

Public Service Commission

Mission and philosophy

The mission of the Wyoming Public Service Commission (PSC) is to protect the public interest of Wyoming utility consumers while, at the same time, balancing the financial and operational interests of utility ratepayers, shareholders, member-owners and utility companies.

Results of outcomes

During FY01, the PSC received and docketed a total of 924 utility filings and applications (an increase of 5.7 percent from the previous year).

The PSC decided by final written order:

- 103 certificates for authority to serve;
- 20 general rate case matters;
- 46 commodity cost changes (pass-on increases from wholesale suppliers);
- 207 rule, regulation and tariff cases;
- eight securities issuances and other financial matters;
- 15 formal complaints resulting in orders;
- 90 PSC investigations;
- five general orders; and
- 110 contract cases.

In addition, the PSC issued 272 letters accepting the registrations and rate schedules of interexchange telecommunications resellers, 48 of which were new registrations to do business in Wyoming. Each of the PSC orders was issued on or before the applicable statutory deadline.

Two objectives

The goal of the PSC is to regulate public utilities as directed by state and federal law. To accomplish this goal, the PSC has two objectives: A) The PSC will issue decisions based upon law and factual evidence with consideration given to the public interest and the financial and operational viability of utilities; and B) the PSC will regulate utility safety, reliability and quality of service pursuant to state and federal law and will resolve complaints and ensure compliance with PSC rules and applicable laws such that 90 percent of utility complaints are concluded within 60 days.

A.1 The number and percentage of written PSC decisions during a three-year period that, after any allowed rehearing, are not successfully challenged on appeal to state or federal court.

During the three-year period representing FY99, FY00 and FY01, the PSC decided by final written order a total of 1,385 cases (383 cases in FY99, 398 cases in FY00 and 604 cases in FY01). A total of 1,383 PSC decisions, or 99.9 percent, were not successfully challenged. Only two PSC

General information

Steve Ellenbecker, chair
Steve Furtney, deputy chair
Kristin H. Lee, commissioner

Agency contact

Steve Oxley, secretary and chief counsel
David Mosier, administrator
Hansen Building
2515 Warren Ave., Suite 300
Cheyenne, WY 82002
307/777-7427
soxley@state.wy.us
dmosie@state.wy.us
<<http://psc.state.wy.us>>

Year established or reorganized

established 1915; reorganized 1919, 1963, 1968, 1991

Statutory references

Chapters 1, 2, 3, 6, 12 and 15 of Title 37 of the Wyoming Statutes

Number of authorized personnel

31 full-time

Organization structure

Administration, legal, rates and pricing, consumer complaints and facilities engineering

Clients served

Residential, commercial, industrial, agricultural, municipal and governmental customers of public natural gas, electric, telephone and water utilities, and the regulated utilities themselves that provide service to residents of Wyoming

Budget expenditures

Utility assessment funds	\$2,088,449
Federal funds	73,050
Total	\$2,161,499

orders were successfully appealed in this three-year time period:

US WEST Communications v. PSC

989 P.2d 616 decided Oct. 22, 1999. In this case the Wyoming Supreme Court found that ISDN is a competitive service and not subject to price regulation by the PSC. The PSC order was reversed.

US WEST Communications v. PSC

992 P.2d 1092 decided Dec. 13, 1999. In this case the supreme court found that the PSC exceeded its authority in developing two of the TSLRIC Rules relating to imputation standards. The court invalidated the rules for TSLRIC pricing.

A.2 The average price of electricity per kWh in Wyoming for residential, commercial and industrial customers as a percentage of the national average price per kWh.

- average Wyoming residential price of electricity: 6.7 c/kWh
- average national residential price of electricity: 8.3 c/kWh
- Wyoming residential price as a percentage of the national average: 80 percent
- average Wyoming commercial price of electricity: 5.4 c/kWh
- average national commercial price of electricity: 7.4 c/kWh
- Wyoming commercial price as a percentage of the national average: 73 percent
- average Wyoming industrial price of electricity: 3.4 c/kWh
- average national industrial price of electricity: 4.7 c/kWh
- Wyoming industrial price as a percentage of the national average: 72 percent

A.3 The average price of natural gas per mcf in Wyoming for residential, commercial and industrial customers as a percentage of the national average price per mcf.

- average Wyoming residential price of natural gas: \$7.28 /mcf
- average national residential price of natural gas: \$9.48 /mcf
- Wyoming residential price as a percentage of the national average: 77 percent
- average Wyoming commercial price of natural gas: \$6.75 /mcf
- average national commercial price of natural gas: \$7.33 /mcf
- Wyoming commercial price as a percentage of the national average: 93 percent

- average Wyoming industrial price of natural gas: \$5.33 /mcf
- average national industrial price of natural gas: \$5.52 /mcf
- Wyoming industrial price as a percentage of the national average: 96 percent

A.4 The percentage of Wyoming local service telephone lines that are priced in compliance with the Wyoming Telecommunications Act of 1995 on the basis of TSLRIC provisions or on a valid TSLRIC waiver.

All incumbent local exchange telephone companies in Wyoming except two are either 1) currently using TSLRIC based pricing, or 2) have TSLRIC pricing applications pending before the PSC, or 3) have been granted waivers by the PSC pursuant to provisions in the Wyoming Telecommunications Act of 1995.

Two local exchange telephone companies are in non-compliance. The local service telephone lines that are in compliance with the law represent 98.5 percent of the total local exchange access lines in Wyoming and those that are not in compliance represent 1.5 percent.

- 1) TSLRIC Based Pricing: Qwest Corporation, Tri-County Telephone Association, TCT West, Century Tel of Wyoming, Union Telephone Company and Sprint/United Communications.
- 2) TSLRIC Applications Pending: All West Communications filed applications with the PSC. Silver Star Communications filed an application that the commission deemed to be incomplete.
- 3) TSLRIC Price Waivers: Range Telephone Cooperative, RT Communications, Dubois Telephone Exchange and Chugwater Telephone Company have been granted waivers, which expire Dec. 31, 2001. Golden West Telephone Cooperative and Project Telephone Company have been granted waivers, which expire Jan. 1, 2005.

Non-Compliance: Teton Communications' waiver has expired and the PSC issued an order requiring additional information. Silver Star Communications filed an application that is incomplete.

A.5 The percentage of eligible local telephone customers (based upon line count) who receive support payments from the Wyoming Universal Service Fund pursuant to provisions in the Wyoming Telecommunications Act of 1995.

In FY01, 100 percent of eligible Wyoming local telephone customers received support payments from the Wyoming Universal Service Fund. To be eligible, local service rates must exceed 130 percent of the statewide average local service rate after taking into consideration support from the federal Universal Service Fund.

In FY01, the statewide average monthly rate for residential service was \$25.87 and for business service it was \$24.42. Therefore, to be eligible for support from the Wyoming Universal Service Fund, the residential local service rate must exceed \$33.63 and the business rate must exceed \$31.75 after all other forms of support are considered. There are 198,686 residential local service access lines in Wyoming and 76,243 business local service access lines. After taking into consideration support from the federal Universal Service Fund, a total of 42,395 residential and 10,110 business local service access lines were eligible and received support from the Wyoming Universal Service Fund.

B.1 The percentage of person-days inspecting natural gas utilities in comparison to the established target.

During FY01, the PSC facility engineers accomplished 166 person-days of field inspections of natural gas distribution systems, intrastate pipelines and other natural gas utility facilities. This was 119 percent of the established target of 140 person-days of field inspection of natural gas facilities. As a result of these inspections, the PSC issued 25 citations for natural gas safety violations.

B.2 The percentage of person-days inspecting electric utilities in comparison to the established target.

During FY01, the PSC facility engineers accomplished 62 person-days of field inspections of electric distribution systems, electric transmission lines, substation facilities and other electric utility facilities. This was 103 percent of the established target of 60 person-days of field inspection of electric utility facilities. As a result of these inspections, the PSC issued 108 citations for electrical safety violations.

B.3 The percentage of customer complaints resolved through an informal complaint resolution process.

In FY01, the PSC received and processed a total of 2,051 utility complaints. Fifteen customer complaints were formally docketed and three went to hearing before the commission.

Of the complaints received by the PSC,

- 350 concerned service issues;
- 477 involved billing and payment matters;
- 609 related to rates and tariffs;

- 126 pertained to slamming, cramming and held orders;
- 133 involved disconnection of service;
- 23 were related to construction problems;
- 21 concerned deposits;
- eight involved safety violations; and
- 304 fell into other categories.

There were also 304 requests for information that were not adversarial in nature. On average, the consumer complaint section handled 446 telephone calls from utility customers each month.

The PSC uses two strategic planning output measures for complaint matters and the first indicates the type of utility complaint received by the PSC, which is as follows:

Customer responsibility	414	20 percent
Utility error	1,094	53 percent
Informational	489	24 percent
Unresolved complaints	54	3 percent
Total	2,051	100 percent

The second strategic planning output measure for complaint matters relates to the efficiency and productivity of the PSC in responding to consumer complaints. In FY01, the PSC Consumer Complaint Section closed 1,848 complaints or 90 percent within 30 days of receipt. The number of complaints closed within 60 days of receipt was 1,915 or 93 percent and the number of complaints closed within 90 days was 1,937 or 94 percent.

Strategic plan changes

The PSC does not anticipate making changes to its strategic plan in FY02.

Public Service Commission organization chart

