

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1957-01  
Bill No.: SB 379  
Subject: Utilities; Public Service Commission  
Type: Original  
Date: April 1, 2019

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Bill Summary: This proposal modifies provisions for the Public Service Commission.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
Public Service Commission Fund (0607)	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Department of Economic Development (Division of Energy, Public Service Commission (PSC), Office of Public Counsel)** assume the proposal will have no fiscal impact on their organization.

**Oversight** notes that the Department of Economic Development’s Division of Energy, Public Service Commission, and Office of the Public Counsel have each stated the proposal would not have a direct fiscal impact on their respective organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note.

Oversight notes this bill would allow the Public Service Commission (5 members) to retain a technical advisory staff of up to 6 FTE. However, the PSC may only establish additional advisory staff if there is a corresponding elimination in comparable staff positions to offset the hiring of advisory staff on a cost-neutral basis.

Oversight notes that the proposal does not require any changes in the PSC (or PSC commissioners) staff and that staff changes (if any) must be cost-neutral. Therefore, there could be an impact on how PSC staff is structured, but Oversight assumes there would be no net impact to PSC funds.

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
<b>PUBLIC SERVICE COMMISSION FUND</b>			
<u>Savings</u> - PSC - Possible modification of PSC staff structure	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Costs</u> - PSC - Possible modification of PSC staff structure	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
<b>ESTIMATED NET EFFECT TO THE PUBLIC SERVICE COMMISSION FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

<u>FISCAL IMPACT - Local Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

Currently, the Public Service Commission is required to have an independent technical advisory staff. This act states that the Commission may retain, rather than shall have, such technical advisory staff.

The act allows, rather than requires, each commissioner of the Public Service Commission to retain one personal advisor, who shall no longer be deemed a member of the technical advisory staff.

The Commission shall only establish technical advisory staff and personal advisor positions when there is an elimination of a comparable staff position such that the hiring is done on a cost-neutral basis.

The act also specifies that communications with technical advisory staff and personal advisors regarding deliberations by the Public Service Commission or matters that arise during the course of Commission proceedings are protected from disclosure. Any technical advisory staff member or personal advisor who previously worked for an entity regulated by or appearing before the Commission may not advise the Commission on cases in which the technical advisory staff member or personal advisor participated while employed by the entity.

Additionally, personal advisors shall never be a party to any cases before the Commission.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

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SOURCES OF INFORMATION

Department of Economic Development  
Division of Energy  
Public Service Commission

Kyle Rieman  
Director  
April 1, 2019



Ross Strope  
Assistant Director  
April 1, 2019