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National
Association of
Regulatory
Utility
Commissioners

Public Role of Regulators

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Regulatory Independence

- Generally accepted that regulators should enjoy appropriate independence from governmental influence
 - Insulates the regulator from short-term political interventions
 - Helps to ensure long term market stability and economic objectives
- Additionally, regulators should be free from utility influence
 - Eliminates undue influence



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Publicly Accessible

- Disposition of Commission action must occur at a Public Meeting which is held, on average, twice a month
 - Notice of Meetings must be published
 - Agenda of actions to be considered is published prior to the public meeting
 - Commissioners are subject to a law that prohibits them from interacting in a quorum outside of Public Meeting.
 - Exception: they may meet in an Executive Session outside public view, but action is limited to personnel, litigation and other confidential matters.
 - Agency decision are made available to the public
 - Aggrieved parties may seek further redress of Commission actions with the Courts.



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Maintaining Fairness and Appearance of Propriety

- Commissioners and Judges must be impartial and refrain from discussing the merits of pending proceedings.
 - No *ex parte* communications. That is, a decision maker, may not discuss the merits of a proceeding without all other participants present.
 - However, procedural issues may be discussed outside the presence of others.
- No financial interest by employee, spouse, or dependant in any entity regulated by the Commission;
- No acceptance of gifts or favors of significant value;
- No misuse of information, facilities, or equipment for private purposes; and
- No disclosure of internal Commission documents. such as draft orders, legal advice memos, and personnel actions.



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Role of the Regulator

- In Pennsylvania, the utility regulator plays a variety of roles, including
 - Enforcement of Commission rules and regulations
 - Adjudication of disputes and complaints
 - Implementation of policy
 - Drafting rules and regulations applicable to regulated utilities
 - Coordination with other state agencies
 - Coordination with federal agencies
 - Communication with public
- Regulators need to be informed and be willing to adapt to society's needs



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Role of Regulator, continued

- Regulators can provide reasonable information to legislators and other government officials as well as the public.