

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 2265, Page 1, Section A, Line 4, by inserting  
2 immediately after all of said section and line the following:

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4 "386.135. 1. The commission shall have an independent technical advisory staff of up to six full-  
5 time employees. The advisory staff shall have expertise in accounting, economics, finance,  
6 engineering/utility operations, law, or public policy.

7 2. In addition, each commissioner shall also have the authority to retain one personal advisor, who  
8 shall be deemed a member of the technical advisory staff. The personal advisors will serve at the pleasure of  
9 the individual commissioner whom they serve and shall possess expertise in one or more of the following  
10 fields: accounting, economics, finance, engineering/utility operations, law, or public policy.

11 3. The commission shall only hire technical advisory staff pursuant to subsections 1 and 2 of this  
12 section if there is a corresponding elimination in comparable staff positions for commission staff to offset the  
13 hiring of such technical advisory staff on a cost-neutral basis. [~~Such technical advisory staff shall be hired on~~  
14 ~~or before July 1, 2005.~~]

15 4. It shall be the duty of the technical advisory staff to render advice and assistance to the  
16 commissioners and the commission's administrative law judges on technical matters within their respective  
17 areas of expertise that may arise during the course of proceedings before the commission. Communications  
18 between commissioners and technical advisory staff members who are not attorneys shall be protected from  
19 public disclosure if and to the same extent such communications between a commissioner and a technical  
20 advisory staff member who is an attorney would have be protected from public disclosure.

21 5. The technical advisory staff shall also update the commission and the commission's  
22 administrative law judges periodically on developments and trends in public utility regulation, including  
23 updates comparing the use, nature, and effect of various regulatory practices and procedures as employed by  
24 the commission and public utility commissions in other jurisdictions.

25 6. Each member of the technical advisory staff shall be subject to any applicable ex parte or conflict  
26 of interest requirements in the same manner and to the same degree as any commissioner, provided that  
27 neither any person regulated by, appearing before, or employed by the commission shall be permitted to offer  
28 such member a different appointment or position during that member's tenure on the technical advisory staff.

29 7. No employee of a company or corporation regulated by the public service commission, no  
30 employee of the office of public counsel or the public counsel, and no staff members of either the utility  
31 operations division or utility services division who were an employee or staff member on, during the two  
32 years immediately preceding, or anytime after August 28, 2003, may be a member of the commission's  
33 technical advisory staff for two years following the termination of their employment with the corporation,  
34 office of public counsel or commission staff member.

35 8. The technical advisory staff shall never be a party to any case before the commission."; and

36  
37 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_