

## Department of Planning and Budget 2019 Fiscal Impact Statement

**1. Bill Number:** SB1115

**House of Origin**     Introduced     Substitute     Engrossed  
**Second House**     In Committee     Substitute     Enrolled

**2. Patron:**        Petersen

**3. Committee:** Commerce and Labor

**4. Title:**         State Corporation Commission; intervenor compensation.

**5. Summary:** SB1115 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 State Corporation 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.

Compensation includes payment for all or part, as determined by the Commission, of reasonable attorney fees, reasonable expert witness fees, and other reasonable out-of-pocket expenses directly incurred by an intervenor that are directly related to the contentions or recommendations made by the intervenor that result in a substantial contribution.

**6. Budget Amendment Necessary:** The State Corporation Commission would likely need additional appropriation for these potential 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 to the State Corporation Commission. See Item 8.

**8. Fiscal Implications:** Compensation is 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.

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

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

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None

MS/1/8/19