



**Public Service Commission of South Carolina**

**Accountability Report**

**Fiscal Year 2004-2005**

## **Section I – Executive Summary**

The duties of the Public Service Commission include the power and jurisdiction to supervise and regulate the rates and service of every public utility in the State of South Carolina and to fix just and reasonable standards, classifications, regulations, practices, and measurements of service to be furnished, imposed, or observed, and followed by every public utility in the State.

The mission of the Public Service Commission is to carry out the regulatory functions and responsibilities of the State of South Carolina pertaining to the utility companies through a dynamic and proactive regulatory process. This process must reflect the increasingly competitive nature of the regulated utilities while seeking to best serve the needs of all the citizens of the State. The Commission seeks to accomplish this goal while encouraging a sense of satisfaction and accomplishment for its employees.

The Commission must balance the interests of the companies over which it has jurisdiction with the interests of the consumers. This balance requires high quality analyses and detailed knowledge of issues by the Commissioners and staff. Commissioners and staff must also exhibit a high level of integrity to earn and maintain the level of trust and respect from all the agency's constituents.

In Act No. 175 of 2004, the General Assembly restructured the Public Service Commission of South Carolina by: 1) reestablishing the Public Service Commission as a quasi judicial body charged with the adjudication of cases involving the state's investor owned utilities; 2) establishing the Office of Regulatory Staff ("ORS"); and 3) establishing the State Regulation of Public Utilities Review Committee ("PURC"), a joint legislative oversight committee charged with oversight of the new reform.

The Commission's Staff is now divided into four major departments: Legal Advisors, Technical Advisors, Administration, and Docketing. The Commission used to have a Utilities Department, a Transportation Department, and a Consumer Services Department, but these no longer exist as a consequence of Act 175.

The Public Service Commission's \$5,611,067 budget for the 2004-05 fiscal year was proposed by the Office of State Budget and approved by the Public Utilities Review Committee on July 26, 2004. On July 1, 2004 the Public Service Commission Staff totaled 83 full time employees. Due to the Reduction in Force ("RIF") brought about as a result of Act 175, employees transferring to the newly formed Office of Regulatory, and retirements, the Public Service Commission Staff was reduced to 35 actual full time employees and 37 full time equivalents on January 1, 2005.

The 2004-05 budget expenditures reflect the costs associated with down-sizing staff (paying out annual leave for employees who choose retirement or were terminated as part of the RIF), vacating the second floor of the Saluda Building, hiring new staff for the Public Service Commission, renovating the first floor of the Saluda building to accommodate the agency's new structure and training personnel for new and expanded

roles at the Public Service Commission. **On June 30, 2005, the Commission stayed within its budget appropriation, and a carry forward of \$180,518 remained at the end of the 2004-05 Fiscal Year.**

## Section II – Business Overview

The Public Service Commission is an other-funded regulatory agency with 37 Full Time Equivalents and 35 permanent full time employees on its payroll. Its offices are located in the first floor of the Saluda Building in the Synergy Business Park in Lexington County. The street mailing address is 101 Executive Center Drive, Suite 100, Columbia, SC 29210.

Actual expenditures for fiscal years 2003-2004, 2004-2005 and Appropriations for 2005-2006 are shown in the following table. The utilities regulated by the Public Service Commission are assessed to provide funding for the Commission.

Major Budget Categories	FY 03-04 Actual Expenditures		FY 04-05 Actual Expenditures		FY 05-06 Appropriations Act	
	Total Funds	Other Funds	Total Funds	Other Funds	Total Funds	Other Funds
Personal Service	4,046,516	4,046,516	3,285,997	3,285,997	2,427,634	2,427,634
Other Operating	1,765,199	1,765,199	1,305,184	1,305,184	1,186,528	1,186,528
Special Items	0	0	0	0	0	0
Permanent Improvements	0	0	0	0	0	0
Case Services	0	0	0	0	0	0
Distributions to Subdivisions	0	0	0	0	0	0
Fringe Benefits	1,087,943	1,087,943	846,366	846,366	615,146	615,146
Non-recurring	0	0	0	0	0	0
<b>Total</b>	<b>6,899,658</b>	<b>6,899,658</b>	<b>5,437,547</b>	<b>5,437,547</b>	<b>4,229,308</b>	<b>4,229,308</b>

The Commission’s major program areas, and their corresponding expenditures, are listed on the following chart. Note that half of the fiscal year was spent under the former Commission structure, while the second half of the fiscal year was spent implementing the restructuring mandated by Act 175. Therefore, the expenditure and proportional allocations of Commission spending do not directly predict the Commission’s allocation of funds going forward.

## Major Program Areas

Program Number And Title	Major Program Area Purpose (Brief)	FY 03-04 Budget Expenditures	FY 04-05 Budget Expenditures
Utilities * Department	Seek to ensure that the citizens of the State receive appropriate levels of customer satisfaction and quality of service for those services provided through the entities regulated by this Commission.	State: Federal: Other: \$968,469 Total: % of Total Budget:14%	State: Federal: Other: \$516,452 Total: % of Total Budget: 9.50%
Legal Department	The Legal Department exists to reduce to writing the oral decisions of the Commission, while representing the Commission Staff in proceedings before the Commission.	State: Federal: Other: \$409,104 Total: % of Total Budget: 6%	State: Federal: Other: \$335,646 Total: % of Total Budget: 6.16%
Audit * Department	The Department will analyze and review; testify, communicate information; aid and assist the Commissioners, Commission Staff and the public regarding issues which have the potential to impact the public.	State: Federal: Other: \$696,645 Total: % of Total Budget:10%	State: Federal: Other: \$273,414 Total: % of Total Budget: 5.03%
Transportation Department *	To minimize the unauthorized "for hire" use of motor vehicles on the public highways of this state.	State: Federal: Other: \$716,789 Total: % of Total Budget:10%	State: Federal: Other: \$513,091 Total: % of Total Budget: 9.44%
Consumer Services Department (as of July 23, 2004, this department no longer exists)	The Consumer Services Department's goal is to provide customer service to customers with complaints and inquiries involving the utility and transportation companies regulated by the Commission.	State: Federal: Other: \$276,633 Total: % of Total Budget: 4%	State: Federal: Other: \$43,230 Total: % of Total Budget: .80%
Docketing Department (did not exist until 1/1/05)	Exist to process all legal documents that are filed with the Commission. Create and mail all notices of filings.	State: Federal: Other: Total: % of Total Budget:	State: Federal: Other: \$497,512 Total: % of Total Budget: 9.15%
Administrative Department (did not exist until 1/1/05)	Exist to provide administrative support and direction to ensure consistency, compliance, financial integrity and fulfillment of the agency mission	State: Federal: Other: Total: % of Total Budget:	State: Federal: Other: \$1,690,080 Total: % of Total Budget: 31.08%
Office of Special Assistants	Exist to provide technical advice to commissioners and other staff.	State: Federal: Other: \$162,279 Total: % of Total Budget: 2%	State: Federal: Other: \$721,757 Total: % of Total Budget: 13.27%
*As of January 1, 2005, these departments no longer exist at the Public Service Commission.			
<b>Below: List any programs not included above and show the remainder of expenditures by source of funds.</b>			
Remainder of Expenditures		State: 3,669,739 Federal: Other: Total: % of Total Budget: 53%	State: 846,365 Federal: Other: Total: % of Total Budget: 15.57%

As a regulatory agency, the key customers of the Public Service Commission are the utilities subject to the jurisdiction of the Commission and the public who are served by these regulated utilities.

Currently, the Commission regulates investor-owned electric utilities, investor-owned natural gas utilities, telecommunication utilities, and investor-owned water and wastewater utilities. The Commission also regulates the transportation of household goods, hazardous waste, and passengers, which must conform with various safety and market regulations in order to obtain certificates of public convenience and necessity allowing them to operate in South Carolina. Finally, the Commission determines the allowable costs for Chem-Nuclear Systems, LLC, a regional low-level radioactive waste disposal facility located in Barnwell, South Carolina.

The statutory mandate of the Public Service Commission is to balance the interests of the regulated utilities and the ratepayers to ensure that the rates charged by the utilities are just and reasonable. The Commission also ensures that service quality standards are maintained and that utility customers are treated fairly.

Since the passage of the Telecommunications Act in 1996, the Commission gained the added responsibility of ensuring that the incumbent local exchange carriers open their markets to competitors on nondiscriminatory terms. As a result of state legislation, the Commission issues the rulings regarding the Interim Local Exchange Carrier Fund, the State Universal Service Fund, and the regulation of the statewide program to provide telephone access to persons who are speech or hearing impaired.

Commission determinations generally take the form of orders after public hearings are held. The Commissioners make their determinations in weekly public meetings. Complaint resolutions may require hearings. The Commission also regulates the “for hire” hauling of passengers, household goods, and hazardous waste. During fiscal year 2004-2005, the Commission held 90 hearings and 57 Commission meetings, and issued 683 orders.

A Chief Clerk and Administrator, with the aid of a Deputy Clerk, manages the day-to-day operations of the Commission. Four departments perform the daily duties of the Commission: Administrative, Legal, Advisory and Docketing. All departments have a manager reporting directly to the Chief Clerk.

### **Section III – *Elements of Malcolm Baldrige Award Criteria***

#### **Leadership**

The Commission’s Chairman, Randy Mitchell, serves as the Executive Director of the Agency. Commissioner, G. O’Neal Hamilton is the Vice-Chairman of the Commission. The agency also employs a Chief Clerk and Administrator, Charles L.A. Terreni, who is responsible for the daily operations of the agency. The manager of each of the Commission’s departments provides leadership and direction to their respective staffs. Jocelyn Boyd, the Commission’s Deputy Clerk, heads the docketing department. Joseph Melchers, the Commission’s Chief Counsel, heads the legal department, Carolyn Nelson, the Commission’s human resource manager, serves as head of the administrative department, and Jim Spearman, the Commission’s Chief Advisor, heads the technical advisors.

The Commission’s leadership brings a strong mix of private and public sector experience to the agency. Chairman Mitchell has served on the Commission since 1998. He is a farmer, an independent businessman, and a former Probate Judge. He also served on the Saluda County Council. Vice-Chairman Hamilton is a retired insurance agency manager with over twenty years in the industry. He is a past Chairman of the Marlboro County Council, and he served for twelve years on the Bennettsville City Council. The Commission’s other five members, John E. “Butch” Howard, David A. Wright, Elizabeth B. “Lib” Fleming, Mignon L. Clyburn, and C. Robert Moseley, bring a broad range of experience points of view, and make valuable contributions to all aspects of the Commission’s operations.

Charles Terreni was hired by the Commission as Chief Clerk and Administrator in November of 2004, and has nearly fifteen years of experience as an attorney, thirteen of which were spent in private practice. Deputy Clerk Jocelyn Boyd, an attorney with over eight and one-half years of experience in state government, has been with the Commission for over six and one-half years and brings a wealth of institutional knowledge to the Commission’s operations. Joseph Melchers was recruited from private practice to serve as General Counsel; he was formerly a partner in the law firm of Nelson, Mullins, Riley & Scarborough, where he practiced for fifteen years. Chief Advisor Jim Spearman, has been with the Commission fifteen years. He is a former college professor, with an M.B.A. from the Darden School of Business at the University of Virginia, and a Ph.D. in Economics from the University of West Virginia. The Commission’s Administrative Manager Carolyn Nelson has been with the Commission twenty years, and has twenty-eight years of experience in state and municipal government.

#### **Strategic Planning**

The regulatory climate today is dynamic and can be best addressed through a proactive regulatory process that reflects the increased competitive nature of the companies within the nation and this State while seeking to best serve the needs of all of the citizens of the State.

The Commission is currently working with the Public Utilities Review Committee to devise a strategic goal and adopt meaningful performance standards. As part of this process, the Commission and the PURC have consulted with public utilities commissions in other states to see how they measure their performance. The Commissioners are also involved in a planning process, in which they each set individual goals to accomplish during their tenure.

Moreover, the Commission periodically reports on its operations to the PURC, so that committee can ensure that the Commission activities remain consistent with the spirit and letter of the reforms envisioned by the General Assembly under Act 175.

While the Commission and the PURC have yet to formalize their strategic plan and performance measures, some key components of this plan are known and reflected throughout this report and, more specifically, in the planning chart below (*please note that the Utility, Transportation, Auditing, and Consumer Services departments are not included in this strategic plan because their functions have been transferred to the Office of Regulatory Staff*).

### Strategic Planning

<b>Program Number and Title</b>	<b>Supported Agency Strategic Planning Goal/Objective</b>	<b>Related FY 04-05 Key Agency Action Plan/Initiative</b>	<b>Key Cross References for Performance Measures</b>
Legal Department	The Legal Department exists to reduce to writing the oral decisions of the Commission and provide general legal advice to the Commission.	To properly set out in writing the decisions of the Commission, provide appropriate consultation to the Commission Staff on all laws and regulations pertaining to the utility and transportation industries, keep a current knowledge as much as possible of such laws and regulations.	Pages 11-12
Docketing Department (did not exist until 1/1/05)	Exist to process all legal documents that are filed with the Commission. Create and mail all notices of filings.	Process all legal documents filed with the agency; implement electronic filing; prepare notices; maintain accurate and complete files of the Commission's dockets; provide copies of recent and historical Commission orders through electronic means; provide court reporter services and transcripts, upon request; provide copies of matters filed in dockets to the public on the Docket Management System (DMS).	Pages 15-18
Administrative Department (did not exist until 1/1/05)	Exist to provide administrative support and direction to ensure consistency, compliance, financial integrity and fulfillment of the agency mission	Maintain all personnel-related records; collect data needed to compute gross receipt taxes; provide a variety of personal computer-based support services; handle internal mail distribution, photocopying, central supplies and agency fleet; handle financial matters of the agency such as payroll and budget.	Pages 13-14
Office of Special Assistants	Exist to provide technical advice to Commissioners and other staff.	Provide policy input to the Commissioners regarding changing and evolving regulations in reference to	Pages 9-11

		jurisdictional utilities; impart knowledge and skills required by Commissioners through presentations and response materials; interact to a greater extent with other PSC departments; and continue an electronic interaction with external groups such as NARUC, NRRI, etc.	
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**Customer Focus**

Through our strategic planning, our customer and stakeholder groups have been identified as individuals and businesses acquiring the services provided by our regulated utilities, citizens of our State who would be affected by the unsafe operation of utility services, and utilities authorized to operate within our State. A variety of procedures are employed to determine customer needs and expectations. These include:

- Workshops/Training classes
- Generic Proceedings
- Advisory Focus Groups
- Publications/Public Service Announcements
- Formal Proceedings

**Information and Analysis**

Each department has its own measures for evaluating the effectiveness of the department and its employees. Most processes are formalized and some are dictated by statute.

**Office of Special Assistants**

**Program Costs: \$721,757**

**Program Goal:** The Advisory Staff, now known as the Office of Special Assistants, was formed in 2003. The five member team of professionals (accountants, economists, engineers) advises the Commissioners on the technical, economic, financial, accounting issues involved with the dockets, as well as keeps the Commissioners apprised of energy and telecom-related issues and developments on the state, regional and national levels. In today's energy and telecom worlds where some aspects are regulated at the state level, others regulated at the federal level and still others deregulated, it is imperative that the Commissioners keep current on developments outside the state in order to shape changes which may come rather than be overtaken by them. Specific activities of the Special Assistants include:

- Meeting personally with Commissioners to discuss issues and agenda items.
- Briefing Commissioners on issues to be addressed during hearings.

- Tracking and analyzing proposed energy and utility-related state legislation and regulations and advising Commissioners accordingly.
- Tracking and analyzing federal energy and utility-related legislation and regulation and advising the Commissioners as appropriate.
- Preparing agenda for weekly Commission meetings.
- Reviewing orders.
- Reviewing various information sources and providing articles or summaries to Commissioners.
- Participating in meetings (in-office and out-of-office) and teleconferences on regulatory, energy, and utility issues.
- Participating in industry committees on topics of interest to South Carolina utilities and ratepayers.
- Preparing presentations on utility/energy issues.

**Program Objectives:** Provide policy input to the Commissioners regarding changing and evolving regulations in the electric, telecommunications, and natural gas industries. Impart knowledge and skills required by Commissioners through presentations and response materials. Obtain additional training and information from external sources concerning emerging technical and policy issues. Interact to a greater extent with other PSC departments. Electronic interaction with external groups such as NARUC, NRRI, etc. Implement a Personal Computer information system for the Department. Develop a comprehensive consumer education process.

**Priority Ranking:**

1. Identify developing, evolving, and current regulatory issues.
2. Provide the Commissioners and the Staff with information regarding regulatory issues specifically identified by the Commissioners and the Staff in the form of presentations, briefings, and written and oral reports.
3. Assist the Commissioners and the Staff in the review and development of policy regarding specific regulatory issues.
4. Research, evaluate, and provide testimony regarding policy for new and evolving issues that come before the Commission.
5. Provide the Commissioners with any assistance requested to address regulatory matters such as participation in regulatory conferences, preparation of speeches, researching specific matters, etc.

## **Performance Measures:**

### **Workload Indicators**

- 80 Commission meeting agenda briefings
- provide daily articles on regulatory issue to Commissioners and staff.
- brief and advise commissioners and staff on technical issues in the 90 hearings held during the Fiscal Year 2004-05.
- Participate in 1 SEARUC annual meeting.
- Participate in 3 NARUC national meetings.
- Participate in 2 Nuclear Waste Strategy Coalition meetings.
- 4 NERC meetings.
- 80 telephone conference calls (NARUC committees, NWSC)
- 14 telephone conference calls (NERC and other technical organizations)
- 1 visit with Office of Management and Budget

## **Outcomes:**

The work of the Advisory Department is evident in the determinations of the Commission, which often must resolve complex technical issues unique to the utility industry.

### **Legal Department**

**Program Costs: \$335,646**

**Program Goals:** The Legal Department assists the Commission in evaluating the legal aspects of the issues that arise before it, and in subsequently issuing clear, well explained, and well-documented written orders that accurately reduce to writing the oral decisions of the Commission, while providing legal information and assistance to the Commission Staff and other interested persons with legal and regulatory matters, and working with the Advisory Staff to advise the Commission regarding current and evolving regulatory issues which have the potential to impact the public interest of the citizens of South Carolina. Members of the Legal Department also serve the Commission as Hearing Officers and Hearing Examiners.

**Program Objectives:**

- To evaluate the legal aspects of the issues that arise before the Commission and properly set out its decisions in writing so that the Commission issues clear, well explained, and well-documented written orders.
- To provide appropriate consultation to the Commission Staff on all laws and regulations pertaining to the utility industries.
- To keep a current knowledge of such laws and regulations.
- To serve the Commission as Hearing Officers and Hearing Examiners.

**Priority Ranking:**

1. Evaluate legal issues for the Commission and prepare well-documented written Commission Orders.
2. Advise and work with Commission Staff on current and evolving legal issues.
3. Keep a current knowledge of the law in the area.
4. Serve as Hearing Officers and Hearing Examiners.

**Performance Measures:****Workload Indicators:**

- Consistently evaluated and briefed the Commission on legal aspects of the issues that arise before it.
- Composed and drafted 683 Orders for the Commission.
- Participated in 90 hearings and 57 Commission meetings before the Public Service Commission.
- Appointed as Hearing Examiners in twelve cases, with four cases completed and the resulting Orders approved by the Commission.
- Served as Hearing Officers in eleven cases since the implementation of Hearing Officers by Act 175, and issued sixteen rulings in that capacity.
- On a daily basis, provided information and assistance to the Commission Staff and other interested persons with legal and regulatory matters.
- Developing proposed modifications to regulations for the Commission in light of the changes brought about by Act 175.

**Outcomes:**

The Orders prepared by the Legal Department in conjunction with the determinations of the Commission are the official and legal written rulings of the

Commission to which the regulated companies must comply. Although the trend has been an increase in the number of Orders drafted, the Legal Department has cleared a backlog of over 100 Orders and is currently up to date. The members of the Legal Department have also increased the efficiency of the Commission through service as Hearing Examiners and Officers, which has allowed the Commission to consider more major rate matters, generic issues, and other cases.

## **Administrative Department**

### **Program Costs: \$ 1,690,080**

**Program Goals:** To provide administrative support and direction to ensure consistency, compliance, financial integrity and fulfillment of the agency mission. To actively recruit and maintain a diverse, multi-tasked work force that is qualified and technically capable of supporting Commission goals. To encourage a work environment that values employees, innovation, teamwork, professional development, and career advancement.

**Program Objective:** To manage the day-to-day administrative support and operational management of the Commission including budget and fiscal management, human resources, computer systems and operations, receipting annual and gross receipt reports, incoming/outgoing mailroom functions, message and courier service, distribution of office supplies and maintenance of stock room. The Department also provides support in managing the installation and relocation of telephone equipment and managing inter-office moves. The human resources section oversees all programs and policies relating to employment of personnel. Responsibilities include staff development and performance, employee relations, classification and compensation, and affirmative action. The information technology section develops and supports the agency's hardware and software network. Key functions include systems planning, development and maintenance; user training and technological support. The administrative management section provides organizational and administrative services to support internal management and Commission operations. This includes implementation of administrative policies; records, contract, and telecommunications management; and space planning, printing, mail, and other office services. The finance and budget section oversees and ensures compliance with all fiscal policies and procedures. Key activities include developing and monitoring budget and spending plans; administering payroll, employee travel, contractor and vendor payments; and revenue collections.

### **Priority Ranking:**

- Maintain all personnel records, screen and process job applications, conduct new employee orientation, coordinate employee training and development classes, administer classification and compensation, facilitate EEO/AA plans, monitor

leave usage records, direct the communication and delivery of employee benefits, and report required personnel information.

- To collect and gather data needed to compute the Gross Receipts Taxes required to operate the Public Service Commission and to interact with the Department of Revenue and Office of Regulatory Staff in the billing and collection of such taxes.
- Provide a variety of personal computer based support services such as office automation, electronic mail, internet research, file and print sharing and enhanced electronic communication with external parties and citizens.
- Internal mail distribution, photocopying, central supplies, pick up and delivery of mail, supplies and other official documents, and maintenance of the agency vehicle fleet.
- Answer multi-line telephone for the agency and Commissioners. Receive and clock in all petitions, pleadings or docketing matters filed.
- Develop and administers the agency budget, payroll, and other matters of a fiscal nature relating to operations; accounts payable and receivables and internal auditing.

### **Performance Measures:**

#### **Workload Indicators**

- Converted all employees to a Universal Review Date for the Employee Performance Management System.
- Designed and implemented database to acknowledge receipt of annual and gross receipts reports for all regulated utility and transportation companies.
- Coordinated and mailed approximately 1000 annual report forms to regulated transportation and utility companies.
- Coordinated the interfacing of PSC database with the ORS database.
- Computed Gross Receipts Taxes required to operate the Public Service Commission and interacted with the Department of Revenue and Office of Regulatory Staff in the billing and collection of such taxes.
- Organized the inter-office deletion of 52 office spaces including equipment and furnishings.
- Setup system to maintain the Commission's collection of annual reports and gross receipts from about 800 utilities and transportation companies.
- Implemented computer based *e-Leave* system for tracking annual leave and sick leave.
- Implemented new telephone systems with after hour messaging.

## **Outcomes**

- Companies reporting gross receipts increased by 192.
- Annual revenue reported by companies increased by \$8.9 million.

## **Docketing Department**

### **Program Costs: \$497,512**

**Program Goals:** The Docketing Department is the custodian of all documents filed with the Commission. The processing of this correspondence by the Docketing staff includes accepting or rejecting (depending on whether or not these documents are timely filed and/or sufficient in substance and are in compliance with Title 58, Commission regulation(s) and Commission orders) applications for Certificates of Public Convenience and Necessity, applications for rate increases, petitions and motions, testimony and exhibits of witnesses, briefs, proposed orders, complaints, rule to show cause and petitions. If documents are rejected by the Docketing Department, then the applicant is provided with an explanation regarding the additional information needed for the Commission to accept the document.

Docket files, tariffs, prefiled testimony, hearing exhibits and all other information filed with the Commission by law are maintained by the Docketing Department. The Docketing Department maintains official copies of Commission orders and hearing files containing evidence presented at all hearings. Commission employees are responsible for arranging hearing rooms in Columbia and across the State of South Carolina, as necessary. Preparation of hearing rooms includes checking the quality of the sound system, distributing documents to the Commissioners and other parties in hearings, administering oaths, and other hearing-related tasks as they arise.

The Docketing Department is creating and facilitating access to its general rate request orders in contested matters involving more than one hundred thousand dollars by publishing an order guide which indexes and cross-references orders by subject matter and case name. This order guide will be available for public inspection. Employees are scanning historical orders of the Commission and these orders are available for public viewing on the Commission's Docket Management System (DMS). Currently, as orders are issued by the Commission, within a couple of days after issuance, these orders are scanned and available for immediate viewing on DMS.

A docket clerk files all documents electronically on the Commission's DMS that are filed with the Commission. Docketing Department employees serve as the user contact for inquiries regarding the DMS and provide answers regarding these inquiries. Further, Docketing Department employees operate the scanner to transfer paper documents to the DMS and receive all incoming dockets, pleadings, and filings via the computer (email) and transfer these documents to the DMS. All documents filed with the

Commission that are related to an assigned docket number, with the exception of documents containing proprietary information and responses to discovery, are available for public viewing on the DMS.

Docketing employees provide assistance and information to the Commission Staff and to the public. These employees assist persons outside the Commission with access to Commission records either by U.S. Mail or through the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov).

Further, the Docketing Department serves pleadings (applications, complaints, petitions and rules to show cause on parties as required by law. To process legal documents filed with the Commission, the Docketing Department prepares and reviews Notice of Filings. The party filing the pleading will be provided with a Notice of Filing from the Docketing Department and this party will publish the Notice in newspapers having general circulation in the State. Proof of publication of the Notice of Filing must be filed on or before the return date.

The Docketing Department schedules hearings and when a hearing date is not included in the Notice of Filing, the Docketing Department prepares a Notice of Hearing (require publication in newspapers having general circulation in the State when required) and forwards the Notice of Hearing to all parties.

A court reporter in the Clerk's Office attends and records all hearings and public meetings before the Commission. Further, the court reporter transcribes and publishes recorded hearings for Commission and public use, when necessary. Moreover, the court reporter files transcripts and exhibits, maintain hearing and meeting files and tapes, and bill outside parties who request copies of transcripts.

During and after Commission meetings, the Docketing Department staff prepare water, wastewater, gas, electricity, telecommunications and transportation directives which are used to draft Commission orders.

Other functions of the Docketing Department include processing documents filed with the Commission; recording votes on Commission agenda matters; typing Commission agenda meeting minutes; preparing labels and folders for new dockets; mailing orders by certified mail to parties in dockets; and maintaining a computerized calendar to monitor due dates for publication of notices, hearing dates, return dates, and prefiled testimony deadlines. Docketing Department employees, in conjunction with the ORS, maintain a database of electric, gas, telephone, water, wastewater and transportation companies that the Commission regulates.

Also, the Docketing Department receives and files all tariffs filed with the Commission. Water, wastewater, gas, electric, telephone and transportation tariffs are filed with the Commission. Interconnection agreements that are filed with the Commission are maintained by the Docketing Department.

**Program Objectives:** Manage and maintain the official docket files, reports, hearing files, and tariffs of the Commission. Take appropriate action when documents are filed with the Commission (e.g., scheduling hearings and preparing notices). Assist the public, upon request, by providing documents on file with the Commission to the public.

**Priority Ranking:**

1. Process all legal documents filed with the Commission in a timely manner by providing availability to these documents through electronic means.
2. Implement electronic filing for documents filed at the Commission.
3. Prepare Notices and scheduling hearings, when necessary, and ensure that the public is provided information regarding pending proceedings at the Commission.
4. Maintaining accurate and complete files of the Commission's dockets and hearing files.
5. Provide copies of Commission orders from the present through 1965 on the Commission's Docket Management System (DMS).
6. Provide as many documents as possible through electronic means to the public.

**Performance Measures:**

**Workload Indicators**

- All Commission dockets relocated to first floor of office and organized by utility type after restructuring.
- 3,633 matters filed on the DMS.
- 355 new dockets created.
- 683 orders mailed to parties in dockets.
- 67 standard hearings noticed and scheduled.
- 19 hearings expedited (also publicly noticed) during Commission's weekly meetings.
- 4 hearings noticed and heard by hearing examiner.
- Numerous Notices (Notices of Filing, Notices of Hearing, Notices of Filing and Hearing, Notices of Rescheduled Hearings, etc.) created and mailed to parties in dockets.
- Began electronically archiving historical Commission orders.
- Enhanced DMS Daily Activity Report (received by interested subscribers) by organizing report by industry and by bolding document filed.
- Transcribed 24 hearings, totaling 3,105 pages.
- Scans updates to tariffs and places them on a shared folder.

## **Outcomes**

Through the Commission's advisory group, we have learned of increased customer satisfaction. The public, the regulated utilities, and their attorneys all report that the Commission is more accessible and open than in the past.

### **Process Management:**

Most of the processes utilized by the Commission are dictated by statute or regulation. Whenever a party desires a hearing before the Commissioners, the party must file a formal application requesting a hearing. The Docketing Department reviews the application to ensure that it complies with all legal requirements. Once the Docketing Department accepts the application, the application is noticed on the Commission's agenda as an advised item to begin the notification process. The application must be noticed in newspapers in the affected areas, dates are set for intervention, dates are set for the filing of testimony, and a hearing date is set. Discovery, information requests, and interrogatories follow the procedures set forth in the Code of Laws of South Carolina. A hearing before the Commissioners is held, and a court reporter transcribes the proceeding. Parties generally file legal briefs or proposed orders shortly after the hearing transcripts are released to the parties. The Commissioners will render their decision at a Commissioners' Meeting, and the Legal Department will write an Order. Any party to the hearing can ask the Commissioners to reconsider their decision and can appeal the decision to the Appellate Court. This process most often applies to our jurisdictional utilities.

## **CONCLUSION**

The reforms envisioned by the General Assembly in Act 175 are working. This major reform has allowed the Commission to define its core mission as the adjudication of cases involving the state's regulated utilities, and to devote all of its efforts toward that mission. A lot of work awaits the Commission: performance standards must be finalized; and there are several major cases that will be heard. The Commission is gratified by the strong support that it has received from the Public Utilities Review Committee, and for the cooperation that it has received from ORS and the regulatory bar in effectuating this transition.

