



PUBLIC UTILITIES COMMISSION SUNSET HEARING  
 SENATE TRANSPORTATION COMMITTEE  
 SCR 352

- Bill Levis, AARP volunteer lobbyist and former Consumer Counsel representing residential, small business and agricultural consumers before state PUC as well as executive director of National Association of State Utility Consumer Advocates
- In role as MCI director of public policy, appeared before utility commissions in 20 states
- We appreciate that AARP was interviewed, but DORA sunset report does not reflect our concerns and recommendations as well as many of those who were interviewed
- Instead, it is vanilla report basically calling for <sup>13</sup>nine year extension of PUC without addressing recommendations that could improve the agency
- PUC unique state agency, created in constitution, art. 25, subject to legislative oversight and exempted from personnel system under art. 12, sec. 13, sub. 2
- As result of 1968 Administrative Reorganization Act, PUC type 1 division of DORA [24-1-122(2)(a)] with authority to "exercise ...statutory powers, duties and functions, including rule-making, ...regulations, findings, orders and adjudication independently of the head of the principal department." [24-1-105(1)]
- PUC reorganized in 1992 so that all employees report to division director instead of commissioners who oversaw executive secretary. 24-1-122(2)(a) and 40-2-103(1)
- Problem that commissioners, not director, responsible for decisions appealable to court
- Concern with director hiring and assigning employees who assist and advise commissioners as well as trial staff in various cases
- Director and not commissioners currently responsible for budget
- Since each department is limited to one lobbyist, commissioners cannot lobby legislators even though they are full-time employees appointed by Governor with approval of Senate
- However, unlike other agencies, PUC constitutionally created

- Also need to clarify PUC role in overseeing 9-1-1 emergency service, especially as transition to internet-based 9-1-1 this year
- Consumers need to be able to have PUC investigate telecom complaints, especially quality and safety issues such as when 9-1-1 service goes *down*
- Complaint authority removed when most telecom deregulated in 2014
- Colorado also should consider separate staffing for commissioners under chair and trial and complaint staff under current director