

**Public Service Commission
Budget No. 408
House Bill No. 1008**

	FTE Positions	General Fund	Other Funds	Total
2021-23 legislative appropriations	43.00	\$6,431,087	\$13,461,695	\$19,892,782
2021-23 base budget	43.00	6,714,928	12,172,476	18,887,404
Legislative increase (decrease) to base budget	0.00	(\$283,841)	\$1,289,219	\$1,005,378

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2021-23 legislative appropriations	\$6,425,687	\$5,400	\$6,431,087
2019-21 legislative appropriations	6,714,928	0	6,714,928
2021-23 legislative increase (decrease) to 2019-21 appropriations	(\$289,241)	\$5,400	(\$283,841)
Percentage increase (decrease) to 2019-21 appropriations	(4.3%)	100.0%	(4.2%)

**SUMMARY OF LEGISLATIVE CHANGES TO THE BASE BUDGET AND MAJOR FUNDING ITEMS
Changes to Base Budget**

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Adjusted funding for base payroll changes		\$75,499	(\$65,384)	\$10,115
Added funding to provide employee salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100 and 2.0 percent on July 1, 2022		133,711	90,570	224,281
Added funding for employee health insurance premiums to reflect a revised premium estimate of \$1,428.77 per month		1,258	885	2,143
Changed the funding source for a portion of salaries and wages funding from the general fund to the Public Service Commission program fund		(625,000)	625,000	0
Added funding to reclassify an unfunded administrative support FTE position to a natural gas pipeline inspector position		167,547	167,548	335,095
Adjusted funding for specialized legal services to provide a total of \$420,000		(10,000)	336,000	326,000
Reduced funding for operating expenses		(36,993)		(36,993)

Added funding from federal funds for annual railroad inspector training		20,000	20,000
Added funding for Microsoft Office 365 license expenses	4,737		4,737
Added one-time funding from the general fund (\$5,400) and from federal funds (\$114,600) for surveying equipment	5,400	114,600	120,000
Total	<u>0.00</u>	<u>(\$283,841)</u>	<u>\$1,289,219</u>

FTE Changes

The Legislative Assembly approved 43 FTE positions for the Public Service Commission for the 2021-23 biennium, the same as the 2019-21 biennium.

One-Time Funding

One-time funding of \$120,000 is added from the general fund (\$5,400) and federal funds (\$114,600) for the purchase of surveying equipment.

Other Sections in House Bill No. 1008

Beginning farmer revolving loan fund - Section 3 authorizes a \$900,000 transfer from the beginning farmer revolving loan fund to the Public Service Commission to pay for costs associated with a rail rate complaint case. The Public Service Commission would reimburse the beginning farmer revolving loan fund for any funds spent using amounts available from damages or proceeds, net of legal fees.

Public Service Commission program fund - Section 4 creates a new section in North Dakota Century Code Chapter 49-01 to establish the Public Service Commission program fund for the purpose of defraying the expenses of the commission. The section also requires fees collected from weights and measures, public utility assessment, siting administrative fees, and for the investment of the fund be deposited in the Public Service Commission program fund. The section also requires the Office of Management and Budget to transfer any balance in the fund in excess of \$1.1 million to the general fund at the end of each biennium.

Public utility assessment - Section 5 creates a new section in Chapter 49-01 to create a fee to be assessed to each electric and gas utility. The combined assessments may not exceed \$300,000 per biennium. The section requires electric and gas public utilities to file gross receipts each year with the commission, from which the assessment is applied.

Salary of commissioners - Section 6 provides the statutory changes increasing the Public Service Commissioners' salary. The annual salary of each Public Service Commissioner will increase from the current level of \$113,600 to \$115,304, effective July 1, 2021, and to \$117,610, effective July 1, 2022, to reflect a 1.5 percent and 2 percent salary increase.

Fees - Siting process expense recovery - Sections 7 and 8 create new subsections to Sections 49-22-22 and 49-22.1-21 relating to siting process expense recovery. These provisions establish an administrative fee, on every applicant, of \$100 for every \$1 million of original investment, not to exceed \$25,000. The fee must be deposited in the Public Service Commission program fund.

Railroad safety program - Section 9 amends Section 57-43.2-19 to increase the deposit from \$294,509 to \$297,362 per year from special fuels taxes into the rail safety fund through June 30, 2025.

Fees - Registered service companies - Section 10 creates a new section to Chapter 64-02 to require registered service companies to pay an annual registration fee of \$100, plus \$50 for each registered service person and establishes a testing fee not to exceed \$25 per test.

Weights and measures fees - Section 11 amends Section 64-02-10 to increase fees to test or calibrate weighing and measuring devices.

Fees collected - Paid into state treasury - Section 12 amends Section 64-02-12 relating to fees collected and paid into the state treasury. This section changes the deposit of all fees and charges collected by the commission from being deposited in the general fund to being deposited in the Public Service Commission program fund.

Emergency - Section 13 declares Sections 4, 7, 8, and 12 to be an emergency.

Related Legislation

House Bill No. 1060 - Public utility meters - This bill amends Section 49-02-08, relating to the manner in which public utility meters may be tested, allowing the Public Service Commission to specify who conducts the test of the public utility meters.

House Bill No. 1067 - Integrated resource plan - This bill creates a new section to Chapter 49-05, relating to the authority of the Public Service Commission to adopt rules and request a fee for the cost of investigating a public utility's integrated resource plan.

Senate Bill No. 2313 - Regulation of public utilities - This bill creates 3 new sections to Chapter 49-05 relating to the regulation of public utilities.