

**PENNSYLVANIA
PUBLIC
UTILITY
COMMISSION**



2022-23 EXECUTIVE BUDGET REQUEST

BUDGET HEARING MATERIALS

FOR THE

**HOUSE AND SENATE
APPROPRIATIONS COMMITTEES**

DEPARTMENT: Public Utility Commission

DATE: March 8, 2022

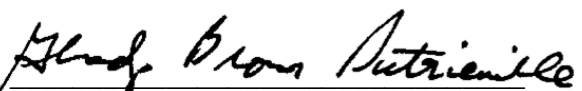
TRANSMITTAL STATEMENT

TO THE CHAIRMAN, SENATE AND HOUSE APPROPRIATIONS COMMITTEES

The accompanying statements, schedules, and explanatory sheets represent the operating estimates of the Commission for all proposed expenditures for the 2022-23 Fiscal Year. The information contained herein supports a request for approval of an operating budget of \$85,274,000, including \$5,183,000 in anticipated Federal Funds.

Specifically, this request includes an increase in state funding in the amount of \$1.6M, or 2.06% above the current fiscal year's approved budget. This increase is directly attributable to fund contractual obligations for salaries and benefits, continue all current programs. This budget request supports a complement of 526 total employees.

All statements and explanations contained in the estimates submitted herewith are true and correct to the best of my knowledge.

Signed: 

Gladys Brown Dutrieuille
Chairman

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SECTION I

MISSION STATEMENT

DEPARTMENT: PUBLIC UTILITY COMMISSION

DATE: March 8, 2022

I. MISSION STATEMENT

THE PENNSYLVANIA PUBLIC UTILITY COMMISSION BALANCES THE NEEDS OF CONSUMERS AND UTILITIES; ENSURES SAFE AND RELIABLE UTILITY SERVICE AT REASONABLE RATES; PROTECTS THE PUBLIC INTEREST; EDUCATES CONSUMERS TO MAKE INDEPENDENT AND INFORMED UTILITY CHOICES; FURTHERS ECONOMIC DEVELOPMENT; AND FOSTERS NEW TECHNOLOGIES AND COMPETITIVE MARKETS IN AN ENVIRONMENTALLY SOUND MANNER.

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SECTION II

PUC ORGANIZATION

II. PUC ORGANIZATION

The Pennsylvania Public Utility Commission (“Commission” or “PUC”) is an independent administrative commission established by the Legislature in 1937 to "supervise and regulate" all public utilities doing business in the Commonwealth.

The Commission is comprised of five full-time members nominated by the Governor, for staggered five-year terms, with the advice and consent of a majority of the members of the Senate.

Currently, under the Public Utility Code (Code), as codified in Title 66 of the Pennsylvania Consolidated Statutes Annotated, the Commission regulates more than 9,000 entities, including the following in-state services: electricity; natural gas; telecommunications and broadband (availability and speed in accordance with Pennsylvania statutory standards); water and wastewater collection and disposal; steam heat; transportation of passengers and property by motor coach, truck, taxicab and transportation network companies (TNCs); pipeline transmission of natural gas and hazardous materials; and public highway-railroad crossings.

The supervision and regulation of the public utilities includes establishing just and reasonable rates; providing for adequate, efficient, safe service and facilities; conducting audits, inspections, and investigations; developing energy forecasts, plans, and conservation guidelines; providing consumer services; and ensuring the enforcement of, and compliance with, public utility law and regulations.

In addition to staffing each Commissioner’s office, the Commission’s current complement of 526 employees is spread among 13 offices and bureaus reporting to an Executive Director: Regulatory Operations, Legislative Affairs, Secretary, Administration, Special Assistants, Technical Utility Services, Investigation and Enforcement, Audits, Law, Administrative Law Judge (OALJ), Consumer Services (BCS), Cybersecurity and Communications.

The Commission is headquartered in Harrisburg with regional offices in Philadelphia, Pittsburgh and Scranton. Throughout the COVID-19 pandemic, the Commission has remained fully operational, with personnel working in the offices, in the field, and remotely as needed.

Generally, the regional offices serve as coordinating points for the Commission’s Bureaus of Investigation and Enforcement, Consumer Services, Audits and Administrative Law Judge. In addition to holding formal hearings, the regional offices field written and telephone inquiries and respond as necessary or forward the inquiries to Harrisburg for resolution.

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SECTION III

2022-23 BUDGET REQUEST

III. 2022-23 BUDGET REQUEST

The Commission receives its state funding from the assessments of jurisdictional public utilities based on their reported revenues from intrastate operations and the Commission's costs to regulate the various utility groups.

In addition, the PUC also assesses non-regulated natural gas pipeline operators under Act 127 of 2011, fees from Electric Generation Suppliers and Natural Gas Suppliers for the PUC's oversight of these entities under Act 155 of 2014 and receives funding to administer Act 13 of 2012 - the unconventional gas well impact fee legislation. Also, a small portion of the funding is received based on various fees charged by the Commission.

REGULATORY PRIORITIES - This budget request reflects the PUC's regulatory priorities in the areas of (1) safe, adequate and reliable service at just and reasonable rates, (2) consumer services and education, (3) transportation safety and compliance, (4) competition, market-based pricing and incentive ratemaking and (5) fixed utility audits.

COMPLEMENT SUMMARY - This budget plan includes funding for a complement totaling 526. To control complement costs, vacancies are reallocated based on the operational needs of the PUC's offices and bureaus. In this FY 2022-23 request the Commission plans on reviewing the need and availability of additional gas safety inspector positions; and if deemed necessary will look to add up to four (4) additional inspectors from Commission vacancies at that time. Also, the PUC continues to use consultants, temporary hires, and overtime as necessary.

PERSONNEL COSTS - The total estimated personnel costs are \$69,842,000 comprised of \$65,772,000 in state funds, and \$4,070,000 in federal funds. The increase requested in this budget reflects contractual obligations including bargaining unit contracts and increases for health care cost and retirement contributions for the complement we propose.

OPERATING, FIXED ASSETS, INTERAGENCY COSTS SUMMARY - The 2022-23 budget request for Operating, Fixed Assets, and Interagency costs is \$15,432,000. This total is comprised of \$14,319,000 from state funds and \$1,113,000 in anticipated federal funds. The PUC has maintained a relatively flat budget over the past few years in operating costs.

COST REDUCTION PROPOSALS - The PUC's ongoing cost reduction efforts address ways to increase individual productivity and operational efficiency within existing programs. The upgrades to InfoMAP continue improving both

information flow to consumers and utilities as well as internal case tracking. It is expected that additional economies will be realized as utilities, practitioners and consumers more fully avail themselves of the ability to electronically file and access information.

GO-TIME projects have realized efficiencies in public hearings as well as conversion of decaying microfilm and microfiche to digital records. Also, a past reorganization has enhanced the overall structure of the PUC to increase efficiency and productivity in the regulation of the utilities and entities we oversee. Finally, the PUC has become a provider for offering continuing legal education credits required by the Pennsylvania Disciplinary Board and offers its attorneys the opportunity to acquire six of the twelve credits required each year at no cost to its attorneys and to those of the public advocates, which is a considerable savings for the Commission.

BUDGET SUMMARY - The PUC is requesting \$85,274,000 for budget year 2022-23, which includes \$5,183,000 in potential Federal Funds, used to regulate motor carrier, rail safety and natural gas safety. Of the total amount requested, the State share of \$80,091,000 will be obtained from assessments and fees paid by jurisdictional public utilities as well as assessments received for administration of Act 127 and Act 155. The \$1,000,000 appropriation for the administration and oversight of Act 13 is a separate budget line item listed under “Other Funds”.

This budget request for \$80,091,000 in State funding for the 2022-2023 Fiscal Year represents a 2.06% increase over the current fiscal year state funding. The increase is to fund contractual salary and increased benefit obligations. In addition, we receive \$1,000,000 for the duties assigned under Act 13 - The Unconventional Gas Well Impact Fee legislation.

COMMISSION’S STRATEGIC GOALS - The Commission has established the following strategic goals:

- To ensure that safe and reliable utility service is available to all Pennsylvania consumers at fair and reasonable rates.
- To support and promote the replacement and repair of our aging utility distribution systems and further enhancements to protect critical infrastructure against current and future hazards and threats.
- To enforce state and federal laws and safety regulations related to pipeline, electric, rail and motor-carrier operations.
- To foster the development of competitive markets in the electric, telecommunications and natural gas industries.

- To promote greater public awareness and understanding of the public utility industry and the need to train for critical utility careers.
- To establish policies that will encourage public utilities to operate in the most environmentally compatible, safe, fair and cost-effective manner.
- To ensure the collection and distribution of Pennsylvania's unconventional well impact fees.
- To contribute to the economic development of Pennsylvania.
- To continue to implement affordability initiatives to assist low-income customers.
- To support environmental initiatives, particularly with respect to alternative energy portfolio standards, energy efficiency and demand side response programs.
- To continue improving internal efficiencies and enhancing public access to information maintained and produced by the Commission.
- To maintain policies and procedures for recruiting and retaining an efficient, diverse and well-trained Commission staff; to enhance performance and promote timely, consistent, well-reasoned regulatory decisions.
- To provide the General Assembly and the Congress with utility policy recommendations promoting the interest of Pennsylvania consumers in state and federal legislative and regulatory forums.
- To encourage utilities and the Commission to establish and adhere to sound cybersecurity plans and appropriate training of staff.

OPERATIONAL OBJECTIVES - The PUC strives to operate in the most cost-efficient manner possible and continues reviewing staffing levels in all bureaus.

The Commission continues to carry out the mission and duties assigned by the General Assembly. The PUC's traditional responsibilities include ensuring the rates charged by public utilities are just and reasonable and that public utilities provide safe, adequate and reliable service.

During the development of this Executive Budget Request, the PUC reviewed its strategic goals, programs and priorities as it continually faces new regulatory challenges to current and past practices, responding to known and anticipated changes in the regulatory environment. Initiatives to increase competition in competitive markets are ongoing and continually require the PUC to reallocate staff resources and develop ways to enhance operational efficiency.

All offices and bureaus have developed complementary and supporting goals and operational objectives for FY 2022-23. The objectives indicate: (1) what we intend to accomplish, (2) what the priorities are, (3) who is responsible for specific actions and (4) when they will be completed.

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SECTION IV

2021-22 COMMISSION ACCOMPLISHMENTS

IV. FY 2021-22 & COMMISSION ACCOMPLISHMENTS

Despite a second year of the pandemic emergency and working remotely, the Commission was able to continue to function at its normal capacity. The PUC achieved many important successes, including:

- Revising its policy statement on diversity at utilities.
- Advancing the process to assume jurisdiction over pole attachments.
- Approving numerous eligible telecommunications carrier designations for entities receiving federal funds for enhanced rural broadband deployment.
- Encouraging outreach on the FCC's Emergency Broadband Benefit for Pennsylvanians; focusing on energy affordability for income-qualified customers by revising policy on Customer Assistance Programs.
- Bringing uniformity to lead water line replacement; ensuring that regulated utilities protect themselves from cyber-attacks and connecting utilities with emergency response efforts.
- Coordinating with utilities and other agencies to protect critical infrastructure against current and future hazards and threats, such as cyber-attacks.
- Continuing investigations and enforcement related to pipeline, electric and motor carrier safety.
- Enhancing customer protections.
- Releasing multiple audits across the regulated industries.

FILINGS, RIGHT-TO-KNOW (RTK) & HISTORICAL DOCUMENTS -

The Commission processed 28,049 filings in 2021 – an increase from 2020 and returning to normal numbers as seen in pre-pandemic 2019. The Secretary's Bureau served 11,029 documents including: 903 Final, Tentative and Emergency Orders issued by the Commission; 233 Initial and Recommended Decisions issued by OALJ; 6,156 Secretarial Letters and other documents; 1,118 consumer formal complaints; and 313 formal complaints initiated by the Commission's Bureau of Investigation and Enforcement - for a total of 1,431 formal complaints filed in 2021.

Of the filings made in 2021 – only 8,116 were paper filings made by mostly overnight delivery due to confidential or proprietary material not permitted to be

efiled. In the early months of the pandemic, confidential filings were sent directly to the Secretary's email to maintain proper security. In June of 2020, the Secretary's Bureau set up a Share Point file to accept large filings with embedded confidential material. In 2021, 19,933 filings were made electronically through the Commission's efilings system. During 2020 and continuing in 2021, efilings accounted for almost 80% of all filings made with the Commission.

In 2021, the Commission received and responded to 141 RTK requests. While this is another decrease from 186 submitted in 2019 and 151 submitted in 2020, the explanation for that decrease is due to the Commission placing more information on its website. The Commission's new website design went into effect in late 2020 allowing even more information to become available.

Once again in 2021, 50% of the requests submitted came from requesters outside Pennsylvania. It is important to note that costs of the Commission's resources used for these requests made by requesters outside Pennsylvania are borne by Pennsylvania utility ratepayers since the Commission's funding comes from the annual assessments paid by Pennsylvania utilities.

Despite the pandemic emergency, once staff was able to regularly access our offices on Aug. 2, 2021, historical documents and microfilmed records were converted to digital scans and placed on the PUC's website for the public's convenience. More than 6 million pages of historical records are now available online and microfilmed records are available for review online upon request.

PROTECTING THE PUBLIC - In August 2020, PUC Chairman Dutrieuille issued a letter seeking comment about the PUC's moratorium on utility terminations, and asking for input regarding protections for at-risk consumers, and should the PUC's moratorium on all utility terminations be lifted.

The PUC also issued a Secretarial Letter directing all electric, natural gas, water, wastewater, and telecommunications utilities to comply with a temporary reporting requirement as it relates to customers at-risk of termination.

Additionally, the Commission adopted a series of enhanced consumer protections intended to safeguard families and small businesses who are struggling financially because of the COVID-19 pandemic – and also established a framework for future discussions about utility assistance and economic recovery.

All of these efforts were followed by the Commission's original response to the Governor's Emergency Disaster Declaration in 2020, at which time the Commission had issued:

- Three Emergency Orders declaring a moratorium on termination of service by all jurisdictional utilities;
- A suspension of door-to-door and in-person marketing by energy suppliers which we have since modified twice; and
- A suspension of regulatory and statutory deadlines.

The PUC maintained successful internal and external communications during the COVID-19 pandemic, with regular messages to employees, press releases on Commission actions shared publicly and consumer-education infographics and tips distributed electronically, along with updates made available on a special COVID-19 [webpage](#).

The Commission also reinvented the way it communicated both internally and externally, and transitioned its consumer education to largely virtual, with a heavier focus on online, videos, social media and infographics.

DIVERSITY, EQUITY AND INCLUSION – The PUC revised its Policy Statement on diversity at utilities, moving to require diversity reporting at its regulated public utilities. The revised policy statement provides guidelines identifying the information major jurisdictional utility companies should report to describe their efforts to employ and contract with members of diverse groups. It also encourages utility companies to use a common form to file annual diversity reports with the Commission.

BROADBAND ISSUES – The PUC advanced the process to assume jurisdiction over pole attachments – as well as the approval of the first-ever, all-services distributed overlay for the [814 area code](#). The PUC encouraged Pennsylvania consumers to learn more about the [Emergency Broadband Benefit \(EBB\)](#) that was started by the Federal Communications Commission (FCC).

With its ongoing review and approvals of [Eligible Telecommunications Carrier](#) (ETC) designations for a federal broadband deployment program in rural Pennsylvania, the PUC continues its support of the Pennsylvania Broadband Investment Incentive Program and work to secure [federal funding](#).

CONSUMER ISSUES - The PUC addressed energy affordability for low-income customers by revising policy on Customer Assistance Programs. In addition, it launched a new [Commission website](#) designed to make navigation easier; enhance searches; allow content to be viewable on any device; and create a clean, modern look and feel. The PUC also continued to enhance [PAPowerSwitch](#) and [PAGasSwitch](#) for electric and natural gas shopping.

PUC consumer educators reached front-line community partners through the

virtual Be Wise and [Be Utility Wise](#) consumer-education conferences.

WATER AND WASTEWATER ISSUES - A major goal for the PUC is to bring uniformity to the replacement of lead water service lines and damaged wastewater laterals under [Act 120 of 2018](#) (Act 120). The Commission is now finalizing a rulemaking to implement the Act 120, modifying its regulations at Title 52 to establish certain standards, processes, and procedures for these critical issues.

CYBERSECURITY- The PUC, through its Office of Cybersecurity Compliance and Oversight (OCCO), continued to work with federal and state stakeholders to conduct quarterly conference calls that disseminate cybersecurity information to regulated utilities – including connecting utilities with emergency response efforts. OCCO worked with the PUC Cybersecurity Committee to revise and update a cybersecurity best practice document for small and medium sized utilities, and to review and revise sections of the PA Code Title 52 dealing with cybersecurity incident reporting and public utility preparedness self-certification regulations.

SAFETY ISSUES – The PUC has continued to take actions against underground facility owners, excavators and project owners as part of its [PA One Call](#) enforcement jurisdiction, noting that, during this past fiscal year, the Damage Prevention Committee (DPC) addressed the largest number of cases in its meeting history. In 2021, the DPC issued its second [annual report](#), including an overview. This Statistical Report tracks Alleged Violation Reports (AVRs) and the subsequent actions taken including the issuance of warning letters, administrative penalties and locator or excavator education.

The PUC also sought public comment on [proposed changes](#) in regulations for customer-owned pipeline system service lines, and [enhancements](#) to regulations for petroleum and hazardous liquids pipelines.

IMPACT FEES – The Commission successfully distributed \$146,254,725 in [impact fees](#) – pushing the nine-year total to more than \$2 billion collected and distributed to communities across the state.

ELECTRIC RETAIL MARKETS – The PUC amended the customer information disclosure [regulations](#) at Chapter 54 to enhance customer protections and give them the information necessary when shopping in the state’s competitive retail electricity market.

AUDITS – This past fiscal year, the Commission released 32 reports covering 67 years of Section 1307(e) reconciliation statement audits, reviewing and approving approximately 380 adjustment clause filings. Management Audit staff released three Management Efficiency Investigation reports, one Management

Audit, and the 516 Annual Report at Public Meeting for Calendar Year 2020-21.
The PUC also released its driver background check review report for [Lyft](#).

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SECTION V

PROGRAM DESCRIPTIONS

V. PROGRAM DESCRIPTIONS

A. Appropriation 16205 (General Government Operations):

1. Office of the Chairman and Commissioners' Staffs

By statute, the Office of Chairman and Commissioners consists of five members nominated by the Governor for staggered five-year terms. The nominations must be approved by a majority of the Members of the Senate.

Commissioners adjudicate matters coming before the PUC. They provide policy guidance and direction to Commission staff on matters affecting utility rate and services as well as on Commission staffing, budget and administrative matters.

Act 129 amended Chapter 3 of the Code to eliminate references to certain bureaus and offices, giving the PUC more flexibility to decide on an appropriate organizational structure. In response to that legislation, the PUC reorganized to better align the agency's structure to meet current statutory responsibilities.

2. Executive Director

The Executive Director is responsible for the oversight of the day-to-day management of the Commission's functions and staff. This position is responsible for the overall planning, direction, organization and operation of the Commission. The Executive Director develops, makes recommendations and implements the PUC's strategic plans and policies. Also, within the Office of the Executive Director is OCMO, which calls upon a designated group of legal, technical and policy staff from various Commission bureaus and offices to carry out its mission. The Executive Director also oversees OCCO, which advises the PUC on policy issues and procedural improvements involving cybersecurity oversight functions of regulated utilities; drafts proposed cyber-related regulations; and oversees document preparation related to cybersecurity policies and procedures.

- Director of Regulatory Affairs (vacant)

The Director of Regulatory Affairs oversees the PUC's bureaus with regulatory functions, including the Bureau of Audits, the Bureau of Consumer Services, the Office of Special Assistants, the Bureau of Technical Utility Services and the Office of Administrative Law Judge. The Director of Regulatory Affairs also is responsible for planning, organizing, coordinating, directing and overseeing regulatory staff.

- The Director of Administration

The Director of Administration oversees administrative, fiscal and personnel functions. The Bureau of Administration is comprised of the Office of Human Resources; Management Information Systems overseeing technology; the Secretary's Bureau; and the Office of Administrative Services, which is responsible for office services and the PUC's Fiscal and Assessment section handling budget issues and the financial functions.

- The Director of Communications

The Director of Communications is charged with handling Commission media relations, external communications, internal communications and consumer education, in addition to acting as the lead staff for the Consumer Advisory Council. The Office also is responsible for issuing press releases, responding to media calls, special consumer-education campaigns, distributing educational materials, informing consumers about programs and rights, creating internal and external newsletters and other publications, and coordinating the PUC's website.

3. Office of Legislative Affairs

The Office of Legislative Affairs acts as the liaison between the PUC and the Governor's Office, the General Assembly and the Pennsylvania Congressional Delegation; identifies legislation that may affect the Commission or public utilities and obtains staff analysis; provides relevant information to the legislature; and promotes the PUC's position on legislation and issues with the General Assembly.

4. Office of Administrative Law Judge (ALJ)

ALJ fulfills a judicial role within the PUC by hearing cases, mediating cases through the alternative dispute resolution process, and issuing decisions. ALJ's primary duty is to provide fair and prompt resolution of contested proceedings before the Commission. ALJs are attorneys with experience in administrative law, who preside over the hearings in cases, which can include consumer complaints, rate filings, investigations, ability to pay/billing disputes and applications. ALJ decisions are based upon record evidence, legal precedent and policy.

5. Bureau of Investigation and Enforcement

The Bureau of Investigation and Enforcement serves as the prosecutory bureau for purposes of representing the public interest in ratemaking matters. The Bureau also prosecutes service matters before the Office of Administrative Law Judge and enforces regulatory compliance with the state and federal motor carrier

safety, electric safety, and gas pipeline safety laws and regulations. The bureau handles rail safety enforcement proceedings and investigates referrals from other Bureaus. The Bureau also prepares administrative reports for the Commission.

6. Bureau of Technical Utility Services (TUS)

TUS serves as the PUC's technical advisory bureau regarding fixed and transportation utility regulatory matters, as well as an adviser on technical issues for electric, natural gas, water and wastewater, and telecommunications utilities. The Bureau also offers policy recommendations on rates, tariffs and regulatory matters, processes utility applications and coordinates emergency operations of utilities.

7. Secretary's Bureau

The Secretary's Bureau is the PUC's official point of contact with the public. The Secretary serves as the prothonotary of the Commission, and all documents and filings received by the Commission must be officially filed with the Secretary. The Bureau processes, docket, and assigns all filings to the appropriate bureaus within the Commission for review and recommendation. All official Commission actions and decisions are issued over the Secretary's signature. The Secretary's Bureau coordinates the Commission's Public Meeting agendas, records the minutes of each Public Meeting, and issues all Commission Orders, Decisions and Secretarial Letters. The Secretary also is the Commission's official Right-to-Know Officer.

8. Office of Special Assistants

The Office of Special Assistants is the Commission's advisory support bureau, provides legal and technical advice to the Commission primarily regarding challenges to Administrative Law Judge decisions, as well as policy issues; drafts proposed opinions and orders containing a review of the facts, the applicable law and a proposed resolution of the issues raised in contested proceedings; drafts opinions and orders pursuant to motions adopted at Public Meeting; and reviews petitions for relief following the issuance of Commission orders.

9. Law Bureau

The Law Bureau acts as the Commission's in-house legal counsel in three main areas: advisory, representational and enforcement - providing legal advice to the PUC regarding electric, natural gas, telecommunications, water/wastewater and transportation matters, as well as proposed legislation, regulations and policy statements. The Bureau's director serves as Chief Counsel to the Commission. The Bureau represents the PUC before state and federal courts and other state agencies, as well as before federal agencies such as the FCC and FERC.

10. Bureau of Audits

The Bureau of Audits performs financial, management, operational and specialized audits on electric, natural gas, steam heat, water/wastewater and telecommunications utilities. It reviews certain adjustment clause rate filings and 1307(e) reconciliation statements. Recommendations on refunds of over-recovered costs and improved accounting/operational procedures often save utilities and consumers money.

11. Bureau of Consumer Services (BCS)

BCS investigates informal complaints from residential and small commercial customers and enforces customer service regulations. BCS serves as an intermediary between utilities and consumers, working to mediate complaints or make payment agreements, and is also responsible for implementing and monitoring universal service and energy conservation programs that help low-income consumers. BCS prepares utility-related reports with assessments of complaint handling, customer service performance, universal service programs and collection performance.

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SECTION VI

COMMISSION BACKGROUND

VI. COMMISSION BACKGROUND

In creating the PUC, the Pennsylvania Legislative Act of March 31, 1937 (and the Public Utility Law of May 28, 1937) abolished the Public Service Commission of the Commonwealth of Pennsylvania, which had been established by the Public Service Law of July 26, 1913 (effective Jan. 1, 1914). In 1914, the Public Service Commission had replaced the State Railroad Commission, which was created by the Act of May 31, 1907 (effective Jan. 1, 1908) to regulate, control and manage common carriers.

In the 1990s, the Public Utility Code was amended to provide for competition in electric and natural gas supply as well as local and intrastate telephone service, including broadband availability and deployment. These changes increased the PUC's responsibilities with respect to reliability, market monitoring and quality of service.

Since 2004, the Code has been amended several times. In 2004, new obligations were placed on the PUC relating to alternative energy portfolio standards; the rules governing various consumer protections (which were further updated in 2014); and the continued availability and deployment of broadband throughout Pennsylvania with applicable deadlines and related broadband speed standards. In 2008, an amendment required the PUC to establish and oversee the implementation of an energy efficiency and conservation program as well as smart meter plans aimed at reducing energy demand and consumption. A 2011 amendment expanded the PUC's authority to enforce federal pipeline safety laws as they relate to non-public utility gas and hazardous liquids pipeline equipment and facilities within the Commonwealth.

In 2012, the PUC was charged with collecting and distributing the state's Unconventional Gas Well Impact Fee, which is used to mitigate the impacts of drilling as well as review ordinances at the request of a county or municipality and resolve complaints filed by those aggrieved by a local ordinance. Act 11 of 2012 (Act 11) allows jurisdictional water and wastewater utilities, natural gas distribution companies, city natural gas distribution operations, and electric distribution companies (EDCs) to petition for PUC approval of a distribution system improvement charge (DSIC) to more timely recover prudent costs to repair, improve or replace aging infrastructure. Just as it has in the water industry since 1991, a DSIC for electric, natural gas and wastewater reduces the frequency and associated costs of base rate cases while maintaining a high level of customer protections.

In 2014, Chapters 5, 14, 22 and 28 of the Code were amended to allow the PUC to establish annual fees to fund oversight of natural gas suppliers (NGSs) and electric generation suppliers (EGSs). The changes also allow the Commission to include the intrastate operating revenues of licensed entities in determining its budget cap, and to exclude from the budget cap funds received from the federal government and other sources to perform functions unrelated to the Commission's jurisdictional regulation.

In 2016, the PUC was charged with implementing Act 12 of 2016 which added Section 1329 to the Code. This addresses the valuation of municipal and authority-owned water and wastewater systems acquired by water and wastewater utilities or entities regulated by the PUC through a streamlined process.

In 2017, the PUC implemented legislation providing for permanent statewide authority for Transportation Network Companies (TNCs), often described as ride-hailing services. Oversight of TNCs is intended to encourage innovation and competition, while ensuring that important public protections are in place – including regulations governing driver integrity, vehicle safety and insurance coverage.

In FY 2018-19, the PUC took on additional oversight responsibilities by virtue of legislation enacted in the Fall of 2017. Act 50 of 2017 shifted enforcement authority of the Underground Utility Line Protection Act – also known as the “One Call Law” - to the PUC, which is utilizing a dedicated enforcement team and “damage prevention program” modeled after other successful state efforts, to target a 50 percent reduction over five years in hits on underground utility infrastructure and better safeguard the public. A key element of enhanced efforts to safeguard underground utilities was the creation of a PUC Damage Prevention Committee (DPC) comprised of PUC Safety Division personnel, key stakeholders and concerned citizens, and supported by Commission staff. The DPC meets regularly to review alleged violations of the Act, and make determinations as to the appropriate response including, but not limited to, the issuance of warning letters or administrative penalties.

On Oct. 30, 2017, Governor Wolf signed into law Act 40 of 2017 (Act 40), amending the Administrative Code and including Section 11.1 that established geographical limits on solar photovoltaic (solar PV) systems that qualify for the solar PV share requirement of the AEPS. The Commission approved a Final Implementation Order on April 19, 2018 - an Order which affirmed the law’s provisions to close the borders for Tier 1 solar credit qualifications, thereby eliminating eligibility for certain out-of-state facilities.

On June 28, 2018, Gov. Tom Wolf signed into law Act 58 of 2018 (Act 58), which amended Chapter 13 of the Code – specifically, adding Section 1330, 66 Pa. C.S. §1330 (relating to alternative ratemaking for electric, natural gas, and water or wastewater utilities) that permits the Commission to approve an application by a utility to establish alternative rates and rate mechanisms, including, but not limited to: decoupling mechanisms, performance-based rates, formula rates, multiyear rate plans, or a combination of these alternatives.

On April 25, 2019, the PUC approved an Implementation Order for Act 58, putting forth procedures through which utilities may seek PUC approval of applications establishing alternative rates and rate mechanisms in future base rate proceedings under Chapter 13 of the Code. On July 11, 2019, the Commission then adopted a Distribution Rates Policy Statement establishing PUC guidelines on what factors to consider when investigating alternative ratemaking methodologies in a Section 1308 rate proceeding – including how the ratemaking mechanism and rate design will support improvements in utility reliability.

Additionally, Act 65 of 2017 (Act 65) gave the Commission oversight of water, wastewater and stormwater services by entities created by Pennsylvania cities of the second class – specifically the Pittsburgh Water and Sewer Authority (PWSA). In March 2020, the PUC [approved plans to address a variety of compliance and infrastructure issues for PWSA](#) – followed by Commission approval in January 2021 of [an Opinion and Order](#) resolving outstanding aspects of PWSA’s Stage 1 Compliance Plan filed with the PUC – specifically involving the remediation of lead service lines in PWSA’s system. Moving forward, a timetable has been set for PWSA “Stage 2” filings for compliance matters – including stormwater service, customer assistance programs, collections and other customer service issues.

In addition to the above duties and responsibilities, the Commission is required or empowered to:

- Prescribe rates for common carriers of passengers and household goods by motor vehicle, and to establish accounting and service requirements for them.
- Regulate the formation, merger, and consolidation of public utilities.
- Determine whether a public utility should be permitted to discontinue service to the public.
- Regulate the crossing of public highways by the facilities of public utilities.
- Inspect the properties, test the equipment, and examine the books and other records of utilities.
- Prescribe systems of accounts for utilities; require restatement of plant accounts in their books of original cost; and require them to keep a continuing property record (perpetual inventory) of plants used or useful in the public service.
- Determine whether the issuance of utility stocks and long-term debt by public utilities is necessary or proper for the present and probable future capital needs of the utilities.

- Inquire into the reasonableness, from the point of view of the public interest, of contracts between public utilities and municipalities, and of contracts for services between public utilities and affiliates (affiliated interest agreements).
- Assess all its expenses on utilities in accordance with Act 215 of Oct. 6, 1976.
- Assess all expenses associated with Act 127 of 2011 (Act 127) on the affected pipeline operators.
- Collect and distribute all applicable funds for Act 13 of 2012 (Act 13) - The Unconventional Gas Well Impact Fee.
- Collect an annual registration fee and supplemental fee based on intrastate revenues where applicable for licensed EGSs and NGSs for the cost of Commission oversight in accordance with Act 155 of 2014 (Act 155).

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SECTION VII

**APPROPRIATION 16205
(GENERAL GOVERNMENT OPERATIONS)**

II. DETAIL BY MAJOR OBJECT (\$ Amounts in Thousands)				APPROPRIATION: General Government Operations	
	2020-2021 Actual	2021-2022 Available	2022-2023 Budgeted	Change Budgeted vs. Available	Percent Change
PERSONNEL					
<i>State Funds</i>	\$ -	\$ -	\$ -	\$ -	0.00%
<i>Federal Funds</i>	4,452	4,006	4,070	64	1.60%
<i>Augmentations</i>	63,199	64,167	65,772	1,605	2.50%
Total Personnel	\$ 67,651	\$ 68,173	\$ 69,842	\$ 1,669	2.45%
OPERATING					
<i>State Funds</i>	\$ -	\$ -	\$ -	\$ -	0.00%
<i>Federal Funds</i>	570	1,122	1,113	(9)	(0.80%)
<i>Augmentations</i>	14,652	14,100	14,109	9	0.06%
Total Operating	\$ 15,222	\$ 15,222	\$ 15,222	\$ -	0.00%
FIXED ASSETS					
<i>State Funds</i>	\$ -	\$ -	\$ -	\$ -	0.00%
<i>Federal Funds</i>	-	-	-	-	0.00%
<i>Augmentations</i>	210	210	210	-	0.00%
Total Fixed Assets	\$ 210	\$ 210	\$ 210	\$ -	0.00%
NON-EXPENSE/INTERAGENCY					
<i>State Funds</i>	\$ -	\$ -	\$ -	\$ -	0.00%
<i>Federal Funds</i>	-	-	-	-	0.00%
<i>Augmentations</i>	-	-	-	-	0.00%
Total Non-Expense/Interagency	\$ -	\$ -	\$ -	\$ -	0.00%
BUDGETARY RESERVE	\$0	\$0	\$0	\$ -	0.00%
TOTAL FUNDS					
<i>State Funds</i>	\$ -	\$ -	\$ -	\$ -	0.00%
<i>Federal Funds</i>	5,022	5,128	5,183	55	1.07%
<i>Augmentations</i>	78,061	78,477	80,091	1,614	2.06%
Total Funding	\$ 83,083	\$ 83,605	\$ 85,274	\$ 1,669	2.00%

VI. EXPLANATION OF CHANGES (\$ Amounts in Thousands)		APPROPRIATION: General Government Operations		
		STATE/ OTHER \$	FEDERAL \$	TOTAL \$
PERSONNEL				
	Increase in contractual obligations and fringe benefit costs.	\$ 1,605	\$ -	\$ 1,605
	Anticipated federal funding associated with costs for the Natural Gas Pipeline Safety Program and Motor Carrier Safety Administration to support personnel costs.		\$ 64	\$ 64
	Subtotal Personnel	\$ 1,605	\$ 64	\$ 1,669
OPERATING				
	Anticipated federal funding associated with costs for the Natural Gas Pipeline Safety Program and Motor Carrier Safety Administration.	\$ 9	\$ (9)	\$ -
		\$ -	\$ -	\$ -
	Subtotal Operating	\$ 9	\$ (9)	\$ -
	Grand Total	\$ 1,614	\$ 55	\$ 1,669

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SECTION VIII

LIST OF CONTRACTS

PA PUC Contracts FY 2020 Through FY 2022									
Appropriation	Vendor PA Cty Code	Vendor	Cl - Avail Cntrl Lvl	Exp. and Commitments FY 2020	Exp. and Commitments FY 2021	Commitments for FY 2022			
Gen Govt Operations	16205	HP INC	Operational Expenses	\$ 584,200.00					
		GENEYS CLOUD SERVICES INC DBA	Operational Expenses	\$ 309,260.00	\$ 343,879.97				
		QUADIENT INC	Operational Expenses	\$ 17,125.18	\$ 16,264.08	\$ 11,025.90			
		OST INC	Operational Expenses	\$ 2,138,188.00	\$ 2,589,360.14				
		MOTOROLA SOLUTIONS INC	Operational Expenses	\$ 40,000.00	\$ 30,000.00				
		CDW GOVERNMENT LLC	Operational Expenses	\$ 488,942.11	\$ 302,317.00	\$ 87,231.97			
			Fixed Assets Exp.	\$ 74,343.81	\$ 20,088.72				
		INTERPARK HOLDINGS LLC	Operational Expenses	\$ 34,020.00	\$ 21,105.00				
		CROWLEY MICROGRAPHICS INC	Operational Expenses	\$ 20,933.00	\$ 19,685.40				
			Fixed Assets Exp.	\$ 63,810.00					
		INCLIME INC	Operational Expenses	\$ 432,400.28	\$ 489,367.00	\$ 517,352.00			
		WEST PUBLISHING CORPORATION	Operational Expenses	\$ 148,677.90	\$ 147,843.48	\$ 151,583.13			
		KONICA MINOLTA BUSINESS SOLUTIONS	Operational Expenses	\$ 38,134.84	\$ 46,640.77	\$ 28,532.49			
		INFO-TECH RESEARCH GROUP INC	Operational Expenses	\$ 26,600.00					
		XEROX CORPORATION	Operational Expenses	\$ 16,782.14	\$ 11,884.90	\$ 1,356.14			
		S&P GLOBAL MARKET INTELLIGENCE INC	Operational Expenses	\$ 30,240.00	\$ 32,500.00				
		RELX INC	Operational Expenses	\$ 29,832.00	\$ 32,544.00	\$ 32,544.00			
		IBM CORPORATION	Operational Expenses	\$ 370,850.53	\$ 242,123.00				
		UNIVERSITY OF PITTSBURGH	Operational Expenses	\$ 82,485.48	\$ 54,960.32				
		ECKERT SEAMANS CHERIN AND MELLOTT	Operational Expenses	\$ 59,049.54	\$ 253,504.04				
		URBASH PROFESSIONAL REPORTING INC	Operational Expenses	\$ 97,166.41	\$ 76,622.14				
	Bucks	STREHLOW AND ASSOCIATES INC	Operational Expenses	\$ 89,133.85	\$ 74,579.90				
	Cambria	SARGENTS COURT REPORTING SERVICE	Operational Expenses	\$ 208,812.80	\$ 156,571.45				
	Centre	PENNSYLVANIA STATE UNIVERSITY	Operational Expenses	\$ 509,043.79	\$ 329,889.26	\$ 320,524.00			
	Chester	PC NETWORK INC	Operational Expenses	\$ 98,000.00	\$ 344,970.00				
		RICOH USA INC	Operational Expenses	\$ 11,393.80	\$ 1,085.00				
	Cumberland	ATLANTIC TACTICAL INC	Operational Expenses	\$ 27,485.70	\$ 93.66				
	Dauphin	MCNEES WALLACE & NURICK LLC	Operational Expenses	\$ 6,029.50	\$ 27,200.09				
		COMPUTER AID INC	Operational Expenses	\$ 7,650.00					
		JPL VIDEO PRODUCTIONS INC DBA	Operational Expenses	\$ 48,585.82	\$ 85,169.11				
		PAYONE MARKETING GROUP INC	Operational Expenses	\$ 31,000.00					
		UNISYS CORPORATION	Operational Expenses	\$ 181,950.72	\$ 180,874.32				
		MCI COMMUNICATIONS SERVICES LLC	Operational Expenses	\$ 57,297.29	\$ 72,207.42				
		NATL ASSOC OF REGLTRY UTILITY COMRS	Operational Expenses	\$ 71,897.00	\$ 72,289.00				
		ARM GROUP INC	Operational Expenses	\$ 219,782.21		\$ 0.00			
		PENNSYLVANIA LEGISLATIVE	Operational Expenses	\$ 7,300.00					
		PENNSYLVANIA TURNPIKE COMMISSION	Operational Expenses	\$ 15,065.77	\$ 6,234.53				
	Montgomery	EPLUS TECHNOLOGY INC	Operational Expenses	\$ 25,862.22	\$ 11,645.60				
	Philadelphia	ARBILL INDUSTRIES INC	Operational Expenses	\$ 12,986.88	\$ 6,042.30				
		PHILADELPHIA PARKING AUTHORITY	Operational Expenses	\$ 32,400.00	\$ 21,240.00				
		INS SERVICES INC	Operational Expenses	\$ 17,200.00	\$ 86,000.00				
		US LEGAL SUPPORT INC	Operational Expenses	\$ 70,764.50					

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SECTION IX

SPECIAL FUND FINANCIAL STATEMENTS

Unconventional Gas Well Fund

This fund was created by Act 13 of 2012 to provide for the collection and distribution of unconventional gas well impact fees. The fee revenue will be used by Commonwealth agencies for monitoring and oversight of unconventional gas wells, emergency responder training, and for rail freight assistance projects. Distributions will also be made to county conservation districts and to host counties and municipalities. Receipts deposited into the Unconventional Gas Well Fund are derived from an impact fee assessed to drillers of natural gas wells in the Marcellus (or equal) Shale regions of the Commonwealth. The fee is assessed per gas well and may be adjusted based on the number of wells and changes in the Consumer Price Index for all urban consumers in the Pennsylvania, New Jersey, Delaware and Maryland area.

Statement of Cash Receipts and Disbursements:

(Dollar Amounts in Thousands)

	2020-21 Actual	2021-22 Available	2022-23 Budget
Cash Balance, Beginning:	\$ 18,902	\$ 20,620	\$ 6,307
Receipts:			
Impact Fee Revenues	148,056	222,660	222,660
Interest	101	22	22
Total Receipts	<u>\$ 148,157</u>	<u>\$ 222,682</u>	<u>\$ 222,682</u>
Total Funds Available	<u>\$ 167,059</u>	<u>\$ 243,302</u>	<u>\$ 228,989</u>
Disbursements:			
Public Utility Commission	\$ 77,260	\$ 126,986	\$ 122,437
Emergency Management	\$ 1,582	\$ 6,453	\$ 1,500
Fish and Boat Commission	\$ 878	\$ 2,481	\$ 1,000
Transportation	\$ 540	\$ 4,373	\$ 1,000
Transfer to Conservation District Fund	\$ 4,087	\$ 4,189	\$ 4,294
Transfer to Well Plugging Account	\$ 6,000	\$ 6,000	\$ 6,000
Transfer to Marcellus Legacy Fund	\$ 51,032	\$ 81,513	\$ 81,429
Transfer to Housing Affordability and Rehabilitation Enhancement Fund	\$ 5,060	\$ 5,000	\$ 5,000
Total Disbursements	<u>\$ 146,439</u>	<u>\$ 236,995</u>	<u>\$ 222,660</u>
Cash Balance, Ending	<u>\$ 20,620</u>	<u>\$ 6,307</u>	<u>\$ 6,329</u>

Marcellus Legacy Fund

This fund was created by Act 13 of 2012 to provide for the distribution of unconventional gas well impact fees to counties, municipalities, and Commonwealth agencies. The fee revenue will be used for statewide initiatives in the areas of acid mine drainage abatement, gas well management and plugging, development and rehabilitation of greenways and recreational trails, sewage treatment projects, replacement and repair of deteriorated bridges in municipalities with unconventional gas wells. Receipts deposited into the Marcellus Legacy Fund come from transfers from the Unconventional Gas Well Fund and the Oil and Gas Lease Fund. The 2015-16, 2016-17 and 2017-18 Fiscal Codes modified the transfers from the Oil and Gas Lease Fund. This budget maintains the annual \$15 million transfer from the Oil and Gas Lease Fund that is deposited into the Marcellus Legacy Fund then transferred to the Hazardous Sites Cleanup Fund.

STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS:

(Dollar Amounts in Thousands)

	2020-21 Actual	2021-22 Available	2022-23 Budget
Cash Balance, Beginning:	\$ 6,778	\$ 6,787	\$ 790
Receipts:			
Transfer from Unconventional Gas Well Fund	51,032	81,513	81,429
Transfer from Oil and Gas Lease Fund	15,000	15,000	15,000
Interest	21	4	4
Total Receipts	<u>\$ 66,053</u>	<u>\$ 96,517</u>	<u>\$ 96,433</u>
Total Funds Available	<u>\$ 72,831</u>	<u>\$ 103,304</u>	<u>\$ 97,223</u>
Disbursements:			
Public Utility Commission:			
County Grants	\$ 7,655	\$ 12,227	\$ 12,214
Transfer to Commonwealth Financing Authority	10,206	16,303	16,286
Transfer to Commonwealth Financing Authority-H2O	6,379	10,189	10,179
Environmental Protection	0	6,001	0
Infrastructure Investment Authority	6,379	10,189	10,179
Community and Economic Development	12	0	0
Transfer to Highway Bridge Improvement	12,758	20,378	20,357
Transfer to Environmental Stewardship Fund	5,103	8,151	8,143
Transfer to Hazardous Sites Cleanup Fund	2,552	4,076	4,071
Transfer to Hazardous Sites Cleanup Fund from Oil and Gas Lease Fund	15,000	15,000	15,000
Total Disbursements	<u>\$ 66,044</u>	<u>\$ 102,514</u>	<u>\$ 96,429</u>
Cash Balance, Ending	<u>\$ 6,787</u>	<u>\$ 790</u>	<u>\$ 794</u>

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SECTION X

**REQUEST FOR APPROPRIATION
OF FEDERAL FUNDS**

COMMONWEALTH OF PENNSYLVANIA							
SUPPLEMENTAL REQUEST FOR APPROVAL OF FEDERAL FUNDS							
			Authorization Number		Date Prepared		
			10-1		09-Feb-22		
1. Federal Appropriation & Symbol	Federal Funds-Motor Carrier Safety-7052500000		2. State Agency	PA. PUC		3. Action Requested	<input checked="" type="checkbox"/> Legislative Appropriation
4. Supplemented Appropriation (Title/Symbol)	General Fund-GGO-1620500000		8. Federal CFDA No.	20.218		<input type="checkbox"/> Executive Authorization	
5. Contact Person (Telephone No.)	Amy Zuvich (717) 783-6806		9. Purpose	<input type="checkbox"/> Original Request		<input type="checkbox"/> Subgrant	
6. Restricted Receipt/Revenue Title/Symbol	Federal Grants-NHTSA Motor Carrier Safety Asst. 0004820101		<input type="checkbox"/> Amendment to	Appropriation		<input type="checkbox"/> Carryover	<input type="checkbox"/> Language
7. Federal Grant Program Title	Surface Transportation Assistance Act of 1982		<input checked="" type="checkbox"/> Renewal			<input type="checkbox"/> Amend Governor's Budget	
			<input type="checkbox"/> Other:				
10. Federal Granting Agency/Division	Dept. of Transportation/FHWA		12. Federal Grant Authorization	402 STAA- USSOT FHWA			
11. TYPE OF PROGRAM	<input checked="" type="checkbox"/> on-going <input type="checkbox"/> One time		From:			To:	
13. Funding (Dollar Amounts In Thousands)							
	Actual		Available			Budget	
	2020-21		2021-22			2022-23	
Carryover	\$0		\$0			\$0	
New Funding Available	\$1,130		\$1,133			\$1,188	
Federal Appropriation	\$1,130		\$1,133			\$1,188	
Estimated Expenditures	\$1,130		\$1,133			\$1,188	
Ending Balance	\$0		\$0			\$0	
Required Matching							
State	\$170		\$170			\$178	
Other	\$0	15.00%	\$0	15.00%	\$0		15.00%
Program Total	\$1,300		\$1,303			\$1,366	
100% Federal Complement							
MATCH EXPLANATION:							
14. Is the amount requested an increase or decrease from the amount in previous years? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> . If yes, explain below.							
Increase in federal funding.							
15. Are these funds discretionary? Yes ___ No <input checked="" type="checkbox"/> . If yes, explain below.							
16. Are these administrative funds for a restricted receipt? Yes ___ No <input checked="" type="checkbox"/> . If so, what is the amount of the restricted receipt?							
17. What is the Federal lapse date?	N/A						
18. Grant description and results (give purpose of grant and describe key program activities and expected results in terms of a major program measure).							
The Motor Carrier Division of the Bureau of Transportation and Safety performs safety audits on new commercial motor carrier businesses. These audits are carried out as directed by the Federal Department of Transportation and defined as New Entrant Audits award.							
19. For Subgrants only, identify the parent Federal appropriation and the agency from which the subgrant will be made:							