

**RESOLUTION URGING THAT A PUBLIC
HEARING BE HELD ON THE STRUCTURE OF
THE PUBLIC SERVICE COMMISSION**

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: Ed P. Mayne

This joint resolution of the Legislature urges the Public Utilities and Technology Interim Committee to conduct a public hearing at which public comment could be received concerning whether the Public Service Commission should be restructured, including whether commissioners of the Public Service Commission should be elected.

Be it resolved by the Legislature of the state of Utah:

WHEREAS, access to utility service that is safe, reliable, adequate, and reasonably priced is critical to the strength of Utah's economy and the quality of life of Utah's citizens;

WHEREAS, the Public Service Commission, acting as an independent state agency with legislative, adjudicative, and rulemaking authority, has traditionally been charged with the regulation of public utilities to ensure that rates are just and reasonable and that services are adequate, efficient, just, and reasonable;

WHEREAS, in recent years the scope and nature of issues facing the Public Service Commission have substantially changed because some traditional utility industries have opened to competition, new regulatory frameworks have developed on both the federal and state levels, and the complexity of utility markets has increased;

WHEREAS, the actions of the Public Service Commission have substantial, long-range consequences on the daily lives of Utah citizens including direct impacts on utility consumers, utility companies, and the economic health of the state;

WHEREAS, because of the substantial, long-term consequences of the Public Service Commission's actions, it is important that the structure of the Public Service Commission is designed to meet the needs of the state;

WHEREAS, a key element of the structure of the Public Service Commission is how members of the Public Service Commission are selected and removed;

WHEREAS, the Legislature has a variety of policy options available in designing the structure of the Public Service Commission including having the commissioners elected by the people;

WHEREAS, it is important for the Legislature to know the desires of Utah citizens as to whether the Public Service Commission should be restructured; and

WHEREAS, a public forum may be the most effective way to obtain a broad cross-section of input from Utah citizens including both individual and corporate citizens of Utah:

NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah urges the Public Utilities and Technology Interim Committee to conduct a public hearing:

(1) in accordance with:

(a) Interim Rule 2.06;

(b) Senate Rule 24.14; and

(c) House Rule 24.14; and

(2) at which the Public Utilities and Technology Interim Committee could receive testimony as to whether or not the Public Service Commission should be restructured, including whether or not the manner by which a commissioner is selected or removed should be changed.

BE IT FURTHER RESOLVED that the public hearing to be conducted by the Public Utilities and Technology Interim Committee should be held by no later than September 30, 2003.

BE IT FURTHER RESOLVED that the Public Utilities and Technology Interim Committee should use its best efforts to ensure that all interested parties have an opportunity to participate in the public hearing including:

(1) the Public Service Commission;

(2) the Division of Public Utilities;

(3) the Committee of Consumer Services;

(4) providers of utility services in this state; and

(5) industrial, commercial, and residential consumers of utility services.