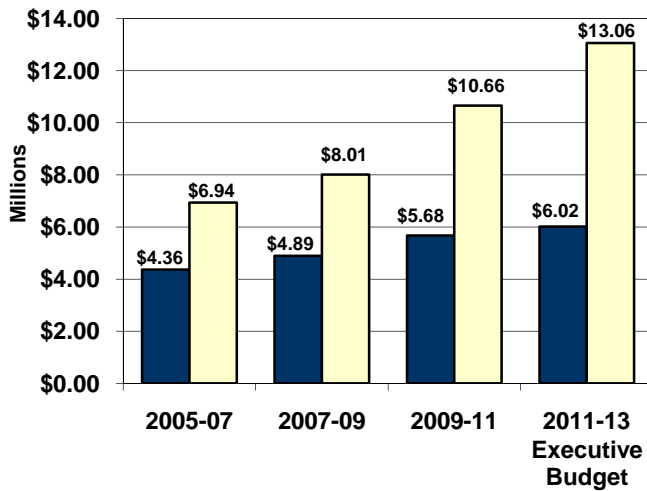


**Department 408 - Public Service Commission  
 Senate Bill No. 2008**

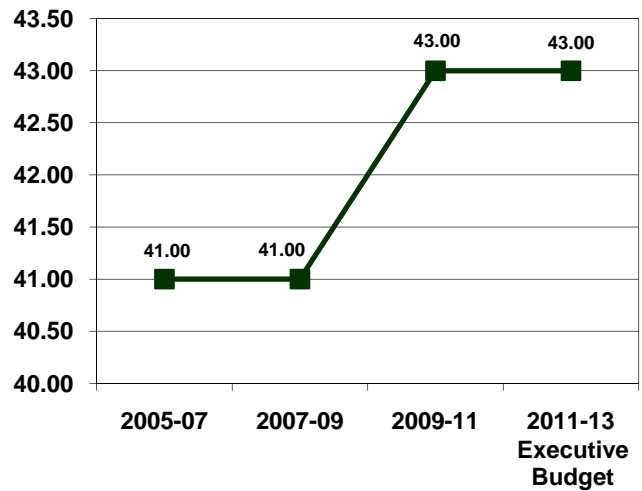
	FTE Positions	General Fund	Other Funds	Total
2011-13 Executive Budget	43.00	\$6,020,215	\$13,061,648	\$19,081,863
2009-11 Legislative Appropriations	43.00	5,676,165	10,662,242	16,338,407 <sup>1</sup>
Increase (Decrease)	0.00	\$344,050	\$2,399,406	\$2,743,456

<sup>1</sup>The 2009-11 appropriation amounts include \$108,000, \$73,000 of which is from the general fund, for the agency's share of the \$16 million funding pool appropriated to the Office of Management and Budget for special market equity adjustment for executive branch employees. This amount does not include an Emergency Commission approval in December 2009 of \$766,350 of federal funds from the United States Department of Energy under the American Recovery and Reinvestment Act of 2009 relating to the regulation and oversight of transmission and generation infrastructure, to provide training to agency personnel, and for three temporary positions.

**Agency Funding**



**FTE Positions**



■ General Fund □ Other Funds

**Ongoing and One-Time General Fund Appropriations**

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2011-13 Executive Budget	\$6,020,215	\$0	\$6,020,215
2009-11 Legislative Appropriations	5,676,165	0	5,676,165
Increase (Decrease)	\$344,050	\$0	\$344,050

**First House Action**

Attached is a summary of first house changes.

**Executive Budget Highlights  
 (With First House Changes in Bold)**

	General Fund	Other Funds	Total
1. Removes one-time funding provided in the 2009-11 biennium for federal fiscal stimulus funding relating to the regulation and oversight of energy transmission and generation infrastructure		(\$322,746)	(\$322,746)
2. Adds one-time federal funding for continuation of federal fiscal stimulus funding relating to the regulation and oversight of energy transmission and generation infrastructure, to provide training, and for temporary positions		\$658,217	\$658,217
3. Increases funding for abandoned mine lands reclamation		\$1,500,000	\$1,500,000

**Other Sections in Bill**

**Section 2** - Identifies one-time federal fiscal stimulus funding carryover from the 2009-11 biennium of \$658,217 related to the regulation and oversight of transmission and generation infrastructure.

**Section 3 - Public service commissioners' salaries** - Provides the statutory changes necessary to increase the public service commissioners' salaries as follows:

Annual salary authorized by the 2009 Legislative Assembly:

July 1, 2009	\$85,830
July 1, 2010	\$90,122

Proposed annual salary recommendation in the 2011-13 executive budget:

July 1, 2011	\$92,826
July 1, 2012	\$95,611

The executive recommendation provides funding for elected officials' salary increases equal to 3 percent of salaries effective July 1, 2011, and 3 percent effective July 1, 2012.

**Section 4** - Provides a transfer of \$900,000 from the Bank of North Dakota beginning farmer revolving loan fund to the Public Service Commission to pay for costs associated with a rail rate complaint case. If any amount is spent, the Public Service Commission shall reimburse the beginning farmer revolving loan fund using amounts from damages or proceeds received, net of legal fees, from a successful outcome of a rail rate complaint case.

### Continuing Appropriations

**Siting process expense recovery fund** - North Dakota Century Code Section 49-22-22 - Siting process application fees received are deposited in the siting process expense recovery fund to pay expenses incurred in the siting process.

**Credit-sale contract indemnity fund** - Sections 60-10-02 and 60-02-19.1 - An assessment is placed on the value of all grain sold in this state under a credit-sale contract, which is submitted by the licensee purchasing the grain to the Public Service Commission for reimbursement to any person who sold grain under a credit-sale contract and who was not fully compensated in accordance with the contract and associated administration costs.

**Performance assurance fund** - Section 49-21-31 - The performance assurance plan is a component of Qwest's performance assurance plan to provide long-distance service. Money received by the Public Service Commission under the performance assurance plan is to be deposited in the performance assurance fund until the balance equals \$100,000. The money in the fund may be used by the Public Service Commission to monitor the operation and effect of the performance assurance plan.

### Significant Audit Findings

None.

### Major Related Legislation

**Senate Bill No. 2096 - Siting application fees** - The bill lowers the jurisdictional threshold for siting wind farms to one-half megawatt, and for siting other energy generation, the bill returns the threshold to 50 megawatts. The bill also provides for siting fees for transfer applications and certifications under Section 49-22-03(3).

**Senate Bill No. 2322 - Certificate of public convenience and necessity - Secured by electric public utility** - The bill requires electric transmission providers to obtain a certificate of public convenience and necessity from the commission before interconnecting with an existing transmission line owned or operated by an electric public utility.

ATTACH:1