



SOUTH CAROLINA

# Office of Regulatory Staff

**FY 2024-2025 House Ways & Means Budget Hearing - Transportation  
and Regulatory Subcommittee**

*January 16, 2024*



# Key Officials

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South Carolina Office of Regulatory Staff

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## Agency Overview

### Key Officials

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### About our Agency

The ORS represents the public interest of South Carolina in utility regulation for the major utility industries – electric, natural gas, telecommunications, transportation, and water/wastewater – before the Public Service Commission of South Carolina (PSC), the court system, the South Carolina General Assembly, and federal regulatory bodies.

The PSC is the state agency that sets utilities’ rates. In representing the public interest, the ORS must look at the impact to the consumer and utilities’ continued investment in reliable and high-quality services. The ORS also has responsibility for oversight of railroad safety and natural gas pipeline safety in SC, in addition to administering the leasing program for solar panels. The ORS also houses the SC Energy Office and SC Office of Broadband Coordinator.

Should you have any questions regarding our agency’s role, please do not hesitate to contact Andrew Bateman.

#### ORS Consumer Services Department

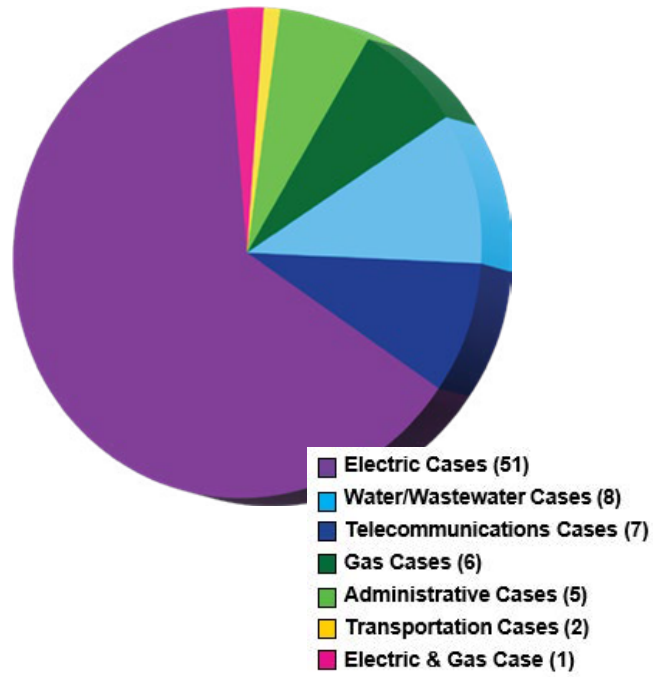
Local Number: 803-737-5230

Toll Free Number: 1-800-922-1531

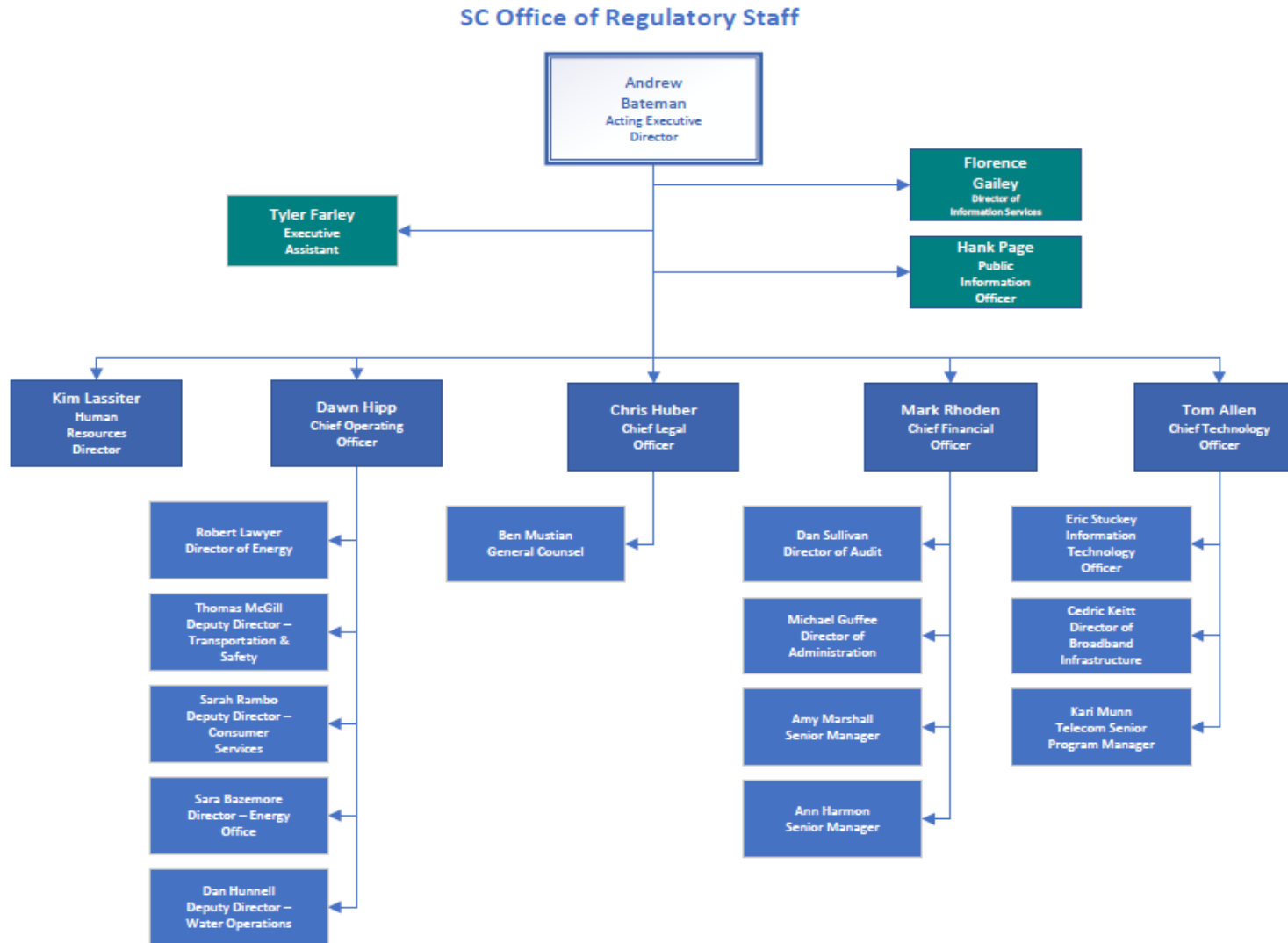
### Departments

- Administration
- Audit
- Consumer Services
- Energy Office
- Human Resources
- Information Services
- Legal
- Broadband, Digital Opportunity, Equipment Distribution, Technology Solutions, Telecommunications
- Utility Rates and Services
- Transportation and Safety

### New Docketed Cases FY 2022-2023



# ORGANIZATIONAL CHART



# FTE INFORMATION - Authorized, Filled, Vacant

FTE Summary by Program	FY24 Authorized	Currently Filled		
		Dec 31, 2023		
Legacy ORS (includes Dual Party Relay)	74	60		
Energy Office Operations (includes Radioactive Waste)	18	12		
Broadband Office	10	8		
Santee Cooper	8	2		
Digital Equity Fund - Federal Grant Program		2		
IIJA - Bead Planning Fund - Federal Grant Program		2		Currently Vacant
<b>Total</b>	<b>110</b>	<b>86</b>		<b>24</b>
<b>Time Limited by Program</b>				
Dual Party Relay	2	2		
Energy Office Operations	2	1		Currently Vacant
<b>Total</b>	<b>4</b>	<b>3</b>		<b>1</b>
FTE Plan for FY25	FY25 Authorized	Expected To Be Filled		
		FY25 Plan		
Legacy ORS (includes Dual Party Relay)	74	69		
Energy Office Operations (includes Radioactive Waste)	18	12		
Broadband Office	10	7		
Santee Cooper	8	4		
Digital Equity Fund - Federal Grant Program		2		
IIJA - Bead Planning Fund - Federal Grant Program		2		Expected Vacant
<b>Total</b>	<b>110</b>	<b>97</b>		<b>13</b>

## ORS PERFORMANCE UPDATE Executive Summary

In FY 22-23, the ORS continued to serve the public interest of consumers across all programmatic areas and in its caseload before the Public Service Commission of South Carolina.

### Cases and Savings for Consumers

Of the 80 newly docketed cases the ORS participated in during FY 22-23, these rate-impacting cases generated savings to consumers of **\$331,192,433**:

Dominion Energy SC Mid-Period Fuel Adjustment	\$188,104,960
Dominion Energy SC Fuel Annual Review	\$54,906,000
Duke Energy Progress Rate Case	\$36,700,000
Duke Energy Progress Securitization Phase I	\$40,047,000
Piedmont Natural Gas Rate Case	\$7,791,834
Dominion Energy SC RSA	\$3,426,163
DIUC Rate Case	\$216,476
<b>TOTAL</b>	<b>\$331,192,433</b>

### Dominion Energy SC Mid-Period Fuel Adjustment.

On August 8, 2022, Dominion Energy South Carolina (DESC) applied for a mid-period fuel adjustment pursuant to 58-27-864 (D) to increase the amount it can charge customers for fuel used to generate power.

DESC stated significant and unforeseen market changes and commodity price increases since January 2022 contributed to its adjustment request. DESC requested this mid-period adjustment to limit the under-collection of fuel costs and the possible bill increases forecasted to be experienced by customers in May 2023.

If approved by the Commission, the changes requested by DESC would have resulted in an increase of approximately \$18.55 per month — or approximately 13.97%, inclusive of revenue taxes — for residential customers using 1,000 kilowatt-hours per month. DESC's commercial and industrial customers would get an average monthly bill increase of approximately 16.88% and 26.70%, respectively, inclusive of revenue taxes.

All parties of record entered into a Stipulation, which adopted the ORS' recommendations. On November 29, 2022, the Commission held a hearing to consider the Application and Stipulation. On December 30, 2022, the Commission issued its order approving the Stipulation as reasonable, in the public interest, and in accordance with state law. As a result, the average monthly bill of a Rate 8 residential customer using 1,000 kWh per month increased from \$132.79 to approximately \$140.53, a net increase of approximately \$7.74 or 5.8%, excluding Gross Receipts Tax and Regulatory Fees. Savings to consumers from this Stipulation are **\$188,104,960**.

### Consumer Services

In FY 22-23, Consumer Services fielded **1,388** complaints and inquiries from consumers and recovered **\$1,936,160** on their behalf (approximately \$127,000 of which are annually recurring recoveries). As part of its consumer education outreach, Consumer Services distributed **37,900** copies of publications and promotional materials.

### Broadband

The fundamental goal of the South Carolina Broadband Office (SCBBO) is to expand broadband access across the state; the SCBBO is administering \$400 million in federal American Rescue Plan Act of 2021 (ARPA) funds to expand broadband infrastructure in unserved and underserved areas. In FY 21-22, the ORS stated that 1,245.9 miles of fiber had been constructed and 9,164 homes had internet service available. At the end of FY 22-23, the ORS estimates that *when the ARPA State and Local Fiscal Recovery Funds 1.0 grant program construction concludes by December 31, 2024, Internet Service Providers in South Carolina will have provided access to 21 additional municipalities, constructed approximately 5,600 miles of fiber, and provided high-speed internet access for 43,582 locations (including homes, businesses, and other facilities).*

Other Broadband highlights include:

- As of March 31, 2023, there were an estimated 191,548 underserved Broadband Service Locations (BSL) (impacting 394,419 residents) in South Carolina; however, when construction on currently funded projects completes, **the number of underserved BSLs is expected to fall to approximately 133,631 by December 2024.**
- Statewide, over **1.9 million residents (~76%) now subscribe to high-speed internet**, and 48,677 adopted fiber in their homes from June 30 to December 31, 2022.
- As for affordability, **324,332 households have enrolled in the FCC's Affordable Connectivity Program (ACP)** that provides a \$30/month subsidy for broadband service. As a result, 61,715 new ACP households enrolled from June 30 to December 31, 2022.

## SC Equipment Distribution Program

The South Carolina Equipment Distribution Program (SCEDP), housed within the ORS, helps consumers who are deaf or have hearing or speech challenges by providing them with specialized telephone equipment. The program received and reviewed **590** applications; approved **529** applications; and conducted installations for **84** SCEDP clients, which included training on how to use the specialized telephone equipment.

## Energy Office

Under the Infrastructure Investment and Jobs Act, the SC Energy Office received a five-year formula award totaling \$6.8 million via the U.S. Department of Energy (DOE) State Energy Program (SEP). This additional SEP funding will enable the SC Energy Office to implement several recommendations from former and ongoing energy-planning stakeholder processes, specifically the Energy Efficiency Roadmap and the Electric Vehicle Stakeholder Initiative. In FY 23-24, the Energy Office plans to initiate a multi-year planning process to provide South Carolina with a comprehensive, updated State Energy Plan.

**Energy Efficiency Roadmap.** Since the release of the Energy Efficiency Roadmap Report in January 2021, the Energy Office has continued to conduct stakeholder engagement pertaining to certain recommendations outlined in the Report. In particular, the Energy Office has established and coordinated separate working groups focused on green banks and home energy labeling.

**Electric Vehicle Stakeholder Initiative.** The Energy Office released the Electric Vehicle (EV) Stakeholder Initiative Report (the Report) on September 21, 2022. The Report summarizes opportunities to advance EV deployment in South Carolina. It features the collaborative work of over 350 diverse stakeholders to examine the legislative and regulatory landscape for EV access and adoption, identify challenges and opportunities, and develop actionable recommendations for South Carolina.

**Financial Support.** In FY 22-23, the Energy Office saved the public close to **\$22 million** through a variety of energy initiatives. The Energy Office administers federal financial assistance to support public and private entities investing in energy-saving programs.

## Safety

**Pipeline Safety.** Pipeline Safety received its 2021 annual scores from the PHMSA. For the program evaluation, which looks at the effectiveness of the ORS Pipeline Safety program to conduct inspections and enforcement, the ORS received a 99 out of 100 score. The one-point deduction was because the ORS does not issue civil penalties. On the progress report, the agency received a 46 out of 50 (**92%**) because the civil penalty amounts in South Carolina statutes do not match the federal level of civil penalty amounts.

**ESF 12 Emergency Response.** In emergency preparedness, ESF 12 activated several times during FY 22-23 for tropical storms, a rail labor strike, and severe weather events. For all activations, ESF 12 maintained constant communication with SCEMD, the Governor's Office, railroads, and energy providers to gather information and provide reports for the duration of each event.

**Rail Safety.** ORS rail inspectors conducted both track and operating practices (OP) inspections around the state. For the track and OP disciplines combined, ORS inspectors conducted **242** rail



safety inspections and issued **343** rail safety defect citations. Staff responded to **128** technical railroad safety-related inquiries from railroads, industry, and the public. Inspectors also conducted **60** incident investigations.

### Implementation of Technology

Much of the ORS' most innovative technology advancements are related to the SCBBO's efforts in mapping. Broadband mapping is vital for the efficient deployment of broadband resources. The SCBBO has developed extraordinary mapping capabilities.

Updated Broadband Maps. In June 2023, the SCBBO released the current set of broadband maps based on data as of March 31, 2023. The [www.scdigitaldrive.org](http://www.scdigitaldrive.org) contains new maps for all 46 counties as well as statewide overview maps that include SCBBO analysis of provider-reported broadband construction detail through December 31, 2022 (best-available) and over 13 million consumer-reported Ookla® Speedtest Intelligence® records through March 31, 2022.

### Looking Ahead

In FY 22-23, the ORS received major programmatic funding in the SC Broadband Office and the SC Energy Office resulting from the passage of federal and state legislation; both programs are preparing for an influx of more funding in the coming fiscal years. The ORS foresees the need to form a grants-management division as it will be managing over \$1 billion in federal funding.

In addition, the ORS will continue to implement recent laws and regulations in the regulatory arena including, among others, S. 1045, Act 227, Act 90, Act 56, the SC Energy Freedom Act (Act 62), and the Broadband Accessibility Act.

The ORS continuously monitors potential changes that may affect the regulatory landscape. Looming large in this area is the proposed Environmental Protection Agency (EPA) 111(d) rule (Proposed Rule). In line with the ORS mission to represent the concerns of the using and consuming public with respect to public utility services, the ORS provided comments stating its position to the EPA. Based on the information and technology currently available, the ORS concluded that the Proposed Rule has the potential to dangerously undermine the reliability of the grid, place an unreasonable financial burden on consumers, and cause immediate and irreparable harm to South Carolina consumers and the state economy. This issue will be at the forefront in FY 23-24.

The ORS also foresees the need for more electric generation and transmission in South Carolina and, in FY 23-24, will be part of a new, multi-agency group beginning to address this need. On June 9, 2023, the Governor signed Executive Order 2023-18 creating the PowerSC Energy Resources and Economic Development Interagency Working Group.

# Financial Update - Budget vs Actual

## Financial Update - ORS Budget vs. Actual

Budget Summary by Expenditure Category	Current Fiscal YTD		Prior Fiscal	
	Current Fiscal Year Budget FY24	Actual (12/31/2023)	Year Budget FY23	Prior Fiscal Year Actual (Full Year)
Personnel	\$9,064,240	\$3,795,743	\$9,013,537	\$7,746,912
Other Operating Expenses	\$5,090,402	\$1,161,357	\$5,090,402	\$3,741,526
Dual Party Relay	\$4,165,696	\$1,159,155	\$4,165,696	\$2,484,739
Employee Benefits	\$3,042,837	\$1,548,406	\$3,021,125	\$3,026,601
<b>Total</b>	<b>\$21,363,175</b>	<b>\$7,664,661</b>	<b>\$21,290,760</b>	<b>\$16,999,778</b>
<b>Budget Summary By Program</b>				
Legacy ORS Operating Budget	\$7,831,148	\$3,531,210	\$7,831,148	\$6,921,722
Energy Office Operating Budget	\$1,577,830	\$516,941	\$1,577,830	\$1,191,556
Dual Party Relay Budget	\$4,165,696	\$1,159,155	\$4,165,696	\$2,484,739
Broadband Budget	\$2,745,664	\$612,905	\$2,694,961	\$3,037,015
Santee Cooper Budget	\$2,000,000	\$296,045	\$2,000,000	\$338,145
Employee Benefits	\$3,042,837	\$1,548,406	\$3,021,125	\$3,026,601
<b>Total</b>	<b>\$21,363,175</b>	<b>\$7,664,661</b>	<b>\$21,290,760</b>	<b>\$16,999,778</b>

# Financial Update - Current Carryforward

Office of Regulatory Staff  
Carryforward  
Most Recent Fiscal Year - June 30, 2023

	Fund	Fund Type	Fiscal Year End June 30, 2022
<b>SC ORS:</b>			
Operating Revenue	30350000	Other - Earmarked	\$ 7,006,062
<b>SC Office of Broadband Coordinator:</b>			
Operating Revenue	10010000	General	\$ 3,470,404
<b>SC Energy Office:</b>			
Special Operating	34170000	Other - Earmarked	\$ 180,398
Diamond Shamrock	47150000	Other - Restricted	\$ 93,813
Oil Overcharge Stripper Well Litigation	47440000	Other - Restricted	\$ 1,893,064
Total SC Energy Office			\$ 2,167,275
<b>Santee Cooper:</b>			
Operating Revenue	34170002	Other - Earmarked	\$ 1,329,754
<b>Dual-Party Relay Fund:</b>			
Operating Revenue	41290000	Other - Restricted	\$ 9,880,111

The ending cash balances above for ORS, Office of Broadband Coordinator, and Energy Office reflect operating funds that are equivalent to a General Fund carryforward.

*Earmarked - Funds used by agencies for purposes specified by law.*

*Restricted - Special deposits retaining their own interest specified by law, Proviso, court order or mandates.*

# Budget Request Summary

The ORS is seeking an increase of \$1,348,362 in Other Funds budget authorization for FY25.

- Uses for these funds cover additional costs associated with wages and benefits related to the recent 5% General Increase, additional hires covering workload increases in Legal, IT, Accounting/Auditing, and Energy Operations, amounts to cover key replacement hires in HR, Energy Operations, and Executive Support, and increases in compensation for existing staff as well as replacement hires due to significant competitive and hiring challenges impacting both FY24 and FY25.
- Request is related to increased costs impacting both FY24 and FY25; ORS did not request a budget authorization increase for FY24.
- Approximately \$125K of the increase is for additional resources to improve IT applications, outreach, and equipment supporting our operations.
- ORS is not making any non-recurring or capital requests for FY25.
- This budget request is for Legacy ORS funds only. No other ORS funds are seeking increased FY25 authorization: Energy Office, Broadband, Santee Cooper, Dual Party Relay. Additionally, this request is for an increase in authorization only; ORS is not seeking increased cash funding.
  - ORS is other funded and as expenses have grown, we have kept gross receipts revenue billings level each year since 2020 and utilized some of its carryforward.
  - ORS is not seeking an increase to its gross receipts.



# Budget Request Summary - In Priority Order

FY 24-25 Prioritized Budget Request Summary												
SC Office of Regulatory Staff, R060												
BUDGET REQUESTS				FUNDING				FTEs				
Priority	Request Type (recurring, non-recurring, capital)	Request Title	Brief Description	General - Recurring	General - Nonrecurring	Other	Federal	Total	State	Other	Federal	Total
1	Recurring	Salary & Benefits	Covers general increases, staff growth from workload increases, competitive compensation increases.			\$ 1,223,362		\$ 1,223,362		0		0
2	Recurring	IT Operating & Equipment	IT applications and equipment to support operations and outreach.			\$ 125,000		\$ 125,000		0		0
3								0				0
4								0				0
5								0				0
6								0				0
7								0				0
8								0				0
9								0				0
10								0				0
11								0				0
12								0				0
13								0				0
14								0				0
15								0				0
16								0				0
17								0				0
18								0				0
19								0				0
20								0				0
<b>TOTAL BUDGET REQUESTS</b>				\$ -	\$ -	\$ 1,348,362	\$ -	\$ 1,348,362	0	0	0	0

This budget request is for Legacy ORS funds only. No other ORS funds are seeking increased FY25 authorization: Energy Office, Broadband, Santee Cooper, Dual Party Relay.

Additionally, this request is for an increase in authorization only; ORS is not seeking increased cash funding.

- ORS is other funded and as expenses have grown, we have kept gross receipts revenue billings level each year since 2020 and utilized some of its carryforward.
- ORS is not seeking an increase to its Gross Receipts.

# Proviso Requests

## **Broadband**

The ORS is requesting to delete two broadband related provisos 73.5 and 73.6 and replace them with two new provisos.

The new “SC Broadband Office and SC Digital Opportunity” proviso replaces 73.5; this new proviso essentially contains the original Broadband provisions but requests emergency procurement (Section 11-35-1570) to help expedite deployment of federal broadband funds, allows procurement of grant management services, and establishes a SC Digital Opportunity department within the ORS to serve as the digital equity planning body for the State to address the digital divide.

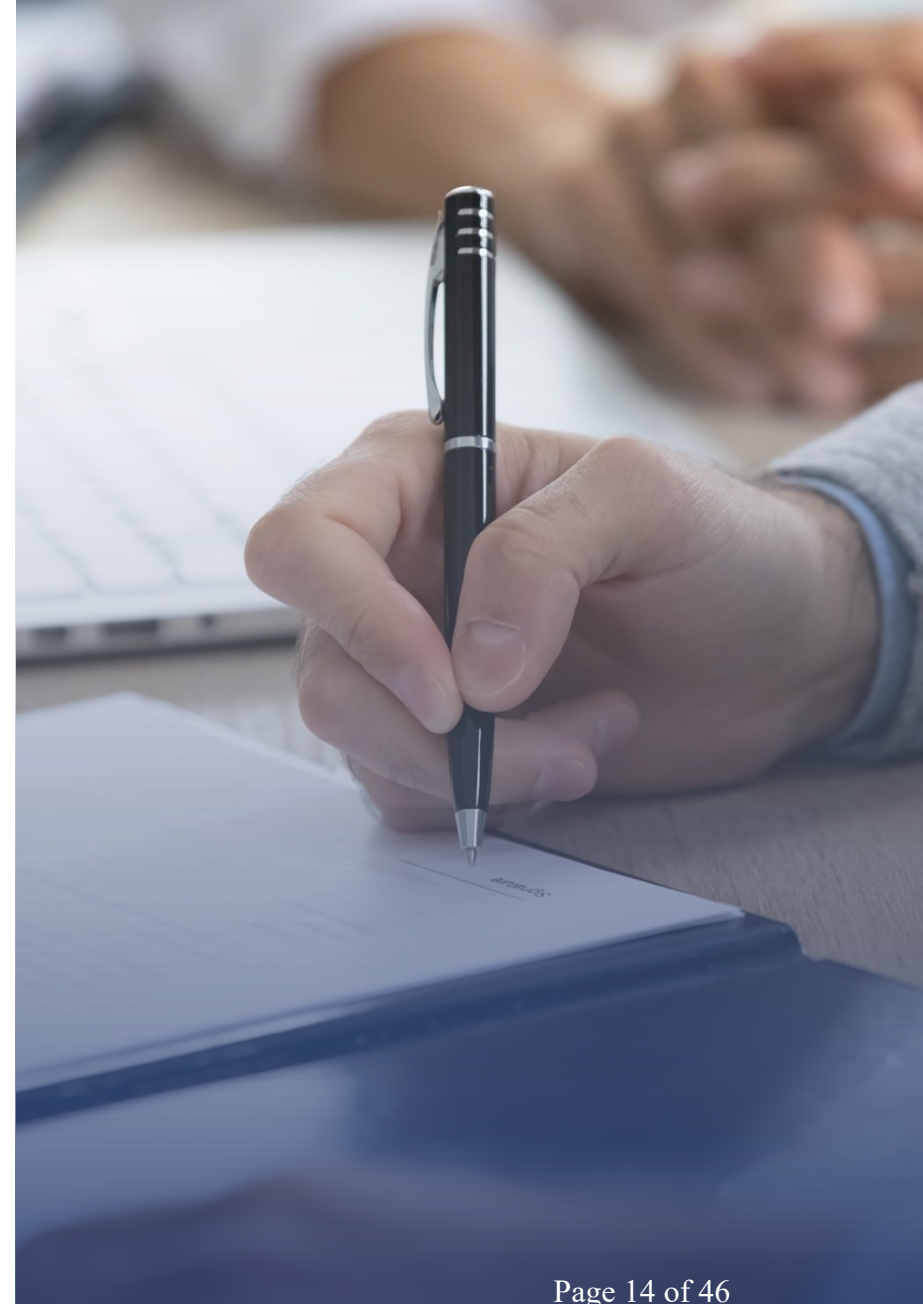
The new “SC Broadband Map and Internet Service Provider Data” proviso replaces 73.6; this new proviso improves the clarity of the existing proviso language and allows external reporting of service provider costs if required by federal law.

## **Energy Office**

The ORS is requesting a new proviso “ORS: Energy Office Infrastructure Investment and Jobs Act (IIJA) & Inflation Reduction Act (IRA)”, to administer Federal grant, loan, rebate, and other programs and use assistance from state and federal agencies or private, non-profits, and industry to accomplish purposes of (IIJA) and (IRA).

Under this new proviso, emergency procurement is provided in accordance with Section 11-35-1570, and the Energy Office may procure professional grant management services for oversight and compliance of funds received.

A full listing of ORS provisos are shown in the pages following.



**Transportation and Regulatory Subcommittee  
Proviso Request Summary - R060 SC Office of Regulatory Staff**

FY 23-24 Proviso #	Renumbered FY 24-25 Proviso #	Proviso Title	Short Summary	FY of Proviso Introduction/ # of years in budget	Recommended Action	Proviso Language
73.1	73.1	Transportation Fee Refund			NO CHANGE	The Transportation Department of the Office of Regulatory Staff is hereby authorized to make refunds of fees which were erroneously collected.
73.2	73.2	Assessment Certification			NO CHANGE	<p>The Office of Regulatory Staff shall certify to the Department of Revenue the amounts to be assessed to cover appropriations in this section as follows:</p> <p>(1) the amount applicable to the assessment on public utility, telephone utility, radio common carrier and electric utility companies as provided for by Section 58-4-60, Code of Laws of 1976;</p> <p>(2) the amount to be assessed against gas utility companies as provided for in Section 58-5-940, Code of Laws of 1976;</p> <p>(3) the amount to be assessed against electric light and power companies as provided for in Sections 58-4-60 and 58-27-50, Code of Laws of 1976; and</p> <p>(4) the amount to be covered by revenue from motor transport fees as provided for by Section 58-23-630, and other fees as set forth in Section 58-4-60, Code of Laws of 1976.</p> <p>The amount to be assessed against railroad companies shall consist of all expenses related to the operations of the Railway subprogram of the Agency's Transportation Division, to include the related distribution of salary increments and employer contributions not reflected in the related subprogram of this act as set forth in Section 58-4-60, Code of Laws of 1976.</p>
73.3	73.3	Assessment Adjustments			NO CHANGE	<p>If the Office of Regulatory Staff determines that a person or entity subject to Title 58 of the 1976 Code has been assessed an amount greater than that authorized by Sections 58-4-60, 58-3-100 and 58-3-540, the Office of Regulatory Staff shall, at its discretion:</p> <p>(a) refund the person or entity the amount of over collection using funds from the current fiscal year;</p> <p>(b) refund the person or entity the amount of over collection using any unexpended funds from the prior fiscal year;</p> <p>(c) credit the amount the person or entity will be assessed in the next fiscal year for the amount of over collection; or</p> <p>(d) any combination of these.</p> <p>The Office of Regulatory Staff, when determining the amount to be assessed in the next fiscal year, may take into consideration any underpayment or overpayment by a person or entity during a given year. Any unexpended funds from revenue generated pursuant to this section may be retained and carried forward and expended for the same purposes.</p>

**Transportation and Regulatory Subcommittee  
Proviso Request Summary - R060 SC Office of Regulatory Staff**

FY 23-24 Proviso #	Renumbered FY 24-25 Proviso #	Proviso Title	Short Summary	FY of Proviso Introduction/ # of years in budget	Recommended Action	Proviso Language
73.4	73.4	Assessment Adjustments			NO CHANGE	<p>If the Office of Regulatory Staff determines that a person or entity subject to Title 58 of the 1976 Code has been assessed an amount greater than that authorized by Sections 58-4-60, 58-3-100 and 58-3-540, the Office of Regulatory Staff shall, at its discretion:</p> <ul style="list-style-type: none"> <li>(a) refund the person or entity the amount of over collection using funds from the current fiscal year;</li> <li>(b) refund the person or entity the amount of over collection using any unexpended funds from the prior fiscal year;</li> <li>(c) credit the amount the person or entity will be assessed in the next fiscal year for the amount of over collection; or</li> <li>(d) any combination of these.</li> </ul> <p>The Office of Regulatory Staff, when determining the amount to be assessed in the next fiscal year, may take into consideration any underpayment or overpayment by a person or entity during a given year. Any unexpended funds from revenue generated pursuant to this section may be retained and carried forward and expended for the same purposes.</p>
73.5	73.5	Office of Broadband Coordinator			DELETE	<p>A) From funds appropriated for this purpose, there is established the Office of Broadband Coordinator within the Office of Regulatory Staff to serve as the central broadband planning body for the State and to coordinate with federal, state, regional, local, and private entities, to the extent practicable, to encourage the continued development of access to broadband in the State. The Office of Broadband Coordinator shall convene a collaborative stakeholder process to identify challenges to expediting broadband access and shall provide a report to the General Assembly with recommendations for which legislative, regulatory, or other governmental actions are appropriate to promote broadband access throughout the State.</p> <p>(B) The Office of Broadband Coordinator shall convene a collaborative stakeholder process to identify challenges to expediting broadband access and shall provide a report to the General Assembly with recommendations for which legislative, regulatory, or other governmental actions are appropriate to promote broadband access throughout the State.</p> <p>(C) Funds appropriated to the Office of Broadband Coordinator for broadband infrastructure shall be used to continue to fund the Broadband Infrastructure Program, including the completion of those broadband infrastructure projects that were approved for funding pursuant to Act 142 of 2020 but not constructed by December of 2020. Expansion of broadband infrastructure shall emphasize services to rural communities and communities with a lack of access to broadband. The Office of Broadband Coordinator shall prioritize infrastructure expansion that will make high speed broadband available to homes, businesses, schools, health care facilities, and other institutions in unserved areas across South Carolina.</p> <p>(D) The Office of Broadband Coordinator shall serve as a central resource to collect and publish information regarding federal and state programs to fund broadband expansion, and to the extent practicable, coordinate resources such that both state and federal resources are efficiently maximized.</p> <p>(E) The Office of Broadband Coordinator may use assistance from state and federal agencies or from private organizations and industry to accomplish the purposes of this provision. Unexpended funds at the end of the prior fiscal year shall be carried forward</p>



**Transportation and Regulatory Subcommittee  
Proviso Request Summary - R060 SC Office of Regulatory Staff**

FY 23-24 Proviso #	Renumbered FY 24-25 Proviso #	Proviso Title	Short Summary	FY of Proviso Introduction/ # of years in budget	Recommended Action	Proviso Language
						and expended in the current fiscal year by the Office of Regulatory Staff for the same purposes.
73.6	73.6	SC Broadband Map			DELETE	<p>(A) From funds appropriated, the Office of Broadband Coordinator shall contact the appropriate entities to provide information necessary to compile the county-by-county broadband mapping plan required by Section 10 of Act 142 of 2020 showing the location and capability of broadband facilities throughout the State. In order to facilitate the provision of information necessary to this task, all information provided by a broadband service provider or other entity providing information for the purpose of creating a South Carolina broadband map shall be maintained by the Office of Broadband Coordinator and any other agency as confidential, proprietary, and a trade secret as defined in Section 30-4-40 of the 1976 Code, and subject to exemption from disclosure under state and federal law. The information shall not be subject to disclosure under Chapter 4, Title 30 of the 1976 Code, except in the form of a map where information that could be used to determine provider-specific information about the network of the broadband service provider or other providing entity is not disclosed. (2)Except as otherwise provided in this provision, such broadband provider specific information shall not be released to any person other than to the broadband service provider or other entity providing information, employees of the Office of Broadband Coordinator, agents designated to assist in developing the South Carolina broadband map, entities contracting with the Office of Broadband Coordinator, and other state agencies administering funds for broadband deployment without express permission of the submitting broadband service provider or other entity providing information. Such information shall be used solely for the purposes stated under this provision. The Office of Broadband Coordinator shall ensure that any such agents, entities, or agencies with whom the information is shared are aware of the confidential nature and restricted purposes for which the information may be used and that any such agents or entities that are not state agencies execute an appropriate nondisclosure agreement protecting the information from public disclosure before receiving the information.</p> <p>(B)Entities providing broadband service or middle mile infrastructure in South Carolina shall, on an annual basis, provide to the Office of Broadband Coordinator deployment data in a format specified by the office to provide the most accurate and granular representation of currently available broadband infrastructure. These same entities, when they serve residential or business customers, shall also provide the type of technology deployed together with the sustainable download and upload speeds available at each serviceable location. Entities failing to provide such data on an annual basis may be disqualified from state funding opportunities for the current fiscal year. Annually, the office shall compile this information, analyze, and update statewide broadband deployment information.</p> <p>(C)Any unexpended funds at the end of the prior fiscal year shall be carried forward and expended in the current fiscal year by the Office of Regulatory Staff for the same purposes.</p>

**Transportation and Regulatory Subcommittee  
Proviso Request Summary - R060 SC Office of Regulatory Staff**

FY 23-24 Proviso #	Renumbered FY 24-25 Proviso #	Proviso Title	Short Summary	FY of Proviso Introduction/ # of years in budget	Recommended Action	Proviso Language
73.8	73.7	Santee Cooper Billing			NO CHANGE	The Office of Regulatory Staff is authorized, subject to the Public Utilities Review Committee’s approval of the Office of Regulatory Staff’s annual budget, to bill Santee Cooper for costs associated with its oversight of Santee Cooper performed pursuant to Act 90 of 2021 and any other relevant legislation, statute, or provision, provided such costs do not exceed the amounts authorized for the oversight of Santee Cooper in this act. Santee Cooper may reduce their remittance of revenues to the State by the amount paid to the Office of Regulatory Staff for oversight costs under this provision. This reduction shall be made in Santee Cooper’s second semiannual remittance to the State.
73.9	73.8	Rural Telephone Companies			NO CHANGE	From funds appropriated for Public Safety Infrastructure Management, the Office of Regulatory Staff may provide funds to South Carolina rural telephone companies and their affiliates for actual costs incurred associated with 911 infrastructure and connections as part of the State’s transition to next generation 911 services pursuant to the State’s contract with NextGen Communications, Inc.
	TBD	ORS: SC Broadband Office and SC Digital Opportunity			ADD	<p>(A) From funds appropriated for this purpose, there is established the SC Broadband Office within the Office of Regulatory Staff to serve as the central broadband planning body for the State and to coordinate with federal, state, regional, local, and private entities, to the extent practicable, to encourage the continued development of access to broadband in the State.</p> <p>(B) The SC Broadband Office shall convene a collaborative stakeholder process to identify challenges to expediting broadband access and shall provide a report to the General Assembly with recommendations for which legislative, regulatory, or other governmental actions are appropriate to promote broadband access throughout the State.</p> <p>(C) Funds appropriated to the SC Broadband Office for broadband infrastructure shall be used to continue to fund the Broadband Infrastructure Program, broadband-related workforce development, and any other federally-approved non-deployment programs so as to maximize available federal funding under the American Rescue Plan Act (ARPA) and Infrastructure Investment and Jobs Act (IIJA) for the benefit of the state.</p> <p>(C)(1) Expansion of broadband infrastructure shall emphasize services to rural communities and communities with a lack of access to broadband. The SC Broadband Office shall prioritize infrastructure expansion that will make high-speed broadband available to homes, businesses, schools, health care facilities, and other community anchor institutions in underserved areas across South Carolina.</p> <p>(D) The SC Broadband Office shall serve as a central resource to collect and publish information regarding federal and state programs to fund broadband expansion, and to the extent practicable, coordinate resources such that both state and federal resources are efficiently maximized.</p> <p>(E) (ORS: SC Digital Opportunity) From funds appropriated for this purpose, there is established a SC Digital Opportunity department within the Office of Regulatory Staff to serve as the digital equity planning body for the State and to coordinate with federal, state, regional, local, and private entities, to the extent practicable, to address the digital divide. To the extent personally identifiable information or health related information necessary to implement the goals of digital opportunity is collected or shared by state</p>

**Transportation and Regulatory Subcommittee  
Proviso Request Summary - R060 SC Office of Regulatory Staff**

FY 23-24 Proviso #	Renumbered FY 24-25 Proviso #	Proviso Title	Short Summary	FY of Proviso Introduction/ # of years in budget	Recommended Action	Proviso Language
						<p>agencies with this department, such information shall be afforded confidential treatment.</p> <p>(F) It is vital to the state's interest that federal funding provided under the ARPA and IIJA, among others, be utilized in the most expeditious manner possible as these federal funds have specified deadlines for funds commitment and completion. Accordingly, this procurement should be done pursuant to the provisions of Section 11-35-1570 of the 1976 Code. The Executive Director of the Office of Regulatory Staff shall coordinate the process used to procure the services needed and shall be responsible for the development of specifications to be included in any contract awarded. The State Fiscal Accountability Authority shall serve as the procuring officer for the procurement process and is responsible for administrative duties related to the process and the contract awarded. The State Fiscal Accountability Authority shall assign such personnel as necessary to assist the Office of Regulatory Staff and the Energy Office in carrying out its duties under this act.</p> <p>(G) The Office of Regulatory Staff may procure professional grant management services for oversight and compliance of funds received through the IIJA among others, on behalf of the South Carolina Broadband and Digital Opportunity Offices. ORS is authorized to fulfill this requirement using federal funds as allowed for administration and from existing fund resources as appropriate.</p> <p>(H) The SC Broadband Office and the SC Digital Opportunity Department may use assistance from state and federal agencies or from private organizations, non-profits, and industry to accomplish the purposes of this provision. Unexpended funds at the end of the prior fiscal year shall be carried forward and expended in the current fiscal year by the Office of Regulatory Staff for the same purposes.</p>

**Transportation and Regulatory Subcommittee  
Proviso Request Summary - R060 SC Office of Regulatory Staff**

FY 23-24 Proviso #	Renumbered FY 24-25 Proviso #	Proviso Title	Short Summary	FY of Proviso Introduction/ # of years in budget	Recommended Action	Proviso Language
	TBD	ORS: SC Broadband Map and Internet Service Provider Data			ADD	<p>(A)(1) From funds appropriated, the SC Broadband Office shall contact the appropriate entities to provide information necessary to compile the county-by-county broadband mapping plan showing the location and capability of broadband facilities throughout the State. To meet federal mandates, the SC Broadband Office may be required to collect confidential financial data to confirm and verify compliance with the various Grant programs. In order to facilitate the provision of information necessary to these tasks, financial data, including any planned construction timelines and related data, provided by a broadband service provider or other entity providing information shall be maintained by the SC Broadband Office and any other agency as confidential, proprietary, and a trade secret as defined in Section 30-4-40 of the 1976 Code, and subject to exemption from disclosure under state law. Data may be made publicly available in an aggregated, non-provider specific format or in the form of a map, where information that could be used to determine provider-specific information about the network of the broadband service provider or other providing entity is not disclosed. (2) Except as otherwise provided in this provision, such broadband provider-specific information shall not be released to any person other than to the broadband service provider or other entity providing information, employees of the SC Broadband Office, agents designated to assist in developing the South Carolina broadband map, entities contracting with the SC Broadband Office, and other state or federal agencies administering funds for broadband deployment without express permission of the submitting broadband service provider or other entity providing information. Such information shall be used solely for the purposes stated under this provision. The SC Broadband Office shall ensure that any such agents, entities, or agencies with whom the information is shared are aware of the confidential nature and restricted purposes for which the information may be used and that any such agents or entities that are not state agencies execute an appropriate nondisclosure agreement protecting the information from public disclosure before receiving the information. (3) Notwithstanding the above, if required by federal law, ORS may report broadband service provider costs for external reporting.</p> <p>(B) Entities providing broadband service or middle-mile infrastructure in South Carolina shall, on a bi-annual basis, provide to the South Carolina Broadband Office deployment data in a format specified by the office to provide the most accurate and granular representation of currently available broadband infrastructure. These same entities, when they serve residential or business customers, shall also provide the type of technology deployed together with the sustainable download and upload speeds available at each serviceable location. Entities failing to provide such data on an annual basis may be disqualified from state funding opportunities for the current fiscal year. At least annually, the office shall compile this information, analyze, and update statewide broadband deployment information.</p>

**Transportation and Regulatory Subcommittee  
Proviso Request Summary - R060 SC Office of Regulatory Staff**

FY 23-24 Proviso #	Renumbered FY 24-25 Proviso #	Proviso Title	Short Summary	FY of Proviso Introduction/ # of years in budget	Recommended Action	Proviso Language
	TBD	ORS: Energy Office			ADD	<p>(A) The Infrastructure Investment and Job Act (IIJA) and the Inflation Reduction Act (IRA) allocated billions in federal funding for states to administer a variety of grant, loan, rebate, and other programs. The of Regulatory Staff - Energy Office ("Energy Office") expects to receive over \$148 million in federal funding under the IIJA and IRA combined. Of this funding, \$137 million shall split between two consumers home rebate programs: Home Energy Performance Based, Whole House Rebates (Home Rebates) and Highly Efficiency Electric Home Rebates (Home Electrification and Appliance Rebates). For Example, the Energy Office anticipates approximately \$68 million in funding for the HOME Rebate program. This program will provide rebates for energy efficiency retrofits ranging from \$2,000 to \$8,000 for individual households and up to \$400,000 for multifamily buildings. Rebate amounts will depend on the amount of energy savings achieved by the retrofits, and maximum rebate amounts will double retrofits of low-and moderate -income homes. The Energy Office anticipates \$68 million in funding for the Home Electrostriction and Appliance Rebates program. This program will provide rebates on a percentage of the cost for an efficiency project based on the household's income. The program will include a \$14,000 rebate cap per household with additional caps on individual equipment types.</p> <p>(B) The Energy Office or its subrecipient, may use assistance from state and federal agencies or from private organizations, non-profits, and industry to accomplish the purposes of efficiently leveraging resources to successfully administer this energy efficiently and other federally funded programs established by the IIJA and IRA. Unexpanded funds at the end of the prior fiscal year shall be carried forward and expended in the current fiscal year by the Energy Office for the same purposes in compliance with the federal funding requirements.</p> <p>(C) It is vital to the state's interest that federal funding provided under the IIJA and the IRA be utilized in the amount in the most expeditious manner possible as these federal funds have specified deadlines for the funds commitment and completion. Accordingly, this procurement should be done pursuant to the provisions of Section 11-35-1570 of the 1976 Code. The Executive Director of the Office of Regulatory Staff shall coordinate the process used to procure the services needed and shall be responsible for the development of specifications to be included in any contract awarded. The State Fiscal Accountability Authority shall serve as the procuring officer for the procurement process and is responsible for administrative duties related to the process and the contract awarded. The State Fiscal Accountability Authority shall assign such personnel as necessary to assist the Office of Regulatory Staff and the Energy Office in carrying out its duties under the act.</p> <p>(D) The Office of Regulatory Staff and the Energy Office may procure professional grant management services for oversight and compliance of funds received through the IIJA and IRA among others on behalf of the Energy Office. The Energy Office is authorized to fulfill this requirement from federal funds and from existing fund resources as appropriate.</p>

**Transportation and Regulatory Subcommittee  
 Proviso Request Summary - R060 SC Office of Regulatory Staff**

<b>FY 23-24 Proviso #</b>	<b>Renumbered FY 24-25 Proviso #</b>	<b>Proviso Title</b>	<b>Short Summary</b>	<b>FY of Proviso Introduction/ # of years in budget</b>	<b>Recommended Action</b>	<b>Proviso Language</b>
118.19 (53)	TBD	Nonrecurring Revenue - R060-Office of Regulatory Staff Public Safety Infrastructure Management \$1,500,000			NO CHANGE	This nonrecurring revenue is revenue generated from a source as listed in section 118.19 of the FY24 Budget Act. This nonrecurring revenue related to proviso 118.19 (53) is related to FY24.

# Other Information

APPROPRIATIONS ACT FORMAT	PRIOR YEAR BUDGET AUTHORIZATION - JUNE 30, 2024	FY25 Budget Ask	FY25 BUDGET SUBMITTED TO EBO
<b>I. OFFICE OF EXECUTIVE DIRECTOR</b>			
DIRECTOR	265,000 <i>(1.00)</i>		265,000 <i>(1.00)</i>
UNCLASSIFIED POSITIONS	1,284,676 <i>(10.00)</i>	189,324	1,474,000 <i>(10.00)</i>
OTHER OPERATING EXPENSES	538,347		538,347
DUAL PARTY RELAY FUNDS	4,165,696		4,165,696
TOTAL I. OFFICE OF EXECUTIVE	<b>6,253,719</b> <i>(11.00)</i>	<b>189,324</b> <i>0.00</i>	<b>6,443,043</b> <i>(11.00)</i>
<b>II. SUPPORT SERVICES</b>			
UNCLASSIFIED POSITIONS	1,590,986 <i>(24.00)</i>	262,014	1,853,000 <i>(24.00)</i>
OTHER OPERATING EXPENSES	750,000	125,000	875,000
TOTAL II. SUPPORT SERVICES	<b>2,340,986</b> <i>(24.00)</i>	<b>387,014</b> <i>0.00</i>	<b>2,728,000</b> <i>(24.00)</i>
<b>III. ORS PROGRAMS</b>			
UNCLASSIFIED POSITIONS	2,652,139 <i>(39.00)</i>	427,861	3,080,000 <i>(39.00)</i>
OTHER OPERATING EXPENSES	750,000		750,000
TOTAL III. ORS PROGRAMS	<b>3,402,139</b> <i>(39.00)</i>	<b>427,861</b> <i>0.00</i>	<b>3,830,000</b> <i>(39.00)</i>
<b>IV. ENERGY OFFICE</b>			
<b>A. ENERGY PROGRAMS</b>			
UNCLASSIFIED POSITIONS	807,605 <i>(13.33)</i>		807,605 <i>(13.33)</i>
OTHER PERSONAL SERVICES	33,360		33,360
OTHER OPERATING EXPENSES	375,331		375,331
ALLOC OTHER ENTITIES	135,000		135,000
TOTAL A. ENERGY PROGRAMS	<b>1,351,296</b> <i>(13.33)</i>	<b>0</b> <i>0.00</i>	<b>1,351,296</b> <i>(13.33)</i>
<b>B. RADIOACTIVE WASTE</b>			
UNCLASSIFIED POSITIONS	131,610 <i>(4.67)</i>		131,610 <i>(4.67)</i>
OTHER OPERATING EXPENSES	94,924		94,924
TOTAL B. RADIOACTIVE WASTE	<b>226,534</b> <i>(4.67)</i>	<b>0</b> <i>0.00</i>	<b>226,534</b> <i>(4.67)</i>
<b>TOTAL IV. ENERGY OFFICE</b>	<b>1,577,830</b> <i>(18.00)</i>	<b>0</b> <i>0.00</i>	<b>1,577,830</b> <i>(18.00)</i>
<b>V. STATEWIDE BROADBAND OFFICE</b>			
UNCLASSIFIED POSITIONS	973,864 <i>(10.00)</i>		973,864 <i>(10.00)</i>
OTHER OPERATING EXPENSES	1,771,800		1,771,800
TOTAL V. STATEWIDE BROADBAND	<b>2,745,664</b> <i>(10.00)</i>	<b>0</b> <i>0.00</i>	<b>2,745,664</b> <i>(10.00)</i>
<b>VI. SANTEE COOPER REGULATION</b>			
NEW POSITIONS - UNCLASSIFIED	1,325,000 <i>(8.00)</i>		1,325,000 <i>(8.00)</i>
OTHER OPERATING EXPENSES	675,000		675,000
TOTAL VI. SANTEE COOPER	<b>2,000,000</b> <i>(8.00)</i>	<b>0</b> <i>0.00</i>	<b>2,000,000</b> <i>(8.00)</i>
<b>VII. EMPLOYEE BENEFITS</b>			
EMPLOYER CONTRIBUTIONS	3,042,837	344,163	3,387,000
TOTAL VII. EMPLOYEE BENEFITS	<b>3,042,837</b>	<b>344,163</b>	<b>3,387,000</b>
<b>TOTAL OFFICE OF REGULATORY STAFF</b>	<b>21,363,175</b> <i>(110.00)</i>	<b>1,348,362</b> <i>0.00</i>	<b>22,711,537</b> <i>(110.00)</i>

# Other Information - continued



As of December 27, 2023

SOUTH CAROLINA OFFICE OF REGULATORY STAFF - CONSOLIDATED BROADBAND-RELATED FUNDING												
Fund Source	Program	Total Funding	Grant Program	Status	Start Date	End Date	# of Counties	# of Companies*	# of Projects	Non-Grant Expenses	Grant Funds Awarded (or paid) to Date	Uncommitted Fund Balance
Federal	Act 142 (CARES Act 1)	\$ 16,728,421	Act 142 (CARES Act I)	Completed	August 2020	December 2020	28	14	76	\$ -	\$ 16,728,421	\$ -
State	Rural Broadband Grant Program (RBGP)	\$ 30,000,000	RBGP	In Progress	March 2021	December 2024	19	15	32	\$ 114,975	\$ 29,885,025	\$ -
State	Proviso 73.6	\$ 10,000,000	CARES Act II	Completed	July 2021	March 2022	11	8	15	\$ 32,082	\$ 7,873,282	
			CARES Act II, v2	In Progress	May 2023	April 2024	2	1	2	\$ -	\$ 693,445	\$ 164,909
			Starlink Pilot Program	Completed	May 2022	June 2022	8	1	1	\$ 1,151	\$ 30,000	
			Last Mile Grant Program	Completed	June 2022	December 2022	15	6	30	\$ -	\$ 1,205,131	
Federal	ARPA SLFRF	\$ 214,234,345	ARPA SLFRF 1.0	In Progress	December 2022	December 2024	34	15	61	\$ 24,122	\$ 154,684,526	\$ 34,601,498
			ARPA SLFRF 2.0 (ADGP)	In Progress	July 2023	October 2023	24	10	10		\$ 24,924,199	
Federal	ARPA Capital Projects Fund	\$ 185,765,655	ARPA CPF 1.0	In Progress	November 2023	November 2025	TBD	9	18	\$ 143,994	\$ 113,521,094	\$ 72,100,567
Federal	BEAD Planning	\$ 5,000,000	BEAD Planning	In Progress	January 2023	December 2027	N/A	N/A	N/A	N/A	N/A	N/A
Federal	BEAD Digital Equity - (eff. 10/2023)	\$ 392,473	BEAD Digital Equity	In Progress	October 2023	April 2024	N/A	N/A	N/A	N/A	N/A	N/A
Federal	ACP Outreach Grant - NCOP Round 2	\$ 400,000	ACP Outreach	In Progress	TBD	TBD	N/A	N/A	N/A	N/A	N/A	N/A
Federal	BEAD Infrastructure	\$ 546,535,983	BEAD Infrastructure	Not Started	TBD	TBD	-	-	-		\$ -	\$ 546,535,983
<b>Total</b>		<b>\$ 1,009,056,877</b>							<b>245</b>	<b>\$ 316,324</b>	<b>\$ 349,545,124</b>	<b>\$ 653,402,957</b>

Excludes relinquished and cancelled projects, and projects that were not completed



# Other Information - continued



SOUTH CAROLINA OFFICE OF REGULATORY STAFF - ENERGY OFFICE - FY25 Budget Estimations					
Fund Source	Program	Total Funding	Grant Program	Status	Grant Funds Awarded (or paid) to Date
Federal - 5055	SEP Formula Grant - R0601QA00125	\$ 904,860		Yearly Grant - Pending	\$ 904,860
Federal - 5055	DOE Clean Cities -R0601Q957525-26	\$ 110,000	DE-EE0009575	Yearly Grant - Pending	\$ 110,000
Restricted Funds - 4715	Diamond Shamrock SEP Match Fund	\$ 75,000		In progress	\$ 75,000
Restricted Funds - 4744	DOE Budgeted Other Operating Support PVE	\$ 118,770		In progress	\$ 118,770
	Palmetto State Clean Fuels	\$ 15,120		In progress	\$ 15,120
Federal - 52S8	SEPBIL - IJJA - R0601QS09923	\$ 6,883,410	DE-EE0010099	5 years Grant - In progress	\$ 2,080,682
Federal - 52S8	EECBG - IJJA - R0601QSE6724	\$ 2,176,180		3 Years Grant - not started	\$ 723,473
		<b>\$ 10,283,340</b>			<b>\$ 4,027,905</b>

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73



**Fiscal Year FY 2024-2025  
Agency Budget Plan**

**FORM A - BUDGET PLAN SUMMARY**

<b>OPERATING REQUESTS</b> <i>(FORM B1)</i>	<b>For FY 2024-2025, my agency is (mark "X"):</b>	
	<input type="checkbox"/>	Requesting General Fund Appropriations.
	<input checked="" type="checkbox"/>	Requesting Federal/Other Authorization.
	<input type="checkbox"/>	Not requesting any changes.

<b>NON-RECURRING REQUESTS</b> <i>(FORM B2)</i>	<b>For FY 2024-2025, my agency is (mark "X"):</b>	
	<input type="checkbox"/>	Requesting Non-Recurring Appropriations.
	<input type="checkbox"/>	Requesting Non-Recurring Federal/Other Authorization.
	<input checked="" type="checkbox"/>	Not requesting any changes.

<b>CAPITAL REQUESTS</b> <i>(FORM C)</i>	<b>For FY 2024-2025, my agency is (mark "X"):</b>	
	<input type="checkbox"/>	Requesting funding for Capital Projects.
	<input checked="" type="checkbox"/>	Not requesting any changes.

<b>PROVISOS</b> <i>(FORM D)</i>	<b>For FY 2024-2025, my agency is (mark "X"):</b>	
	<input checked="" type="checkbox"/>	Requesting a new proviso and/or substantive changes to existing provisos.
	<input type="checkbox"/>	Only requesting technical proviso changes (such as date references)
	<input type="checkbox"/>	Not requesting any proviso changes.

Please identify your agency's preferred contacts for this year's budget process.

	<i>Name</i>	<i>Phone</i>	<i>Email</i>
<b>PRIMARY CONTACT:</b>	Mark Rhoden	(803) 737-1108	mrhoden@ors.sc.gov
<b>SECONDARY CONTACT:</b>	Michael Guffee	(803) 737-1482	mguffee@ors.sc.gov

I have reviewed and approved the enclosed FY 2024-2025 Agency Budget Plan, which is complete and accurate to the extent of my knowledge.

<b>SIGN/DATE:</b> <b>TYPE/PRINT NAME:</b>	<i>Agency Director</i>	<i>Board or Commission Chair</i>
	 Nanette S. Edwards	 Senator Thomas C. Alexander

*This form must be signed by the agency head – not a delegate.*

### Fiscal Year 2024-2025 Executive Summary

<b>Agency Code:</b>	R060
<b>Agency Name:</b>	Office Of Regulatory Staff
<b>Section:</b>	73

Agency Priority	Request Type	Title	General Dollars	Federal Dollars	Earmarked Dollars	Restricted Dollars	Total Dollars	General FTEs	Federal FTEs	Earmarked FTEs	Restricted FTEs	Total FTEs
1	B1 - Recurring	Salary and Benefits	\$0	\$0	\$1,223,362	\$0	\$1,223,362	0.00	0.00	0.00	0.00	0.00
2	B1 - Recurring	IT Operating and Equipment - Operating	\$0	\$0	\$125,000	\$0	\$125,000	0.00	0.00	0.00	0.00	0.00
<b>Subtotal:</b>			<b>\$0</b>	<b>\$0</b>	<b>\$1,348,362</b>	<b>\$0</b>	<b>\$1,348,362</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

## FORM B1 – RECURRING OPERATING REQUEST

<b>AGENCY PRIORITY</b>	1
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*Provide the Agency Priority Ranking from the Executive Summary.*

<b>TITLE</b>	Salary and Benefits
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*Provide a brief, descriptive title for this request.*

<b>AMOUNT</b>	<p><b>General: \$0</b></p> <p><b>Federal: \$0</b></p> <p><b>Other: \$1,223,362</b></p> <p><b>Total: \$1,223,362</b></p>
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*What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.*

<b>NEW POSITIONS</b>	0.00
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*Please provide the total number of new positions needed for this request.*

<b>FACTORS ASSOCIATED WITH THE REQUEST</b>	<b>Mark "X" for all that apply:</b>	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

<b>STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES</b>	<b>Mark "X" for primary applicable Statewide Enterprise Strategic Objective:</b>	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
	<input checked="" type="checkbox"/>	Government and Citizens

<b>ACCOUNTABILITY OF FUNDS</b>	<p>This budget request for FY25 is related to ORS Fund 3035 which funds regulatory oversight of utilities: Electric, Water Wastewater, Transportation, Telecommunications; as well as public safety: pipeline safety, railroad safety, and emergency management. ORS serves the following Statewide Enterprise Strategic Objective components:</p> <ul style="list-style-type: none"> <li>• Deliver a government that serves the needs of South Carolinians and achieves inter-agency collaboration to deliver highly effective, efficient, and innovative programs.</li> <li>• Build a world-class and safe public infrastructure to enhance the quality of life of our citizens and to promote the state in global competitiveness as a location for business, investment, talent, innovation, and visitors.</li> </ul> <p>ORS Agency goals which align with strategic objectives are:</p> <ul style="list-style-type: none"> <li>• Responsiveness to the public by providing consumer education related to public utilities.</li> <li>• Operations are marked by professional excellence by coordinating with other Federal and State Agencies in Pipeline and Railroad safety and responsiveness to EMD events, as well as excellence in performance of rate-making activities.</li> <li>• ORS also is responsive to the public serving the needs of South Carolinians through its mission and related rate-making activities saving SC citizens millions of dollars annually.</li> </ul>
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This budget request advances the above strategy and goals by providing funds to support the following:

- Increased workloads in the following functions: Legal, IT, Accounting & Auditing, Energy Operations.
- Includes amounts to cover competitive pay increases for replacement hires.
- Includes amounts to cover key hires and key replacement hires, HR, Energy Ops, Executive.
- Includes amounts to fund (on a recurring basis) the recent 5% GI and related benefits.
- Includes provision for competitive pay, and performance, and promotional increases for a highly functioning technical staff supporting the ORS mission.

*What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?*

## RECIPIENTS OF FUNDS

Budget request is to increase authorization and not to request cash funding. ORS intends to fund any spend in excess of gross receipts from its existing carryforward.

*What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?*

## JUSTIFICATION OF REQUEST

### FORM B1 JUSTIFICATION OF REQUEST

ORS Fund 3035 is seeking approx. \$882K in authorization increase for wages and \$341K in authorization increase for related employee benefits for a total of \$1.2 million. Justification is as follows:

1. Includes the recent 5% GI of \$263,983 and related \$52,797 in benefits.
2. ORS has traditionally absorbed GI increases (except for FY23: GI ask was \$400K) but as spend levels approach authorization, we are now including GIs in our ask.
3. There was no budget ask for FY24 Budget Submission as spend has been absorbed by FY24 authorization; there was a "non-recurring" FY24 BD100 to cover the 5% GI in FY24 only.
4. ORS regulatory activity has significantly increased over the last four years driving the need for staff growth to meet work levels.
5. ORS wages for existing staff and for replacement hires has grown due to significant retention & competitive hiring challenges.

1. Some increases have been offset by various replacement hires at lower pay due to continued organizational management.

1. FY25 forecasted spend includes no "new hires" under our current FTEs allowed; includes filling open positions and provision for retention, promotion, merit during remaining FY24 & FY25.
2. ORS is planning on committing increased resources to improving IT applications and equipment to support functions.
3. Ask is related to increasing costs related to providing current services.
4. No other ORS funds are seeking FY25 authorization increases: Energy Office, Broadband, Santee Cooper, Dual Party Relay
5. ORS is not seeking increased cash funding; ORS intends to fund any spend in excess of its gross receipts from its existing carryforward.

1. ORS has kept cash gross receipts billings level since 2020 (at the \$9.4 million 2020 authorization) in order to utilize some of its carryforward; current FY24 authorization is \$10.1 million (before the FY25 ask)
2. ORS plans to keep gross receipts billings at this 2020 level (\$9.4 million) below our requested level \$11.4 million in FY25 and likely in FY26 to continue to utilize some of its carryforward.

1. Fringe assumption is 40%.
2. ORS expects operational costs related to these increased responsibilities and authorization to be nominal.
3. This analysis is for ORS Fund 3035 and is does not include any need for additional FTEs.

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

## FORM B1 – RECURRING OPERATING REQUEST

<b>AGENCY PRIORITY</b>	2
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*Provide the Agency Priority Ranking from the Executive Summary.*

<b>TITLE</b>	<b>IT Operating and Equipment - Operating</b>
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*Provide a brief, descriptive title for this request.*

<b>AMOUNT</b>	<b>General: \$0</b> <b>Federal: \$0</b> <b>Other: \$125,000</b> <b>Total: \$125,000</b>
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*What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.*

<b>NEW POSITIONS</b>	0.00
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*Please provide the total number of new positions needed for this request.*

<b>FACTORS ASSOCIATED WITH THE REQUEST</b>	<b>Mark "X" for all that apply:</b>	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input checked="" type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

<b>STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES</b>	<b>Mark "X" for primary applicable Statewide Enterprise Strategic Objective:</b>	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
	<input checked="" type="checkbox"/>	Government and Citizens

<b>ACCOUNTABILITY OF FUNDS</b>	<p>This budget request is to increase authorization related to ORS Fund 3035 which funds regulatory oversight of utilities: Electric, Water Wastewater, Transportation, Telecommunications; as well as public safety: pipeline safety, railroad safety, and emergency management. ORS serves the following Statewide Enterprise Strategic Objective components:</p> <ul style="list-style-type: none"> <li>Deliver a government that serves the needs of South Carolinians and achieves inter-agency collaboration to deliver highly effective, efficient, and innovative programs.</li> <li>Build a world-class and safe public infrastructure to enhance the quality of life of our citizens and to promote the state in global competitiveness as a location for business, investment, talent, innovation, and visitors.</li> </ul> <p style="text-align: right;">Page 30 of 46</p> <p>ORS Agency goals which align with strategic objectives are:</p> <ul style="list-style-type: none"> <li>Responsiveness to the public by providing consumer education related to public utilities.</li> <li>Operations are marked by professional excellence by coordinating with other Federal and State Agencies in Pipeline and Railroad safety and responsiveness to EMD events, as well as excellence in performance of rate-making activities.</li> <li>ORS also is responsive to the public serving the needs of South Carolinians through its mission and related rate-making activities saving SC citizens millions</li> </ul>
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of dollars annually.

This budget request advances the above strategy and goals by providing funds to support the following:

- IT applications and equipment to support ORS Staff.

*What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?*

## RECIPIENTS OF FUNDS

Budget request is to increase authorization and not request cash funding. ORS intends to fund any spend in excess of gross receipts from existing carryforward.

*What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?*

## JUSTIFICATION OF REQUEST

ORS Fund 3035 is seeking approx. \$125K in authorization increase for resources to improve IT applications and equipment to support functions.

1. Ask is related to increasing costs related to providing current services.

2. No other ORS funds are seeking FY25 authorization increases: Energy Office, Broadband, Santee Cooper, Dual Party Relay

3. ORS is not seeking increased cash funding; ORS intends to fund any spend in excess of its gross receipts from its existing carryforward.

1. ORS has kept cash gross receipts billings level since 2020 (at the \$9.4 million 2020 authorization) in order to utilize some of its carryforward; current FY24 authorization is \$10.1 million (before the FY25 ask)
2. ORS plans to keep gross receipts billings at this 2020 level (\$9.4 million) below our requested level \$11.4 million in FY25 and likely in FY26 to continue to utilize some of its carryforward.

4. This analysis is for ORS Fund 3035 and is does not include any need for additional FTEs.

*Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.*

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

## **FORM D – PROVISO REVISION REQUEST**

<b>NUMBER</b>	73.5
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*Cite the proviso according to the renumbered list (or mark "NEW").*

<b>TITLE</b>	Office of Broadband Coordinator
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*Provide the title from the renumbered list or suggest a short title for any new request.*

<b>BUDGET PROGRAM</b>	Broadband Office
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*Identify the associated budget program(s) by name and budget section.*

<b>RELATED BUDGET REQUEST</b>	None
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*Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.*

<b>REQUESTED ACTION</b>	Delete
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*Choose from: Add, Delete, Amend, or Codify.*

<b>OTHER AGENCIES AFFECTED</b>	None
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*Which other agencies would be affected by the recommended action? How?*

<b>SUMMARY &amp; EXPLANATION</b>	<p>Deletion of proviso 73.5 SC Broadband Office and requesting a new proviso to add emergency procurement in accordance with Section 11-35-1570 of the 1976 Code, allow procurement of grant management services, and establish a SC Digital Opportunity department within the ORS to serve as the digital equity planning body for the State to address the digital divide.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

**FISCAL IMPACT**

None

Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

**PROPOSED PROVISOR TEXT**

~~(ORS: Office of Broadband Coordinator) (A) From funds appropriated for this purpose, there is established the Office of Broadband Coordinator within the Office of Regulatory Staff to serve as the central broadband planning body for the State and to coordinate with federal, state, regional, local, and private entities, to the extent practicable, to encourage the continued development of access to broadband in the State.~~

~~(B) The Office of Broadband Coordinator shall convene a collaborative stakeholder process to identify challenges to expediting broadband access and shall provide a report to the General Assembly with recommendations for which legislative, regulatory, or other governmental actions are appropriate to promote broadband access throughout the State.~~

~~(C) Funds appropriated to the Office of Broadband Coordinator for broadband infrastructure shall be used to continue to fund the Broadband Infrastructure Program, including the completion of those broadband infrastructure projects that were approved for funding pursuant to Act 142 of 2020 but not constructed by December of 2020. Expansion of broadband infrastructure shall emphasize services to rural communities and communities with a lack of access to broadband. The Office of Broadband Coordinator shall prioritize infrastructure expansion that will make high-speed broadband available to homes, businesses, schools, health care facilities, and other institutions in unserved areas across South Carolina.~~

~~(D) The Office of Broadband Coordinator shall serve as a central resource to collect and publish information regarding federal and state programs to fund broadband expansion, and to the extent practicable, coordinate resources such that both state and federal resources are efficiently maximized.~~

~~(E) The Office of Broadband Coordinator may use assistance from state and federal agencies or from private organizations and industry to accomplish the purposes of this provision. Unexpended funds at the end of the prior fiscal year shall be carried forward and expended in the current fiscal year by the Office of Regulatory Staff for the same purposes.~~

Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

## **FORM D – PROVISO REVISION REQUEST**

<b>NUMBER</b>	73.6
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*Cite the proviso according to the renumbered list (or mark "NEW").*

<b>TITLE</b>	SC Broadband Map
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*Provide the title from the renumbered list or suggest a short title for any new request.*

<b>BUDGET PROGRAM</b>	Broadband Program
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*Identify the associated budget program(s) by name and budget section.*

<b>RELATED BUDGET REQUEST</b>	None
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*Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.*

<b>REQUESTED ACTION</b>	Delete
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*Choose from: Add, Delete, Amend, or Codify.*

<b>OTHER AGENCIES AFFECTED</b>	None
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*Which other agencies would be affected by the recommended action? How?*

<b>SUMMARY &amp; EXPLANATION</b>	<p>Deletion of Proviso 73.6 SC Broadband Map requesting new proviso to changing the name and improve the clarity of the existing proviso language; allowing external reporting of service provider costs if required by federal law.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

None

**FISCAL IMPACT**

Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

**PROPOSED  
PROVISO TEXT**

~~(ORS: SC Broadband Map) (A)(1) From funds appropriated, the Office of Broadband Coordinator shall contact the appropriate entities to provide information necessary to compile the county by county broadband mapping plan required by Section 10 of Act 142 of 2020 showing the location and capability of broadband facilities throughout the State. In order to facilitate the provision of information necessary to this task, all information provided by a broadband service provider or other entity providing information for the purpose of creating a South Carolina broadband map shall be maintained by the Office of Broadband Coordinator and any other agency as confidential, proprietary, and a trade secret as defined in Section 30-4-40 of the 1976 Code, and subject to exemption from disclosure under state and federal law. The information shall not be subject to disclosure under Chapter 4, Title 30 of the 1976 Code, except in the form of a map where information that could be used to determine provider specific information about the network of the broadband service provider or other providing entity is not disclosed.~~

~~(2) Except as otherwise provided in this provision, such broadband provider specific information shall not be released to any person other than to the broadband service provider or other entity providing information, employees of the Office of Broadband Coordinator, agents designated to assist in developing the South Carolina broadband map, entities contracting with the Office of Broadband Coordinator, and other state agencies administering funds for broadband deployment without express permission of the submitting broadband service provider or other entity providing information. Such information shall be used solely for the purposes stated under this provision. The Office of Broadband Coordinator shall ensure that any such agents, entities, or agencies with whom the information is shared are aware of the confidential nature and restricted purposes for which the information may be used and that any such agents or entities that are not state agencies execute an appropriate nondisclosure agreement protecting the information from public disclosure before receiving the information.~~

~~(B) Entities providing broadband service or middle-mile infrastructure in South Carolina shall, on an annual basis, provide to the Office of Broadband Coordinator deployment data in a format specified by the office to provide the most accurate and granular representation of currently available broadband infrastructure. These same entities, when they serve residential or business customers, shall also provide the type of technology deployed together with the sustainable download and upload speeds available at each serviceable location. Entities failing to provide such data on an annual basis may be disqualified from state funding opportunities for the current fiscal year. Annually, the office shall compile this information, analyze, and update statewide broadband deployment information.~~

~~(C) Any unexpended funds at the end of the prior fiscal year shall be carried forward and expended in the current fiscal year by the Office of Regulatory Staff for the same purposes.~~

Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

## **FORM D – PROVISO REVISION REQUEST**

<b>NUMBER</b>	NEW
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*Cite the proviso according to the renumbered list (or mark "NEW").*

<b>TITLE</b>	Energy Office
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*Provide the title from the renumbered list or suggest a short title for any new request.*

<b>BUDGET PROGRAM</b>	ORS Energy Office
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*Identify the associated budget program(s) by name and budget section.*

<b>RELATED BUDGET REQUEST</b>	N/A
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*Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.*

<b>REQUESTED ACTION</b>	Add
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*Choose from: Add, Delete, Amend, or Codify.*

<b>OTHER AGENCIES AFFECTED</b>	N/A
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*Which other agencies would be affected by the recommended action? How?*

<b>SUMMARY &amp; EXPLANATION</b>	<p>(ORS: Energy Office) The Infrastructure Investment and Jobs Act (IIJA) and the Inflation Reduction Act (IRA) allocated billions in federal funding for states to administer a variety of grant, loan, rebate, and other programs. The Office of Regulatory Staff - Energy Office ("Energy Office") expects to receive over \$148 million in federal funding under the IIJA and IRA combined.</p>
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*Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.*

**FISCAL IMPACT**

N/A

*Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.*

**PROPOSED PROVISOR TEXT**

(ORS: Energy Office)

(A) The Infrastructure Investment and Jobs Act (IIJA) and the Inflation Reduction Act (IRA) allocated billions in federal funding for states to administer a variety of grant, loan, rebate, and other programs. The Office of Regulatory Staff - Energy Office ("Energy Office") expects to receive over \$148 million in federal funding under the IIJA and IRA combined. Of this funding, \$137 million shall split between two consumer home energy rebate programs: Home Energy Performance Based, Whole House Rebates (HOME Rebates) and High Efficiency Electric Home rebates (Home Electrification and Appliance Rebates). For example, the Energy Office anticipates approximately \$68 million in funding for the HOME Rebates program. This program will provide rebates for energy efficiency retrofits ranging from \$2,000 - \$8,000 for individual households and up to \$400,000 for multifamily buildings. Rebate amounts will depend on the amount of energy savings achieved by the retrofits, and maximum rebate amounts will double for retrofits of low- and moderate-income homes. The Energy Office anticipates \$68 million in funding for the Home Electrification and Appliance Rebates program. This program will provide rebates on a percentage of the cost for an efficiency project based on the household's income. The program will include a \$14,000 rebate cap per household with additional caps on individual equipment types.

(B) The Energy Office, or its subrecipient, may use assistance from state and federal agencies or from private organizations, non-profits, and industry to accomplish the purposes of efficiently leveraging resources to successfully administer these energy efficiency and other federally funded programs established by the IIJA and IRA. Unexpended funds at the end of the prior fiscal year shall be carried forward and expended in the current fiscal year by the Energy Office for the same purposes in compliance with federal funding requirements.

(C) It is vital to the state's interest that federal funding provided under the IIJA and the IRA be utilized in the most expeditious manner possible as these federal funds have specified deadlines for funds commitment and completion. Accordingly, this procurement should be done pursuant to the provisions of Section [11-35-1570](#) of the 1976 Code. The Executive Director of the Office of Regulatory Staff shall coordinate the process used to procure the services needed and shall be responsible for the development of specifications to be included in any contract awarded. The State Fiscal Accountability Authority shall serve as the procuring officer for the procurement process and is responsible for administrative duties related to the process and the contract awarded. The State Fiscal Accountability Authority shall assign such personnel as necessary to assist the Office of Regulatory Staff and the Energy Office in carrying out its duties under this act.

(D) The Office of Regulatory Staff and the Energy Office may procure professional grant management services for oversight and compliance of funds received through the IIJA and IRA, among others, on behalf of the Energy Office. Energy Office is authorized to fulfill this requirement from federal funds and from existing fund resources as appropriate.

*Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.*

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

## **FORM D – PROVISO REVISION REQUEST**

<b>NUMBER</b>	NEW
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*Cite the proviso according to the renumbered list (or mark "NEW").*

<b>TITLE</b>	SC Broadband Office and SC Digital Opportunity
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*Provide the title from the renumbered list or suggest a short title for any new request.*

<b>BUDGET PROGRAM</b>	Broadband Office
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*Identify the associated budget program(s) by name and budget section.*

<b>RELATED BUDGET REQUEST</b>	N/A
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*Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.*

<b>REQUESTED ACTION</b>	Add
-------------------------	-----

*Choose from: Add, Delete, Amend, or Codify.*

<b>OTHER AGENCIES AFFECTED</b>	None
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*Which other agencies would be affected by the recommended action? How?*

<b>SUMMARY &amp; EXPLANATION</b>	<p>SC Broadband Office for broadband infrastructure shall be used to continue to fund the Broadband Infrastructure Program, broadband-related workforce development, and any other federally-approved non-deployment programs so as to maximize available federal funding under the American Rescue Plan Act (ARPA) and Infrastructure Investment and Jobs Act (IIJA) for the benefit of the state.</p>
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*Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.*

**FISCAL IMPACT**

None

*Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.*

**PROPOSED PROVISOR TEXT**

(ORS: SC Broadband Office and SC Digital Opportunity)

(A) From funds appropriated for this purpose, there is established the SC Broadband Office within the Office of Regulatory Staff to serve as the central broadband planning body for the State and to coordinate with federal, state, regional, local, and private entities, to the extent practicable, to encourage the continued development of access to broadband in the State.

(B) The SC Broadband Office shall convene a collaborative stakeholder process to identify challenges to expediting broadband access and shall provide a report to the General Assembly with recommendations for which legislative, regulatory, or other governmental actions are appropriate to promote broadband access throughout the State.

(C) Funds appropriated to the SC Broadband Office for broadband infrastructure shall be used to continue to fund the Broadband Infrastructure Program, broadband-related workforce development, and any other federally-approved non-deployment programs so as to maximize available federal funding under the American Rescue Plan Act (ARPA) and Infrastructure Investment and Jobs Act (IIJA) for the benefit of the state. (C)(1) Expansion of broadband infrastructure shall emphasize services to rural communities and communities with a lack of access to broadband. The SC Broadband Office shall prioritize infrastructure expansion that will make high-speed broadband available to homes, businesses, schools, health care facilities, and other community anchor institutions in underserved areas across South Carolina.

(D) The SC Broadband Office shall serve as a central resource to collect and publish information regarding federal and state programs to fund broadband expansion, and to the extent practicable, coordinate resources such that both state and federal resources are efficiently maximized.

(E) From funds appropriated for this purpose, there is established a SC Digital Opportunity department within the Office of Regulatory Staff to serve as the digital equity planning body for the State and to coordinate with federal, state, regional, local, and private entities, to the extent practicable, to address the digital divide. ... To the extent personally identifiable information or health related information necessary to implement the goals of digital opportunity is collected or shared by state agencies with this department, such information shall be afforded confidential treatment.

(F) It is vital to the state's interest that federal funding provided under the ARPA and IIJA, among others, be utilized in the most expeditious manner possible as these federal funds have specified deadlines for funds commitment and completion. Accordingly, this procurement should be done pursuant to the provisions of Section [11-35-1570](#) of the 1976 Code. The Executive Director of the Office of Regulatory Staff shall coordinate the process used to procure the services needed and shall be responsible for the development of specifications to be included in any contract awarded. The State Fiscal Accountability Authority shall serve as the procuring officer for the procurement process and is responsible for administrative duties related to the process and the contract awarded. The State Fiscal Accountability Authority shall assign such personnel as necessary to assist the Office of Regulatory Staff and the Energy Office in carrying out its duties under this act.

(G) The Office of Regulatory Staff may procure professional grant management services for oversight and compliance of funds received through the IIJA among others, on behalf of the South Carolina Broadband and Digital Opportunity Offices. ORS is authorized to fulfill this requirement using federal funds as allowed for administration and from existing fund resources as appropriate.

(H) The SC Broadband Office and the SC Digital Opportunity Department may use assistance from state and federal agencies or from private organizations, non-profits, and industry to accomplish the purposes of this provision. Unexpended funds at the end of the prior fiscal year shall be carried forward and expended in the current fiscal year by **the Office of Regulatory Staff for the same purposes.**

*Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.*



Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

## **FORM D – PROVISO REVISION REQUEST**

<b>NUMBER</b>	NEW
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*Cite the proviso according to the renumbered list (or mark "NEW").*

<b>TITLE</b>	SC Broadband Map and Internet Service Provider Data
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*Provide the title from the renumbered list or suggest a short title for any new request.*

<b>BUDGET PROGRAM</b>	ORS Broadband Program
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*Identify the associated budget program(s) by name and budget section.*

<b>RELATED BUDGET REQUEST</b>	None
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*Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.*

<b>REQUESTED ACTION</b>	Add
-------------------------	-----

*Choose from: Add, Delete, Amend, or Codify.*

<b>OTHER AGENCIES AFFECTED</b>	None
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*Which other agencies would be affected by the recommended action? How?*

<b>SUMMARY &amp; EXPLANATION</b>	<p>Funds appropriated to the SC Broadband Office shall contact the appropriate entities to provide information necessary to compile the county-by-county broadband mapping plan showing the location and capability of broadband facilities throughout the State.</p>
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*Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.*

**FISCAL IMPACT**

None

*Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.*

**PROPOSED PROVISOR TEXT**

(ORS: SC Broadband Map and Internet Service Provider Data)

(A)(1) From funds appropriated, the SC Broadband Office shall contact the appropriate entities to provide information necessary to compile the county-by-county broadband mapping plan showing the location and capability of broadband facilities throughout the State. To meet federal mandates, the SC Broadband Office may be required to collect confidential financial data to confirm and verify compliance with the various Grant programs. In order to facilitate the provision of information necessary to these tasks, financial data, including any planned construction timelines and related data, provided by a broadband service provider or other entity providing information shall be maintained by the SC Broadband Office and any other agency as confidential, proprietary, and a trade secret as defined in Section 30-4-40 of the 1976 Code, and subject to exemption from disclosure under state law. Data may be made publicly available in an aggregated, non-provider specific format or in the form of a map, where information that could be used to determine provider-specific information about the network of the broadband service provider or other providing entity is not disclosed.

(2) Except as otherwise provided in this provision, such broadband provider-specific information shall not be released to any person other than to the broadband service provider or other entity providing information, employees of the SC Broadband Office, agents designated to assist in developing the South Carolina broadband map, entities contracting with the SC Broadband Office, and other state or federal agencies administering funds for broadband deployment without express permission of the submitting broadband service provider or other entity providing information. Such information shall be used solely for the purposes stated under this provision. The SC Broadband Office shall ensure that any such agents, entities, or agencies with whom the information is shared are aware of the confidential nature and restricted purposes for which the information may be used and that any such agents or entities that are not state agencies execute an appropriate nondisclosure agreement protecting the information from public disclosure before receiving the information.

(3) Notwithstanding the above, if required by federal law, ORS may report broadband service provider costs for external reporting. (B) Entities providing broadband service or middle-mile infrastructure in South Carolina shall, on a bi-annual basis, provide to the South Carolina Broadband Office deployment data in a format specified by the office to provide the most accurate and granular representation of currently available broadband infrastructure. These same entities, when they serve residential or business customers, shall also provide the type of technology deployed together with the sustainable download and upload speeds available at each serviceable location. Entities failing to provide such data on an annual basis may be disqualified from state funding opportunities for the current fiscal year. At least annually, the office shall compile this information, analyze, and update statewide broadband deployment information.

*Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.*

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

**FORM E – AGENCY COST SAVINGS AND GENERAL FUND REDUCTION CONTINGENCY PLAN**

<b>TITLE</b>	Agency Cost Savings and General Fund Reduction Contingency Plan
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<b>AMOUNT</b>	\$91,590
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*What is the General Fund 3% reduction amount? This amount should correspond to the reduction spreadsheet prepared by EBO.*

<b>ASSOCIATED FTE REDUCTIONS</b>	N/A
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*How many FTEs would be reduced in association with this General Fund reduction?*

<b>PROGRAM / ACTIVITY IMPACT</b>	Office of Broadband Coordinator
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*What programs or activities are supported by the General Funds identified?*

<b>SUMMARY</b>	<p>The Office of Broadband Coordinator would not expect a significant impact on its core responsibilities and function with a reduction of this amount. In the event of a General Fund reduction, the Office will look to leverage technology to reduce in-person meetings and optional conferences and the related travel expense.</p>
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Please provide a detailed summary of service delivery impact caused by a reduction in General Fund Appropriations and provide the method of calculation for anticipated reductions. Agencies should prioritize reduction in expenditures that have the least significant impact on service delivery.

**AGENCY COST  
SAVINGS PLANS**

Reduce travel Costs and optional conferences - \$20,000

Cost Share - \$21,590

Defer Purchases - \$25,000

Leverage Federal Funding - \$25,000

What measures does the agency plan to implement to reduce its costs and operating expenses by more than \$50,000? Provide a summary of the measures taken and the estimated amount of savings. How does the agency plan to repurpose the savings?

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

**FORM F – REDUCING COST AND BURDEN TO BUSINESSES AND CITIZENS**

**TITLE** Efforts to Redeuce Cost and Burden to Business

*Provide a brief, descriptive title for this request.*

**EXPECTED SAVINGS TO BUSINESSES AND CITIZENS** ORS participated in regulation development initiated by the Public Service Commission of South Carolina ("Commission") related to regulation changes in the Commission practice and procedure and regulation changes impacting the customers of natural gas, electric, water, sewer utilities and transportation carriers. Many of the changes proposed by ORS during the Commission’s regulation development process are intended to streamline the regulatory process and reduce regulatory costs for customers.

*What is the expected savings to South Carolina’s businesses and citizens that is generated by this proposal? The savings could be related to time or money.*

**FACTORS ASSOCIATED WITH THE REQUEST**

<b>Mark “X” for all that apply:</b>	
<input type="checkbox"/>	Repeal or revision of regulations.
<input type="checkbox"/>	Reduction of agency fees or fines to businesses or citizens.
<input checked="" type="checkbox"/>	Greater efficiency in agency services or reduction in compliance burden.
<input type="checkbox"/>	Other

**METHOD OF CALCULATION** N/A

*Describe the method of calculation for determining the expected cost or time savings to businesses or citizens.*

**REDUCTION OF FEES OR FINES** N/A

*Which fees or fines does the agency intend to reduce? What was the fine or fee revenue for the previous fiscal year? What was the associated program expenditure for the previous fiscal year? What is the enabling authority for the issuance of the fee or fine?*

**REDUCTION OF REGULATION** N/A

*Which regulations does the agency intend to amend or delete? What is the enabling authority for the regulation?*

**SUMMARY** ORS participated in regulation development initiated by the Public Service Commission of South Carolina ("Commission") related to regulation changes in the Commission practice and procedure and regulation changes impacting the customers of natural gas, electric, water, sewer utilities and transportation carriers. Many of the changes proposed by ORS during the Commission’s regulation development process are intended to streamline the regulatory process and reduce regulatory costs for customers.

*Provide an explanation of the proposal and its positive results on businesses or citizens. How will the request affect agency operations?*