

Transportation and Regulatory

Subcommittee Meeting

2019 Legislative Session



South Carolina Office

Of

Regulatory Staff

Table of Contents

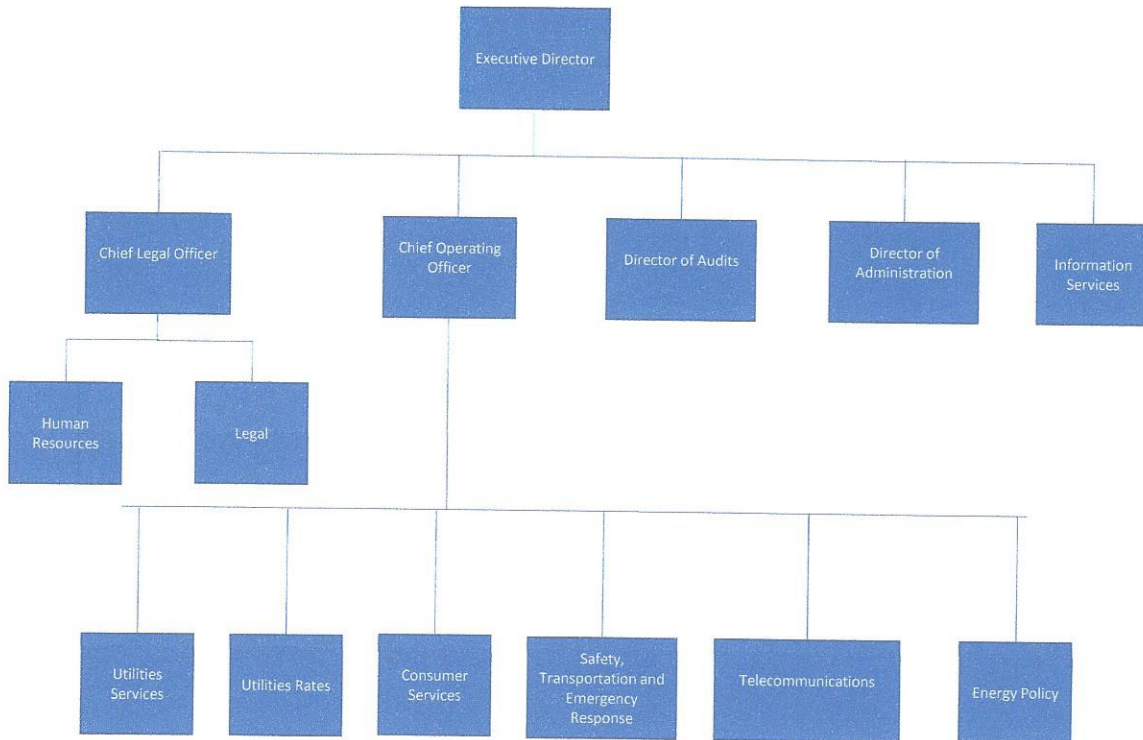
1. List of Key Officials
2. Agency Organization Chart
3. 2017-2018 Accountability Report Summary
4. Prioritized Budget Request Summary
5. FY 2019-2020 Official Budget Request
6. Proviso Request Summary
7. ORS Provisos
8. Carryforward
9. FTE Breakdown

Key Officials

Nanette S. Edwards – Executive Director
803-737-0575; nsedwar@regstaff.sc.gov

Renee Herndon– Chief Financial Officer
803-737-0837; rherndon@regstaff.sc.gov

Office of Regulatory Staff Organizational Chart



ORS has 92 authorized FTEs. As of January 4, 2019, 68 positions are filled with 24 positions remaining vacant.

Accountability Report Summary Fiscal Year 2017-2018

Mission Update. As FY 17-18 drew to a close, Act 258 became law (effective date: June 28, 2018). Through this legislation, public interest is now defined as follows: the concerns of the using and consuming public with respect to public utility services, regardless of the class of customer, and preservation of continued investment in and maintenance of utility facilities so as to provide reliable and high-quality utility services. In FY 18-19, the ORS will be recasting itself to reflect its revised role in utility regulation.

Consumer Protection and Assistance. The ORS has successfully addressed thousands of consumer complaints, saved consumers substantial dollars through investigation and resolution of issues with utilities, and assisted at-risk consumers.

Emergency Management. The ORS has taken a lead in state emergency preparedness efforts, so much so that the ORS is now considered a leading agency when emergencies threaten South Carolina.

Energy. Energy has taken the lead to develop and maintain consensus with stakeholders to continue regular collaborative meetings for improvements to Act 236.

Priority	Request Type	Request Title	FUNDING					FTPS				
			State	Federal	Earmarked	Restricted	Total	State	Federal	Earmarked	Restricted	Total
1	B1 - Recurring	Authorization for Additional Personal Services Funding		32,004	554,812	9,363	596,179					0.00
2	B1 - Recurring	Authorization for Increase in Employer Contributions/Fringe		23,428	243,013	2,015	268,456					0.00
3	B1 - Recurring	Authorization for Lease/Renovation/Relocation			88,000		88,000					0.00
4	B1 - Recurring	Authorization for Database and Web Updates			210,000		210,000					0.00
5	B1 - Recurring	Authorization for Credit Card Processing			2,000		2,000					0.00
6	B1 - Recurring	Authorization for Operating Costs Associated with Additional Staff and Funding Changes		221,181	51,740	(56,995)	215,926					0.00
7	B1 - Recurring	Authorization for Allocations to Entities		(30,000)	(5,000)	110,000	75,000					0.00
8							0					0.00
9							0					0.00
10							0					0.00
11							0					0.00
12							0					0.00
13							0					0.00
14							0					0.00
15							0					0.00
16							0					0.00
17							0					0.00
18							0					0.00
19							0					0.00
20							0					0.00
21							0					0.00
22							0					0.00
23							0					0.00
24							0					0.00
25							0					0.00
26							0					0.00
27							0					0.00
28							0					0.00
29							0					0.00
30							0					0.00
TOTAL BUDGET REQUESTS			0	246,613	1,144,565	64,383	1,455,561	0.00	0.00	0.00	0.00	0.00

AGENCY NAME: Office of Regulatory Staff

AGENCY CODE: R060

SECTION:

073



Fiscal Year 2019-20 Agency Budget Plan

FORM A - BUDGET PLAN SUMMARY

OPERATING REQUESTS (FORM B1)

For FY 2019-20, my agency is (mark "X"):

- Requesting General Fund Appropriations.
- Requesting Federal/Other Authorization.
- Not requesting any changes.

NON-RECURRING REQUESTS (FORM B2)

For FY 2019-20, my agency is (mark "X"):

- Requesting Non-Recurring Appropriations.
- Requesting Non-Recurring Federal/Other Authorization.
- Not requesting any changes.

CAPITAL REQUESTS (FORM C)

For FY 2019-20, my agency is (mark "X"):

- Requesting funding for Capital Projects.
- Not requesting any changes.

PROVISOS (FORM D)

For FY 2019-20, my agency is (mark "X"):

- Requesting a new proviso and/or substantive changes to existing provisos.
- Only requesting technical proviso changes (such as date references).
- Not requesting any proviso changes.

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

	<u>Name</u>	<u>Phone</u>	<u>Email</u>
PRIMARY CONTACT:	Renee Herndon	803-737-0837	rherndon@regstaff.sc.gov
SECONDARY CONTACT:	Pam Spires	803-737-1108	spirep@regstaff.sc.gov

I have reviewed and approved the enclosed FY 2019-20 Agency Budget Plan, which is complete and accurate to the extent of my knowledge.

	<u>Agency Director</u>	<u>Board or Commission Chair</u>
SIGN/DATE:	<i>Nanette S. Edwards</i> 10/8/18	
TYPE/PRINT NAME:	Nanette S. Edwards	

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

AGENCY NAME:	Office of Regulatory Staff		
AGENCY CODE:	R060	SECTION:	073

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	1
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Authorization for Additional Personal Services Funding
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Provide a brief, descriptive title for this request.

AMOUNT	General: Federal: \$ 32,004 Other: \$564,175 Total: \$596,179
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What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<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 changes 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 #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<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	

AGENCY NAME: Office of Regulatory Staff

AGENCY CODE: R060

SECTION:

073

**ACCOUNTABILITY
OF FUNDS**

All agency objectives apply to this funding request.

What specific strategy, as outlined in the FY 2018-19 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**

Individuals/Employees based on agency's criteria for class and compensation and education, training and experience.

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**

Additional authorization needed to fund current staffing and new hires. ORS is engaged in extensive litigation regarding the abandonment of the new nuclear units at Jenkinsville, and anticipates costs due to appeals and continued state court litigation.

Also, Act 258's revision of ORS' public interest mission, we anticipate fewer settlements and a stronger role in representing all customer classes. No additional FTE's needed for new hires.

Additional authorization needed to cover increase in Federal funding.

ORS is funded by Other and Federal Funds.

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:	073

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	2
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Authorization for Increase in Employer Contributions/Fringe
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Provide a brief, descriptive title for this request.

AMOUNT	General: Federal: \$ 23,428 Other: \$245,028 Total: \$268,456
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What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<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 #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<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	

AGENCY NAME:	Office of Regulatory Staff		
AGENCY CODE:	R060	SECTION:	073

ACCOUNTABILITY OF FUNDS	All agency objectives apply to this funding request.
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What specific strategy, as outlined in the FY 2018-19 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	PEBA – Retirement and Employee Insurance program based on employer contributions for retirement and health/dental premium.
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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	<p>Additional authority is needed to cover increased employer contributions related to retirement and insurance.</p> <p>ORS is funded by Other and Federal Funds.</p>
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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:	073

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	3
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Authorization for Lease/Renovation/Relocation
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Provide a brief, descriptive title for this request.

AMOUNT	General: Federal: Other: \$88,000 Total: \$88,000
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What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<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 #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<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	

AGENCY NAME:	Office of Regulatory Staff		
AGENCY CODE:	R060	SECTION:	073

ACCOUNTABILITY OF FUNDS	<p>All agency objectives apply to this funding request.</p>
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What specific strategy, as outlined in the FY 2018-19 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	<p>Vendor approved by the SC Department of Administration's Real Property Services.</p>
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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	<p>Agency's lease authorization term expires 8/31/2020 and the agency will need to work with the SC Department of Administration's Real Property Services to secure a new lease. If a lease for the agency's current location cannot be negotiated, new office space will be needed. Square footage rates have increased each year and ORS anticipates a new lease will reflect an increase in the square footage rate. The agency also anticipates tenant's share of building operating cost will increase with the new lease.</p> <p>ORS is funded by Other and Federal Funds.</p>
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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:	073

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	4
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Authorization for Database and Web Updates
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Provide a brief, descriptive title for this request.

AMOUNT	General: Federal: Other: \$210,000 Total:
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What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<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 #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<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	

AGENCY NAME:	Office of Regulatory Staff		
AGENCY CODE:	R060	SECTION:	073

ACCOUNTABILITY OF FUNDS

All agency objectives apply to this funding request.

What specific strategy, as outlined in the FY 2018-19 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

Vendors approved through the procurement process to provide needed products and services.

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 has databases that are no longer supported and needs to secure new database management systems. New systems and services need to be secured for the SC Equipment Distribution Program for the hearing impaired of SC for its equipment and customer database, the consumer services database, and the Gross Receipts program which calculates utility assessments to fund the House and Senate Public Utilities Review Committee, the Public Service Commission and ORS.

ORS' website system is no longer supported and must be developed in another system

The databases and website will need ongoing service and enhancements.

ORS is funded by Other and Federal Funds

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:	073

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	5
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Authorization for Credit Card Processing
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Provide a brief, descriptive title for this request.

AMOUNT	General: Federal: Other: \$2,000 Total:
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What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<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 # _____	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<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	

AGENCY NAME:	Office of Regulatory Staff		
AGENCY CODE:	R060	SECTION:	073

ACCOUNTABILITY OF FUNDS	All agency objectives apply to this funding request.
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What specific strategy, as outlined in the FY 2018-19 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	Vendor processing credit card purchases.
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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	<p>The ORS proposes to implement credit card payment processing for transportation companies to pay decal fees online. The transportation companies will see this offering as a service enhancement. ORS conducted a survey of the desirability of this offering and of those who completed the survey, they indicated the ability to pay the decal fee online would be an improvement. This process would provide for more timely processing of decals and would reduce staff time to process payments through SCEIS. The ORS would not pass any processing fee related to credit card payments to the regulated transportation companies.</p> <p>ORS is funded by Other and Federal funds.</p>
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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:	073

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	6
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Authorization for Operating Costs Associated with Additional Staff and Funding Changes
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Provide a brief, descriptive title for this request.

AMOUNT	General: Federal: \$221,181 Other: \$(5,255) Total: \$215,926
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What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<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 #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<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	

AGENCY NAME:	Office of Regulatory Staff		
AGENCY CODE:	R060	SECTION:	073

ACCOUNTABILITY OF FUNDS	<p>All agency objectives apply to this funding request.</p>
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What specific strategy, as outlined in the FY 2018-19 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	<p>Vendors providing goods and services in normal course of business, such as rent, supplies, computer/data processing, telephone, etc.</p>
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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	<p>The ORS Energy Office received additional federal funding under the State Energy Program grant that will fund operating costs. Because of this additional grant, Energy will reduce the authorization needed for operating costs in Other funds.</p> <p>ORS is funded by Other and Federal funds.</p>
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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:	073

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	7
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Authorization for Allocations to Entities
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Provide a brief, descriptive title for this request.

AMOUNT	General: Federal: \$(30,000) Other: \$105,000 Total: \$75,000
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What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<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 #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<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	

AGENCY NAME:	Office of Regulatory Staff		
AGENCY CODE:	R060	SECTION:	073

ACCOUNTABILITY OF FUNDS	<p>All agency objectives apply to this funding request.</p>
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What specific strategy, as outlined in the FY 2018-19 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	<p>Entities that apply for and are awarded grants for energy efficiency upgrades and improvements</p>
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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	<p>The ORS Energy Office proposes to issue more grants to entities in FY20 to expand the program using existing monies, requiring an increase in authorization for allocations.</p> <p>ORS is funded by Other and Federal funds.</p>
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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.

FORM F – REDUCING COST AND BURDEN TO BUSINESSES AND CITIZENS

TITLE	Upgrades to Databases and Websites, Electronic Tickets
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Provide a brief, descriptive title for this request.

EXPECTED SAVINGS TO BUSINESSES AND CITIZENS	Upgraded databases would lower existing costs in manpower and maintenance while reducing manual keying errors. Upgraded website will be more user friendly, making it easier for the public to find information and staff. The electronic ticketing process will reduce need for paper and travel to DMV for adjudication.
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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	<p>Mark "X" for all that apply:</p> <table border="0"> <tr> <td><input type="checkbox"/></td> <td>Repeal or revision of regulations.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Reduction of agency fees or fines to businesses or citizens.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Greater efficiency in agency services or reduction in compliance burden.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Other</td> </tr> </table>	<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
<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	Man hours and travel time
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Describe the method of calculation for determining the expected cost or time savings to businesses or citizens.

REDUCTION OF FEES OR FINES	Not applicable
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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	Not applicable
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Which regulations does the agency intend to amend or delete? What is the enabling authority for the regulation?

AGENCY NAME:

Office of Regulatory Staff

AGENCY CODE:

R060

SECTION:

73

SUMMARY

Database upgrades will enhance the accuracy of the information stored and accessed, as well as reduce manual keying errors through interface with the South Carolina Enterprise Information System (SCEIS). Website upgrades will allow the public to access information about the agency more easily for help with utility issues or concerns. The Electronic Ticketing process will allow ORS transportation inspectors to issue citations for regulatory violations and file them electronically with the DMV, saving travel costs and time as well as wear and tear on State owned vehicles.

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

Transportation and Regulatory Subcommittee Proviso Summary			
Proviso # in FY 19-20 Act	Proviso Title	Short Summary	Agency Recommended Action (keep, change, delete, add)
73.1	Transportation Fee Refund	ORS can refund fees paid in error by regulated transportation companies	Keep
73.2	Assessment Certification	ORS will provide DOR with assessments by utility along with a certification letter of ORS budget	Keep
73.3	Assessment Adjustments	Allows ORS flexibility in resolving over or under payments by regulated entities	Keep
73.4	SSEB Annual Dues	Directs ORS to pay SSEB dues from the identified fund pursuant to S.C. Code Ann. §13-7-410, et. seq. Provides all legal authorities to an Acting Executive Director when the Executive Director position is vacant and references that actions between the period of January 15, 2018 and June 30, 2018 were authorized. Also bestows subpoena powers to Executive Director or Acting Executive Director.	Keep
73.5	Acting Executive Director		Delete

SECTION 73 - R060 - OFFICE OF REGULATORY STAFF

73.1. (ORS: Transportation Fee Refund) The Transportation Department of the Office of Regulatory Staff is hereby authorized to make refunds of fees which were erroneously collected.

73.2. (ORS: Assessment Certification) Office of Regulatory Staff shall certify to the Department of Revenue the amounts to be assessed to cover appropriations in this section as follows: (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, (2) the amount to be assessed against gas utility companies as provided for in Section 58-5-940, Code of Laws of 1976, (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 (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. 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.

73.3. (ORS: Assessment Adjustments) 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:

- (a) refund the person or entity the amount of over collection using funds from the current fiscal year;
- (b) refund the person or entity the amount of over collection using any unexpended funds from the prior fiscal year;
- (c) credit the amount the person or entity will be assessed in the next fiscal year for the amount of over collection; or
- (d) any combination of these.

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.

73.4. (ORS: SSEB Annual Dues) The annual dues of the Southern States Energy Board shall be paid from the Radioactive Waste Operating Fund.

73.5. (ORS: Acting Executive Director) (A) When the position of agency head at any of the State's various agencies is vacant, the General Assembly finds that a person acting in the capacity of acting agency head has the full legal authority to take any and all official actions to fulfill the duties and responsibilities of agency head until such time as the vacancy has been filled. Therefore, the acting Executive Director of the Office of Regulatory Staff is authorized to exercise all of the powers and

duties of the Executive Director, as designated in statute, including the power to expend funds for the purpose of executing the duties required of the office and as otherwise may be required to fulfill the Office of Regulatory Staff's statutory responsibilities until such time as the previous executive director's successor is appointed by the Governor. Further, the General Assembly hereby ratifies any and all official decisions made by the acting Executive Director between January 15, 2018 and June 30, 2018.

(B) The executive director or acting executive director of the Office of Regulatory Staff has the authority to file an action against an entity in circuit court to obtain injunctive relief requiring the production of documents or witnesses. Such action may be brought under the following circumstances and in the county in which the facility is located:

(1) an entity has provided goods or services, including, but not limited to, plans, studies, and reports related to the design, construction, or operation of a facility located in South Carolina and that facility has been the subject of a proceeding concerning the Base Load Review Act;

(2) the executive director determines that the production of documents or witnesses from the entity described in item (1) is necessary in order for the Office of Regulatory Staff to accomplish its responsibilities; and

(3) the entity that has provided goods or services as described in item (1) has refused to provide the requested documents or witnesses.

(C) The relief that may be granted in an action described above is an order requiring the production of documents, an order requiring the appearance of a witness or witnesses, an order allowing the Office of Regulatory Staff to take depositions of witnesses, or any combination thereof. Any order granting such relief must provide reasonable protections to the entity subject to the order, including that any depositions will be taken at a location convenient to the witnesses. In the event that a deposition is ordered, the Office of Regulatory Staff must give notice to the utility and any other party to any proceeding in which the deposition may be used, so that the utility and any such party will have an opportunity to appear and participate in the deposition.

(D) An action brought by the executive director or acting director pursuant to this proviso shall be given administrative priority by the chief administrative judge for the circuit in which it has been brought and must be heard and decided as expeditiously as is consistent with due process. Failure to comply with an aforementioned court order issued may be found in contempt and fined in the discretion of the court.

The ORS recommends deleting Proviso 73.5 as it is no longer applicable.

**Office of Regulatory Staff
Carryforward Cash Balances
at June 30, 2018**

ORS:	<u>Fund</u>	<u>Ending Balance</u>
Operating Revenue	30350000	\$ 2,019,768.78
 Energy Office:		
Special Operating	34170000	\$ 402,418.57
Diamond Shamrock	47150000	\$ 372,865.75
Oil Overcharge Stripper Well Litigation	47440000	\$ 1,526,090.04
Total Energy Office		<u>2,301,374.36</u>

The ending cash balances above reflects our agency's operating funds. This is our agency's closet equivalent to an agency with General Fund carryforward.

FTE Breakdown

Authorized:

Other Funded	84
Federal Funded	8
Total Authorized	92

Filled:

Other Funded	62
Federal Funded	6
Total Filled	68