

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1436-01
Bill No.: HB 404
Subject: Public Service Commission; Utilities
Type: Original
Date: February 17, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Economic Development, Office of Public Counsel** assume this proposal would not fiscally impact their agency.

Officials from the **Department of Economic Development, Public Service Commission (PSC)** assume this proposal would shift the resources from staff as a party in contested cases to Commissioner advisors. The proposal establishes ex parte contacts procedures and authorizes extra hearing proceedings during agenda meeting sessions. PSC assumes this proposal would not fiscally impact their agency.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<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.

DESCRIPTION

Under current law, members of the Public Service Commission must reside within 40 miles of Jefferson City. This proposal requires commissioners to be Missouri residents. The bill also requires the PSC to retain a six-member technical advisory staff with expertise in accounting, economics, finance, engineering or utility operations, law, and public policy. Each commissioner may also retain a personal advisor. All hiring of technical advisory staff members must be offset through elimination of other PSC staff positions. Advisory staff members cannot be a party to any case before the PSC and are subject to the same ex parte and conflict of interest requirements as commissioners.

No one regulated by, appearing before, or employed by the PSC may offer advisory staff members new appointments or positions. No one leaving the advisory staff can be employed by the PSC in any other capacity for at least two years; and new advisory staff members cannot have been employed by the PSC, the Office of the Public Counsel, or any company regulated by the commission for at least two years before being hired.

The proposal allows commissioners to confer with others on matters not relating to filed cases. Commissioners may also confer with others on matters relating to pending or filed cases if no evidentiary hearing has been scheduled and if the matter is discussed at an announced public meeting or a forum where affected parties are present or if the discussion is subsequently disclosed to affected parties. If an evidentiary hearing has been scheduled, commissioners may only discuss matters relating to procedures or unanimous agreements that resolve a case fully.

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
Public Service Commission
Office of Public Counsel



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