money herein appropriated shall be paid by
161 the State Treasurer out of any money in the State Treasury to the
162 credit of the proper fund or funds as set forth in this act, upon
163 warrants issued by the State Fiscal Officer; and the State Fiscal
164 Officer shall issue his warrants upon requisitions signed by the
165 proper person, officer or officers, in the manner provided by law.

166 **SECTION 10.** This act shall take effect and be in force from
167 and after July 1, 2024, and shall stand repealed June 29, 2024.

**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 2025.

SS15\HB1787A.J

Amanda White
Secretary of the Senate