

Public Service Commission

Mission and philosophy

The mission of the 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. The PSC is dedicated to ensuring safe, adequate, reliable utility services to the residents of Wyoming at a just and reasonable price.

To accomplish this mission, 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; regulate utility safety, reliability and quality of service pursuant to state and federal law; and resolve complaints and ensure compliance with PSC Rules and applicable laws such that ninety percent of utility complaints are concluded within sixty days. As a separate division within the PSC the OCA will provide independent and direct representation of Wyoming utility ratepayers before the PSC in utility filings and applications in which the public interest is contested.

Results of outcomes

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

Over the three-year period representing FY 03 through FY 05, one hundred percent of the appeals filed to state or federal court were unsuccessful. During this time the PSC decided 1,569 cases by final written order (575 in FY 03, 528 in FY 04 and 466 in FY 05). Of these 1,569 cases, three of the Commission's decisions were appealed: one was upheld by the Wyoming Supreme Court and two were dismissed by the Laramie County District Court.

The one case which has been fully decided by the Wyoming Supreme Court in favor of the PSC was *PacifiCorp v. Public Service Commission, et al.*, 2004 WY 164, 103 P.3d 862 (Wyo. 2004). In addition to their appeal to the Wyoming Supreme Court, PacifiCorp also filed a separate complaint with the United States District Court. The Commission took an interlocutory appeal to the US Circuit Court of Appeals for the 10th Circuit, asserting the State's sovereign immunity and seeking dismissal of this suit. Proceedings in the District Court are not going forward pending the resolution of this appeal. The parties are awaiting further orders from the 10th Circuit.

The two cases against the Commission dismissed on appeal by the Laramie County District Court were

General information

Commission Members
Steve Furtney, chair
Kathleen (Cindy) Lewis, deputy chair
Mary Byrnes, commissioner

Agency contacts

307-777-7427
Fax 307-777-5700
Hansen Building, Suite 300
2515 Warren Avenue
Cheyenne, WY, 82002

Ruth M. Hobbs, deputy director
307-777-5709
rhobbs@state.wy.us

Steve Oxley, secretary & chief counsel
307-777-5746

Office of Consumer Advocates (OCA)
Bryce Freeman, administrator
Denise Parrish, deputy administrator
307-777-5743
dparri@state.wy.us

Year established or reorganized

Established 1915, reorganized 1919, 1963, 1968, 1991, 2003

Statutory references

Chapters 1, 2, 3, 6, 12, 15 and 16 of Title 37 of the Wyoming Statutes

Number of authorized personnel

36 full-time, 6 of these positions are assigned to the OCA

Organizational structure

Administration: Legal Financial Analysts, Engineering Analysts, Safety & Plant Engineers and administrative staff.
OCA: Legal and Rate Analysts.

Clients served

Residential, commercial, industrial, agricultural, municipal and governmental customers of public natural gas, electric, telephone and water utilities, and associated regulated utilities.

Budget expenditures

Utility assessment funds	\$2,891,573
Federal funds	136,230
Wyoming universal service fund.....	3,754,080
Total	\$6,781,883

Union Telephone Company v. Wyoming Public Service Commission, Docket No. 165-248 and Union Telephone Company v. Wyoming Public Service Commission, Docket No. 165-249, Order Granting Motion to Dismiss (Laramie County District Court, Wyo., July 5, 2005) (these appeals were originally filed in February 2004). Union filed its Notice of Appeal of the dismissals in both cases with the Wyoming Supreme Court on August 4, 2004.

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.

Wyoming residential price as a percentage of the national average: 81.1 percent
 Wyoming commercial price as a percentage of the national average: 72.5 percent
 Wyoming industrial price as a percentage of the national average: 75.5 percent
 (Wyoming rate information from utility annual reports submitted to PSC. National utility data from the National Energy Information Agency Website, Electricity & Gas Historical Data Charts)

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. 1

Wyoming residential price as a percentage of the national average: 74.8 percent
 Wyoming commercial price as a percentage of the national average: 77.6 percent
 Wyoming industrial price as a percentage of the national average: 86.9 percent

The percentage of Wyoming local service telephone lines, which are priced in compliance with the Wyoming Telecommunications Act of 1995 on the basis of TSLRIC provisions or on a valid TSLRIC waiver, W.S. § 37-15-402.

A total of 304,549 local service telephone lines exist in Wyoming as reported to the PSC by the telephone companies in their annual reports. In FY 05 one hundred percent of these lines were in compliance with the Wyoming Telecommunications Act of 1995. A total of 394,238 access lines or 99.9 percent have prices that comply with the TSLRIC provisions and the remaining 0.1 percent have valid TSLRIC waivers in place.

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, W.S. § 37-15-501.

Due to an increase in Federal Universal Service Fund support the number of eligible lines in Wyoming has decreased approximately thirty percent from 37,153 in FY 04 to 26,110 in FY 05. As a result, the number of local telephone customers (based on line-count) who require

support payments from the WUSF has also been declining. The WUSF provides support to one hundred percent of those customers eligible for support.

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

During FY 05, the PSC facility engineers completed over one hundred percent of their targeted one hundred forty person-days of field inspections of natural gas distribution systems, intrastate pipelines and other natural gas utility facilities. During the course of these inspections, the PSC issued seventy citations for violations of rules, codes and standards adopted by the commission including natural gas safety code violations.

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

During FY 05, the PSC facility engineers completed over one hundred percent of their targeted sixty person-days of field inspections of electric distribution systems, electric transmission lines, substation facilities and other electric utility facilities. During the course of these inspections, the PSC issued 272 citations for noncompliance with rules, codes and standards adopted by the PSC including electrical safety code violations.

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

In FY05, the PSC received and processed a total of 1,148 consumer complaints. Of these 99.9 percent were resolved through an informal complaint resolution process and 0.1 percent went to a hearing before the commission.

Of the cases in which the OCA entered an appearance, the total savings, expressed both as a percentage and a dollar amount, between the amount of revenue increase requested by jurisdictional utilities and the amount of revenue increase granted by the Commission in its final order.

During FY 05 the OCA entered an appearance in twenty four utility filings that were formally resolved by the PSC. Three of these cases involved requested utility revenue increases in the aggregate amount of \$12,402,837. After hearings, and the opportunity for affected parties, including the OCA and other interveners, to present evidence before the PSC, the PSC granted total aggregate utility revenue increases of \$9,751,387. This represents a consumer savings of 21.3 percent.

The percentage of customer meetings, educational forums and presentations made by the OCA outside of OCA offices in comparison to the established target.

The OCA participated in twenty four customer meetings, educational forums or presentations in comparison

to a target of six, resulting in a 400 percent achievement of the established target.

Strategic plan changes

The PSC's strategic plan is being updated and reformatted for FY 07 and FY 08 as requested by the Governor's office.

Public Service Commission organizational chart

