

Southern District Reports

2017



2017 State Legislative/Regulatory Profile

STATE: Mississippi
CAPITOL CITY: Jackson
GOVERNOR: Phil Bryant (R)
GENERAL ELECTIONS: 1st Tuesday after 1st Monday in November
LEGISLATURE CONVENES: 1st Tuesday after 1st Monday in January (Jan. 3, 2017)
FLOOR PERIODS: 125 days with new administration; 90 days for next 3 years

SENATE: 52 Members 33 Standing Committees
REPUBLICANS: 32
DEMOCRATS: 20
TERM: 4 years
PRESIDING OFFICER(S): Tate Reeves (R) (Lt. Governor);
Terry Burton (R) (President Pro-Tem)
MAJOR UTILITY COMMITTEE: Senate Energy Committee (15 members)
Chairman: Briggs Hopson (R)
Vice-Chairman: Josh Harkins (R)
CURRENT ISSUES: Budget, Transportation/Highways, Education

HOUSE: 122 Members 37 Standing Committees
REPUBLICANS: 67
DEMOCRATS: 55
TERM: 4 years
PRESIDING OFFICER(S): Phillip Gunn (R) (Speaker)
Greg Snowden (R) (Speaker Pro Tem)
MAJOR UTILITY COMMITTEE: House Public Utilities Committee (23) members
Chairman: Jim Beckett (R)
Vice-Chairman: Jody Steverson (R)
CURRENT ISSUES: Budget, Transportation/Highways, Education

REGULATORY BODY: Public Service Commission
MEMBERS: Brandon Presley (D); Commissioner, Northern District
Cecil Brown (D); Commissioner, Central District
Sam Britton (R); Commissioner, Southern District
APPOINTMENT/ELECTION: Election - 4-year term
CURRENT ISSUES: Net Metering, Utility-scale Solar Generation, Baseload
Recovery, Energy Efficiency

Key Utility-Related Legislative Items of the 2017 Legislative Session

Energy Efficiency (SB 2402)

ISSUE: Proposed changes to the public contracts of energy efficiency services. The proposed changes limited the services providers to only a select few who could provide energy efficiency services to publicly funded entities including hospitals, schools, and State facilities. The proposed changes would have removed competition from the market and closed the door for other qualified providers to compete for these types of services. After many hours of negotiation, a successful effort was lead to amend the bills and have them adopted. The amended versions strengthened the original statute while maintaining an open market for all qualified energy services providers to compete for these types of services

OUTCOME: This legislation was signed into law effective July 1, 2017.

Authorize rate-regulated natural gas public utilities to conduct economic development activities (HB 883)

ISSUE: Allows natural gas public utilities to invest in infrastructure at economic development sites. Provides that if the gas utility makes such investments after having obtained a certificate of public convenience and necessity (CCN) from the MPSC, then the facility costs can be included in rates whether or not any end-use customer is taking service from the facilities. This legislation amends current law which already allows IOUs to make this investment.

OUTCOME: This legislation was signed into law effective July 1, 2017.

Exempt Certain Vessels used in oil exploration or production while in possession of builder (SB 3021)

ISSUE: Exempts from sales tax, the sales of electricity or other fuel to a permanent enterprise solely engaged in the conversion of natural sand into proppants used in oil and gas exploration and development (horizontal fracking) if the company creates at least 85 full-time jobs in the state with an average annual wage of at least \$60,000 and has at least \$80,000,000 in new investment at the existing facility. This law also exempts ad valorem taxes on offshore oil exploration equipment that is not in use.

OUTCOME: This legislation was signed into law effective July 1, 2017.

Utility-Related Legislation that Failed to Pass

Pipelines (HB 907)

ISSUE: Provide that oil and gas pipelines built, constructed or extended using eminent domain must be operated as common carriers.

OUTCOME: The bill died in committee.

Mississippi Emergency Access Program (SB 2297)

ISSUE: Would have mandated all private entities, including public utilities, to register with an outside vendor for access to areas deemed a "disaster area".

OUTCOME: The bill died in committee.

Residential Solar Contractor License (SB 2855)

ISSUE: Introduced at the request of the State Board of Contractors & the Home Builders Association of MS, this bill included several licensing changes for builders and contractors. One of those changes was a provision born out of the MPSC Joint Working Group on Net Metering to allow the State of Board of Contractors to require a residential solar installation license to address safety and consumer protection concerns

OUTCOME: The bill passed the Senate but died in the House.

Create a Mississippi Distributed Energy Resource Program (HB 138)

ISSUE: This bill included a net metering policy based largely on a recently enacted South Carolina law. The bill contained, among other things, consumer credits at retail rate and renewable portfolio standards.

OUTCOME: The bill died in committee.

Authorize Tax Credit for cost of Alternative Fuel Infrastructure (HB 1618)

ISSUE: Would have provided for a one time income tax credit for the installation of a new alternative fuel infrastructure.

OUTCOME: The bill died in committee.

Other New Laws to Note

Campaign Finance Reform (SB 2689)

Establishes new law for the way campaign accounts are handled. Campaign accounts can no longer be used for personal expenses and once campaign accounts are closed, money can be either be given back to donors, transferred to a political action committee, given to a charity or given to the state treasury.

Public Contracts (HB 1109)

Establishes new procurement procedures for public bodies who purchase goods or services from private vendors. When initially filed, the bill contained language that could have hindered the ability to obtain a protective order for confidential documents (such as special rate agreements) sought through a public records request. The House amended the applicable section to achieve the intended result

of providing more transparency for public contracts while not affecting the protection of confidential documents.