

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

4 2003 GENERAL SESSION

5 STATE OF UTAH

6 **Sponsor: Ed P. Mayne**

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

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

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

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

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

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

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



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

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

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

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

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

40 (1) in accordance with:

41 (a) Interim Rule 2.06;

42 (b) Senate Rule 24.14; and

43 (c) House Rule 24.14; and

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

48 BE IT FURTHER RESOLVED that the public hearing to be conducted by the Public
49 Utilities and Technology Interim Committee should be held by no later than September 30,
50 2003.

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

54 (1) the Public Service Commission;

55 (2) the Division of Public Utilities;

56 (3) the Committee of Consumer Service;

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

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

Legislative Review Note

as of 1-8-03 10:01 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number SJR004

**Resolution Urging that a Public Hearing be Held on the Structure of
the Public Service Commission** 21-Jan-03
7:58 AM

State Impact

If provisions of this resolution are implemented it is estimated that those provisions can be handled within existing budgets.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst