

State Regulation of Public Utilities Review Committee

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INTRODUCTION TO THE PUBLIC SERVICE COMMISSION

The General Assembly established the South Carolina Public Service Commission to carry out certain statutory responsibilities imposed by Title 58. Among other things, the Commission sets rates to be charged by investor-owned electric and natural gas utilities and authorizes the siting of major utility facilities. The Commission also sets rates for some services provided by telecommunications companies. The Commission also sets rates for privately-owned water and wastewater companies, for hire carriers of household goods and hazardous waste for disposal, and taxicabs. The activities and operations of the Public Service Commission affect all persons in the state since the services rendered by the Commission's jurisdictional entities directly or indirectly reach all persons in the state.

The Commission is composed of seven commissioners, one from each of the seven Commission (Congressional) districts. Commissioners are elected by the General Assembly and serve for renewable terms of four years.

Act 175 of 2004 requires that a commissioner, except for a presently sitting commissioner, must have at least a baccalaureate degree. It is preferred that a commissioner have a background of substantial duration in one of the following areas: (a) energy; (b) telecommunications; (c) consumer protection and advocacy; (d) water and wastewater; (e) finance, economics, and statistics; (f) accounting; (g) engineering; or (h) law. Commissioners must reside in the Commission district that they represent. Present or past members of the General Assembly are not eligible to run for Commissioner until four years after they have left office.

Prior to the election by the General Assembly, candidates for Commissioner will be screened, investigated, and reviewed by the State Regulation of Public Utilities Review Committee. This Committee is composed of ten members, six members from the legislature and four members selected from the general public at large. The Committee will consider each candidate's temperament and sensitivity to legal and ethical constraints on public service and his experience in such varied fields as business, government, accounting, law, engineering, statistics, consumer affairs, and finance. The screening process allows the Committee to evaluate each candidate's qualifications and make recommendations to the General Assembly before the election.

After a candidate returns his application packet, he is investigated by the Committee. This investigation usually entails a South Carolina Law Enforcement Division background check and a credit check. The Committee will then schedule a public hearing, to be held no later than two weeks prior to the election, to review each candidate's qualifications. A person who wishes to testify, including a candidate, must submit a written statement of his proposed testimony to the chairman of the Committee at least 48 hours prior to the hearing. A transcript of the testimony, documents submitted, and the Committee's findings will be prepared for members of the General Assembly and printed in the House and Senate Journals. A copy also shall be furnished to each candidate. All records submitted to the Committee, not presented under oath at the hearings, will be held strictly confidential.

There are several ethical requirements that a candidate for the PSC needs to be aware of:

- (1) The statement of economic interests, included in the packet, should be completed and returned with the application packet.
- (2) Candidates must file a report with the chairmen of the Senate and House Ethics Committees, of monies in excess of \$100 spent by him or in his behalf in seeking the office, including any contributions to members of the General Assembly. This report would not include any travel expenses or room and board expenses incurred while campaigning. This period for reporting runs from the announcement of candidacy until the election and must be updated quarterly with additional reports five days before the election and thirty days after.
- (3) No candidate may seek the pledge of a General Assembly member's vote until the qualifications of all candidates have been screened by the Committee and the Committee has issued its report.

As soon as a date for the Committee hearings and the election is set, all candidates will be notified.