

State Corporation Commission 2018 Fiscal Impact Statement

1. Bill Number: SB13

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Petersen

3. Committee: Commerce and Labor

4. Title: State Corporation Commission; intervenor compensation.

5. Summary: Establishes a process under which a public interest organization or a retail customer, including an entity representing retail customers, of a public service company that intervenes in a utility proceeding is compensated for its expenses. To be eligible for compensation, the Commission is required to find that the intervenor's participation in the proceeding made a substantial contribution to the adoption of the Commission's order or decision, the intervenor's participation in the proceeding without an award of compensation imposes a significant financial hardship, and the intervenor represents an interest material to the proceeding which but for an award of compensation would not be adequately represented.

Intervenors would be eligible for compensation for all or part of reasonable attorney fees, reasonable expert witness fees, and other reasonable out-of-pocket expenses directly incurred and specifically related to the contentions or recommendations made by the intervenor that result in a substantial contribution to the proceeding.

6. Budget Amendment Necessary: The State Corporation would likely need additional appropriation to allow these costs to be paid from the Commission's utility-specific, special funds (all non-general funds).

The additional expenditure would likely require an increase in the special fund fees assessed on the regulated utility entities including the regulatory tax paid by consumers.

7. Fiscal Impact Estimates: Fiscal impact estimates are not available. It is possible that costs could be significant. See Item 8.

8. Fiscal Implications: Expenditures are specific to each proceeding related to a public service company of electric, gas, telephone, telegraph, or water service, and would be determined by the number of parties eligible for reimbursement of expenses, and the costs expended to participate in a proceeding.

Reimbursable expenses include reasonable attorney fees, reasonable expert witness fees, and other reasonable out-of-pocket expenses.

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An additional hearing examiner position may be needed if the responsibilities are significant and time consuming for determining an intervenor's eligibility for compensation.

9. Specific Agency or Political Subdivisions Affected: State Corporation Commission

10. Technical Amendment Necessary:

11. Other Comments: Senate Bill 13 is identical to House Bill 556, introduced by Delegate Roem.

Senate Bill 13 was passed by indefinitely in Senate Commerce and Labor on January 15, 2018 (8-Y 6-N).