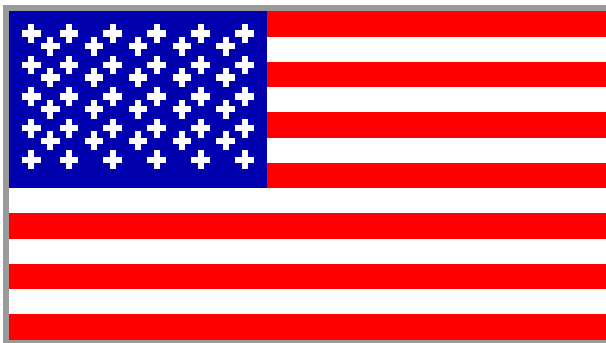
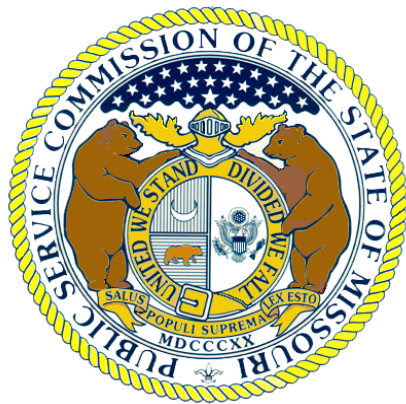


Rwanda Utilities Regulatory Agency (RURA), National Association of Regulatory Utility Commissioners (NARUC) and Missouri Public Service Commission (MPSC) Regulatory Partnership Program



Sponsored by US Agency for International Development (USAID)

Role of the Regulator

(Authority, Functions, Accountability, Autonomy,
and Legal Framework)

Tuesday, October 26, 2004
9:30 am

John Van Eschen

“Role of the Regulator”

- Authority
- Functions
- Accountability
- Autonomy
- Legal framework

Authority

- Investigate
- Establish rules
- Determine financial issues relevant to the company
- Arbitrate disputes

Authority to Investigate

- Can investigate on a company-specific basis:
 - The general condition of a company's facilities.
 - The company's financial books, contracts.
 - Can order repairs or changes, as needed.
- Can investigate issues relevant to industry:

Authority to Establish Rules

- Rules represent requirements the regulated utility must comply with.
- Rules can establish requirements for such things as:
 - rendering service,
 - disconnecting service,
 - Billing

Authority to Determine Financial Issues Relevant to the Company

- Authorize certificates to provide service.
- Address requests to transfer property.
- Determine reasonableness of a company's earnings.
- Determine company's rates.
- Authorize abandonment of service.

Authority to Arbitrate Disputes

- Resolve disputes between consumer and company.
- Resolve disputes between two regulated companies.

Functions

- The regulator may have many functions or roles.
 - See statutes.
 - See regulator's mission statement.



Welcome to the Missouri Public Service Commission...

Safe, reliable and reasonably priced utility services that allow investors the opportunity for a fair return.

Mission Statement

We will:

- ensure that Missourians receive safe and reliable utility services at just, reasonable and affordable rates;
- support economic development through either traditional rate of return regulation or competition, as required by law;
- establish standards so that competition will maintain or improve the quality of services provided to Missourians;
- provide the public the information they need to make educated utility choices;
- provide an efficient regulatory process that is responsive to all parties, and perform our duties ethically and professionally.

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Accountability

- The Regulator is accountable to:
 - The public.
 - The courts.
 - Legislature

Accountable to the Public

- Regulator's activities & decisions must be accessible to the public.
 - “Sunshine Law”
 - Public can access Regulator's decisions.
- Prohibit *Exparte* (communication between an interested party and regulator without presence or input of other interested parties).
- Can appeal to the courts.

Accountable to the Courts

- Courts get involved only if the regulator's decision is appealed to them.
- A court of law may determine if the regulator has acted within its authority.
- A court of law may stop a regulator's decision from going into effect.

Accountable to the Legislature

- Regulator is expected to promote and enforce the policies established by the legislature. Legislature may require certain reports from the regulator.
- Potential Action Available to the Legislature:
 - may change the regulator's power and jurisdiction.
 - may remove a regulator for inefficiency, neglect of duty or misconduct.
 - controls the regulator's budget.
 - Stop a rule from going into effect.

Autonomy

- Regulators are generally independent.
- A regulator should avoid conflicts of interest where the regulator may personally benefit from making a certain decision.

Legal Framework

- Law may address such things as:
 - Appointing/removing regulators. Tenure.
 - Location, hours of regulator's office.
 - Powers of the regulator.
 - Jurisdiction of the regulator.
 - How the service/industry should be regulated.
 - Duties of the regulator.
 - Funding the regulator.

Questions?

