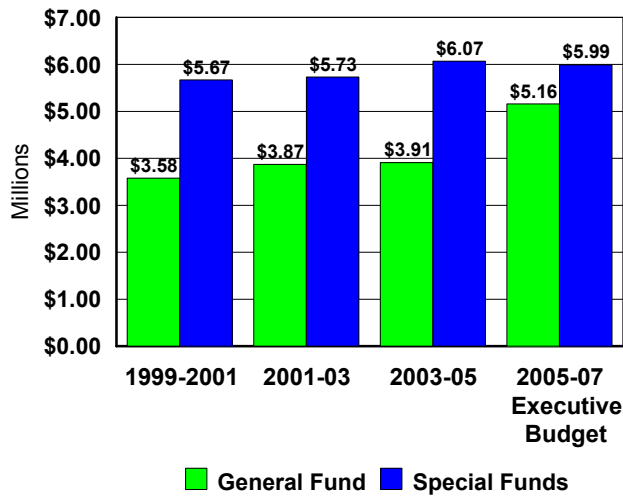


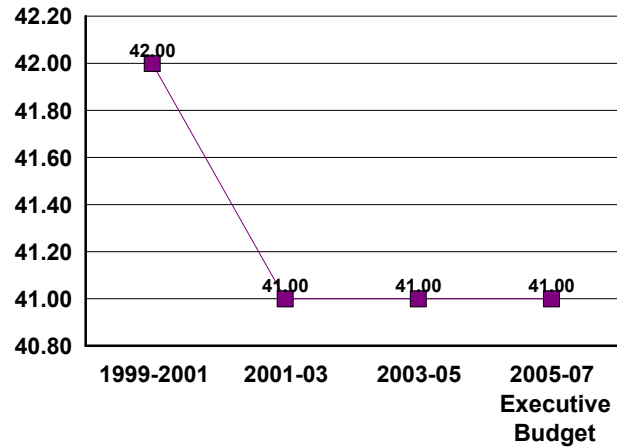
**Department 408 - Public Service Commission
 House Bill No. 1008**

	FTE Positions	General Fund	Other Funds	Total
2005-07 Executive Budget	41.00	\$5,156,601	\$5,985,139	\$11,141,740
2003-05 Legislative Appropriations	41.00	3,911,494	6,072,767	9,984,261
Increase (Decrease)	0.00	\$1,245,107	(\$87,628)	\$1,157,479

Agency Funding



FTE Positions



First House Action

Attached is a summary of the first house changes.

**Executive Budget Highlights
 (With First House Changes Noted)**

	General Fund	Other Funds	Total
Administration			
1. Adds funding for information technology equipment over \$5,000 for disk storage (\$11,000), high-speed printer (\$8,011), tape drive (\$10,000), and workstation/server (\$6,000)	\$35,011		\$35,011
2. Adds funding for information technology costs for increases in the Information Technology Department's enterprise forms processing fees, (\$3,000) and e-mail storage (\$12,000)	\$15,000		\$15,000
3. Adds funding for information technology costs for dial-up access fees due to the elimination of some service types by the Information Technology Department	\$3,500		\$3,500
4. Adds funding for information technology costs for microfilming due to a backlog of jobs that have resulted because of downtime associated with the Information Technology Department's equipment changeouts	\$4,000		\$4,000
Testing, licensing, and certification			
5. Removes one-time funding from the state rail fund (\$225,000) and other interested parties (\$25,000) for the preliminary rail rate case investigation incurred during the 2003-05 biennium		(\$250,000)	(\$250,000)

6. Adds one-time funding for a "simplified" rail rate complaint case to be filed with the Surface Transportation Board. The House increased the funding for a rail rate complaint case to \$1.2 million and changed the funding source to the beginning farmer revolving loan fund.	\$900,000		\$900,000
7. Adds federal funds spending authority for operating expenses to repair a weight cart used by one of the weights and measures inspectors		\$7,000	\$7,000
8. Increases funding and the operating line item to purchase "ExamHand," which is the software used by the grain warehouse inspectors to review elevator operations, inspect warehouse facilities, and measure all grain on hand	\$19,500		\$19,500
9. Increases funding and the equipment over \$5,000 line item to purchase a lab balance, based on audit recommendations of the National Institute of Standards and Technology	\$16,000		\$16,000
10. Increases funding and the operating line item for space rental of a new metrology laboratory. The current laboratory, which is located on the Capitol grounds in a Facility Management maintenance building, has failed to meet the standards for certification.	\$70,000		\$70,000
11. Restores 1 FTE inspector position and related salaries which were removed by the department to meet budget guidelines. Funds for related operating expenses (\$22,509) associated with the position will have to be found by the Public Service Commission through efficiencies in agency operations.	\$76,737		\$76,737
Public utilities			
12. Adds funding for National Regulatory Research Institute dues. Historically, North Dakota has not paid for its fair share of the program and this funding will ensure that the commission fully participates in the cost of this resource	\$6,000		\$6,000
13. Increases funding for operating expenses to train the new public utility analyst and maintain the base knowledge of the other analysts	\$4,800		\$4,800
Reclamation programs			
14. Adds federal funds spending authority to replace the bore hole camera		\$7,500	\$7,500
15. Increases funding for operating expenses for special surface mines projects, central service fees, and other operating costs	\$500	\$17,000	\$17,500
16. Increases federal funds spending authority for operating costs to purchase various equipment, including a desktop scanner, monitors, digital cameras, and global positioning system (GPS) units to move the Reclamation Division to a paperless office	(\$1,440)	\$9,432	\$7,992
17. Increases federal funds spending authority and the operating line item so the Public Service Commission can continue in the Interstate Mining Compact Commission		\$25,000	\$25,000

Other Sections in Bill

Section 5 of House Bill No. 1008 increases the statutory changes as necessary to increase the Public Service Commissioner's salary as follows:

Annual salary authorized by the 2003 Legislative Assembly:

July 1, 2003 \$69,874

Proposed annual salary recommendation in the 2005-07 executive budget:

July 1, 2005 \$72,669
July 1, 2006 \$75,576 (may not exceed)

The executive recommendation provides funding for elected officials' salary increases equal to 4 percent of salaries effective July 1, 2005, and 3 percent effective July 1, 2006. An additional 1 percent may be provided to the extent the increase can be paid with existing agency resources. Section 5 of House Bill No. 1008 provides that the July 1, 2006, increase may not exceed 4 percent.

The House adjusted the Public Service Commissioners' salaries to reflect an increase of 3 percent effective July 1, 2005, and 4 percent effective July 1, 2006.

July 1, 2005 \$71,970
July 1, 2006 \$74,849

Section 4 of House Bill No. 1008 authorizes \$900,000 for the rail rate complaint case. The House increased the funding for the rail rate complaint case to \$1.2 million and changed the funding source to the beginning farmer revolving loan fund. The House also added intent that the Public Service Commission reimburse the beginning farmer revolving loan fund from damages or proceeds received net of legal fees from a successful outcome of the rail rate complaint case.

Section 6 of House Bill No. 1008 provides an emergency measure for the appropriation. (Section 9 of Engrossed House Bill No. 1008)

Major Related Legislation

House Bill No. 1106 provides that money received by the Public Service Commission under the performance assurance plan are to be deposited into the performance assurance fund until the balance of the fund equals \$100,000, and payments received when the fund balance is in excess of \$100,000 are to be deposited in the general fund. Currently performance assurance receipts in excess of \$100,000 during a biennium are to be deposited in the general fund. The Public Service Commission performance assurance fund is a component of Qwest's performance assurance plan to provide long-distance service.

House Bill No. 1283 changes the limit for a power plant to be sited under the siting act from 50,000 to 100,000 kilowatts.

House Bill No. 1314 provides for a renewable electricity and recycled energy credit trading and tracking system for the Public Service Commission.

Senate Bill No. 2133 provides for energy conversion and transmission facility site compatibility, certificate of corridor compatibility, and waiver application fees to be deposited in the siting process expense recovery fund and provides a continuing appropriation from the fund to the Public Service Commission for expenses incurred in the siting process.

ATTACH:1