

Committee Counsel: Robert Smith

House Bill 1714

Public Service Commission - Postemployment Restrictions

SPONSORS:

Delegates D. Davis and McHale

COMMITTEE RECOMMENDATION:

FAVORABLE WITH AMENDMENTS

As amended, House Bill 1714 adds specified PSC employees to the list of those who cannot directly represent a public service company before the PSC for 1 year after leaving PSC employment.

COMMITTEE AMENDMENTS:

Amendment No. 1
is technical.

Amendment No. 2
applies the 1-year restriction to two specific officers (the Executive Director and Executive Secretary) and returns other officers to the restrictions in current law.

SUMMARY OF BILL:

As amended, House Bill 1714 is an emergency bill that adds specified former PSC officials/employees to the list of personnel of the PSC and the People's Counsel of the Office of the People's Counsel that may not: (1) represent a public service company before PSC; (2) appear before PSC on behalf of a party to a proceeding; or (3) appear before PSC on a matter within PSC's jurisdiction. A 1-year limitation is newly applied to the PSC executive director, executive secretary, and a director of a PSC staff division.

BACKGROUND:

Current Law:

In order to: (1) represent a public service company before PSC; (2) appear before PSC on behalf of a party to a proceeding; or (3) appear before PSC on a matter within PSC's jurisdiction, 2 years must have passed for a former PSC commissioner or the People's Counsel, and 1 year must have passed for a former PSC general counsel or hearing examiner.

Prior Introductions:

None.

Cross File:

None.

QUESTIONS AND ANSWERS:

Q. Why add these employees to the 1-year employment restriction?

A. Their experience and expertise make them very valuable to the regulated community. There is the appearance of undue influence if they depart from the PSC and immediately turn around to appear before the PSC.

Q. Are these people out of work for a year?

A. No. They may be employed in a supporting capacity, but may not represent public service companies in front of the PSC.

March 29, 2006