



# The Role of State Utility Commissions in Setting Policy for Responsible Contracting

By Scott H. Strauss and Katharine M. Mapes

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## About the authors

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## EXECUTIVE SUMMARY

Regulated utilities and state utility commissions are engaged in a concerted effort to enhance and modernize gas infrastructure for safety and reliability. Local gas distribution companies (LDCs) are replacing aging pipelines at record rates, and states have enacted policies to identify high-risk pipes, accelerate upgrades, and expedite recovery of costs. Absent from these efforts is a meaningful discussion about the availability and quality of the contractor workforce tasked with this work, and utility procurement strategies to ensure safe and high quality construction. To this end, this paper highlights three employment and construction trends impacting utilities and state utility commissions. In addition, we offer recommendations on how best to address these trends:

- First, LDCs rely on contractors rather than in-house employees to perform needed work. Total employment by utilities is approximately the same today as it was in 1972. Utilities have shifted to a workforce model where contractor personnel—not in-house staff—perform both episodic and day-to-day utility functions.
- Second, the reliance on contractors highlights the importance of ensuring an expanded pool of trained and experienced contractor personnel, and adoption of procurement strategies that accomplish this goal. Many gas LDCs have not yet changed their procurement methods to build a sufficiently sized and qualified contractor workforce.
- Third, the safety and reliability of gas distribution systems is tied to the expertise of the workforce tasked with installing, maintaining, and replacing gas infrastructure. State commissions lack uniform information regarding the extent of contractor usage, contractor training and qualifications, and programs for the recruitment and retention of contractor personnel.

## RECOMMENDATIONS

Overall, these trends point to a growing problem: rising competition among distribution utilities for a limited pool of experienced and qualified contractor personnel. The lack of a qualified workforce is a major impediment to repairing or replacing gas distribution infrastructure. Proactive assistance from state utility commissions to encourage and incentivize LDCs to build a qualified pool of skilled construction craft labor is needed. Most importantly, state regulators have the authority and responsibility to act. Ratepayers will ultimately pay for the historic level of capital spending. Regulators must ensure that customers are paying for the most productive, safe, and best trained workforce. The recommended actions that state utility commissions can take include:

- Recognizing that the federal Pipeline and Hazardous Materials Safety Administration (PHMSA) standards for Operator Qualification should be viewed as a “floor” for training purposes and that gas pipeline safety training programs that provide **additional, hands-on, skills-based programs** for adult learners should be rewarded in LDC procurement programs.
- Requiring greater transparency on **use and costs of contractor services**. Currently some utilities disclose outside service payments to contractors in their annual reports to state and federal regulators, but many do not. There is no uniform reporting requirement of these costs.

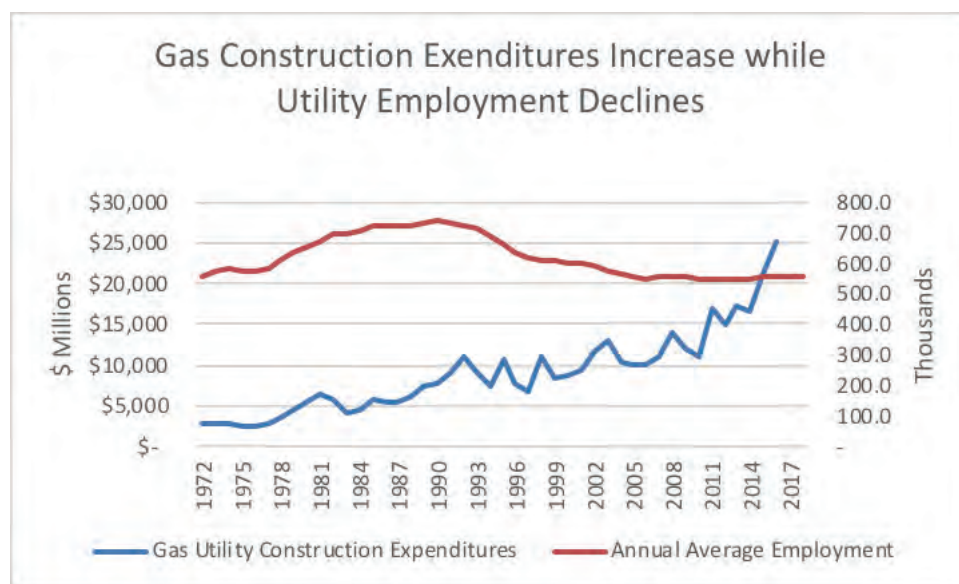
- Initiating a proceeding to encourage procurement best practices such as **Best Value Contracting**. Low-bid procurement is short-sighted and incentivizes the wrong behavior. State regulators should instead consider requiring that contractor selection decisions be based on an evaluation of a comprehensive set of costs and benefits to ratepayers, including: availability and success of training programs that focus on gas pipeline safety, employment of local residents, competitive wages and benefits, and apprenticeship opportunities that build a pipeline of workers needed for long-term pipe modernization plans. Furthermore, commissions should encourage the use of multi-year agreements for contractor services to enhance the benefits of economies of scale, and to broaden the base of qualified contractors.
- Incentivizing the use of **Project Labor Agreements** to control costs, target workforce hiring, and access qualified craft labor.



## TREND NO. 1: The Reliance of Gas Distribution Utilities on Contractor Personnel

The American Gas Association highlighted the story of two natural gas workers who jumped to action when they noticed smoke rising from a house's roof vents and eaves drops on a cold March morning in Ohio. The quick actions of the natural gas workers prevented an explosion, and saved the house. These two workers were employees of Miller Pipeline, a contractor of Columbia Gas of Ohio, and their story symbolizes the importance of natural gas contractors to the industry. Columbia Gas noted that the incident was an indication of how its safety culture is permeating to its contractors. Brian Collins, manager of Columbia Gas's Toledo Operations Center said, "These guys saw a dangerous, potentially catastrophic situation, and took all the necessary steps to make it safe. It's great to have these guys as part of the Columbia Gas family."<sup>1</sup>

To varying degrees, contractor employees are part of the labor mix at LDCs. There are no reporting requirements so the exact extent of contractor utilization is unknown, however, it is clear that utilities rely on contractors to perform vital services. Since 1972, gas utility construction expenditures have increased 7.9 times.<sup>2</sup> At the same time, employment in the Utility Sector was flat. Today, utilities employ approximately the same number of workers as they did in 1972.<sup>3</sup> A 2017 report by the Department of Energy indicates that construction companies are filling the labor gap at utilities.<sup>4</sup>



This trend is apparent in other, independent workforce assessments. A utility staffing audit conducted for the New York Public Service Commission and completed in February 2017 confirms that gas distribution utilities are relying increasingly on contractor employees to conduct utility operations.<sup>5</sup> The NY Study concludes that internal utility staffing (both straight time and overtime) dropped steadily during the period 2009–2013, while contractor full-time employee levels increased during the same period. The NY Study relies in part on utility forecasts that show higher reliance on contractors, increasing from 30 percent of the resource mix in 2013 to 33 percent by 2019.<sup>6</sup> Significantly, and as these trends make clear, gas distribution utilities use contractors for day-to-day maintenance as well as episodic capital work.<sup>7</sup>



## State Pipeline Replacement Programs

A significant cause of the increase in reliance upon contractors is the accelerating implementation by gas distribution utilities of pipeline replacement programs. An August 2017 PHMSA report, which reviews the results of a state survey, finds that 48 percent of states have policies, rules and/or best practices to encourage distribution pipeline operators to accelerate the repair or replacement of leaking gas distribution pipelines, while 60 percent of states provide incentives for high-risk pipe replacement, mostly in the form of accelerated cost recovery through rate increases.<sup>8</sup> Equally important, 44 percent of the surveyed states recommended accelerating repair or replacement of leaking natural gas pipelines to improve safety. The recommendations coming out of this report include asking that PHMSA “continue to encourage states, state utility commissions and other rate-setting organizations, and operators to accelerate high-risk pipe replacement.”<sup>9</sup>

And states appear to be acting. According to the American Gas Association, LDCs have installed updated plastic pipelines at a rate exceeding 30,000 miles per year during the past decade.<sup>10</sup> The *2018 AGA Playbook*,<sup>11</sup> released in mid-February, reports that LDCs spend \$24 billion annually to enhance safety of natural gas distribution and transmission assets.

## TREND NO. 2: The Availability of Needed Contractor Personnel Is Not Assured

The use by distribution utilities of contractor employees rather than in-house personnel offers opportunities for cost savings, the ability to ramp staffing up and down quickly, and a more flexible work force. But it is not obvious that the apparent need for contractor personnel can be met by the current labor pool.

While the PHMSA Report finds no state policy barriers to replacing high-risk pipelines, PHMSA identifies (at 2) “the availability of qualified workforce” as a separate barrier to completing such operations. The NY Study predicts a shortage in qualified contractor personnel in coming years, and recommends that utilities explore approaches to increase contractor resource pools beyond current levels.

There are other indications of a potential shortage in qualified contractor personnel. The Bureau of Labor Statistics’ (BLS) *Occupational Outlook Handbook* reports that employment of construction (and extraction) occupations is projected to grow 11 percent from 2016 to 2026.<sup>12</sup> The BLS also identifies “construction laborers” as among the 20 occupations with the highest projected numeric change in employment.<sup>13</sup>





### **TREND NO. 3: The Increased Need for Contractor Personnel Poses Training Challenges**

The need for proper training should be obvious—the work these employees are performing is dangerous, and, where done improperly, life threatening for both workers and customers. There are regulations that are theoretically meant to address workforce training. Federal regulations were promulgated in 1999 pursuant to the Pipeline Safety Act of 1992 and state formal qualifications for contractor personnel performing safety-related tasks on pipelines.<sup>14</sup> These regulations assign responsibility for developing and maintaining written qualification programs to individual gas pipeline operators, including distribution utilities, rather than a federal or state agency.<sup>15</sup> This structure allows each program to be tailored to the unique characteristics of a given operator.<sup>16</sup> Record keeping requirements have been imposed by regulators, who retain the job of ensuring individual utility compliance with the regulations,<sup>17</sup> and have the authority to direct modifications to failing programs.<sup>18</sup>

Each training program has two components. First, the programs are applicable to all individuals that may work on pipelines, whether in-house or contractors.<sup>19</sup> Second, operators must develop individualized programs and cannot refer to a uniform list of covered tasks.<sup>20</sup> This means that: (1) operators must ensure the compliance of the many contractor and sub-contractor personnel that may work on their facilities; (2) contractors working on site must be qualified in accordance with the operator's program; and (3) a contractor employee qualified to work for one operator would need to obtain separate qualifications to work for another operator.<sup>21</sup>

While an operator is fully responsible for establishing and operating a compliant qualification program, this does not mean that the operator itself must administer the program. An operator may employ a third party to conduct personnel qualification training and certification.<sup>22</sup>

Moreover, because every operator has its own preferred training, workers must continuously train for each contract. This creates incentives for contractors to get their workers through the training process as quickly as possible.

A 2017 report by the Government Accountability Office (GAO) found that because approaches to training and operator qualification vary, operators have difficulty verifying contractor qualification, and contractor training and qualification may not transfer to various operators.<sup>23</sup>

## CONTRACTING REGULATORY GUIDANCE FOR THE PUBLIC GOOD

Because gas utilities are facing mounting workloads and increased challenges in developing high quality personnel, it is more important than ever for state utility commissions to ensure that regulated utilities are utilizing best practices in utility contracting. To that end, state commissions should consider directing the adoption of such practices.

### Statutory Authority to Act

State utility commissions have authority to ensure that utility contractor employees—like all utility workers—are properly trained. State commissions are empowered to act to protect safety and take actions aimed at ensuring that customers receive reliable and high-quality utility services. While each state commission possesses this authority, the statutory language delegating it takes different forms. In New York, every gas corporation is to “furnish and provide such service, instrumentalities and facilities as shall be safe and adequate.” N.Y. Pub. Serv. Law § 65. In Florida, the Public Service Commission has “exclusive jurisdiction to prescribe and enforce safety standards for transmission and distribution facilities of all public electric utilities.” Fla. Stat. § 366.04(6). And in Idaho, every public utility is to “provide service and facilities which are in all respects adequate, efficient, reliable and environmentally safe.” 220 Ill. Comp. Stat. 5/8-401. Some state statutes specifically mention matters relating to employment. The legislation authorizing the California PUC states:<sup>24</sup>

It is the policy of the state that the commission and each gas corporation place safety of the public and gas corporation employees as the top priority. The commission shall take all reasonable and appropriate actions necessary to carry out the safety priority policy of this paragraph consistent with the principle of just and reasonable cost-based rates.

In **Connecticut**, the Public Utilities Regulatory Authority:<sup>25</sup>

shall...keep fully informed as to the condition of the plant, equipment and manner of all public service companies in respect to their adequacy and suitability to accomplish the duties imposed upon such companies by law and in respect to their relation to the safety of the public and of the employees of such companies. The authority may order...such changes in the manner of operation, as may be reasonably necessary in the public interest.

And in **Pennsylvania**:<sup>26</sup>

Every public utility shall furnish and maintain adequate, efficient, safe, and reasonable service and facilities, and shall make all such repairs, changes, alterations, substitutions, extensions, and improvements in or to such service and facilities as shall be necessary or proper for the accommodation, convenience, and safety of its patrons, employees, and the public.

A full listing of state statutes bearing on safety, quality of service, and employment is attached to this paper as in the Appendix.



## State Utility Commission Decisions on Staffing and Employment Issues

Every commission that has considered the issue has found that it has the authority to issue orders on matters relating to utility staffing and employment where necessary to preserve safe and reliable service. It is clear from this case law that state public utility commissions have the authority to address the use of contractors when that use impinges on health, safety, and quality of service. The following is a summary of decisions affirming that it is within a state utility commission's core jurisdictional function to ensure that utilities are properly staffed for purposes of providing safe, reliable service.

### Illinois

The Illinois Commerce Commission (ICC) has perhaps written most forcefully on its regulatory obligation to ensure the proper behavior of contractors, as per its statutory authority to require a public utility to perform any act “which the health or safety of its employees, customers or the public may demand.”<sup>27</sup>

Acting in response to concerns raised in the context of a gas rate increase proceeding, the ICC held that it was authorized under Section 8-505 to review and consider utility staffing issues, particularly as they relate to service safety and reliability. The Commission rejected the utility's argument that the Commission was intruding into matters that were subject to collective bargaining and therefore outside the scope of Commission jurisdiction. Instead, the ICC held that Section 8-505 must be interpreted to give it the authority “to touch upon matters that might also be reasonably characterized as labor-management relations matters,” writing that:<sup>28</sup>

To hold otherwise would be to end the regulation of public utilities. Every act of a public utility is performed by someone, and in countless instances that person is managed by another someone. While it is certain that the Commission's power to regulate the relationship between and conduct of those persons [is] not unlimited, it is equally certain that we can exercise some degree of control over those relationships and conduct, in order to fulfill our unambiguous mandate to require public utilities to promote the health and safety of employees and customers.

As a result in this case, the Commission ordered the Company to have an audit performed concerning alleged staffing deficiencies, and to provide both the Commission staff and the intervening Union with a copy of that audit. The ICC went on to note that if the audit and ensuing discussions did not satisfy the Union's concerns, it (or any other party) was free to initiate a proceeding.<sup>29</sup>

### New York

Similar authority over workforce planning was confirmed in New York in 2006 during a merger between National Grid and KeySpan Corporation.<sup>30</sup> Several local unions intervened in the case to register their concern that the merger would result in downsizing, outsourcing, and a loss in service quality.<sup>31</sup> Under the Merger Agreement, Niagara Mohawk (a division of National Grid) was required to meet several conditions because it “had a history of improper maintenance, lacked sufficient infrastructure investment planning and was consistently failing its reliability performance metric for interruption frequency.”<sup>32</sup> In addition, and because “[t]he ability to provide adequate service is one of the fundamental responsibilities of a utility,” the Merger Agreement required Niagara Mohawk to increase its workforce by 30 employees a year for three

years.<sup>33</sup> This condition sprung from the opinion of New York Department of Public Service staff that Niagara Mohawk's performance issues were a consequence of its decision to cut union employment following the Company's acquisition by National Grid.<sup>34</sup>

Again in 2008, after New York established its Energy Efficiency Portfolio Standard, which incorporated several goals, including workforce development,<sup>35</sup> the Commission found that "[i]nvestments in workforce development are justified when the cost of inferior work quality attributable to an unskilled workforce is greater than the workforce development investment needed to remediate the associated skills gap."<sup>36</sup> This initiative focused on both training at the college level, by expanding college training programs, and at the union level by providing funding for technical training and apprenticeships.<sup>37</sup>

## **Vermont**

Some states have extended the state utility commission's authority as far as requiring extensive reporting of staffing levels and hours worked. The Vermont Public Service Board (Vermont Board) opened an investigation into the staffing levels of Central Vermont Public Service Corporation (CVPS) after the Vermont Department of Public Service<sup>38</sup> (Department) argued in a rate case that CVPS was overstaffed compared to other Vermont utilities. The Vermont Board took a broad view of its regulatory authority, noting:

CVPS' current organizational structure has not been reviewed on a comprehensive basis in recent years to determine whether it is the most cost-effective structure. The Company appears to have some layers of management and spans of control that may not be aligned with CVPS's functional and organizational needs.<sup>39</sup>

When Department staff sought to impose an hours-tracking requirement on CVPS's salaried employees, CVPS objected that it constituted "an intrusion upon the Company's management of its affairs" and that there had "been no showing that CVPS [failed] to conduct its business 'so as to be reasonable and expedient, and to promote the safety, convenience and accommodation of the public' as required by 30 V.S.A. § 209(a)(3)." *Id.* at 7. While acknowledging that "utilities are vested with significant discretion to manage their operations," the Board concluded that:

Vermont law . . . charges the Board with broad powers to ensure that utilities conduct their business in a fashion that is consistent with the public good. Specifically, the Board has jurisdiction to hear, determine, render judgment and make orders and decrees in all matters concerning: the manner of operating and conducting any business subject to supervision under this chapter, so as to be reasonable and expedient, and to promote the safety, convenience and accommodation of the public.<sup>40</sup>

The Vermont Board concluded that the ordered investigation fell "well within [its] supervisory authority over CVPS's staffing levels and the attendant costs imposed upon CVPS ratepayers." *Id.* at 9.

## **Connecticut**

Connecticut has likewise acted on staffing issues and required public reporting mechanisms. In 2006, the Department of Public Utility Control (DPUC)<sup>41</sup> approved regulatory treatment that would enable United Illuminating Company to hire additional lineworkers to address anticipated

retirements proactively and protect against future service problems. The DPUC discussed the problem of impending retirements, and the need to take action to ensure adequate staffing as a means of maintaining system reliability:

Line work is physically difficult, demanding work, often in harsh weather conditions and is not generally appealing to older workers, and it can reasonably be expected that a large percentage of eligible workers would retire soon after eligibility. Further, such work is critical to the reliability of the electric system. A shortfall in Electric System staffing would potentially affect the Company's electric system reliability, especially after restoring from a major storm.<sup>42</sup>

In approving the expense, it ordered the company "to report to the Department annually on the actual level of hiring."

### **Nevada**

Several states in addition to those discussed above have issued commission decisions clarifying the authority to regulate the operations of utilities for the public good without overstepping corporate managerial prerogative.

In 2011, the Public Utilities Commission of Nevada heard concerns about workforce safety and planning at Sierra Pacific Power Company (SPPC) that were brought to their attention by the International Brotherhood of Electrical Workers, Local No. 1245. The Union argued that the SPPC had a "graying and shrinking workforce" and that "[o]ver the past decade, the overall utility workforce had been substantially reduced," creating a dangerous situation. It argued further that the Commission had jurisdiction to address such concerns under its statutory mandate to "supervise and regulate the operation and maintenance of public utilities," Nev. Rev. Stat. § 703.150, and "[t]o provide for the safe, economic, efficient, prudent and reliable operation and service of public utilities." *Id.* § 704.001(3).<sup>43</sup>

The Public Utilities Commission of Nevada (PUCN) agreed, finding that "it has the authority to supervise and regulate the staffing of SPPC, a public utility, as is necessary to ensure that SPPC provides safe, economic, efficient, prudent, and reliable service to its customers." Order at 2, *Petition of the Int'l Brotherhood of Elec. Workers Local No. 1245 to Open an Investigatory Docket Regarding the Workforce Staffing & Planning of Sierra Pac. Power Co. d/b/a NV Energy*, Docket No. 10-10013 (Pub. Utils. Comm'n of Nev. Feb. 25, 2011) (This authority proceeds from NRS 704.001(3)). An investigatory docket was opened, and a subsequent report found that SPPC was, indeed, facing an aging workforce and needed to deal with it; SPPC was required to make annual informational filings discussing how it was handling workforce graying issues.<sup>44</sup>

### **West Virginia**

The West Virginia-American Water Company (WVAWC) moved to lay off over 10 percent of its workforce mere weeks after the Commission granted the Company rate relief that included expenses associated with the employment of an in-house staff of 316 persons.<sup>45</sup> The Company's action sharply contrasted with WVAWC's testimony during the rate case that 316 employees were required to "maintain adequate service to our customers."<sup>46</sup> WVAWC acknowledged that cutting back the workforce would result in more water main breaks and longer response times to service disruptions. *Id.*



The state's Public Service Commission found the situation to be contrary to its statutory obligation to ensure that utilities under its jurisdiction "establish and maintain adequate and suitable facilities, safety appliances or other suitable devices, and shall perform such service in response thereto as shall be reasonable, safe and sufficient."<sup>47</sup> The PSC ruled that it would "not supplant the judgment of utility management without cause," but that it will step in if it believes a utility's actions "affect its ability to provide service."<sup>48</sup> The West Virginia Commission ultimately found some of WVAWC's proposed workforce changes "unreasonable practices" and enjoined ten of the Company's proposed employee layoffs.

## Wisconsin

IBEW Local Union No. 2304, intervened in a rate case to comment on workforce development issues at Madison Gas and Electric (MGE). The Union argued that the Commission should include additional expenses in the revenue requirement sufficient to meet the comprehensive workforce planning challenges facing MGE, including the need for the utility to (1) hire ahead and authorize "above normal" staffing a period of labor force transition; (2) do its core utility work and staff accordingly to do that work; and (3) engage the community through scholarships, career education, and recruitment programs. The Commission declined to order that additional revenue be put into the revenue requirement for these expenses, but its 2007 Order directed MGE to<sup>49</sup>:

[R]eport to Commission staff in 2008, identifying the workforce challenges it is facing, the actions it is and will be taking to address these challenges, and the progress MGE is making toward meeting its goals. In its report, MGE shall also explain how it is implementing any recommendations from [a joint Commission and Department of Workforce Development Working Group]. If MGE is not implementing one of these recommendations, it shall explain why, and what it is doing in the alternative.

It also directed MGE management to "evaluate whether any cost savings resulting from replacing outside contractors with permanent employees could offset any increased comprehensive workplace planning costs."<sup>50</sup> In making these determinations, the PSC relied on number of statutory provisions, one of which authorizes it to "supervise and regulate every public utility in this state and to do all things necessary and convenient to its jurisdiction." Wis. Stat. § 196.02.



## Timing and Mechanisms

Commissions can address contracting and employment issues in two ways: first, by initiating their own investigation or rulemaking; or, second, by waiting for a stakeholder or a utility to address the issue in a formal proceeding.

Staffing issues may likewise emerge when a utility files a request for rate relief that includes the recovery of funds used to employ contractors. Conversely, a stakeholder might file a complaint charging that the utility is spending its contracting dollars in ways that are wasteful or that compromise service reliability. State utility commissions have the authority to condition rate relief to ensure that ratepayer funds are spent in ways that ensure safe and reliable service. Likewise, in merger proceedings utility commissions have wide latitude to impose conditions on any approval to ensure that the merger is in the public interest.

State utility commissions often find themselves faced with settlements or voluntary commitments made by parties, which the commission must consider whether to approve as part of a package of settlement commitments intended to resolve a pending case. Settlement provisions and voluntary commitments related to staffing can have a major impact on whether the total package is in the public interest and should be considered as such.

Two recent examples of such conditional settlements demonstrate the variety of circumstances that state commissions may face:

- The Minnesota Public Utilities Commission recently conditioned a permit for 82 wind turbines in northern Nobles County upon an agreement with Nobles 2 Power Partners, LLC to encourage its contractor to utilize qualified local labor where practical—and also commit to providing the PUC with quarterly reports documenting the number of hours (or full-time equivalents) worked by local laborers on project construction.
- In Washington, the Utilities and Transportation Commission approved a negotiated settlement reached in a merger proceeding involving Avista and Hydro One that included far-reaching workforce commitments. The settlement included a 10-year commitment by the utility to utilize a union workforce on certain natural gas line projects; a commitment to require the union and contractors to provide and utilize training to develop safe and skilled workers for such work going forward; and a commitment by the utility to “prioritize the hiring of qualified contractor personnel through the bidding process by requiring analysis of not only the price proposals submitted by contractors, but a variety of other factors, including minimum staffing requirements as applicable, training programs, documented qualification programs, safety track records, OSHA 300 reportables, and other safety record as appropriate.”<sup>51</sup>

Whether or not workforce safety and reliability issues have been raised in underlying proceedings, a state utility commission may want to consider—to ensure that settlements are in the public interest—whether best practices like these are included in proposed settlements. Commission approval of settlements that fail to address contractor training for projects that will involve the extensive use of contractors, may not be in the public interest.

## POLICY TOOLS

### Transparency

A good foundation for contracting in the public interest can be established through transparent reporting of workforce related metrics by utility companies to their respective public utility Commission. As described in several of the case studies in this report, commissioners have successfully required regular collection and reporting of data as a means of allowing ongoing assessment of worker safety training, staffing, and/or long-range workforce planning.

One need for such reporting from utilities and their contractors was identified in the GAO's 2017 *Pipeline Safety* Report which found that:

Operators and stakeholders identified challenges in ensuring that contractor personnel have the skills and abilities to carry out various corrosion-related tasks associated with PHMSA's operator qualification regulations, known as covered tasks. Although, according to the regulations, operators are responsible for ensuring their contractors are qualified, seven of the eight operators we spoke with said verifying contractor qualifications was challenging.<sup>52</sup>

To address this and similar verification needs, commissions have required:

- Reporting of hours worked by salaried employees of a public utility (Vermont PSB)
- Regular reporting of staff hires to monitor workforce levels (Connecticut DPUC)
- Audits with required public reports of alleged staffing deficiencies (Illinois Commerce Commission)

Additionally, several commissions have required of their utilities the regular submission of certified payroll records (CPR) of contractors doing business with a utility company. The state of New Jersey established, legislatively, a number of workforce standards in their Prevailing Wage Law. Any contractors who contract with regulated public utilities under the authority of the New Jersey Board of Public Utilities must document the appropriate OSHA training for each worker, as well as submit and maintain CPRs documenting the appropriate rate of pay for craft workers.<sup>53</sup> Similarly, as discussed below, the municipal San Francisco Public Utilities Commission requires CPRs on contracts funded in whole or part by Federal or California funds.<sup>54</sup> While these have been adopted by commissions in compliance with state law, there is nothing to prevent their use as a component of quality and safety monitoring in procurement. These public records are an important tool for commissioners who wish to remain informed about decisions at the contractor level affecting workforce planning, levels, and safety training.<sup>55</sup>

### Adoption of Procurement Standards

Another way in which state utility commissions can address concerns about the potential use of inadequately trained contractor employees is by investigating the use of procurement standards that award contracts based in part on clearly established quality considerations, rather than on a strictly "lowest bid" arrangement. We need only remember how astronaut Alan Sheppard responded to the question of what he was thinking as he sat at the top of an Apollo rocket ready for takeoff: "The fact that every part of this ship was built by the low bidder."<sup>56</sup>



There are many such models in effect across the country for public construction, including those referred to as “best value” contracting or “responsible bidding requirements.” That is, state commissions can require utilities to demonstrate that contracting companies are providing the best value for utility customers, and not merely the cheapest total price. This might include, for example, requiring (1) assurance that contractors and their workers are properly trained; or (2) that utilities take contractor experience levels into account in making procurement decisions. And it could mean requiring that hiring decisions account for factors such as whether the contractor pays industry standard wages and offers long-term career opportunities for employees, which helps to ensure that contractors are working to build a long-term, stable work force.

There should be little question that state utility commissions have authority to require best value contracting. Using contractors who are neither properly trained nor familiar with the system on which they are to work is a safety issue; it jeopardizes the quality and reliability of service to customers, and may create safety hazards in the workplace as well. Further, state commissions tasked with ensuring rates are just and reasonable should view themselves as having an obligation to ensure that customers get what they pay for—i.e., that they are not paying rates, even if minimally lower than would otherwise be the case, for substandard service.

At least one state commission—the Colorado Public Utilities Commission—has adopted “best value” regulations for use in proceedings involving the issuance of Certificates of Public Convenience and Necessity, which must be obtained by utilities seeking to build or extend facilities. The regulations require disclosure of (in part):<sup>57</sup>

1. The availability of training programs, including training through apprenticeship programs registered with the United States Department of Labor, Office of Apprenticeship and Training;
2. Employment of Colorado workers as compared to importation of out-of-state workers;
3. Long-term career opportunities; and
4. Industry-standard wages, health care, and pension benefits.

Moreover, if the applicant has not yet entered into contracts at the time of its application, applicants are to solicit that best value information as part of the contracting process, and to file that information with the Commission. *Id.* P 3102(f).

Likewise, the California Public Utilities Commission decision discussed above, which banned reverse auctions, is an example of a state commission prohibiting contracting practices that it believed jeopardized workplace safety. The CPUC noted its concern that reverse auctions had impacts on “worker safety, product safety, product quality and timeliness of project completion.”<sup>58</sup> While stating that it did not wish to micromanage utility operations, the Commission ruled that “reverse auctions may...motivate bidders to oversimplify the elements of a complex project and to emphasize price at the expense of other project criteria, such as long term integrity, safety or quality.”<sup>59</sup> Lowest price contracting poses precisely the same risks. State utility commissions should consider opening investigations or rulemakings into how they can ensure that ratepayers are receiving best value for their dollars spent on utility contractors.

State commissions should also not be discouraged by state statutes or regulations that provide for “lowest cost” contracting. While a number of states have statutes or regulations specifying that the “most favorable bid” must be accepted or language to that effect, those statutes tend to

specify that other factors, such as reliability of the bidder and its ability to complete the project, must also be taken into account. For instance, in Illinois, the administrative code requires utilities to consider “the ability and reliability of the bidder, financial and otherwise.”<sup>60</sup>

A further extension of the principle of contracting for the greatest public benefit is found in the use of Project Labor Agreements. A Project Labor Agreement (PLA) (or Community Workforce Agreement) is a contract negotiated between prime contractors and local unions which establishes—prehiring—the employment terms and conditions for all persons and firms working on a specific construction project, including subcontractors. PLAs are authorized under the National Labor Relations Act (NLRA), and have been used successfully for public works and private projects for decades, providing project owners the best value for the dollar with far greater success of on-time and on-budget performance.<sup>61</sup> Nearly all U.S. nuclear power stations have been built—and in the case of several like San Onofre NGS, decommissioned as well—under PLAs. The Dominion Energy Cove Point LNG facility in Maryland likewise utilized a Project Labor Agreement to meet its goals successfully.

At the municipal level, the SFPUC has adopted a PLA requirement for all water and sewer infrastructure.

Project Labor Agreements contain specific provisions tailored by the signatory parties to meet the needs of a particular project, thereby designed to add value, enhance efficiencies, promote quality construction standards, and ensure project timeliness. They may include several provisions to help projects meet deadlines including: 1) ensuring project owners have ready access to a highly skilled and trained workforce through union hiring halls, 2) accommodating changes to normal daily/weekly work schedules to maximize labor input with minimal overtime costs, 3) prohibiting strikes, lockouts, or other work stoppages, 4) harmonizing work rules between the multiple trades on a project, and 5) establishing collaborative labor-management processes to promote communication and proactively resolve disputes. Above all, PLAs can include provisions that provide certainty that contractor employees will receive adequate training and support, and that utilities will have ready access to a skilled labor pool now and in the future. They commonly serve as a workforce development tool by including provisions for training, reserving a set number of jobs for apprentices, and connecting existing community workforce programs with job opportunities created by the project, and may also improve safety practices at the jobsite with provisions mandating safety trainings, and other matters such as drug screening.<sup>62</sup> PLAs can also advance other policy goals, such as targeted recruitment and training of minorities, women, veterans, or local community residents into construction careers.

At least one state utility commission has considered its authority to require the use of PLAs, and has indicated that such authority exists. The California Public Utilities Commission issued an order banning the use of “reverse auctions,” in which bidders compete for contracts by lowering their bids until the lowest bid is accepted.<sup>63</sup> At the suggestion of a local union, the CPUC also considered whether to require PLAs, and declined at that time to adopt them. But, in reaching that decision, the CPUC noted that it had broad authority under Public Utilities Code Section 701 to “supervise and regulate every public utility in the State,” which includes “authority to regulate utility contracting that can affect utility costs and rates.” In fact, the CPUC’s mandate is to ensure that every “public utility shall furnish and maintain such adequate, efficient, just and reasonable service, instrumentalities, equipment and facilities as are necessary to promote the safety, health,

comfort and convenience of its patrons, employees and the public.” Given these considerations, the CPUC concluded that it has the authority to consider use of PLAs.

The CPUC also considered the potential benefits of PLAs, which it found included “payment of prevailing wages.” The CPUC went on to state:<sup>64</sup>

PLAs would affect utility customers by reducing the likelihood of project delays on key and critical energy, water and telecommunications infrastructure development. They would promote efficiency during the project construction and more certainty as to promote efficiency during the project construction and more certainty as to the costs assumed by utility ratepayers.

The CPUC then considered whether the National Labor Relations Act preempts state action in this area, and concluded that it did not do so. The Commission relied on a Ninth Circuit decision in which the court found that “[m]inimum labor standards do not affect the collective bargaining process because minimum labor standards treat all workers—union and non-union—equally and neither encourage nor discourage the collective bargaining process.” *Dillingham Constr. N.A., Inc. v. Sonoma Cty.*, 190 F.3d 1034, 1040-41 (9<sup>th</sup> Cir. 1999). That allowed regulation of apprenticeship standards and, the CPUC concluded, also allows the use of PLAs and, in that case, prevailing wage requirements.

State utility commissions should consider what those minimum standards may be. PLAs routinely include warranties from the contractor—e.g., that services shall be rendered competently and by qualified personnel in accordance with the best accepted practices in the industry. They could also be used to ensure that contractors are providing training in accordance with best practices, including hands-on training in environments that replicate the utility environment. PLAs could be used as a tool for protecting ratepayers by ensuring that contractors are required, by the regulated utilities they contract with, to adhere to certain minimum standards set by the public utilities commission.





## CONCLUSION

The utility industry is facing a challenge: ensuring an adequate supply of properly trained contractors sufficient to handle the growing demand for both pipeline replacement and other projects. This challenge is one that state commissions have the authority—and options to address. State commissions should consider the needs of utilities in their jurisdiction—staffing audits like the one ordered by the New York PSC are one way to do this—and then turn to potential solutions to meet those needs. State commissions should likewise investigate whether projects are routinely staffed by workers trained through registered programs and consider policies that can be implemented to ensure an adequately trained workforce.



## Endnotes

- 1 [https://www.aga.org/sites/default/files/sites/default/files/media/americanagas\\_08-2016\\_hi-res.pdf](https://www.aga.org/sites/default/files/sites/default/files/media/americanagas_08-2016_hi-res.pdf) and <https://www.columbiagasohio.com/about-us/news-room/news/2016/04/18/where-there-s-smoke-there-s-heroes>
- 2 Am. Gas Ass'n; Construction Expenditures, Table 12-1: Gas Utility Construction Expenditures by Type of Facility (Oct. 1, 2017), <https://www.aga.org/contentassets/5d9888f793ad4508bb35cb6b5f2c1865/table12-1.pdf>
- 3 According to the Bureau of Labor Statistics, average annual employment by utilities (NAICS 22) was 554,783 in 2017 compared to an average annual employment of 557,192 in 1972. Bureau of Labor Statistics, Utilities: NAICS 22, <https://www.bls.gov/iag/tgs/iag22.htm>
- 4 U.S. Energy and Employment Report, Department of Energy, January 2017 at 49-52, [https://www.energy.gov/sites/prod/files/2017/01/f34/2017%20US%20Energy%20and%20Jobs%20Report\\_0.pdf](https://www.energy.gov/sites/prod/files/2017/01/f34/2017%20US%20Energy%20and%20Jobs%20Report_0.pdf)
- 5 Final Report of the "Operations Audit of Staffing Levels at the Major New York State Energy Utilities," NY PSC Case 13-M-0449 (February 21, 2017) (NY Study), available at <http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterSeq=43688>.
- 6 NY Study at 52, Table IV.16: Gas Resource Mix – 2013 Actual and 2019 Forecast.
- 7 For example, the NY Study finds that there "appeared to be movement [among the studied utilities] toward increasing use of contractors for performing the periodic, timebased inspections required by regulators." NY Study at 112.
- 8 U.S. Dep't of Transp. PHMSA, "Report on State-level Policies That Encourage or Present Barriers to the Repair and Replacement of Leaking Natural Gas Pipelines," available at <https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/docs/news/18356/statebarrierstorepairreplaceleakingnatgaspipelinesaug2017.pdf> (PHMSA Report).
- 9 PHMSA Report at 3.
- 10 <http://playbook.aga.org/>; <https://www.aga.org/natural-gas/safe/enhancing-safety/>
- 11 Am. Gas Ass'n, *Playbook: Natural Gas Energy Opportunity* (2018), <http://playbook.aga.org/>
- 12 Bureau of Labor Statistics, *Construction & Extraction Occupations* (last modified Apr. 13, 2018), <https://www.bls.gov/ooh/construction-and-extraction/home.htm>
- 13 Bureau of Labor Statistics, *Most New Jobs* (last modified Apr. 13, 2018), <https://www.bls.gov/ooh/most-new-jobs.htm> (That said, many high profile incidents across the country—from the explosions in San Bruno to Dallas, Texas in 2018—have different and various causes other than third party damage.)
- 14 Xiuwen Sue Dong, Xuanwen Wang, & Julie A. Largay, *How Occupational and Non-Occupational Factors are Associated with Construction Injuries*, The Center for Construction Research & Training (Mar. 2015), <https://www.cpwr.com/sites/default/files/publications/DongOccAndNonOccFactorsKF.pdf>. The regulations are found in 49 C.F.R. Part 192 Subpart M 49 C.F.R. §§ 192.801-.809 (gas pipelines), and 49 C.F.R. Part 195 Subpart G (hazardous liquids), 49 C.F.R. §§ 195.501-.509. Pipeline Safety: Qualification of Pipeline Personnel, 64 Fed. Reg. 46,853 (Aug. 27, 1999).
- 15 It was concluded that placing this responsibility on a federal or state agency would be inconsistent with the spirit of the authorizing legislation, 64 Fed. Reg. 46,853, 46,855-56.
- 16 *Id.* at 46,859.
- 17 *Id.* at 46,863.
- 18 *Id.*
- 19 *Id.* at 46,855 ("[The federal agency] does not have regulatory jurisdiction over pipeline contractors.")
- 20 *Id.* at 46,859.
- 21 See *id.*
- 22 See Pipeline and Hazardous Materials Safety Admin., *Operator Qualification Guide for Small Distribution Systems* at I-12 (Jan. 2017), [https://www.phmsa.dot.gov/staticfiles/PHMSA/DownloadableFiles/Files/Small\\_Natural\\_Gas\\_Operator\\_Operator\\_Qualification\\_Guide\\_\(January\\_2017\).pdf](https://www.phmsa.dot.gov/staticfiles/PHMSA/DownloadableFiles/Files/Small_Natural_Gas_Operator_Operator_Qualification_Guide_(January_2017).pdf)
- 23 GAO, *PIPELINE SAFETY* (August 2017), pp. 25. <https://www.gao.gov/assets/690/686390.pdf> (Accessed 8-13-18)
- 24 Cal. Pub. Util. Code § 963(b)(3).
- 25 Conn. Gen. Stat. § 16-11.
- 26 66 Pa. Cons. Stat. § 1501.
- 27 220 Ill. Comp. Stat. 5/8-505.
- 28 Order at 311, *N. Shore Gas Co. Proposed General Increase in Nat. Gas Rates*, Case No. 07-0241 (Ill. Commerce Comm'n Feb. 5, 2008).
- 29 *Re N. Shore Gas Co.*, Docket No. 07 0241, 2008 WL 631214, at 290 (Ill. Commerce Comm'n Feb. 5 2008)
- 30 Joint Petition of National Grid plc and KeySpan Corporation for Approval of Stock Acquisition and Other Regulatory Authorizations, *Joint Petition of Nat'l Grid PLC & KeySpan Corp. for Approval of Stock Acquisition & Other Regulatory Authorizations*, Case No. 06-M-0878 (N.Y. Dep't of Pub. Serv. July 20, 2006).
- 31 Order Authorizing Acquisition Subject to Conditions and Making Some Revenue Requirement Determinations for Keyspan Energy Delivery New York and Keyspan Energy Delivery Long Island at 15, *Joint Petition of Nat'l Grid PLC & KeySpan Corp. for Approval of Stock Acquisition & Other Regulatory Authorizations*, Case No. 06-M-0878 (N.Y. Dep't of Pub. Serv. Sept. 17, 2007).
- 32 Proceeding on Petition for Partial Waiver of Joint Proposal Provision Relative to Distribution Line Staffing Levels at 3, *Joint Petition of Nat'l Grid PLC & KeySpan Corp. for Approval of Stock Acquisition & Other Regulatory Authorizations*, Case No. 06-M-0878 (N.Y. Dep't of Pub. Serv. Jan. 21, 2011).
- 33 *Id.*
- 34 Order Authorizing Acquisition Subject to Conditions and Making Some Revenue Requirement Determinations for Keyspan Energy Delivery New York and Keyspan Energy Delivery Long Island at 96, *Joint Petition of Nat'l Grid PLC & KeySpan Corp. for Approval of Stock Acquisition & Other Regulatory Authorizations*, Case No. 06-M-0878 (N.Y. Dep't of Pub. Serv. Sept. 17, 2007).
- 35 Order Establishing Energy Efficiency Portfolio Standards and Approving Programs at 17, *Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard*, Case No. 07-M-0548 (N.Y. Dep't of Pub. Serv. June 23, 2008.)



36 Order Authorizing Workforce Development Initiatives at 5-6, *Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard*, Case No. 07-M-0548 (N.Y. Dep't of Pub. Serv. June 22, 2009) (A report commissioned in the development of the Workforce Development Initiative found that trained workforces increased air-conditioning and heat-pump equipment performance by up to 35%).

37 *Id.* at 3, Appendix 1.

38 The Department of Public Service is an agency within the executive branch of Vermont state government that serves as the public's advocate in matters regarding energy, telecommunications, water, and wastewater. State of Vermont, *Department of Public Service*, <http://www.publicservice.vermont.gov> (last visited July 16, 2018).

39 *Investigation into Cent. Vt. Pub. Serv. Corp.'s Staffing Levels*, Docket No. 7496, slip op. at 5 (Vt. Pub. Serv. Bd. Aug. 20, 2009).

40 *Id.* at 8 (internal citations and quotations omitted.)

41 The DPUC is now known as the State of Connecticut "Public Utilities Regulatory Authority."

42 *In Re United Illuminating Co.*, 246 P.U.R. 4th 357, 408 (Conn. Dep't of Pub. Util. Control 2006).

43 Petition Of the International Brotherhood of Electrical Workers, Local No. 1245 for an Investigation into the Workforce Staffing and Planning of Sierra Pacific Power Company d/b/a NV Energy at 5, *In re Workforce Staffing and Planning of Sierra Pac. Power Co. d/b/a NV Energy*, Docket No. 10-10013 (Pub. Utils. Comm'n of Nev. Oct. 11, 2010).

44 Order at 17, *Investigation Regarding Whether the Workforce of Sierra Pac. Power Co. d/b/a NV Energy (SPPC) is, or in the Future Will Be, Experiencing a Significant Amount of Aging, and the Potential Impact, if Any, That Such Aging May Have on the Reliability of SPPC's Serv.*, Docket No. 11-02015 (Pub. Utils. Comm'n of Nev. Jan. 30, 2014).

45 Post-Hearing Brief of the Utility Workers Union of America, AFL-CIO, and UWUA Local 537 at 2, 11, *W. Va.-Am. Water Co.*, Case No. 11-0740-W-GI (W. Va. Pub. Serv. Comm'n Aug. 25, 2011); Commission Order on the Request for Increased Rates and Charges at 10, *W. Va.-Am. Water Co.*, Case No. 10-0920-W-42T (W. Va. Pub. Serv. Comm'n Apr. 18, 2011).

46 Post-Hearing Brief of the Utility Workers Union of America, AFL-CIO, and UWUA Local 537 at 9, *W. Va.-Am. Water Co.*, Case No. 11-0740-W-GI (W. Va. Pub. Serv. Comm'n Aug. 25, 2011).

47 W. Va. Code § 24-3-1.

48 Commission Order at 9-10, *W. Va.-Am. Water Co.*, Case No. 11-0740-W-GI ((W. Va. Pub. Serv. Comm'n Oct. 13, 2011).

49 Final Decision at 15, *Application of Madison Gas & Elec. Co. for Auth. to Change Elec. and Nat. Gas Rates*, Docket No. 3270UR115 (Wis. Pub. Serv. Comm'n Dec. 14, 2007).

50 Final Decision at 10, *Application of Madison Gas & Elec. Co. for Auth. to Change Elec. and Nat. Gas Rates*, Docket No. 3270-UR-115 (Wis. Pub. Serv. Comm'n Dec. 18, 2008).

51 Testimony of David Hawkins at 10, *In re the Joint Application of Hydro One Ltd. & Avista Corp. for an Order Authorizing Proposed Transaction*, Docket No. UE-170970 (Wash. Utils. & Transp. Comm'n Apr. 10, 2018).

52 GAO, *Pipeline Safety Additional Actions Could Improve Federal Use of Data on Pipeline Materials and Corrosion* at 25-26 (2017), available at: <https://www.gao.gov/assets/690/686390.pdf>.

53 N.J.S.A. 34:13B-2.1; accessed at <https://www.state.nj.us/labor/wagehour/content/MW-211.pdf>

54 SFPUC, WSIP Construction Management, Procedure 35 CPR, 04/06/09; accessed at <https://sfwater.org/modules/showdocument.aspx?documentid=3341>

55 Issues related to public disclosure of CPR information has been covered in depth by Kevin Duncan, Ph.D. and Jeffrey Waddups, Ph.D. in *The Release of Davis-Bacon Certified Payroll Records, Exemption 4 of the Freedom of Information Act, and the Question of Competitive Harm to Contractors* (June 2016) accessed at <http://www.faircontracting.org/wp-content/uploads/2016/06/Duncan-Waddoups-FOIA-CPR-paper.pdf>

56 Gene Krant, *Failure Is Not an Option*, 2001, p. 201.

57 4 Colo. Code Regs. § 723-3, P 3102(e).

58 Order Adopting Rules for Utility Construction Contracting at 5, *Order Instituting Rulemaking on the Commission's Own Motion for the Purpose of Considering Policies and Rules Governing Util. Constr. Contracting Processes*, Rulemaking 03-09-006 (Cal. Pub. Utils. Comm'n Dec. 16, 2004).

59 *Id.* at 16.

60 83 Ill. Adm. Code 310.70(d).

61 Belman, Dave, Michigan State University, *Project Labor Agreements*, 2007, <https://www.cpwr.com/sites/default/files/publications/NECA-PLA-Report.pdf>; Kotler, Fred, Cornell University ILR School, *Project Labor Agreements in New York State II: In the Public Interest and of Proven Value*, May 2011, <https://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1035&context=reports>.

62 See Dale Belman & Matthew M. Bodah, *Building Better: A Look at Best Practices for the Design of Project Labor Agreements*, Economic Policy Institute Briefing Paper 274 (2010); Fred Kotler, *Project Labor Agreements in New York State: In the Public Interest* (2009); Fred Kotler, *Project Labor Agreements in New York State II: In the Public Interest and of Proven Value*, (2011); and Interactive Elements Incorporated, *Implementation of Project Labor Agreements in Federal Construction Projects: An Evaluation*, Department of Labor (2011).

63 The CPUC's interesting decision is discussed further *infra*.

64 Order Adopting Rules for Utility Construction Contracting at 20, *Order Instituting Rulemaking on the Commission's Own Motion for the Purpose of Considering Policies and Rules Governing Util. Constr. Contracting Processes*, Rulemaking 03-09-006 (Cal. Pub. Utils. Comm'n Dec. 16, 2004).



## APPENDIX OF STATE STATUTES

STATE	STATUTE	LANGUAGE
Alabama	Code of Ala. § 37-1-32	The Public Service Commission shall have general supervision of all persons, firms, and corporations operating utilities...shall inquire into the management of the business and shall keep itself informed as to the manner and method in which the business is conducted. It shall examine such utilities...to keep informed as to...the manner in which their plants, equipment, and other property are owned, leased, controlled, managed, conducted and operated. It shall assemble and keep on file, available for the use of the public, full statistics on the foregoing, as well as on all other matters or things...necessary to a full knowledge of their business and affairs.
	Code of Ala. § 37-1-52	The commission may prescribe adequate standard of service rendered or to be rendered by any utility and may prescribe regulations for the examination and testing of such service and for the measurement and regulations thereof.
	Code of Ala. § 37-4-81	All pipeline systems used in this state for the transportation of gas shall be constructed, operated and maintained in such safe manner as at all times to be in compliance with the defined federal minimum safety standards.
	Code of Ala. § 37-4-91	All facilities used in this state for the transportation of hazardous liquids and the liquification of natural gas shall be constructed, operated and maintained in such safe manner as at all times to be in compliance with the defined federal minimum standards.
Alaska	Alaska Stat. § 42.05.141	(a) The Regulatory Commission of Alaska may do all things necessary or proper to carry out the purposes and exercise the powers expressly granted or reasonably applied in this chapter, including...(2) investigate...the rates, classifications, rules, regulations, practices, services, and facilities of a public utility....(3) make or require just, fair, and reasonable rates....practices....for a public utility; (4) prescribe the system of accounts and regulate the service and safety of operations of a public utility; (5) require a public utility to file reports and other information and data (b) The commission shall perform the duties assigned to it under Alaska Stat. §§ 42.45.100-42.45.190
	Alaska Stat. § 42.05.291	(a) Each public utility shall furnish and maintain adequate, efficient, and safe service and facilities. This service shall be reasonably continuous and without unreasonable interruption or delay. (d) If the commission...finds that the service or facilities of a public utility are...unsafe, inadequate, insufficient...the commission shall prescribe...the reasonable, safe, adequate, sufficient service or facilities to be observed, including all...changes...that are reasonably necessary and proper for the safety, accommodation, and convenience of the public.
	Alaska Stat. § 42.05.511	(a) The commission may investigate the management of a public utility, including but not limited to staffing patterns, wage and salary scales and agreements, investment policies and practices, purchasing and payment arrangements with affiliated interests, for the purpose of determining inefficient or unreasonable practices that adversely affect the cost or quality of service of the public utility
	Alaska Stat. § 42.06.310	(a) Each oil or gas pipeline facility shall furnish and maintain adequate, efficient, and safe service and facilities. This service shall be reasonably continuous and without unreasonable interruption or delay. (b) If the commission ... finds that the service or facilities of an oil or gas pipeline facility are unreasonable, unsafe, inadequate, insufficient, or unreasonably discriminatory, or otherwise in violation of this chapter, the commission shall prescribe by regulation or order, the reasonable, safe, adequate, sufficient service or facilities to be observed, furnished, enforced, or employed, including all repairs, changes, alterations, extensions, substitutions, or improvements in facilities that are reasonably necessary and proper for the safety, accommodation, and convenience of the public and the users. Regulations or orders issued under this subsection shall conform to accepted industry standards and practices.
	Alaska Stat. § 42.45.130	(a) In order to qualify for power cost equalization, each electric utility shall make every reasonable effort to minimize administrative, operating, and overhead costs....

Arizona	A.R.S. § 23-403	(A.) Each employer shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees.
	A.R.S. § 40-203	When the commission finds that the rates...demanded or collected by any public service corporation...or that the rules, regulations, practices or contracts, are unjust, discriminatory or preferential, illegal or insufficient, the commission shall determine and prescribe them by order, as provided in this title.
	A.R.S. § 40-204	(A) Every public service corporation shall furnish to the commission...reports of earnings and expenses, and all other information required by it to carry into effect the provisions of this title and shall make specific answers to all questions submitted by the commission.
	A.R.S. § 40-321	(A.) When the commission finds that the equipment, appliances, facilities or service of any public service corporation, or the methods of manufacture, distribution, transmission, storage or supply employed by it, are unjust, unreasonable, unsafe, improper, inadequate or insufficient, the commission shall determine what is just, reasonable, safe, proper, adequate or sufficient, and shall enforce its determination by order or regulation.
	A.R.S. § 40-336	The commission may...require every public service corporation to maintain and operate its...premises in a manner which will promote and safeguard the health and safety of its employees, passengers, customers and the public, and may prescribe the installation, use, maintenance and operation of appropriate safety or other devices or appliances...
	A.R.S. § 40-361	(B) Every public service corporation shall furnish and maintain such service, equipment, and facilities as will promote the safety, health, comfort and convenience of its patrons, employees and the public...
	A.R.S. § 40-441	(A.) For the purpose of providing state control over safety standards and practices applicable to the transportation of gas and hazardous liquids and gas and hazardous liquids pipeline facilities within the state to the full extent permissible under federal law that is applicable to natural gas and hazardous liquid gas pipelines, the commission shall adopt by regulation, rule or order appropriate safety standards for all such transportation of gas and hazardous liquids and gas and hazardous liquids pipeline facilities, including both privately owned and public, which are not subject to exclusive federal control. Upon the adoption of such regulations, rules or orders, the commission shall make certifications and reports and take any other necessary action in accordance with intrastate certifications and interstate agent agreements under federal pipeline safety laws (49 United States Code, subtitle VIII, chapter 601).
Arkansas	A.C.A. § 23-2-301	The commission is vested with the power and jurisdiction...to supervise and regulate every public utility...and to do all things...that may be necessary or expedient in the exercise of such power and jurisdiction, or in the discharge of its duty.
	A.C.A. § 23-2-304	(a) Upon complaint or upon its own motion...the Arkansas Public Service Commission shall have the power to: (2) determine the reasonable, safe, adequate, and sufficient service to be observed, furnished, enforced, or employed by any public utility...(3) ascertain and fix adequate and reasonable standards, classifications, regulations, practices, and services to be furnished, imposed, observed, and followed...
	A.C.A. § 23-2-308	(a) The commission may require any public utility to file: (1) Annual reports in such form and of such content and at such time as the commission may require; and (2) Special reports concerning any matter about which the commission is authorized to inquire or to keep itself informed.
	A.C.A. § 23-2-309	At any time the commission may require...corporations...to furnish any information which may be in...its...possession respecting the rates, tolls, fares, charges, or practices in conducting...its...service. They may also be required to furnish the commission...any books or papers or reports and statements.
	A.C.A. § 23-3-113	(a) Every public utility shall furnish, provide, and maintain such adequate and efficient service, instrumentalities, equipment, and facilities as shall promote the safety, health, comfort, requirements, and convenience of its patrons, employees, and the public.
	A.C.A. § 23-15-205	(a) The Arkansas Public Service Commission by order may promulgate, amend, enforce, waive, and repeal minimum safety standards for the transportation of gas and pipeline facilities.

	A.C.A. § 23-15-208	<p>(a) Each person who engages in the transportation of gas or who owns or operates pipeline facilities not subject to the jurisdiction of the Federal Energy Regulatory Commission under the Natural Gas Act shall file with the Arkansas Public Service Commission a plan for inspection and maintenance of each pipeline facility owned or operated by the person and any changes in the plan in accordance with regulations prescribed by the Arkansas Public Service Commission.</p> <p>(b) The Arkansas Public Service Commission by regulation may also require persons who engage in the transportation of gas or who own or operate pipeline facilities subject to the provisions of this subchapter to file such plans for approval.</p> <p>(d) The plan required by the Arkansas Public Service Commission shall be practicable and designed to meet the need for pipeline safety.</p> <p>(e) In determining the adequacy of the plan, the Arkansas Public Service Commission shall consider:</p> <ol style="list-style-type: none"> <li>(1) Relevant available pipeline safety data;</li> <li>(2) Whether the plan is appropriate for the particular type of pipeline transportation;</li> <li>(3) The reasonableness of the plan; and</li> <li>(4) The extent to which the plan will contribute to public safety.</li> </ol>
California	Cal. Pub. Util. Code § 581	Every public utility shall furnish to the commission in such form and detail as the commission prescribes all tabulations, computations, and all other information required by it to carry into effect any of the provisions of this part and shall make specific answers to all questions submitted by the commission.
	Cal. Pub. Util. Code § 701	The commission may supervise and regulate every public utility in the State and may do all things...which are necessary and convenient in the exercise of such power and jurisdiction.
	Cal. Pub. Util. Code § 761	Whenever the commission...finds that the rules, practices, equipment, appliances, facilities, or service of any public utility...are unjust, unreasonable, unsafe, improper, inadequate, or insufficient, the commission shall determine and, by order or rule, fix the rules, practices, equipment, appliances, facilities, service, or methods to be observed...The commission shall prescribe rules for the performance of any service or the furnishing of any commodity...
	Cal. Pub. Util. Code § 761.3	(a) Notwithstanding subdivision (g) of Section 216 and subdivision (c) of Section 218.5, the commission shall implement and enforce standards for the maintenance and operation of facilities for the generation of electricity owned by an electrical corporation or located in the state to ensure their reliable operation.
	Cal. Pub. Util. Code § 768	The commission may ... require every public utility to construct, maintain, and operate its line, plant, system, equipment, apparatus, tracks, and premises in a manner so as to promote and safeguard the health and safety of its employees, passengers, customers, and the public. ... The commission may establish uniform or other standards of construction and equipment, and require the performance of any other act which the health or safety of its employees, passengers, customers, or the public may demand. ...



	Cal. Pub. Util. Code § 961	<p>(a) For purposes of this section, “gas corporation workforce” means the employees of a gas corporation and employees of an independent contractor of the gas corporation while working under contract with the gas corporation.</p> <p>(b) (1) Each gas corporation shall develop a plan for the safe and reliable operation of its commission-regulated gas pipeline facility that implements the policy of paragraph (3) of subdivision (b) of Section 963, subject to approval, modification, and adequate funding by the commission.</p> <p>(d) The plan developed, approved, and implemented pursuant to subdivision (b) shall set forth how the gas corporation will implement the policy established in paragraph (3) of subdivision (b) of Section 963 and achieve each of the following:</p> <p>(1) Identify and minimize hazards and systemic risks in order to minimize accidents, explosions, fires, and dangerous conditions, and protect the public and the gas corporation workforce.</p> <p>(4) Provide for effective patrol and inspection of the commission-regulated gas pipeline facility to detect leaks and other compromised facility conditions and to effect timely repairs.</p> <p>(5) Provide for appropriate and effective system controls, with respect to both equipment and personnel procedures, to limit the damage from accidents, explosions, fires, and dangerous conditions.</p> <p>(9) Meet or exceed the minimum standards for safe design, construction, installation, operation, and maintenance of gas transmission and distribution facilities prescribed by regulations issued by the United States Department of Transportation in Part 192 (commencing with Section 192.1) of Title 49 of the Code of Federal Regulations.</p> <p>(10) Ensure an adequately sized, qualified, and properly trained gas corporation workforce to carry out the plan.</p> <p>(e) The commission and gas corporation shall provide opportunities for meaningful, substantial, and ongoing participation by the gas corporation workforce in the development and implementation of the plan, with the objective of developing an industrywide culture of safety that will minimize accidents, explosions, fires, and dangerous conditions for the protection of the public and the gas corporation workforce.</p>
	Cal. Pub. Util. Code § 963	(b) (3) It is the policy of the state that the commission and each gas corporation place safety of the public and gas corporation employees as the top priority. The commission shall take all reasonable and appropriate actions necessary to carry out the safety priority policy of this paragraph consistent with the principle of just and reasonable cost-based rates.
	Cal. Labor Code § 1173	It is the continuing duty of the Industrial Welfare Commission, hereinafter referred to in this chapter as the commission, ... to ascertain the hours and conditions of labor and employment in the various occupations, trades, and industries in which employees are employed in this state, and to investigate the health, safety, and welfare of those employees.
	Cal. Labor Code § 1178	If after investigation the commission finds that in any occupation, trade, or industry ... the hours or conditions of labor may be prejudicial to the health, morals, or welfare of employees, the commission shall select a wage board to consider any of such matters and transmit to such wage board the information supporting its findings gathered in the investigation. Such investigation shall include at least one public hearing.
Colorado	C.R.S. § 40-4-101	(1) Whenever the commission...finds that the rules, regulations, practices, equipment, facilities, or service of any public utility or the methods of manufacture, distribution, transmission, storage, or supply employed by it are unjust, unreasonable, unsafe, improper, inadequate, or insufficient, the commission shall determine the just, reasonable, safe, proper, adequate, or sufficient rules, regulations, practices, equipment, facilities, service, or methods to be observed...
	C.R.S. § 40-4-108	The commission has power ... to ascertain and fix just and reasonable standards, classifications, regulations, practices, measurements, or service to be furnished, imposed, observed, and followed by all electric, gas, and water public utilities; to ascertain and fix adequate and serviceable standards for the measurement of quantity, quality, pressure, initial voltage, or other condition pertaining to the supply of the product, commodity, or service furnished or rendered by any such public utility; to prescribe reasonable regulations for the examination and testing of such product, commodity, or service and for the measurement thereof; to establish reasonable rules, regulations, specifications, and standards to secure the accuracy of all meters and equipment for measurement and weighing...

	C.R.S. § 40-6-106	The commission, each commissioner, and any person employed by the commission shall have the right to inspect the records and documents of any public utility... (this is under the hearings and investigations subheading)
Connecticut	Conn. Gen. Stat. § 16-6b	The Public Utilities Regulatory Authority may...adopt such regulations with respect to: (1) Rates and charges, services, accounting practices, safety and the conduct of operations generally of public service companies subject to its jurisdiction as it deems reasonable and necessary; (2) services, accounting practices, safety and the conduct of operations generally of electric suppliers subject to its jurisdiction as it deems reasonable and necessary...
	Conn. Gen. Stat. § 16-8	(b)(1) The authority may employ professional personnel to perform management audits. The authority shall promptly establish such procedures as it deems necessary or desirable to provide for management audits to be performed on a regular or irregular schedule on all or any portion of the operating procedures and any other internal workings of any public service company... (b)(5) The results of an audit...shall be filed with the authority and shall be open to public inspection. Upon completion and review of the audit, if the person or firm performing or supervising the audit determines that any of the operating procedures or any other internal workings of the affected public service company are inefficient, improvident, unreasonable, negligent or in abuse of discretion, the authority may...order the affected public service company to adopt such new or altered practices and procedures as the authority shall find necessary to promote efficient and adequate service to meet the public convenience and necessity.
	Conn. Gen. Stat. § 16-11	The Public Utilities Regulatory Authority shall...keep fully informed as to the condition of the plant, equipment and manner of operation of all public service companies in respect to their adequacy and suitability to accomplish the duties imposed upon such companies by law and in respect to their relation to the safety of the public and of the employees of such companies. The authority may order ... such changes in the manner of operation, as may be reasonably necessary in the public interest.
	Conn. Gen. Stat. § 16-12	Any person or any town, city or borough may make complaint...of any defects in any portion of the plant or equipment of any public service company or electric supplier, or of the manner of operating such plant, by reason of which the public safety or the health or safety of employees is endangered...
	Conn. Gen. Stat. § 16-280b	(b) The Public Utilities Regulatory Authority may adopt regulations, in accordance with chapter 54, establishing intrastate gas pipeline safety standards, which may be more specific than federal standards where appropriate in relation to local circumstances or conditions and consistent with public safety, provided such standards recognize alternative instrumentalities and methodologies for achieving federal safety objectives and do not foreclose utilization of alternative instrumentalities and methodologies that conform to national engineering standards or industry practices.
Delaware	26 Del. C. § 201	(a) The Commission shall have exclusive original supervision and regulation of all public utilities and also over their rates, property rights, equipment facilities, service territories and franchises... (e)(1) In the exercise of supervision and regulation over public utilities, the Commission may...alter...its supervision and regulation over some or all public utility products or services...to the extent necessary to promote and sustain adequate service at just and reasonable rates...
	26 Del. C. § 205	(a)The Commission may require every public utility to file with the Commission such annual and other periodic or special reports, at such times, in such form and of such content, and covering such period or periods of time, as the Commission may by rules and regulations or by order prescribe.
	26 Del. C. § 207	The Commission...shall at all times have access to and the right to inspect and examine any and all books, accounts, records, memoranda, property, plant, facilities and equipment of public utilities...
	26 Del. C. § 209	(a) The Commission may ... (1) Fix just and reasonable standards, classifications, regulations, practices, measurements or services to be furnished, imposed, observed and followed thereafter by any public utility; (2) Require every public utility to furnish safe and adequate and proper service and keep and maintain its property and equipment in such condition as to enable it to do so.

	26 Del. C. § 210	The Commission may ... ascertain and fix adequate and reasonable standards for the measurement of quantity, quality, pressure, initial voltage or other condition pertaining to the supply of the product or service rendered by any public utility, and may prescribe reasonable regulations for examinations and tests of such product or service and for the measurement thereof.
Florida	Fla. Stat. § 366.04	(1)...the commission shall have jurisdiction to regulate and supervise each public utility with respect to its rates and service... (2) In the exercise of its jurisdiction, the commission shall have power over electric utilities for the following purposes:...(f) To prescribe and require the filing of periodic reports and other data as may be reasonably available and as necessary to exercise its jurisdiction hereunder (6) The commission shall further have exclusive jurisdiction to prescribe and enforce safety standards for transmission and distribution facilities of all public electric utilities...
	Fla. Stat. § 366.05	(1)(a) In the exercise of such jurisdiction, the commission shall have power to prescribe... standards of quality...for purposes of ensuring the reliable provision of service, and service rules and regulation to be observed by each public utility...and secure adequate service and facilities for those reasonably entitled thereto
	Fla. Stat. § 368.03	This law [Gas Safety Law of 1967] authorizes the establishment of rules and regulations covering the design, fabrication, installation, inspection, testing and safety standards for installation, operation and maintenance of gas transmission and distribution systems, including gas pipelines, gas compressor stations, gas metering and regulating stations, gas mains, and gas services up to the outlet of the customer's meter set assembly, gas-storage equipment of the closed-pipe type fabricated or forged from pipe or fabricated from pipe and fittings, and gas-storage lines. It is intended that the requirements of such rules and regulations shall be adequate for safety under conditions normally encountered in the gas industry, but requirements for abnormal or unusual conditions or all details of engineering and construction need not be specifically provided for or prescribed. ... It is intended, however, that the provisions of the rules and regulations shall be applicable to the operation, maintenance and uprating of existing installations. This law, and the rules and regulations adopted pursuant to it, are declared to be in the public interest ... and shall be liberally construed for the accomplishment of that purpose.
Georgia	O.C.G.A. § 46-2-20	(c) The commission may...require all companies under its supervision to establish and maintain such public services and facilities as may be reasonable and just. (e) The commission shall have authority to examine the affairs of all companies under its supervision and keep informed as to their general condition, their capitalization, their franchises, and the manner in which the lines owned, leased, or controlled by them are managed, conducted, and operated, not only with respect to the adequacy, security, and accommodation afforded by their service to the public and their employees... (g) The commission shall have the power...to make personal visits to the offices...of the companies under its supervision for the purpose of examination...Any Commissioner...shall have full power and authority to examine the agents and employees of any such company... in order to procure information deemed by the Commissioner necessary to the work of the commission or of value to the public.
	O.C.G.A. § 46-2-30	The commission shall have full power and authority to make rules and regulations to effectuate and implement all laws conferring powers and duties upon the commission.
	O.C.G.A. § 46-4-1	The commission may bring a civil action to enjoin the violation of any rule, order, or regulation established by the commission for the safe installation and operation of all natural gas transmission and distribution facilities within this state.
	O.C.G.A. § 46-4-95	The purpose of the [Municipal Gas Authority of Georgia] shall be: (1) to acquire or construct, or to acquire and construct, and to operate and maintain, or to cause to be constructed, operated, and maintained, systems, projects, and facilities for the storage, acquisition, exploration, production, distribution, transmission, purchase, sale, exchange, or interchange of gas; and (2) in addition thereto, to take all other necessary or desirable actions in order to provide or make available an adequate, dependable, and economical supply of gas and related services to those political subdivisions of this state identified in Code Section 46-4-100 which may desire the same and, incidentally and so as to take advantage of economies of scale, in the storage, acquisition, exploration, production, distribution, transmission, purchase, sale, exchange, or interchange of gas to other persons and entities.



Hawaii	HRS § 269-7	(a) The public utilities commission...shall have power to examine into the condition of each public utility, the manner in which it is operated with reference to the safety or accommodation of the public, the safety, working hours, and wages of its employees, the fares and rates charged by it...
	HRS § 269-15	If the public utilities commission is of the opinion that any public utility or any person is violating or neglecting to comply with any provision of this chapter, or that changes, additions, extensions, or repairs are desirable in its plant or service to meet the reasonable convenience or necessity of the public, or to insure greater safety or security...or that in any way it is doing what it ought not to do, or not doing what it ought to do, it...may institute such proceedings...as may be necessary...to correct any such deficiency.
	HRS § 269-16	(b) The commission...may: (2)...by order: (C) Regulate the manner in which the property of every public utility is operated with reference to the safety and accommodation of the public...
Idaho	Idaho Code § 61-302	Every public utility shall furnish, provide and maintain such service, instrumentalities, equipment and facilities as shall promote the safety, health, comfort and convenience of its patrons, employees and the public, and as shall be in all respects adequate, efficient, just and reasonable.
	Idaho Code § 61-501	The public utilities commission is hereby vested with power and jurisdiction to supervise and regulate every public utility in the state and to do all things necessary to carry out the spirit and intent of the provisions of this act.
	Idaho Code § 61-503	The commission shall have power ... to investigate a single rate, fare, toll, rental, charge, classification, rule, regulation, contract or practice, or any number thereof, or the entire schedule or schedules of rates, fares, tolls, rentals, charges, classifications, rules, regulations, contracts or practices, or any thereof, of any public utility, and to establish new rates, fares, tolls, rentals, charges, classifications, rules, regulations, contracts or practices or schedule or schedules in lieu thereof.
	Idaho Code § 61-515	The commission shall have the power...to require every public utility to maintain and operate its line, plant, system, equipment, apparatus and premises in such manner as to promote and safeguard the health and safety of its employees, customers and the public, and to this end to prescribe the installation, use, maintenance and operation of appropriate safety or other devices or appliances, to establish uniform or other standards of equipment, and to require the performance of any other act which the health or safety of its employees, customers or the public may demand.
	Idaho Code § 61-520	The commission shall have power, after hearing had upon its own motion or upon complaint, to ascertain and fix just and reasonable standards, classifications, regulations, practices, measurements or service to be furnished, imposed, observed and followed by all electrical, gas and water corporations; to ascertain and fix adequate and serviceable standards for the measurement of quantity, quality, pressure, initial voltage or other condition pertaining to the supply of the product, commodity or service furnished or rendered by any such public utility; to prescribe reasonable regulations for the examination and testing of such product, commodity or service and for the measurement thereof; to establish reasonable rules, regulations, specifications and standards to secure the accuracy of all meters and appliances for measurements; and to provide for the examination and testing of any and all appliances used for the measurement of any product, commodity or service of any such public utility.
Illinois	220 ILCS § 5/8-401	Every public utility subject to this Act shall provide service and facilities which are in all respects adequate, efficient, reliable and environmentally safe and which, consistent with these obligations, constitute the least-cost means of meeting the utility's service obligations.
	220 ILCS § 5/8-501	Whenever the Commission, shall find that the rules, regulations, practices, equipment, appliances, facilities or service of any public utility, or the methods of manufacture, distribution, transmission, storage or supply employed by it, are unjust, unreasonable, unsafe, improper, inadequate or insufficient, the Commission shall determine the just, reasonable, safe, proper, adequate or sufficient rules, regulations, practices, equipment, appliances, facilities, service or methods to be observed, furnished, constructed, enforced or employed...The Commission shall prescribe rules and regulations for the performance of any service or the furnishing of any commodity of the character furnished or supplied by any public utility.

	220 ILCS § 5/8-501.5	(a) Before hiring an employee or independent contractor to perform work involving facilities used for the distribution of natural gas to customers, a public utility shall, in accordance with Commission rules, require the proposed employee or independent contractor to complete a certificate listing the proposed employee's or contractor's violations of pertinent safety or environmental laws.
	220 ILCS § 5/8-505	The Commission shall have power...to require every public utility to maintain and operate its plant, equipment or other property in such manner as to promote and safeguard the health and safety of its employees, customers, and the public, and to this end to prescribe, among other things, the installation, use, maintenance and operation of appropriate safety or other devices or appliances, to establish uniform or other standards of equipment, and to require the performance of any other act which the health or safety of its employees, customers or the public may demand.
	220 ILCS § 5/15-601	Each common carrier by pipeline shall construct, maintain, and operate all of its pipelines, related facilities, and equipment in this State in a manner that poses no undue risk to its employees, customers, or the public. The obligation of the carrier shall include the construction, maintenance, and operation of safety devices or structures, the revision of practices effecting safety, and other acts necessary to ensure the safety of its employees, customers, and the public. The Commission may, by reference to federal safety regulations or otherwise, adopt reasonable regulations governing the construction, maintenance, and operations of pipelines, related facilities, and equipment to ensure the safety of pipeline employees, customers, and the public.
Indiana	Burns Ind. Code Ann. § 8-1-2-48	(a) The commission shall inquire into the management of the business of all public utilities, and shall keep itself informed as to the manner and method in which the same is conducted ... If, in its inquiry into the management of any public utility, the commission finds that the amount paid for the services of its officers, employees, or any of them, is excessive, or that the number of officers or persons employed by such utility is not justified by the actual needs of the utility, or that any other item of expense is being incurred by the utility which is either unnecessary or excessive, the commission shall designate such item or items, and such item or items so designated, or such parts thereof as the commission may deem unnecessary or excessive, shall not be taken into consideration in determining and fixing the rates which such utility is permitted to charge for the service which it renders.
	Burns Ind. Code Ann. § 8-1-2-54	Upon a complaint made against any public utility...that any of the rates...or that any regulation, measurement, practice or act...or any service in connection therewith, is in any respect unreasonable, unsafe, insufficient or unjustly discriminatory, or that any service is inadequate or cannot be obtained, the commission shall proceed, with or without notice, to make such investigation as it may deem necessary or convenient.
	Burns Ind. Code Ann. § 8-1-22.5-4	The division, acting through the commission, shall: ... (2) Establish, by rules and regulations of the commission, minimum state safety standards for transportation and related pipeline facilities. Such standards shall not be less stringent than the federal safety standards established under 49 U.S.C. 60101 et seq. and shall apply to the design, installation, inspection (including the taking possession of pipe and pipeline components), testing, construction, extension, operation, replacement, and maintenance of such pipeline facilities. Such new standards affecting the design, installation, construction, initial inspection, and initial testing shall not be applicable to pipeline facilities in existence prior to the date such standards are established. In establishing such standards, the following shall be considered:
	Burns Ind. Code Ann. § 8-1-22.5-6	Any person who engages in transportation or who owns, operates, or leases pipeline facilities shall: ... (c) File with the division a plan for operation and maintenance of such pipeline facilities owned, operated, or leased by such person, and any change in such plan, as prescribed by rules established pursuant to this chapter. Such plan shall be subject to approval by the division, and if at any time such plan is determined by the division to be inadequate to achieve safe operation, upon recommendation by the director, the commission shall, after notice and opportunity for public hearing, order the plan revised. Any plan required under this chapter shall be practicable and designed to meet the need for pipeline safety.
	Burns Ind. Code Ann. § 22-8-1.1-2	Each employer shall establish and maintain conditions of work which are reasonably safe and healthful for employees, and free from recognized hazards that are causing or are likely to cause death or serious physical harm to employees.

Iowa	Iowa Code § 476.2	(1) The board shall have broad general powers to effect the purposes of this chapter... (4) The board shall have authority to inquire into the management of the business of all public utilities...and may obtain from any public utility all necessary information to enable the board to perform its duties. (5)...The utility shall maintain within the state administrative, technical, and operating personnel necessary for the delivery of safe and reasonably adequate services and facilities as required pursuant to section 476.8.
	Iowa Code § 476.3	When the board...finds a public utility's rates, charges, schedules, service, or regulations are unjust, unreasonable, discriminatory, or otherwise in violation of any provision of law, the board shall determine just, reasonable, and nondiscriminatory rates, charges, schedules, service, or regulations to be observed and enforced.
	Iowa Code § 476.8	Every public utility is required to furnish reasonably adequate service and facilities.
Kansas	K.S.A. § 66-101	The commission is given full power, authority and jurisdiction to supervise and control the electric public utilities, as defined in K.S.A. 66-101a, doing business in Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority and jurisdiction.
	K.S.A. § 66-101b	Every electric public utility governed by this act shall be required to furnish reasonably efficient and sufficient service and facilities for the use of any and all products or services rendered, furnished, supplied or produced by such electric public utility, to establish just and reasonable rates, charges and exactions and to make just and reasonable rules, classifications and regulations. Every unjust or unreasonably discriminatory or unduly preferential rule, regulation, classification, rate, charge or exaction is prohibited and is unlawful and void. The commission shall have the power, after notice and hearing in accordance with the provisions of the Kansas administrative procedure act, to require all electric public utilities governed by this act to establish and maintain just and reasonable rates when the same are reasonably necessary in order to maintain reasonably sufficient and efficient service from such electric public utilities.
	K.S.A. § 66-101d	If after investigation and hearing it is found that any regulation, measurement, practice, act or service complained of is unjust, unreasonable, unreasonably inefficient or insufficient, unduly preferential, unjustly discriminatory, or otherwise in violation of this act or of the orders of the commission, or if it is found that any service is inadequate or that any reasonable service cannot be obtained, the commission shall have the power to substitute therefor such other regulations, measurements, practices, service or acts, and to make such order respecting any such changes in such regulations, measurements, practices, service or acts as are just and reasonable.
	K.S.A. § 66-1,150	(a) The state corporation commission is hereby authorized to adopt such rules and regulations as may be necessary to be in conformance with the natural gas pipeline safety act of 1968 (49 U.S.C. § 60101 et seq.), as amended. Notwithstanding the exemption provisions of K.S.A. 66-104 and 66-131, and amendments thereto, and related statutes, for the purpose of gas pipeline safety such rules and regulations shall be applicable to: (1) All public utilities and all municipal corporations or quasi-municipal corporations transporting natural gas or rendering gas utility service; (2) all operators of master meter systems, as defined by 49 C.F.R. § 191.3; (3) all operators of privately or publicly owned pipelines providing natural gas service or transportation directly to the ultimate consumer for the purpose of manufacturing goods or generating power; and (4) providers of rural gas service under the provisions of K.S.A. 66-2101 through 66-2106, and amendments thereto.
Kentucky	KRS § 278.042	Except as otherwise provided by law, the commission shall, in enforcing service adequacy and safety standards for electric utilities, ensure that each electric utility constructs and maintains its plant and facilities in accordance with accepted engineering practices as set forth in the commission's administrative regulations and orders and in the most recent edition of the NESC.



	KRS § 278.280	Whenever the commission, upon its own motion or upon complaint as provided in KRS 278.260, and after a hearing had upon reasonable notice, finds that the rules, regulations, practices, equipment, appliances, facilities or service of any utility subject to its jurisdiction, or the method of manufacture, distribution, transmission, storage or supply employed by such utility, are unjust, unreasonable, unsafe, improper, inadequate or insufficient, the commission shall determine the just, reasonable, safe, proper, adequate or sufficient rules, regulations, practices, equipment, appliances, facilities, service or methods to be observed, furnished, constructed, enforced or employed, and shall fix the same by its order, rule or regulation.
	KRS § 278.030	(2) Every utility shall furnish adequate, efficient and reasonable service, and may establish reasonable rules governing the conduct of its business and the conditions under which it shall be required to render service.
	KRS § 278.255	(2) The commission may provide for management or operations audits, or both, of any utility under its jurisdiction on a regular or irregular schedule to investigate all or any portion of the management and operating procedures or any other internal workings of the utility. (4)... The results of all audits shall be filed with the commission and shall be open to public inspection.
	KRS § 278.495	(2) Notwithstanding any other provision of law, the commission shall have the authority to regulate the safety of natural gas facilities which are: (a) Owned or operated by any public utility, county, or city, and used to distribute natural gas at retail; or (b) Comprising a master meter system. The commission may exercise this authority in conjunction with, and pursuant to, its authority to enforce any minimum safety standard adopted by the United States Department of Transportation pursuant to 49 U.S.C. sec. 60101 et seq., or any amendments thereto, and may promulgate administrative regulations consistent with federal pipeline safety laws in accordance with provisions of KRS Chapter 13A as are necessary to promote pipeline safety in the Commonwealth. In exercising this authority, however, the commission shall consider the impact of any action it takes on small businesses engaged in the installation and servicing of gas lines, master meter systems, or related equipment and shall act so as to ensure that no unfair competitive advantage is given to utilities over such small businesses.
	KRS § 338.031 (Labor and Human Rights)	(1) Each employer: (a) Shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees;
Louisiana	La. R.S. § 45:255	The Louisiana Public Service Commission shall establish and enforce reasonable rates and regulations for gathering, transporting, loading and delivering petroleum, by any common carrier as defined in R.S. 45:251, and for the furnishing and use of reasonable tank facilities necessary and incident to such transportation and that may be necessary, in its capacity as a common carrier only, to take care, for a reasonable time, of all petroleum transported by it, and to prescribe and enforce regulations for control of these common carriers in respect to their pipe lines and receiving, tanking, delivering, transferring and loading facilities.
	La. R.S. § 45:308	A. Pipeline facilities used in the transportation of gas by public utilities shall be constructed, operated, and maintained in a safe manner. B. ... Further, the commission shall have authority to adopt any uniform gas pipeline safety standards or practices which may hereinafter be promulgated by any regulatory agency of the United States having jurisdiction thereof.
	La. R.S. § 45:1163	A. (1) The commission shall exercise all necessary power and authority over any street railway, gas, electric light, heat, power, waterworks, or other local public utility for the purpose of fixing and regulating the rates charged or to be charged by and service furnished by such public utilities.
Maine	35-A M.R.S. § 104	The provisions of this Title shall be interpreted and construed liberally to accomplish the purpose of this Title. The commission has all implied and inherent powers under this Title, which are necessary and proper to execute faithfully its express powers and functions specified in this Title.

	35-A M.R.S. § 301	1. Facilities. Every public utility shall furnish safe, reasonable and adequate facilities and service.
	35-A M.R.S. § 1302	1. Filing a complaint. When a written complaint is made against a public utility by 10 persons aggrieved that the rates, tolls, charges, schedules or joint rate or rates of a public utility are in any respect unreasonable or unjustly discriminatory; that a regulation, measurement, practice or act of a public utility is in any respect unreasonable, insufficient or unjustly discriminatory; or that a service is inadequate or cannot be obtained, the commission, being satisfied that the petitioners are responsible, shall, with or without notice, investigate the complaint.
	35-A M.R.S. § 113	1. Audit. The commission may require the performance of a management audit of the operations of any public utility in order to determine: A. The degree to which a public utility's construction program evidences planning adequate to identify realistic needs of its customers; B. The degree to which a public utility's operations are conducted in an effective, prudent and efficient manner judged by the standards prevailing in the utility industry; C. The degree to which a public utility minimizes or avoids inefficiencies which otherwise would increase costs to customers; or ...
	35-A M.R.S. § 101	The basic purpose of this regulatory system as it applies to public utilities subject to service regulation under this Title is to ensure safe, reasonable and adequate service, to assist in minimizing the cost of energy available to the State's consumers and to ensure that the rates of public utilities subject to rate regulation are just and reasonable to customers and public utilities.
Maryland	Md. Pub. Util. Code Ann. § 2-112	(a) Jurisdiction. -- To the full extent that the Constitution and laws of the United States allow, the Commission has jurisdiction over each public service company that engages in or operates a utility business in the State and over motor carrier companies as provided in Title 9 of this article. (b) General powers. -- (1) The Commission has the powers specifically conferred by law. (2) The Commission has the implied and incidental powers needed or proper to carry out its functions under this division. (c) Liberal construction. -- The powers of the Commission shall be construed liberally.
	Md. Pub. Util. Code Ann. § 2-113	(a) In general. -- (1) The Commission shall: (i) supervise and regulate the public service companies subject to the jurisdiction of the Commission to: 1. ensure their operation in the interest of the public; and 2. promote adequate, economical, and efficient delivery of utility services in the State without unjust discrimination; and (ii) enforce compliance with the requirements of law by public service companies, including requirements with respect to financial condition, capitalization, franchises, plant, manner of operation, rates, and service. (2) In supervising and regulating public service companies, the Commission shall consider the public safety, the economy of the State, the conservation of natural resources, and the preservation of environmental quality. (b) Construction. -- The powers and duties listed in this title do not limit the scope of the general powers and duties of the Commission provided for by this division.
	Md. Pub. Util. Code Ann. § 2-115	(a) Required. -- The Commission shall initiate and conduct any investigation necessary to execute its powers or perform its duties under this division. (b) Powers. -- The Commission may: (1) examine the records of a public service company; (2) compel production of the records by subpoena; and (3) require verified copies of the records to be filed with the Commission.
	Md. Pub. Util. Code Ann. § 5-101	(a) General authority. -- After providing notice and an opportunity for interested parties to be heard, the Commission may adopt regulations that prescribe standards for safe, adequate, reasonable, and proper service for any class of public service company or gas master meter operator. (b) Standards for regulation. -- The standards adopted under subsection (a) of this section shall best promote, in the opinion of the Commission, the security or convenience of: (1) the public; (2) those employed in furnishing services; and (3) those to whom services are rendered. (c) Enforcement; orders. -- The Commission may: (1) enforce the standards adopted under this section; and (2) by order, as the Commission considers necessary, require changes and additions in the service of any public service company or gas master meter operator, including: (i) repairs or improvements in plant; (ii) increase in motive power; and (iii) change in schedule or manner of operations.

	Md. Pub. Util. Code Ann. § 5-303	A public service company shall furnish equipment, services, and facilities that are safe, adequate, just, reasonable, economical, and efficient, considering the conservation of natural resources and the quality of the environment.
	Md. Pub. Util. Code Ann. § 11-101	(b) Regulations. -- The Commission shall adopt regulations to ensure to the greatest extent practicable the operational safety of liquefied natural gas facilities.
	Md. Pub. Util. Code Ann. § 11-203	(a) Safety standards. -- (1) The Commission may adopt regulations that establish safety standards and practices applicable to the design, construction, operation, and maintenance of intrastate pipeline facilities. (2) For any intrastate pipeline regulatory program that the Commission establishes under this subtitle, the Commission shall adopt as minimum standards the federal safety standards in Title 49, C.F.R. Parts 195 and 199, as periodically amended. (3) (i) In collaboration with the American Society of Mechanical Engineers, the Commission shall: 1. establish and adopt by regulation methods and best practices for intrastate pipeline facilities; and 2. require introduction of these methods and best practices as soon as may be practicable. (ii) The methods shall include quantitative criteria, based on engineering evaluations, to determine whether a wrinkle or other deformity may remain in a pipeline or should be remedied.
Massachusetts	ALM GL ch. 25, § 18	The commission may make an assessment against each electric and gas company under the jurisdictional control of the department and each generation company and supplier licensed by the department to do business in the commonwealth, based upon the intrastate operating revenues subject to the jurisdiction of the department of each such company derived from sales within the commonwealth of electric and gas service, respectively, as shown in the annual report of each such company to the department.
	ALM GL ch. 25 § 5E	The department may, from time to time, audit all companies subject to its jurisdiction, except steam distribution companies. Such audits may include, but shall not be limited to, review of the following documents: (a) all financial statements, the balance sheet, the income statement, the statement of cash flows, the statement of retained earnings, the notes to the financial statements, and the information in the annual return to the department; (b) all documents concerning reconciling mechanisms related to rates, prices, charges, or costs and savings related to a merger, acquisition or consolidation within 3 years after the merger, acquisition or consolidation; and (c) documents concerning service quality measure statistics and service quality performance at least every 3 years or whenever service quality penalties equal to or exceed 50 per cent of the maximum.
	ALM GL ch. 25 § 5	When so requested by any party interested, the commission shall rule upon any question of substantive law properly arising in the course of any proceeding before the commission or any member or members thereof, and any party interested aggrieved by such ruling may object thereto, and may secure a review as hereinafter provided
	ALM GL ch. 25 § 5D	Notwithstanding the provisions of clause Twenty-sixth of section seven of chapter four and section ten of chapter sixty-six, the department may protect from public disclosure, trade secrets, confidential, competitively sensitive or other proprietary information provided in the course of proceedings conducted pursuant to this chapter. There shall be a presumption that the information for which such protection is sought is public information and the burden shall be upon the proponent of such protection to prove the need for such protection.
Michigan	MCLS § 460.10	The purpose of sections 10a through 10bb is to do all of the following: (a) To ensure that all persons in this state are afforded safe, reliable electric power at a competitive rate.
	MCLS § 460.55	In addition to the reports now required to be made by any public utility under the laws of the state relating to the Michigan railroad commission, it shall be competent for the public utilities commission to require the making of such additional and further reports and the supplying of such data as is reasonably necessary for the proper performance of the powers and duties hereby contemplated... Said commission shall have power and authority to make, adopt and enforce rules and regulations for the conduct of its business and the proper discharge of its functions hereunder, and all persons dealing with the commission or interested in any matter or proceedings pending before it shall be bound by such rules and regulations. The commission shall also have authority to make and prescribe regulations for the conducting of the business of public utilities, subject to the jurisdiction thereof, and it shall be the duty of every corporation, joint stock company, association or individual owning, managing or operating any such utility to obey such rules and regulations.

	MCLS § 460.56	Said commission shall have authority to examine, or cause to be examined, the books, accounts and records kept on behalf of any public utility subject to the jurisdiction thereof.
	MCLS § 460.557	(2)... The commission may establish by order rules and conditions of service that are just and reasonable. (6) The commission may promulgate rules for the conduct of its business and the proper discharge of its functions under this act, pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Law...
	MCLS § 483.152	(1) The commission shall promulgate rules and prescribe safety standards for pipeline facilities and the transportation of gas in accordance with the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Laws. In prescribing safety standards, the commission shall consider: (a) Relevant available pipeline safety data. (b) Whether the standards are appropriate for the particular type of pipeline transportation. (c) The extent to which the standards will contribute to public safety. (2) If a person engaged in the transportation of gas or the operation of pipeline facilities applies, the commission, after notice and opportunity for a hearing and under the terms and conditions and to the extent the commission considers appropriate, may waive, in whole or in part, compliance with any standard established under this act, if the waiver is not inconsistent with gas pipeline safety. At the time of issuing the waiver, the commission shall state the reasons for its issuance.
	MCLS § 483.154	Any person who engages in the transportation of gas or who owns or operates pipeline facilities shall file with the commission a plan for inspection and maintenance of each pipeline facility owned or operated by the person and any changes in the plan, in accordance with rules prescribed by the commission.
	MCLS § 460.6	(1) The public service commission is vested with complete power and jurisdiction to regulate all public utilities in the state except a municipally owned utility, the owner of a renewable resource power production facility as provided in section 6d, and except as otherwise restricted by law. The public service commission is vested with the power and jurisdiction to regulate all rates, fares, fees, charges, services, rules, conditions of service, and all other matters pertaining to the formation, operation, or direction of public utilities.
Minnesota	Minn. Stat. § 216B.04	Every public utility shall furnish safe, adequate, efficient, and reasonable service; provided that service shall be deemed adequate if made so within 90 days after a person requests service
	Minn. Stat. § 216B.09	Subdivision 1. Commission authority, generally. — The commission, on its own motion or upon complaint and after reasonable notice and hearing, may ascertain and fix just and reasonable standards, classifications, rules, or practices to be observed and followed by any or all public utilities with respect to the service to be furnished.
	Minn. Stat. § 216B.12	Subdivision 1. Authority of commission and department. — The commissioners and the duly authorized officers and employees of the department, during business hours, may enter upon any premises occupied by any public utility for the purpose of making examinations and tests and to inspect the accounts, books, papers, and documents of any public utility...
Mississippi	Miss. Code Ann. § 77-3-7	(unsure of the relevance of this provision) (1) Insofar as possible to do so, personnel of the commission shall be retained on a full-time basis and shall have no other employment of any kind.
	Miss. Code Ann. § 77-3-33	(2) Such utility shall furnish adequate, efficient and reasonable service, and may establish reasonable rules governing the conduct of its business and the conditions under which it shall be required to render service. The commission may, after hearing upon reasonable notice had, upon its own motion or upon complaint, ascertain and fix just and reasonable standards, regulations and practices of service which are to be furnished, imposed, observed and followed by all public utilities.



	Miss. Code Ann. § 77-11-101	The Mississippi Public Service Commission is hereby vested with authority to provide for standards of safety and inspection of gas districts, or municipally owned and/or operated transmission or distribution of natural, artificial, or mixed natural and artificial gas, by means of transportation, transmission or distribution facilities and equipment municipally owned and/or operated by said municipality or gas district. To the maximum extent permissible under the Natural Gas Pipeline Safety Act of 1968, the commission is also hereby vested with authority to provide for standards of safety and inspection of facilities owned and/or operated as private pipelines, private pipeline carriers or private pipeline carriers by contract which are not engaged in the transmission, sale, sale for resale or distribution of gas to the public for compensation and which are not therefore subject to the general jurisdiction of the commission as public utilities, which said facilities are used for the intrastate transmission or distribution of natural, artificial and mixed natural and artificial gas by means of intrastate transportation, transmission or distribution facilities or equipment owned and/or operated by any such pipeline.
Missouri	§ 393.130 R.S.Mo.	1. Every gas corporation, every electrical corporation, every water corporation, and every sewer corporation shall furnish and provide such service instrumentalities and facilities as shall be safe and adequate and in all respects just and reasonable...
	§ 393.140 R.S.Mo.	The commission shall: (2) Investigate and ascertain, from time to time, the quality of gas or water supplied and sewer service furnished by persons and corporations, examine or investigate the methods employed by such persons and corporations in manufacturing, distributing and supplying gas or electricity for light, heat or power and in transmitting the same, ... and have power to order such reasonable improvements as will best promote the public interest, preserve the public health and protect those using such gas, electricity, water, or sewer system, and those employed in the manufacture and distribution thereof, and have power to order reasonable improvements and extensions of the works, wires, poles, pipes, lines, conduits, ducts and other reasonable devices, apparatus and property of gas corporations, electrical corporations, water corporations, and sewer corporations; (5) Examine all persons and corporations under its supervision and keep informed as to the methods, practices, regulations and property employed by them in the transaction of their business. ... and whenever the commission shall be of the opinion, after a hearing had upon its own motion or upon complaints, that the property, equipment or appliances of any such person or corporation are unsafe, insufficient or inadequate, the commission shall determine and prescribe the safe, efficient and adequate property, equipment and appliances thereafter to be used, maintained and operated for the security and accommodation of the public and in compliance with the provisions of law and of their franchises and charters ...
	§ 393.270 R.S.Mo.	2. After a hearing and after such investigation as shall have been made by the commission or its officers, agents, examiners or inspectors, the commission within lawful limits may, by order, fix the maximum price of gas, electricity, water or sewer service not exceeding that fixed by statute to be charged by such corporation or person, for the service to be furnished; and may order such improvement in the manufacture, distribution or supply of gas, in the manufacture, transmission or supply of electricity, in the distribution or supply of water, in the collection, carriage, treatment and disposal of sewage, or in the methods employed by such persons or corporation as will in its judgment be adequate, just and reasonable.
Montana	69-3-102 MCA	The commission is hereby invested with full power of supervision, regulation, and control of such public utilities, subject to the provisions of this chapter and to the exclusion of the jurisdiction, regulation, and control of such utilities by any municipality, town, or village.
	69-3-103 MCA	(2) The commission shall have the power to: (a) adopt reasonable and proper rules relative to all inspections, tests, audits, and investigations; (b) adopt and publish reasonable and proper rules to govern its proceedings; and (c) regulate the mode and manner of all investigations and hearings of public utilities and other parties before it.

	69-3-106 MCA	<p>(1) The commission has the authority to inquire into the management of the business of all public utilities, shall keep itself informed as to the manner and method in which the business is conducted, and has the right to obtain from any public utility all necessary information to enable the commission to perform its duties.</p> <p>(2) The commission, any commissioner, or any person or persons employed by the commission for that purpose, upon demand, has the right to inspect the books, accounts, papers, records, and memoranda of any public utility and to examine, under oath, any officer, agent, or employee of the public utility in relation to its business and affairs. Any person, other than one of the commissioners, who makes the demand shall produce the person's authority to make the inspection.</p>
	69-3-201 MCA	Every public utility is required to furnish reasonably adequate service and facilities.
	69-8-401 MCA	Utilities shall maintain standards of safety and reliability of the electric delivery system and existing customer service requirements.
Nebraska (Note: It appears that Nebraska's PSC only regulates transmission lines and local councils regulate utilities as all of Nebraska's utilities are consumer-owned)	R.R.S. Neb. § 75-118	<p>The commission shall:</p> <p>(1) Fix all necessary rates, charges, and regulations governing and regulating the transportation, storage, or handling of household goods and passengers by any common carrier in Nebraska intrastate commerce...</p>
	R.R.S. Neb. § 75-116	Each regulated motor carrier as defined in section 75-302 or common carrier required to furnish an annual report with a federal regulatory agency shall file a copy of the report with the commission on or before the date on which such report is filed with such agency.
	R.R.S. Neb. § 75-111	The commission shall investigate any and all cases of alleged neglect or violation of the laws of this state within the jurisdiction of the commission as enumerated in section 75-109.01 and take such action with reference to the neglect or violation as may be provided by law.
	R.R.S. Neb. § 75-131	Any person who complains of anything done or omitted to be done by any common or contract carrier or jurisdictional utility may request that the commission investigate and impose sanctions on such carrier or jurisdictional utility by filing a petition which briefly states the facts constituting the complaint.
	R.R.S. Neb. § 75-501	Any person who transports, transmits, conveys, or stores liquid or gas by pipeline for hire in Nebraska intrastate commerce shall be a common carrier subject to commission regulation. The commission shall adopt, promulgate, and enforce reasonable rules and regulations establishing minimum state safety standards for the design, construction, maintenance, and operation of pipelines which transport liquefied petroleum gas or anhydrous ammonia in intrastate commerce by common carriers. Such rules and regulations, and the interpretations thereof, shall conform with the rules, regulations, and interpretations of the appropriate federal agencies with authority to regulate pipeline common carriers in interstate commerce.
	R.R.S. Neb. § 14-2107	The board of directors of the metropolitan utilities district or any committee of the members of the board shall have power to compel the attendance of witnesses for investigation of any matters that may come before the board, and the presiding officer of the board, or the chairperson of the committee for the time being, may administer the requisite oaths, and the board or committee thereof shall have the same authority to compel the giving of testimony as is conferred on courts of justice.

	R.R.S. Neb. § 14-2133	The board of directors of a metropolitan utilities district is hereby empowered to (1) adopt all necessary rules and regulations for the operation and conducting of the business and affairs of its natural gas and water utilities for the purpose of supplying gas for heat and power purposes for public and private use and for the purpose of supplying water for domestic, mechanical, public, and fire purposes and (2) fix the prices to be charged therefor.
Nevada	Nev. Rev. Stat. Ann. § 703.150	The Commission shall supervise and regulate the operation and maintenance of public utilities and other persons named and defined in chapters 704, 704A and 708 of NRS pursuant to the provisions of those chapters.
	Nev. Rev. Stat. Ann. 703.151	In adopting regulations pursuant to this title relating to the provision of electric service, the Commission shall ensure that the regulations: <ol style="list-style-type: none"> <li>1. Protect, further and serve the public interest;</li> <li>2. Provide effective protection for customers who depend upon electric service;</li> <li>3. Provide for stability in rates and for the availability and reliability of electric service;</li> <li>4. Encourage the development and use of renewable energy resources; and</li> <li>5. Require providers of electric service to engage in prudent business management, effective long-term planning, responsible decision making, sound fiscal strategies and efficient operations.</li> </ol>
	Nev. Rev. Stat. Ann. § 703.154	1. The Commission may adopt such regulations as are necessary to ensure the safe operation and maintenance of all storage facilities and intrastate pipelines in this State which are used to store and transport natural gas, liquefied petroleum gas, in its liquid or vapor form, or any mixture thereof. Regulations adopted pursuant to this subsection do not apply to activities that are subject to the provisions of NRS 590.465 to 590.645, inclusive, or chapter 704 of NRS.
	Nev. Rev. Stat. Ann. § 704.001	It is hereby declared to be the purpose and policy of the Legislature in enacting this chapter: <ol style="list-style-type: none"> <li>1. To confer upon the Commission the power, and to make it the duty of the Commission, to regulate public utilities to the extent of its jurisdiction;</li> <li>2. To provide for fair and impartial regulation of public utilities;</li> <li>3. To provide for the safe, economic, efficient, prudent and reliable operation and service of public utilities;</li> <li>4. To balance the interests of customers and shareholders of public utilities by providing public utilities with the opportunity to earn a fair return on their investments while providing customers with just and reasonable rates; and</li> </ol>
	Nev. Rev. Stat. Ann. 703.190	1. Except as otherwise provided in this section, all biennial reports, records, proceedings, papers and files of the Commission must be open at all reasonable times to the public.
	Nev. Rev. Stat. Ann. § 703.025	2. The Commission shall: <ol style="list-style-type: none"> <li>(a) Formulate the policies of the various sections of the Commission;</li> <li>(b) Coordinate the activities of the various sections of the Commission;</li> <li>(c) If customers are authorized by a specific statute to obtain a competitive, discretionary or potentially competitive utility service, take any actions which are consistent with the statute and which are necessary to encourage and enhance: <ol style="list-style-type: none"> <li>(1) A competitive market for the provision of that utility service to customers in this State; and</li> <li>(2) The reliability and safety of the provision of that utility service within that competitive market; and</li> </ol> </li> <li>(d) Adopt such regulations consistent with law as the Commission deems necessary for the operation of the Commission and the enforcement of all laws administered by the Commission.</li> </ol>
	Nev. Rev. Stat. Ann. § 703.195	1. Except as otherwise provided in subsection 2, any Commissioner, any officer or employee of the Commission who is designated by the Commission, or any officer or employee of an affected governmental entity who is designated by the affected governmental entity may examine during regular business hours the books, accounts, records, minutes, papers and property of any public utility, alternative seller, provider of discretionary natural gas service or provider of new electric resources who does business in this State, with respect to such business, regardless of whether the book, account, record, minutes, paper or property is located within this State.

	Nev. Rev. Stat. Ann. § 708.060	The Commission shall have the power: (a) To establish and enforce rates of charges and regulations for gathering, transporting, loading and delivering crude oil or petroleum by such common carriers in this state, and for the use of storage facilities necessarily incident to such transportation; and (b) To prescribe and enforce rules and regulations for the government and control of such common carriers in respect to their pipelines and receiving, transferring and loading facilities.
New Hampshire	RSA § 363:25	The commission may, from time to time, subject to the approval of the governor and council, publish such of its reports and orders and such statistics and other information concerning public utilities doing business in this state as the commission may deem to be of public interest.
	RSA § 363:22-a	I. The commission shall apply annually to the Pipeline and Hazardous Materials Safety Administration of the United States Department of Transportation for authorization to take such actions on its behalf to oversee pipeline operation safety, security, monitoring, and compliance through an inspection process. II. The commission shall report annually to the house science, technology, and energy committee prior to October 1 on the status of pipeline safety, new and proposed projects, any deficiency in state law that limits the commission's ability to oversee interstate pipelines, or state regulations for pipelines that do not meet the minimum federal standard.
	RSA § 374-F:3	I. System Reliability. Reliable electricity service must be maintained while ensuring public health, safety, and quality of life.
	RSA § 374:1	Every public utility shall furnish such service and facilities as shall be reasonably safe and adequate and in all other respects just and reasonable.
	RSA § 362-C:1	The legislature finds that: I. The health, safety and welfare of the people of the state of New Hampshire and orderly growth of the state's economy require that there be a sound system for the furnishing of electric service.
	RSA § 365:1	Any person may make complaint to the commission by petition setting forth in writing any thing or act claimed to have been done or to have been omitted by any public utility in violation of any provision of law, or of the terms and conditions of its franchises or charter, or of any order of the commission.
	RSA § 365:10	The commission shall have power to subpoena witnesses and administer oaths in any proceeding or examination instituted before or conducted by it, and to compel, by subpoena duces tecum, the production of any accounts, books, contracts, records, documents, memoranda and papers of any kind whatever.
	RSA § 374:18	The commission, by order, may require any public utility to produce within the state, at such time and place as it may designate, any accounts, records, memoranda, books or papers kept in any office or place without the state, or verified copies thereof, in order that an examination thereof may be made by the commission or under its direction.
New Jersey	N.J. Stat. § 48:2-16	1. The board may, after hearing, upon notice, by order in writing, require every public utility: Compliance with laws and ordinances. (a) To comply with the laws of the State and any municipal ordinance relating thereto, and to conform to the duties imposed upon it thereby or by the provisions of its own charter, whether obtained under general or special law of this State. 2. The board may, upon notice, by order in writing require every public utility: System of accounts. (a) To keep its books, records and accounts so as to afford an intelligent understanding of the conduct of its business and to that end require every public utility of the same class to adopt a uniform system of accounting. Such system shall conform, in so far as in the judgment of the board is practicable, to any system adopted or approved by any Federal regulatory agency having jurisdiction. Periodic reports. (b) To furnish periodically a detailed report of finances and operations in such form and containing such matters as the board may from time to time prescribe. Notice of accidents. (c) To give such notice to the board as the board may by rule require, of any and all accidents which may occur within the State upon the property of any public utility directly or indirectly arising from or connected with its maintenance or operation, and the board may investigate any such accident and make such order or recommendation with respect thereto as in its judgment may be just and reasonable.



	NJ Stat. § 48:2-16.2	The board's officers and employees may, under direction of the board, inspect and examine all books, accounts, papers, records and memoranda kept by any public utility in respect of any matter within the board's jurisdiction and which would not be privileged in any judicial proceeding.
	NJ Stat. § 48:2-16.4	The Board of Public Utilities shall establish procedures to provide for management audits to be performed on a regular or irregular schedule on all or any portion of the operating procedures and any other internal workings of every gas or electric utility subject to its jurisdiction...
	NJ Stat. § 48:2-33	The board may compel the attendance of witnesses and the production of tariffs, contracts, papers, books, accounts and all other documents. Any member of the board or any hearing examiner designated by the board to preside at a hearing may administer oaths to all witnesses. Subpoenas issued by the board shall be signed by 1 of the members thereof and by the secretary, or an assistant secretary and may be served by any person of full age.
	NJ Stat. § 48:2-36.1	The board may by order in writing require any public utility to compile from its accounts, books, records, documents, and papers and submit to the board any data, material and relevant to any inquiry, investigation or proceeding undertaken by or pending before such board. The data which the board is hereby empowered to require to be compiled may relate and extend to services rendered, business done, transactions had, and property located, within or without this state where such data is material and relevant to the inquiry, investigation or proceeding so undertaken by, or pending before the board.
	NJ Stat. § 48:3-3	a. No public utility shall provide or maintain any service that is unsafe, improper or inadequate, or withhold or refuse any service which reasonably can be demanded or furnished when ordered by the board.
	N.J. Stat. § 48:10-4	The board shall have general supervision and regulation of, and jurisdiction and control over natural gas pipeline utilities as herein defined and their property, equipment, and facilities so far as may be necessary for the protection of life, health, and property of the citizens of this State.
	N.J. Stat. § 48:10-5	The board, after hearing, upon notice, may prescribe reasonable rules and regulations for the safe construction, operation and maintenance by natural gas pipeline utilities of pipelines for the transmission of natural gas within or through the State of New Jersey, and may, after hearing, upon notice, promulgate reasonable orders requiring compliance with such rules and regulations; provided, however, such rules, regulations, and orders shall not be inconsistent with or contrary to the provisions of the Federal Natural Gas Act, as amended, or any rules, regulations and orders promulgated thereunder.
	N.J. Stat. § 48:10-6	In determining reasonable rules and regulations, the board shall consider, among others, such factors as the economic necessity and desirability of natural gas service, the effect of such rules and regulations on the cost of natural gas service, the preservation of tangible and intangible property values, private and public, the possibility of injury to persons or property from fire or explosion, the possibility of a public disaster in an area of dense population, the possibility of interruption of other essential public utility services, whether such pipelines should be predominantly above or below the surface of the ground, and the operating safety record of pipelines already constructed and operating in New Jersey.
New Mexico	N.M. Stat. Ann. § 62-8-2	Every public utility shall furnish adequate, efficient, and reasonable service.
	N.M. Stat. Ann. § 62-6-24	The commission shall have the right and is hereby empowered to adopt, promulgate and enforce such reasonable rules and regulations as may be required to protect users of gas or electricity from damage to their persons or property through the use of defective gas or electrical appliances or equipment, or improper installation thereof; and to require discontinuance by a consumer of the use of any defective appliance or equipment or the removal forthwith of any unsafe condition incident to the distribution of gas or electricity.

	N.M. Stat. Ann. § 62-3-2	(2) It is the declared policy of the state that preservation of the public health, safety and welfare, the interest of consumers and the interest of investor-members require that the construction, development and extension of utility plants and facilities be without unnecessary duplication and economic waste. Experience has proven that this purpose cannot be accomplished without bringing the rural electric cooperatives and persons heretofore recognized as public utilities into parity of treatment with respect to the commission's independent jurisdiction and power to prevent unreasonable interference between proposed and existing plants, lines and systems.
	N.M. Stat. Ann. § 62-6-19	A. The commission may prescribe reasonable and adequate service regulations and standards of service rendered or to be rendered by any utility and may prescribe such regulations for the examination and testing of such service and for the measurement thereof.
	N.M. Stat. Ann. § 62-6-23	The commission and its officers and employees of the commission may during all reasonable hours, after reasonable notice to the utility, enter upon any premises occupied by any utility for the purpose of making examinations and tests and exercising any power provided for in this act, and may set up and use on such premises any apparatus and appliances necessary therefor. Such public utility shall have the right to be represented at the making of such examination, tests and inspections, and shall be given sufficient time before the making thereof to secure the presence of a representative of its selection.
	N.M. Stat. Ann. § 62-10-5	All hearings, and investigations, held or made by the commission, shall be public; and before proceeding to hold any such hearing or make any such investigation, the commission shall give the utility and the complainant at least twenty days' notice of the time and place when and where such matters will be considered and determined, and all parties shall be entitled to be heard, through themselves or their counsel, and shall have process to enforce the attendance of witnesses. At the hearing held pursuant to such notice, the commission may take such testimony as may be offered or as it may desire.
	N.M. Stat. Ann. § 62-6-17	A. Every utility furnishing service within the state shall maintain an office located in the state. The commission by order may require any utility or any officer or agent of any utility to produce within the state or provide access to, at such reasonable time and place as the commission may designate, any books, records, accounts or documents kept in any office or place within or without the state, or certified copies thereof, whenever the production thereof is reasonably required and pertinent to any matter under investigation before the commission.
	N.M. Stat. Ann. § 70-3-18	A. Each person who engages in the transportation of oil or gas or who owns or operates oil or gas pipeline facilities shall: (1) at all times after the effective date of any regulation, comply with the requirements of the regulation; (2) comply with any plan of inspection and maintenance required to be filed with the commission by the person; and
	N.M. Stat. Ann. § 70-3-20	The commission shall appoint a professional engineer who shall have at least five years' actual experience in the design, construction, maintenance and operation of oil or gas pipeline facilities and who shall be designated "pipeline safety engineer." The commission shall retain such other personnel as may be necessary to carry out the provisions of the Pipeline Safety Act [70-3-11 to 70-3-20 NMSA 1978], and the commission shall, subject to state laws and regulations covering classification and compensation of state employees, be empowered and authorized to fix the compensation to be paid the pipeline safety engineer, and the compensation of other personnel employed under the authority of this section shall be subject to the state Personnel Act [10-9-1 to 10-9-25 NMSA 1978].
	N.M. Stat. Ann. § 70-3-21	A. The "pipeline safety fund" is created in the state treasury for the purpose of enhancing the staffing and training of the pipeline safety bureau of the commission with the goal of assuming the function of inspection of interstate as well as intrastate pipelines. The fund shall consist of fees collected pursuant to Subsection D of this section, appropriations, gifts, grants, donations and earnings from investment of the fund. Balances in the fund shall not be transferred to the general fund at the end of any fiscal year.

New York	NY CLS Pub. Ser. § 5	2. The commission shall encourage all persons and corporations subject to its jurisdiction to formulate and carry out long-range programs, individually or cooperatively, for the performance of their public service responsibilities with economy, efficiency, and care for the public safety, the preservation of environmental values and the conservation of natural resources.
	NY CLS Pub. Ser. § 16	1. All proceedings of the commission and all documents and records in its possession shall be public records. 2. The commission shall conduct a hearing and take testimony relative to any pending legislation with respect to any person, corporation or matter within the jurisdiction of the commission, if requested to do so by the legislature or by either branch thereof or by a standing committee of either branch thereof or by the governor or by any such person or corporation, and shall report its conclusions to the legislature. The commission may also recommend the enactment of such legislation with respect to any matter within its jurisdiction as it deems wise or necessary in the public interest.
	NY CLS Pub. Ser. § 63-ff	The commission shall: 1. Have general supervision over the safety standards of all liquid petroleum pipeline corporations having authority under any general or special law or under any charter or franchise to lay down and maintain pipelines, ducts or conduits under or above the surface of any area of the state for the purpose of the conveying, transporting and furnishing of liquid petroleum and any other such flammable liquids. 2. Examine or investigate the methods employed in the conveying, transporting and furnishing of liquid petroleum in and through the state, and have the power to order such reasonable improvements as would best promote the public interest and preserve and protect the public health and safety, and in the pursuit of same, establish a basic code of liquid petroleum pipeline safety rules and regulations.
	NY CLS Pub. Ser. § 65	1. Every gas corporation, every electric corporation and every municipality shall furnish and provide such service, instrumentalities and facilities as shall be safe and adequate and in all respects just and reasonable. All charges made or demanded by any such gas corporation, electric corporation or municipality for gas, electricity or any service rendered or to be rendered, shall be just and reasonable and not more than allowed by law or by order of the commission. Every unjust or unreasonable charge made or demanded for gas, electricity or any such service, or in connection therewith, or in excess of that allowed by law or by the order of the commission is prohibited.
	NY CLS Pub. Ser. § 66	The commission shall: 1-a. Review the annual capital expenditure of each combination gas and electric corporation and may order such improvement in the manufacture, conveying, transportation, distribution or supply of gas, in the manufacture, transmission or supply of electricity, or in the methods employed by such corporation as in the commission's judgment is adequate, just and reasonable. 5. Examine all persons, corporations and municipalities under its supervision and keep informed as to the methods, practices, regulations and property employed by them in the transaction of their business. Whenever the commission shall be of opinion, after a hearing had upon its own motion or upon complaint, that the rates, charges or classifications or the acts or regulations of any such person, corporation or municipality are unjust, unreasonable, unjustly discriminatory or unduly preferential or in anywise in violation of any provision of law, the commission shall determine and prescribe in the manner provided by and subject to the provisions of section seventy-two of this chapter the just and reasonable rates, charges and classifications thereafter to be in force for the service to be furnished notwithstanding that a higher or lower rate or charge has heretofore been prescribed by general or special statute, contract, grant, franchise condition, consent or other agreement, and the just and reasonable acts and regulations to be done and observed; and whenever the commission shall be of opinion, after a hearing had upon its own motion or upon complaint, that the property, equipment or appliances of any such person, corporation or municipality are unsafe, inefficient or inadequate, the commission shall determine and prescribe the safe, efficient and adequate property, equipment and appliances thereafter to be used, maintained and operated for the security and accommodation of the public and in compliance with the provisions of law and of their franchises and charters. 12(a) Have power to require every gas corporation, electric corporation and municipality hereinafter in this subdivision called a utility to file with the commission and to print and keep open to public inspection schedules showing all rates and charges made, established or enforced or to be charged or enforced, all forms of contract or agreement and all rules and regulations relating to rates, charges or service used or to be used, and all general privileges and facilities granted or allowed by such utility; but this subdivision shall not apply to state, municipal or federal contracts, except to the extent such contracts relate to transportation of electricity.

North Carolina	N.C. Gen. Stat. 62-33	The Commission shall at all times keep informed as to the public utilities, their rates and charges for service, and the service supplied and the purposes for which it is supplied.
	N.C. Gen. Stat. 62-2	(a) Upon investigation, it has been determined that the rates, services and operations of public utilities as defined herein, are affected with the public interest and that the availability of an adequate and reliable supply of electric power and natural gas to the people, economy and government of North Carolina is a matter of public policy. It is hereby declared to be the policy of the State of North Carolina: (1) To provide fair regulation of public utilities in the interest of the public; (2) To promote the inherent advantage of regulated public utilities; (3) To promote adequate, reliable and economical utility service to all of the citizens and residents of the State; (6) To foster the continued service of public utilities on a well-planned and coordinated basis that is consistent with the level of energy needed for the protection of public health and safety and for the promotion of the general welfare as expressed in the State energy policy;
	N.C. Gen. Stat. 62-17	(a) It shall be the duty of the Commission to make and publish annual reports to the Governor of Commission activities, including copies of its general orders and regulations, comparative statistical data on the operation of the various public utilities in the State, comparisons of rates in North Carolina with rates elsewhere, a detailed report of its investigative division, a review of significant developments in the fields of utility law, economics and planning, a report of pending matters before the Commission, and a digest of the principal decisions of the Commission and the North Carolina courts affecting public utilities. A monthly or quarterly release of such information shall be made if the Commission deems it advisable or if the Governor shall so request.
	N.C. Gen. Stat. 62-30	The Commission shall have and exercise such general power and authority to supervise and control the public utilities of the State as may be necessary to carry out the laws providing for their regulation, and all such other powers and duties as may be necessary or incident to the proper discharge of its duties.
	N.C. Gen. Stat. 62-31	The Commission shall have and exercise full power and authority to administer and enforce the provisions of this Chapter, and to make and enforce reasonable and necessary rules and regulations to that end.
	N.C. Gen. Stat. 62-32	(b) Except as provided in this Chapter for bus companies, the Commission is hereby vested with all power necessary to require and compel any public utility to provide and furnish to the citizens of this State reasonable service of the kind it undertakes to furnish and fix and regulate the reasonable rates and charges to be made for such service.
	N.C. Gen. Stat. 62-34	(a) The Commission shall from time to time visit the places of business and investigate the books and papers of all public utilities to ascertain if all the orders, rules and regulations of the Commission have been complied with, and shall have full power and authority to examine all officers, agents and employees of such public utilities, and all other persons, under oath or otherwise, and to compel the production of papers and the attendance of witnesses to obtain the information necessary for carrying into effect and otherwise enforcing the provisions of this Chapter. (b) Members of the Commission, Commission staff, and public staff may during all reasonable hours enter upon any premises occupied by any public utility, for the purpose of making the examinations and tests and exercising any power provided for in this Article, and may set up and use on such premises any apparatus and appliances necessary therefor. Such public utility shall have the right to be represented at the making of such examinations, tests and inspections.
	N.C. Gen. Stat. 62-40	When a public utility embraced in this Chapter has a controversy with another person and all the parties to such controversy agree in writing to submit such controversy to the Commission as arbitrator, the Commission shall act as such, and after due notice to all parties interested shall proceed to hear the same, and its award shall be final. Such award in cases where land or an interest in land is concerned shall immediately be certified to the clerk of the superior court of the county or counties in which said land, or any part thereof, is situated, and shall by such clerk be docketed in the judgment docket for such county, and from such docketing shall have the same effect as a judgment of the superior court for such county. Parties may appear in person or by attorney before such arbitrator.



N.C. Gen. Stat. § 62-43	<p>(a) The Commission may ... ascertain and fix just and reasonable standards, classifications, regulations, practices, or service to be furnished, imposed, observed or followed by any or all public utilities; ascertain and fix adequate and reasonable standards for the measurement of quantity, quality, pressure, initial voltage or other condition pertaining to the supply of the product, commodity or service furnished or rendered by any and all public utilities; prescribe reasonable regulations for the examination and testing of such product, commodity or service and for the measurement thereof; establish or approve reasonable rules, regulations, specifications and standards to secure the accuracy of all meters and appliances for measurement; and provide for the examination and testing of any and all appliances used for the measurement of any product, commodity or service of any public utility.</p> <p>(b) The Commission shall fix, establish and promulgate standards of quality and safety for gas furnished by a public utility and prescribe rules and regulations for the enforcement of and obedience to the same.</p>
N.C. Gen. Stat. § 62-50	<p>(a) The Commission may promulgate and adopt safety standards for the operation of natural gas pipeline facilities in North Carolina. These safety standards shall apply to the pipeline facilities of gas utilities and pipeline carriers under franchise from the Utilities Commission and to pipeline facilities of other gas operators, as defined in subsection (g) of this section. The Commission shall require that all gas operators file with the Commission reports of all accidents occurring in connection with the operation of their gas pipeline facilities located in North Carolina. The Commission may require that all gas operators file with the Commission copies of their construction, operation, and maintenance standards and procedures, and any amendments thereto, and such other information as may be necessary to show compliance with the safety standards promulgated by the Commission. Where the Commission has reason to believe that any gas operator is not in compliance with the Commission's safety standards, the Commission may, after notice and hearing, order that gas operator to take such measures as may be necessary to comply with the standards. The Commission may require all gas operators to furnish engineering reports showing that their pipeline facilities are in safe operating condition and are being operated in conformity with the Commission's safety standards.</p>
N.C. Gen. Stat. 62-71	<p>(a) All formal hearings before the Commission, a panel of three commissioners, a commissioner or an examiner shall be public, and shall be conducted in accordance with such rules as the Commission may prescribe. A full and complete record shall be kept of all proceedings on any formal hearing, and all testimony shall be taken by a reporter appointed by the Commission. Any party to a proceeding shall be entitled to a copy of the record or any part thereof upon the payment of the reasonable cost thereof as determined by the Commission.</p>
N.C. Gen. Stat. 62-73	<p>Complaints may be made by the Commission on its own motion or by any person having an interest, either direct or as a representative of any persons having a direct interest in the subject matter of such complaint by petition or complaint in writing setting forth any act or thing done or omitted to be done by any public utility, including any rule, regulation or rate heretofore established or fixed by or for any public utility in violation of any provision of law or of any order or rule of the Commission, or that any rate, service, classification, rule, regulation or practice is unjust and unreasonable...</p>
N.C. Gen. Stat. 62-130	<p>(a) The Commission shall make, fix, establish or allow just and reasonable rates for all public utilities subject to its jurisdiction. A rate is made, fixed, established or allowed when it becomes effective pursuant to the provisions of this Chapter.</p>
N.C. Gen. Stat. 62-131	<p>(a) Every rate made, demanded or received by any public utility, or by any two or more public utilities jointly, shall be just and reasonable.</p> <p>(b) Every public utility shall furnish adequate, efficient and reasonable service.</p>

North Dakota	N.D. Cent. Code § 49-01-07	The commission in all cases may conduct its proceedings, when not otherwise particularly prescribed by law, in a manner most conducive to the proper dispatch of business and to the ends of justice...The commission from time to time may make or amend such general rules or orders as may be requisite for the orderly regulation of proceedings before it, including forms of notice and the service thereof, which shall conform as nearly as possible to those in use in the courts of this state...Every vote and official action of the commission shall be entered of record and its proceedings shall be public upon the request of any person interested.
	N.D. Cent. Code, § 49-02-01.2	1. The commission, by rule, may establish and enforce minimum safety standards for the design, construction, and operation of gas distribution facilities and intrastate pipeline facilities used for the distribution and intrastate transportation of gas, liquefied natural gas, or hazardous liquids, regardless of whether they are owned or operated by a public utility, in order to ensure the reasonable safety thereof. Any rule issued under this section affecting the design, installation, construction, initial inspection, and initial testing is not applicable to pipeline facilities in existence on the date such rule is adopted. Such rules may not be more stringent than the corresponding federal regulations applicable to interstate pipelines and related facilities.
	N.D. Cent. Code, § 49-02-11	The commission shall: 1. Ascertain and fix just and reasonable standards, classifications, regulations, practices, measurements, or services to be furnished, imposed, observed, and followed by all public utilities. 2. Ascertain and fix adequate and serviceable standards for the measurement, quantity, quality, pressure, initial voltage, or other condition pertaining to the supply of the product, commodity, or service furnished or rendered by any such public utility. 3. Prescribe reasonable regulations for the examination and testing of such product, commodity, or service and for the measurement thereof. 4. Establish reasonable rules, regulations, specifications, and standards to secure the accuracy of all meters and appliances for measurements. 5. Provide for the examination and testing of any and all such appliances used for the measurement of any product, commodity, or service of any public utility.
	N.D. Cent. Code, § 49-04-01	Every public utility shall furnish, provide, and maintain such service, instrumentalities, equipment, and facilities as shall promote the safety, health, comfort, and convenience of its patrons, employees, and the public, and as shall be in all respects adequate, convenient, just, and reasonable, and without any unjust discrimination or preference.
	N.D. Cent. Code § 49-04-02	All rates and charges made, demanded, or received by any public utility or by any two or more public utilities for any product or commodity furnished or to be furnished, or any service rendered or to be rendered, shall be just and reasonable. Every unjust and unreasonable rate or charge made, demanded, or received for such product, commodity, or service is prohibited and unlawful.
	N.D. Cent. Code § 49-04-17	All rules and regulations made by any public utility affecting or pertaining to its rates or services to the public shall be just and reasonable.
	N.D. Cent. Code § 49-02-02	The commission shall have power to: 1. Investigate all methods and practices of public utilities or other persons, subject to the provisions of this title. 2. Require public utilities or other persons to conform to the laws of this state and to all rules, regulations, and orders of the commission not contrary to law. 3. Require copies of reports, rates, classifications, schedules, and timetables in effect and used by such utilities or other persons and all other information desired by the commission relating to such investigations and requirements to be filed with the commission. 4. Compel obedience to its lawful orders by proceedings of mandamus or injunction or other proper proceedings, in the name of the state, in any court having jurisdiction of the parties or of the subject matter.

	N.D. Cent. Code § 49-02-04	Whenever the commission shall find, after hearing, that the rules, regulations, practices, equipment, appliances, facilities, or service of any public utility, or the methods of manufacture, distribution, transmission, storage, or supply employed by it are unjust, unreasonable, unsafe, improper, inadequate, or insufficient, the commission shall determine the just, reasonable, safe, proper, adequate, or sufficient rules, regulations, practices, equipment, appliances, facilities, service, or methods to be observed, furnished, constructed, enforced, or employed, and, after hearing, shall fix the same by its order, rule, or regulation. The commission shall prescribe, after hearing, rules and regulations for the performance of any service, or the furnishing of any commodity, of a character furnished or supplied by any public utility. On demand and tender of rates, such public utility shall furnish such commodity and render such service within the time and upon the conditions provided in such rules.
Ohio	ORC Ann. 4901.15	The public utilities commission shall, whenever called upon by any officer, board, or commission of this state or any political subdivision of this state, furnish any data or information to such officer, board, or commission and shall aid or assist any such officer, board, or commission in performing official duties.
	ORC Ann. 4905.04	The public utilities commission is hereby vested with the power and jurisdiction to supervise and regulate public utilities and railroads, to require all public utilities to furnish their products and render all services exacted by the commission or by law...
	ORC Ann. 4905.07	Except as provided in section 149.43 of the Revised Code and as consistent with the purposes of Title XLIX [49] of the Revised Code, all facts and information in the possession of the public utilities commission shall be public, and all reports, records, files, books, accounts, papers, and memorandums of every nature in its possession shall be open to inspection by interested parties or their attorneys.
	ORC Ann. 4905.26	Upon complaint in writing against any public utility by any person, firm, or corporation, or upon the initiative or complaint of the public utilities commission, that any rate, fare, charge, toll, rental, schedule, classification, or service, or any joint rate, fare, charge, toll, rental, schedule, classification, or service rendered, charged, demanded, exacted, or proposed to be rendered, charged, demanded, or exacted, is in any respect unjust, unreasonable, unjustly discriminatory, unjustly preferential, or in violation of law, or that any regulation, measurement, or practice affecting or relating to any service furnished by the public utility, or in connection with such service, is, or will be, in any respect unreasonable, unjust, insufficient, unjustly discriminatory, or unjustly preferential, or that any service is, or will be, inadequate or cannot be obtained, and, upon complaint of a public utility as to any matter affecting its own product or service, if it appears that reasonable grounds for complaint are stated, the commission shall fix a time for hearing and shall notify complainants and the public utility thereof. The notice shall be served not less than fifteen days before hearing and shall state the matters complained of. The commission may adjourn such hearing from time to time.
	ORC Ann. 4905.91	For the purpose of protecting the public safety with respect to intrastate pipe-lines used by any operator: (A) The public utilities commission shall: (1) Adopt, and may amend or rescind, rules to carry out sections 4905.90 to 4905.96 of the Revised Code, including rules concerning pipe-line safety, drug testing, and enforcement procedures. The commission shall adopt these rules only after notice and opportunity for public comment. The rules adopted under this division and any orders issued under sections 4905.90 to 4905.96 of the Revised Code constitute the pipe-line safety code. The commission shall administer and enforce that code.
	ORC Ann. 4928.02	It is the policy of this state to do the following throughout this state: (A) Ensure the availability to consumers of adequate, reliable, safe, efficient, nondiscriminatory, and reasonably priced retail electric service...
	ORC Ann. 4928.16	(A)(1) The public utilities commission has jurisdiction under section 4905.26 of the Revised Code, upon complaint of any person or upon complaint or initiative of the commission on or after the starting date of competitive retail electric service, regarding the provision by an electric utility, electric services company, electric cooperative, or governmental aggregator subject to certification under section 4928.08 of the Revised Code of any service for which it is subject to certification.

Oklahoma	17 Okl. St. § 281	<p>A. In a public utility proceeding subject to subsection B of Section 152 of Title 17 of the Oklahoma Statutes, responses to any document request, data request or interrogatory shall be due within ten (10) business days from the date of receipt, unless an objection is filed or the parties agree in writing to a different response time.</p> <p>B. In any other public utility proceeding, responses to any document request, data request or interrogatory shall be due no later than twenty (20) days after service of the document or data request or interrogatory, unless an objection is filed or the parties agree in writing to a different response time.</p>
	17 Okl. St. § 152	<p>A. The Commission shall have general supervision over all public utilities, with power to fix and establish rates and to prescribe and promulgate rules, requirements and regulations, affecting their services, operation, and the management and conduct of their business; shall inquire into the management of the business thereof, and the method in which same is conducted.</p> <p>C. The Commission shall have full visitatorial and inquisitorial power to examine such public utilities, and keep informed as to their general conditions, their capitalization, rates, plants, equipments, apparatus, and other property owned, leased, controlled or operated, the value of same, the management, conduct, operation, practices and services; not only with respect to the adequacy, security and accommodation afforded by their service, but also with respect to their compliance with the provisions of this act, and with the Constitution and laws of this state, and with the orders of the Commission.</p>
	17 Okl. St. § 155	The Commission may, from time to time, adopt or promulgate, such orders, rules, regulations or requirements, relative to investigations, inspections, tests, audits, and valuations of the plants and properties relative to inspection and tests of meters as in its judgment may be necessary and proper; provided, that under the provisions of this act, any public utility, corporation, association, company, individual, their trustees, lessees or receivers, successors, or assigns, may appeal from any order or finding or judgment of the Corporation Commission as provided by law...
	17 Okl. St. § 158.27	<p>A. The Corporation Commission shall have general supervision over all associations or cooperative corporations as defined herein with power to fix and establish rates and to prescribe rules affecting their services, operation, and the management and conduct of their business. It shall have full visitatorial and inquisitorial power to examine such associations or cooperative corporations and keep informed as to their general conditions, their capitalization, rates, plants, equipments, apparatus, and other property owned, leased, controlled or operated, the value of same, the management, conduct, operation, practices and services; not only with respect to the adequacy, security and accommodation afforded by their service, but also with respect to their compliance with the provisions of the Retail Electric Supplier Certified Territory Act, and with the Constitution and laws of this state, and with the orders of the Commission. The provisions of this section shall not be applicable to generation and transmission associations or cooperative corporations, or transmission associations or cooperative corporations.</p>
	17 Okl. St. § 158.42	The purposes of the Retail Electric Consumer Cost Reduction, Safety and Service Efficiency Act are to encourage the orderly development of coordinated statewide retail electric service, conserve natural resources and materials, minimize unnecessary use of the public rights-of-way, avoid needless and wasteful duplication of electric distribution facilities within the State of Oklahoma and provide safe, economical and cost-efficient electric service to retail electric consumers.
	17 Okl. St. § 158.57	The Corporation Commission shall have power to perform any and all acts, and to prescribe, issue, make, amend and rescind such orders, rules, and regulations as it may find necessary or appropriate to carry out the provisions of this act. The expense of conducting an analysis or investigation by the Commission of the information required to be filed under Section 3 of this act shall be paid by the acquiring party within fifteen (15) days of the public hearing required by Section 4 of this act. Expenses of conducting the analysis or investigation may include, but not be limited to, the cost of acquiring expert witnesses, consultants and analytical services.



	52 Okl. St. § 420.15	The LP-Gas Board shall provide for the holding of safety schools for the benefit of the liquefied petroleum gas dealers and employees in the State of Oklahoma, at such times and in such places as may be deemed advisable and may, by lawfully adopted rules, require attendance and successful completion of courses held as a condition precedent to retaining permits issued hereunder. The Administrator shall perform such duties in connection with those schools as the Board might direct.
	52 Okl. St. § 5	A. The Corporation Commission is hereby authorized, directed and empowered to promulgate, adopt and enforce reasonable rules establishing minimum state safety standards for the design, construction, maintenance and operation of all pipelines used for the transmission and distribution of natural gas in this state. However, except as otherwise provided in subsection B of this section, the Commission shall not promulgate, enforce or interpret any rule or regulation unless such rule, regulation or interpretation shall be consistent with and no more restrictive than the rules, regulations and interpretations of the United States Secretary of Transportation for pipeline transportation and pipeline facilities. When any such transmission pipeline shall be constructed, operated or maintained under, through and across a highway, section-line road or improved public road or street, there shall be erected directly above where such pipeline enters or leaves said highway, section-line road or improved public road or street, a suitable sign or marker stating thereon the name of the owner of such pipeline and such other information as the Corporation Commission may by rule direct.
Oregon	ORS § 756.040	(1) In addition to the powers and duties now or hereafter transferred to or vested in the Public Utility Commission, the commission shall represent the customers of any public utility or telecommunications utility and the public generally in all controversies respecting rates, valuations, service and all matters of which the commission has jurisdiction. In respect thereof the commission shall make use of the jurisdiction and powers of the office to protect such customers, and the public generally, from unjust and unreasonable exactions and practices and to obtain for them adequate service at fair and reasonable rates... (2) The commission is vested with power and jurisdiction to supervise and regulate every public utility and telecommunications utility in this state, and to do all things necessary and convenient in the exercise of such power and jurisdiction.
	ORS § 756.070	The Public Utility Commission may inquire into the management of the business of all public utilities and telecommunications utilities and shall keep informed as to the manner and method in which they are conducted and has the right to obtain from any public utility or telecommunications utility all necessary information to enable the commission to perform duties.
	ORS § 756.075	(1) The Public Utility Commission or authorized representatives may enter upon any premises, or any equipment or facilities operated or occupied by any public utility or telecommunications utility for the purpose of making any inspection, examination or test reasonably required in the administration of ORS chapter 756, 757, 758 or 759 and to set up and use on such premises equipment or facilities any apparatus and appliances and occupy reasonable space therefor. (2) The commission or authorized representatives shall, upon demand, have the right to inspect the books, accounts, papers, records and memoranda of any public utility or telecommunications utility and to examine under oath any officer, agent or employee of such public utility or telecommunications utility in relation to its business and affairs.
	ORS § 756.105	(1) Every public utility or telecommunications utility shall furnish to the Public Utility Commission all information required by the commission to carry into effect the provisions of ORS chapters 756, 757, 758 and 759 and shall make specific answers to all questions submitted by the commission.
	ORS § 757.020	Every public utility is required to furnish adequate and safe service, equipment and facilities, and the charges made by any public utility for any service rendered or to be rendered in connection therewith shall be reasonable and just, and every unjust or unreasonable charge for such service is prohibited.
Pennsylvania	66 Pa.C.S. § 504	The commission may require any public utility to file periodical reports, at such times, and in such form, and of such content, as the commission may prescribe, and special reports concerning any matter whatsoever about which the commission is authorized to inquire, or to keep itself informed, or which it is required to enforce...

	66 Pa.C.S. §506	The commission shall have full power and authority, either by or through its members, or duly authorized representatives, whenever it shall deem it necessary or proper in carrying out any of the provisions of, or its duties under this part, to enter upon the premises, buildings, machinery, system, plant, and equipment, and make any inspection, valuation, physical examination, inquiry, or investigation of any and all plant and equipment, facilities, property, and pertinent records, books, papers, accounts, maps, inventories, appraisals, valuations, memoranda, documents, or effects whatsoever, of any public utility, or prepared or kept for it by others, and to hold any hearing for such purposes. In the performance of such duties, the commission may have access to, and use any books, records, or documents in the possession of, any department, board, or commission of the Commonwealth, or any political subdivision thereof.
	66 Pa.C.S. § 701	The commission, or any person, corporation, or municipal corporation having an interest in the subject matter, or any public utility concerned, may complain in writing, setting forth any act or thing done or omitted to be done by any public utility in violation, or claimed violation, of any law which the commission has jurisdiction to administer, or of any regulation or order of the commission. Any public utility, or other person, or corporation likewise may complain of any regulation or order of the commission, which the complainant is or has been required by the commission to observe or carry into effect...
	66 Pa.C.S. § 1501	Every public utility shall furnish and maintain adequate, efficient, safe, and reasonable service and facilities, and shall make all such repairs, changes, alterations, substitutions, extensions, and improvements in or to such service and facilities as shall be necessary or proper for the accommodation, convenience, and safety of its patrons, employees, and the public...
	66 Pa.C.S. § 308.1	(a) Informal complaints. — The commission shall promulgate regulations by which a consumer may make informal complaints. A party may appeal a determination regarding the informal complaint and seek review by an administrative law judge or special agent subject to the procedures in section 335 (relating to initial decisions and release of documents). The commission shall keep records of each informal complaint received, the matter complained of, the utility involved and the disposition and shall at least annually prepare a report on these matters.
	66 Pa.C.S. § 331	(a) General rule. — The commission may, on its own motion and whenever it may be necessary in the performance of its duties, investigate and examine the condition and management of any public utility or any other person or corporation subject to this part. In conducting the investigations the commission may proceed, either with or without a hearing, as it may deem best, but it shall make no order without affording the parties affected thereby a hearing. Any investigation, inquiry or hearing which the commission has power to undertake or hold shall be conducted pursuant to the provisions of this chapter.
	66 Pa.C.S. § 335	(d) Release of documents. — In addition to any other requirements imposed by law, including the act of June 21, 1957 (P.L.390, No.212), referred to as the Right-to-Know Law, and the act of July 3, 1986 (P.L.388, No.84), known as the Sunshine Act, whenever the commission conducts an investigation of an act or practice of a public utility and makes a decision, enters into a settlement with a public utility or takes any other official action, as defined in the Sunshine Act, with respect to its investigation, it shall make part of the public record and release publicly any documents relied upon by the commission in reaching its determination, whether prepared by consultants or commission employees, other than documents protected by legal privilege; provided, however, that if a document contains trade secrets or proprietary information and it has been determined by the commission that harm to the person claiming the privilege would be substantial or if a document required to be released under this section contains identifying information which would operate to the prejudice or impairment of a person's reputation or personal security, or information that would lead to the disclosure of a confidential source or subject a person to potential economic retaliation as a result of their cooperation with a commission investigation, or information which, if disclosed to the public, could be used for criminal or terroristic purposes, the identifying information may be expurgated from the copy of the document made part of the public record. For the purposes of this section, "a document" means a report, memorandum or other document prepared for or used by the commission in the course of its investigation whether prepared by an adviser, consultant or other person who is not an employee of the commission or by an employee of the commission.

Rhode Island	R.I. Gen. Laws § 39-1-11	The commission shall adopt reasonable rules and regulations governing the procedure to be followed in any matter that may come before it for a hearing, and in the hearing the commission shall not be bound by technical rules of evidence. The commission shall sit as an impartial, independent body, and is charged with the duty of rendering independent decisions affecting the public interest and private rights based upon the law and upon the evidence presented before it by the division and by the parties in interest...
	R.I. Gen. Laws § 39-2-1	(a) Every public utility is required to furnish safe, reasonable, and adequate services and facilities...
	R.I. Gen. Laws § 39-1-18	(a) All hearings and orders of the commission and of the division, and the records thereof, shall be public and any person shall be permitted to record all or any portion of a hearing by way of camera, video or tape recorder of any kind, unless a party to the hearing requests, and the chairperson or administrator grants the request, that the recording be prohibited for the protection of attorney-client privilege, confidentiality or other interest of the parties. (b) All filings made to the division or commission shall also be provided digitally in a manner established by the division. The commission and division may adopt rules exempting filings from this requirement. (c) In order to support the ability of the public and interested parties to stay informed of the activities of the commission and the division, and to promote awareness of utility restructuring, the division shall maintain a site on the internet through which the public may access: (1) Notices of and agendas of hearings; (2) All filings that are available in digital format and that are not subject to protective orders; (3) All orders, rules and regulations of the commission or administrator; (4) Announcements of, agendas for, and minutes of open meetings; (5) A calendar of all forthcoming open meetings and hearings; (6) Current tariffs of all public utilities who are subject to assessment pursuant to § 39-1-23; provided, however, that the division may require any public utility with extensive tariffs to maintain a website and provide access to those tariffs via a link from the division's website; (7) A listing of all public utilities and nonregulated power producers, together with consumer contact information for each; (8) Consumer information on billing dispute resolution, retail access, conservation, and consumer assistance programs; (9) Demand side management programs available to residential, commercial and industrial customers; (10) Other information as the division deems relevant and useful to the public.
	R.I. Gen. Laws § 39-1-33	The commission and division shall make reports due on the first day of June and the first day of December to the governor for transmittal to the general assembly, which shall contain summaries of every rate case hearing, and/or order of the commission and division occurring in the period immediately preceding the first day of June and the first day of December.
	R.I. Gen. Laws § 39-1-27.6	(e) The electric distribution company must maintain in a public place, and file with the commission, current written procedures implementing the standards of conduct in such detail as will enable customers and the commission to determine that the electric distribution company is in compliance with the requirements of this section.
South Carolina	S.C. Code Ann. § 58-3-130	Upon demand by the Office of Regulatory Staff, each state department, board, and commission, and each officer or agent of the State must furnish to the Office of Regulatory Staff, for inspection and confidential use, any record or information on file with the department, board, commission, or officer, as appropriate, concerning the property values, operation, income, or other matter of any person doing business as a public utility in this State.
	S.C. Code Ann. § 58-3-140	(A) Except as otherwise provided in Chapter 9 of this title, the commission is vested with power and jurisdiction to supervise and regulate the rates and service of every public utility in this State and to fix just and reasonable standards, classifications, regulations, practices, and measurements of service to be furnished, imposed, or observed, and followed by every public utility in this State.

	S.C. Code Ann. § 58-4-50	(A) (2) when considered necessary by the Executive Director of the Office of Regulatory Staff and in the public interest, make inspections, audits, and examinations of public utilities regarding matters within the jurisdiction of the commission. The regulatory staff has sole responsibility for this duty but shall also make such inspections, audits, or examinations of public utilities as requested by the commission
	S.C. Code Ann. § 58-4-55	(A) The regulatory staff, in accomplishing its responsibilities under Section 58-4-50, may require the production of books, records, and other information that, upon request of the regulatory staff, must be submitted under oath.
	S.C. Code Ann. § 58-5-960	All pipeline facilities used in this State for the transportation of gas must be constructed, operated, and maintained in such a manner as at all times to be in compliance with minimum federal safety standards and with the safety standards adopted by the commission.
	S.C. Code Ann. § 58-5-970	The Office of Regulatory Staff is authorized to adopt and enforce the minimum federal safety standards for the transportation of gas and pipeline facilities established by the Secretary of Transportation pursuant to Section 3 (b) of the Natural Gas Pipeline Safety Act of 1968 (P.L. 90-481) [49 U.S.C. Section 1672 (b)], as may be amended from time to time.
	S.C. Code Ann. § 58-5-980	(a) After reasonable notice and an opportunity for the submission for written data, view, or arguments with or without opportunity for oral presentation by interested gas utilities, the regulatory staff, and the public, the commission may establish additional minimum safety standards for pipeline facilities and the transportation of gas (not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act) in this State. (b) Gas safety standards may apply to the design, installation, inspection, testing, construction, extension, replacement and maintenance of the facilities. The safety standards shall be practicable and designed to meet the need for pipeline safety. In prescribing the standards, the Commission shall consider: (1) relevant pipeline safety data; (2) whether the standards are appropriate for the particular type of pipeline transportation and distribution; (3) the reasonableness of any proposed standards; and (4) the extent to which the standards will contribute to the public safety.
	S.C. Code Ann. § 58-5-1000	(a) Each gas utility that engages in the transportation of gas or which owns or operates pipeline facilities not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act shall file with the Office of Regulatory Staff a plan for inspection and maintenance of each pipeline facility owned or operated by the gas utility, and any changes in the plan, in accordance with regulations prescribed by the commission. (b) The commission may by regulation also require any gas utility which engages in the transportation of gas or which owns or operates pipeline facilities subject to the provisions of this article to file its plan for approval with the Office of Regulatory Staff. (c) If at any time the Commission finds that the plan is inadequate to achieve safe operation it shall, after notice and opportunity for a hearing, require the plan to be revised. The plan required by the Commission shall be practicable and designed to meet the need for pipeline safety. In determining the adequacy of any plan, the Commission shall consider: (1) relevant, available pipeline safety data; (2) whether the plan is appropriate for the particular type of pipeline transportation; (3) the reasonableness of the plan; and (4) the extent to which the plan will contribute to public safety.
	S.C. Code Ann. § 58-27-190	The Office of Regulatory Staff has the right at any and all times to inspect the property, plant, and facilities of any electrical utility and to inspect or audit at reasonable times the accounts, books, papers, and documents of any electrical utility. For the purposes herein mentioned an employee or agent of the Office of Regulatory Staff may during all reasonable hours enter upon any premises occupied by or under the control of any electrical utility. An employee or agent of the Office of Regulatory Staff authorized to administer oaths has the power to examine under oath any officer, agent, or employee of the electrical utility in relation to the business and affairs of the electrical utility, but written record of the testimony or statement so given under oath must be made.
	S.C. Code Ann. § 58-27-1520	Whenever the commission, after a hearing, finds that the service of any electrical utility is unreasonable, unsafe, inadequate, insufficient, or unreasonably discriminatory, the commission must determine the reasonable, safe, adequate, and sufficient service to be observed, furnished, enforced, or employed and must fix the service by its order, rule, or regulation.



South Dakota	S.D. Codified Laws § 49- 34A-8	The commission, in the exercise of its power under this chapter to determine just and reasonable rates for public utilities, shall give due consideration to the public need for adequate, efficient, economical, and reasonable service and to the need of the public utility for revenues sufficient to enable it to meet its total current cost of furnishing such service, including taxes and interest, and including adequate provision for depreciation of its utility property used and necessary in rendering service to the public, and to earn a fair and reasonable return upon the value of its property.
	S.D. Codified Laws § 49- 34A-6	Every rate made, demanded or received by any public utility shall be just and reasonable. Every unjust or unreasonable rate shall be prohibited. The Public Utilities Commission is hereby authorized, empowered and directed to regulate all rates, fees and charges for the public utility service of all public utilities, including penalty for late payments, to the end that the public shall pay only just and reasonable rates for service rendered.
	S.D. Codified Laws § 49- 34B-3	There is created a pipeline safety inspection program. The federal safety standards adopted as Code of Federal Regulations, title 49 appendix, parts 191, 192, 193, and 199 as amended to January 1, 2016, are adopted as minimum safety standards for this chapter. The commission shall establish and implement a compliance program to enforce these safety standards. The program shall be established and implemented in a manner that fully complies with requirements for state certification under the United States Code, title 49, section 60105, as amended to January 1, 2016.
	S.D. Codified Laws § 49- 34B-4	The commission may, by rules promulgated pursuant to chapter 1-26, establish safety standards, but not more stringent than federal safety standards as provided by § 49-34B-3, for the intrastate transportation of gas and gas pipeline facilities. The standards may apply to the design, installation, inspection, testing, construction, extension, operation, replacement, and maintenance of gas pipeline facilities. Standards affecting the design, installation, construction, initial inspection, and initial testing do not apply to pipeline facilities in existence on the date the standards are adopted by either this state or the federal government. The safety standards shall be practicable and designed to meet the need for pipeline safety.
	S.D. Codified Laws § 49- 34B-5	Any person who engages in the intrastate transportation of gas or who owns or operates intrastate gas pipeline facilities shall at all times after the effective date of any applicable safety standard established under this chapter comply with the requirements of the standard. If the commission finds, after notice and opportunity for hearing, that a person has failed to comply with any applicable safety standard, the commission may order the person to take necessary corrective action to comply with the standard. Corrective action may include suspended or restricted use of the facility, physical inspection, testing, repair, replacement, or other action, as appropriate. The commission may issue an order without notice and opportunity for hearing if the commission determines that to do otherwise would result in the likelihood of serious harm to life, health, environment, or property. The commission shall include in such an order an opportunity for hearing as soon as practicable after issuance of the order.
	S.D. Codified Laws § 49- 34B-6	The commission may require any person who engages in the intrastate transportation of gas or who owns or operates intrastate gas pipeline facilities subject to the provisions of this chapter to file with the commission a plan for inspection and maintenance of each such facility owned or operated by the person, and any changes in the plan, in accordance with the rules promulgated by the commission pursuant to chapter 1-26. On finding that the plan is inadequate to achieve safe operation, the commission shall, after notice and opportunity for a hearing, require the plan to be revised. In determining the adequacy of the plan, the commission shall consider: (1) Relevant available pipeline safety data; (2) Whether the plan is appropriate for the particular type of pipeline transportation of gas; (3) The reasonableness of the plan; and (4) The extent to which the plan will contribute to public safety.

	S.D. Codified Laws § 49-34B-19	The commission may promulgate pipeline inspection and safety rules, pursuant to chapter 1-26, to the extent necessary to enable the state to qualify for annual federal certification to operate the federal pipeline inspection program of intrastate and interstate gas pipelines as authorized by the United States Code, title 49, section 60101 et seq. as amended to January 1, 2016.
	S.D. Codified Laws § 49-34A-27	The Public Utilities Commission after hearing upon reasonable notice had upon its own motion or upon complaint, may ascertain and fix just and reasonable standards, classifications, regulations or practices to be observed and followed by any or all public utilities with respect to the service, product, or commodity to be furnished; ascertain and fix adequate and reasonable standards for the measurement of the quantity, quality, pressure, initial voltage or other condition pertaining to the supply of such service, product, or commodity; prescribe reasonable regulations for the examination and testing of such service, product, or commodity and for the measurement thereof; establish or approve reasonable rules, regulations, specifications and standards to secure the accuracy of all meters and appliances for measurements; and provide for the examination and testing of any and all appliances used for the measurement of any service, product, or commodity of any public utility. Any standards, classifications, regulations or practices now or hereafter observed or followed by any public utility may be filed with the commission, and the same shall continue in force until amended by the public utility or until suspended or changed by the commission as provided in this chapter.
Tennessee	Tenn. Code Ann. § 65-4-104	(a) The commission has general supervisory and regulatory power, jurisdiction, and control over all public utilities, and also over their property, property rights, facilities, and franchises, so far as may be necessary for the purpose of carrying out the provisions of this chapter.
	Tenn. Code Ann. § 65-4-114	The commission has the power, after hearing, upon notice, by order in writing, to require every public utility, as defined in § 65-4-101, to: (1) Furnish safe, adequate, and proper service and to keep and maintain its property and equipment in such condition as to enable it to do so; and (2) Establish, construct, maintain, and operate any reasonable extension of its existing facilities where, in the judgment of the commission, such extension is reasonable and practicable, and will furnish sufficient business to justify the construction, operation, and maintenance of the same, and when the financial condition of the public utility affected reasonably warrants the original expenditure required in making such extension, or to abandon any service when, in the judgment of the commission, the public welfare no longer requires the same.
	Tenn. Code Ann. § 65-4-115	No public utility shall adopt, maintain, or enforce any regulation, practice, or measurement which is unjust, unreasonable, unduly preferential or discriminatory, nor shall any public utility provide or maintain any service that is unsafe, improper, or inadequate, or withhold or refuse any service which can reasonably be demanded and furnished when ordered by the commission.
	Tenn. Code Ann. § 65-4-305	Annually, every such public utility doing business in this state shall file with the commission a statement under oath, in such form and substance as may be prescribed by the commission, setting forth accurately the amount of its gross receipts from all sources for the preceding calendar year. Any such public utility failing to file such statement as required, or failing to give such other information as may be reasonably required of such public utility, commits a Class C misdemeanor for each day of such failure to comply.
	Tenn. Code Ann. § 65-1-110	The minutes shall be signed by each member of the Tennessee public utility commission or by those present when any business is transacted. The minutes and all official documents of every kind shall be kept on file in the office of the commission.
	Tenn. Code Ann. § 65-28-105	All pipeline systems used in this state shall be constructed, operated and maintained in such a manner as to at all times be in compliance with the defined minimum safety standards and amendments thereto, as well as such additions and amendments as may be ordered by the commission from time to time.

	Tenn. Code Ann. § 65-28-106	<p>(a) The commission has the right, power and authority to provide and make certifications, reports and information to the secretary of the United States department of transportation; to enter into agreements with the secretary to carry out the purposes of §§ 65-28-104 -- 65-28-111; to enforce safety standards in the state including enforcement of federal safety standards as permitted in the Natural Gas Pipeline Safety Act (49 U.S.C. § 60101 et seq.); and to exercise regulatory jurisdiction over the safety of pipeline systems and transportation of gas in accordance with permission granted by the Natural Gas Pipeline Safety Act.</p> <p>(b) The commission has the right, power and authority to promulgate reasonable rules and regulations to ensure that each pipeline system is operating in compliance with the required safety standards and to enforce such compliance. It has the right, power and authority to require each public utility to make, maintain and file such books, papers, records and documents as the commission may deem necessary and to require that these books, papers, records and documents be made available to members of the commission and their employees upon request. Authorized representatives of the commission shall be authorized to inspect all pipeline systems, facilities and equipment and shall have the right of access and entry to all buildings and property owned, leased or operated by such systems.</p>
	Tenn. Code Ann. § 65-2-109	(2) All evidence, including records and documents in the possession of the commission of which it desires to avail itself, shall be offered and made a part of the record in the case, and no other factual information or evidence shall be considered in the determination of the case. Documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference
Texas	Tex. Utilities Code § 11.002	(c) Significant changes have occurred in the telecommunications and electric power industries since the Public Utility Regulatory Act was originally adopted. Changes in technology and market structure have increased the need for minimum standards of service quality, customer service, and fair business practices to ensure high-quality service to customers and a healthy marketplace where competition is permitted by law. It is the purpose of this title to grant the Public Utility Commission of Texas authority to make and enforce rules necessary to protect customers of telecommunications and electric services consistent with the public interest.
	Tex. Utilities Code § 12.202	(a) The commission shall develop and implement policies that provide the public with a reasonable opportunity to appear before the commission and to speak on any issue under the jurisdiction of the commission.
	Tex. Utilities Code § 14.001	The commission has the general power to regulate and supervise the business of each public utility within its jurisdiction and to do anything specifically designated or implied by this title that is necessary and convenient to the exercise of that power and jurisdiction.
	Tex. Utilities Code § 14.003	<p>The commission may:</p> <p>(1) require a public utility to report to the commission information relating to:</p> <p>(A) the utility; and</p> <p>(B) a transaction between the utility and an affiliate inside or outside this state, to the extent that the transaction is subject to the commission's jurisdiction;</p>
	Tex. Utilities Code § 14.151	<p>(a) Each public utility shall keep and provide to the regulatory authority, in the manner and form prescribed by the commission, uniform accounts of all business transacted by the utility.</p> <p>(b) The commission may prescribe the form of books, accounts, records, and memoranda to be kept by a public utility, including:</p> <p>(1) the books, accounts, records, and memoranda of:</p> <p>(A) the provision of and capacity for service; and</p> <p>(B) the receipt and expenditure of money; and</p> <p>(2) any other form, record, and memorandum that the commission considers necessary to carry out this title.</p> <p>(d) Each public utility shall:</p> <p>(1) keep and provide its books, accounts, records, and memoranda accurately in the manner and form prescribed by the commission; and</p> <p>(2) comply with the directions of the regulatory authority relating to the books, accounts, records, and memoranda.</p>
	Tex. Utilities Code § 14.201	A regulatory authority may inquire into the management and affairs of each public utility and shall keep itself informed as to the manner and method in which each public utility is managed and its affairs are conducted.

	Tex. Utilities Code § 14.202	<p>(a) The commission shall:</p> <p>(1) inquire into the management of the business of each public utility under its jurisdiction;</p> <p>(2) keep itself informed as to the manner and method in which the utility's business is managed; and</p> <p>(3) obtain from the public utility any information necessary to enable the commission to perform a management audit.</p> <p>(b) The commission may audit a utility under its jurisdiction as frequently as needed. Six months after an audit, the utility shall report to the commission on the status of the implementation of the recommendations of the audit and shall file subsequent reports at times the commission considers appropriate.</p>
	Tex. Utilities Code § 104.251	A gas utility shall furnish service, instrumentalities, and facilities that are safe, adequate, efficient, and reasonable.
	Tex. Utilities Code § 104.252	<p>A regulatory authority, on its own motion or on complaint and after reasonable notice and hearing, may:</p> <p>(1) adopt just and reasonable standards, classifications, regulations, or practices a gas utility must follow in furnishing a service;</p> <p>(2) adopt adequate and reasonable standards for measuring a condition, including quantity, quality, and pressure relating to the furnishing of a service;</p> <p>(3) adopt reasonable regulations for examining, testing, and measuring a service; and</p> <p>(4) adopt or approve reasonable rules, regulations, specifications, and standards to ensure the accuracy of equipment, including meters and instruments, used to measure a service.</p>
	Tex. Utilities Code § 121.201	<p>(a) The railroad commission may:</p> <p>(1) by rule prescribe or adopt safety standards for the transportation of gas and for gas pipeline facilities, including safety standards related to the prevention of damage to an interstate or intrastate gas pipeline facility resulting from the movement of earth by a person in the vicinity of the facility, other than movement by tillage that does not exceed a depth of 16 inches;</p> <p>...</p> <p>(8) by rule establish safety standards and practices for gathering facilities and transportation activities in Class 1 locations, as defined by 49 C.F.R. Section 192.5:</p> <p>(A) based only on the risks the facilities and activities present to the public safety, to the extent consistent with federal law; or (B) as necessary to maintain the maximum degree of federal delegation permissible under 49 U.S.C. Section 60101 et seq., or a succeeding law, if the federal government adopts safety standards and practices for gathering facilities and transportation activities in Class 1 locations, as defined by 49 C.F.R. Section 192.5.</p>
	Tex. Utilities Code § 36.003	(a) The regulatory authority shall ensure that each rate an electric utility or two or more electric utilities jointly make, demand, or receive is just and reasonable.
	Tex. Utilities Code § 39.203	(e) The commission may require an electric utility or a transmission and distribution utility to construct or enlarge facilities to ensure safe and reliable service for the state's electric markets and to reduce transmission constraints within ERCOT in a cost-effective manner where the constraints are such that they are not being resolved through Chapter 37 or the ERCOT transmission planning process.
	Tex. Utilities Code § 39.101	<p>(a) Before customer choice begins on January 1, 2002, the commission shall ensure that retail customer protections are established that entitle a customer:</p> <p>(1) to safe, reliable, and reasonably priced electricity, including protection against service disconnections in an extreme weather emergency as provided by Subsection (h) or in cases of medical emergency or nonpayment for unrelated services;</p>
Utah	Utah Code Ann. § 54-3-1	All charges made, demanded or received by any public utility, or by any two or more public utilities, for any product or commodity furnished or to be furnished, or for any service rendered or to be rendered, shall be just and reasonable... Every public utility shall furnish, provide and maintain such service, instrumentalities, equipment and facilities as will promote the safety, health, comfort and convenience of its patrons, employees and the public, and as will be in all respects adequate, efficient, just and reasonable.



	Utah Code Ann. § 54-3-2	(1) Under the rules and regulations made by the commission, every public utility shall file with the commission within the time and in the form as the commission may designate, and shall print and keep open to public inspection, schedules showing all rates, tolls, rentals, charges, and classifications collected or enforced, or to be collected or enforced, together with all rules, regulations, contracts, privileges, and facilities which in any manner affect or relate to rates, tolls, rentals, charges, classifications, or service.
	Utah Code Ann. § 54-3-21	(1) Every public utility shall furnish to the commission in such form and such detail as the commission shall prescribe all tabulations and computations and all other information required by it to carry into effect any of the provisions of this title, and shall make specific answers to all questions submitted by the commission. (2) Every public utility receiving from the commission any blanks with directions to fill the same shall cause the same to be properly filled so as to answer fully and correctly each question propounded therein; in case it is unable to answer any question, it shall give a good and sufficient reason for such failure. (3) Whenever required by the commission every public utility shall deliver to the commission copies of any or all maps, profiles, contracts, agreements, franchises, reports, books, accounts, papers and records in its possession or in any way relating to its property or affecting its business, and also a complete inventory of all its property in such form as the commission may direct.
	Utah Code Ann. § 54-3-22	Every public utility shall furnish to the commission at such time and in such form as the commission may require a report in which the public utility shall specifically answer all questions propounded by the commission upon or concerning any matter upon which the commission may desire information. The commission shall have authority to require any public utility to file monthly reports of earnings and expenses, and to file periodical or special, or both periodical and special, reports concerning any matter about which the commission is authorized to inquire or to keep itself informed or which it is required to enforce. All reports shall be under oath when required by the commission.
	Utah Code Ann. § 54-4-1	The commission is hereby vested with power and jurisdiction to supervise and regulate every public utility in this state, and to supervise all of the business of every such public utility in this state, and to do all things, whether herein specifically designated or in addition thereto, which are necessary or convenient in the exercise of such power and jurisdiction; provided, however, that the Department of Transportation shall have jurisdiction over those safety functions transferred to it by the Department of Transportation Act.
	Utah Code Ann. § 54-4-4.1	(1) The commission may, by rule or order, adopt any method of rate regulation that is: (a) consistent with this title; (b) in the public interest; and (c) just and reasonable.
	Utah Code Ann. § 54-4-14	The commission shall have power, by general or special orders, rules or regulations, or otherwise, to require every public utility to construct, maintain and operate its line, plant, system, equipment, apparatus, tracks and premises in such manner as to promote and safeguard the health and safety of its employees, passengers, customers and the public, and to this end to prescribe, among other things, the installation, use, maintenance and operation of appropriate safety or other devices or appliances including interlocking and other protective devices at grade crossings or junctions, and block or other system of signaling, and to establish uniform or other standards of construction and equipment, and to require the performance of any other acts which the health or safety of its employees, passengers, customers or the public may demand
	Utah Code Ann. § 54-4-18	The commission shall have power, after a hearing, to ascertain and fix just and reasonable standards, classifications, regulations, practices, measurements or service to be furnished, imposed, observed and followed by all electrical, gas and water corporations; to ascertain and fix adequate and serviceable standards for the measurement of quantity, quality, pressure, initial voltage or other conditions pertaining to the supply of the product, commodity or service furnished or rendered by any such public utility; to prescribe reasonable regulations for the examination and testing of such products, commodity or service, and for the measurement thereof; to establish reasonable rules, regulations, specifications and standards to secure the accuracy of all meters and appliances for measurements; and to provide for the examination and testing of any and all appliances used for the measurement of any product, commodity or service of any such public utility.

	Utah Code Ann. § 54-13-2	The commission is responsible for establishing safety standards and practices for intrastate pipeline transportation and shall make and enforce rules required by the federal Natural Gas Pipeline Safety Act to maintain state control over the regulation of intrastate pipeline transportation.
	Utah Code Ann. § 54-13-3	The commission shall adopt and enforce rules pursuant to Section 54-13-2 including rules which: (1)incorporate the safety standards established under the federal Natural Gas Pipeline Safety Act that are applicable to intrastate pipeline transportation; and (2)require persons engaged in intrastate pipeline transportation to: (a)maintain records and to submit reports and information to the commission to enable the commission to determine whether the person is acting in compliance with this chapter or rules adopted under this chapter; and (b)maintain a plan for inspection and maintenance of each pipeline facility that is available to the commission upon commission request.
	Utah Code Ann. § 54-4-7	Whenever the commission shall find, after a hearing, that the rules, regulations, practices, equipment, appliances, facilities, or service of any public utility, or the methods of manufacture, distribution, transmission, storage or supply employed by it, are unjust, unreasonable, unsafe, improper, inadequate or insufficient, the commission shall determine the just, reasonable, safe, proper, adequate or sufficient rules, regulations, practices, equipment, appliances, facilities, service or methods to be observed, furnished, constructed, enforced or employed, and shall fix the same by its order, rule or regulation.
Vermont	30 V.S.A. § 218	(a) When, after opportunity for hearing, the rates, tolls, charges, or schedules are found unjust, unreasonable, insufficient, or unjustly discriminatory, or are found to be preferential or otherwise in violation of a provision of this chapter, the Board may order and substitute therefor such rates, tolls, charges, or schedules, and make such changes in any regulations, measurements, practices, or acts of such company relating to its service, and may make such order as will compel the furnishing of such adequate service as shall at such hearing be found by it to be just and reasonable.
	30 V.S.A. § 202	(c) In developing the Plan, the Department shall take into account the protection of public health and safety; preservation of environmental quality; the relevant goals of 24 V.S.A. § 4302; the potential for reduction of rates paid by all retail electricity customers; the potential for reduction of electrical demand through conservation, including alternative utility rate structures; use of load management technologies; efficiency of electrical usage; utilization of waste heat from generation; and utility assistance to consumers in energy conservation.
	30 V.S.A. § 221	The Board may prescribe the forms of all books, accounts, papers, and records of any public utility over which it has jurisdiction and such public utility shall keep and render its books, accounts, papers, and records accurately and faithfully in the manner and form prescribed by the Board and comply with all orders and directions of the Board relating to such books, accounts, papers, and records.
	30 V.S.A. § 206	On request by the Department of Public Service, a company owning or operating a plant, line, or property subject to supervision under this chapter shall furnish the Department information required by it concerning the condition, operation, management, expense of maintenance and operation, cost of production, rates charged for service or for product, contracts, obligations, and the financial standing of such company. It shall also inform the Department of the salaries of, the pensions, option, or benefit programs affecting, and the expenses reimbursed to, its officers or directors, or both.
	30 V.S.A. § 2816	(a) Gas pipeline safety program. Any person who violates any statute, rule, regulation, or order of the Public Service Board relating to safety standards or safety practices applicable to transportation of gas through gas pipeline facilities subject to the jurisdiction of the Public Service Board is subject to a civil penalty of not more than \$200,000.00 for each violation for each day that the violation persists.

Virginia	Va. Code Ann. § 56-235.2	<p>A. Any rate, toll, charge or schedule of any public utility operating in this Commonwealth shall be considered to be just and reasonable only if: (1) the public utility has demonstrated that such rates, tolls, charges or schedules in the aggregate provide revenues not in excess of the aggregate actual costs incurred by the public utility in serving customers...</p> <p>B. The Commission shall, before approving special rates, contracts, incentives or other alternative regulatory plans under subsection A, ensure that such action (i) protects the public interest, (ii) will not unreasonably prejudice or disadvantage any customer or class of customers, and (iii) will not jeopardize the continuation of reliable electric service.</p>
	Va. Code Ann. § 56-36	The Commission shall also have the right at all times to inspect the books, papers and documents of all public service companies doing business in this Commonwealth, and to require from such companies, from time to time, special reports and statements, under oath, concerning their business.
	Va. Code Ann. § 56-234	A. It shall be the duty of every public utility to furnish reasonably adequate service and facilities at reasonable and just rates to any person, firm or corporation along its lines desiring same.
	Va. Code Ann. § 56-235	If upon investigation the rates, tolls, charges, schedules, or joint rates of any public utility operating in this Commonwealth shall be found to be unjust, unreasonable, insufficient or unjustly discriminatory or to be preferential or otherwise in violation of any of the provisions of law, the State Corporation Commission shall have power to fix and order substituted therefor such rate or rates, tolls, charges or schedules as shall be just and reasonable. All rates, tolls, charges or schedules set by the Commission shall be valid only if they are in full conformance with the provisions of this chapter.
	Va. Code Ann. § 56-249	The Commission, with or without an investigation, may require any public utility to furnish to it in such form, at such times, and in such detail as the Commission shall require, such accounts, reports and other information of whatsoever kind or character as it may deem proper and in such form and detail as it may prescribe, in order to show completely the entire operation of the public utility in furnishing the unit of its product or service to the public.
	Va. Code Ann. § 56-249.3	The Commission shall require that public electric utilities, owning and operating generating facilities, or privately owned utilities purchasing power at wholesale for retail sales within this State, file monthly with the Commission for its review such information as it may deem necessary, which may include the following...
	Va. Code Ann. § 56-585	B. A distributor shall have the obligation and right to be the supplier of default services in its certificated service territory, and shall do so, in a safe and reliable manner, at rates determined pursuant to subsection C; however, the Commission may not require a distributor, or affiliate thereof, to provide any such services outside the territory in which such distributor provides service.
	Va. Code Ann. § 56-234.3	<p>In addition, the Commission shall investigate and monitor the major construction projects of any public utility to assure that such projects are being conducted in an economical, expeditious, and efficient manner.</p> <p>Whenever uneconomical, inefficient or wasteful practices, procedures, designs or planning are found to exist, the Commission shall have the authority to employ, at the sole expense of the utility, qualified persons, answerable solely to the Commission, who shall audit and investigate such practices, procedures, designs or planning and recommend to the Commission measures necessary to correct or eliminate such practices, procedures, designs or planning.</p>

	Va. Code Ann. § 56-257.2	<p>A. Notwithstanding any other provision of law, the Commission shall have the authority to regulate the safety of master-metered gas systems, landfill gas transmission or distribution facilities transmitting or distributing landfill gas off premises from a solid waste management facility permitted by the Department of Environmental Quality, and other gas pipeline facilities used in intrastate pipeline transportation, all as defined in the federal regulations promulgated under 49 U.S.C. § 60101 et seq., as amended, and the federal pipeline safety laws, owned or operated by any person, limited liability company, business entity or association of individuals. The authority granted herein shall be exercised in a manner that is not inconsistent with the above-referenced federal regulations and pipeline safety laws.</p> <p>This subsection shall not apply to gas systems and pipeline facilities owned or operated by any county, city, or town.</p> <p>B. For the purposes of pipeline facilities used in the intrastate transportation of gas, all as defined in the federal regulations promulgated under 49 U.S.C. § 60101 et seq., as amended, and the federal pipeline safety laws, and notwithstanding any other provision of law, any person, limited liability company, business entity or association of individuals failing or refusing to obey Commission orders relating to the adoption or enforcement of regulations for the design, construction, operation, and maintenance of intrastate pipeline facilities and temporary or permanent injunctions issued by the Commission shall be fined such sums not exceeding the fines and penalties specified by 49 U.S.C. § 60122 (a)(1), as amended. Should the operation of such order be suspended pending an appeal, the period of such suspension shall not be computed against the person in the matter of his liability to fines or penalties. The authority granted herein shall be exercised in a manner that is not inconsistent with the above-referenced federal regulations and pipeline safety laws.</p>
	Va. Code Ann. § 56-579	<p>A. 2. The Commission shall develop rules and regulations under which any such incumbent electric utility owning, operating, controlling, or having an entitlement to transmission capacity within the Commonwealth, may transfer all or part of such control, ownership or responsibility to an RTE, upon such terms and conditions that the Commission determines will:</p> <p>a. Promote:</p> <p>(1) Practices for the reliable planning, operating, maintaining, and upgrading of the transmission systems and any necessary additions thereto; and</p> <p>(2) Policies for the pricing and access for service over such systems that are safe, reliable, efficient, not unduly discriminatory and consistent with the orderly development of competition in the Commonwealth;</p>
Washington	ARCW § 80.01.040	<p>The utilities and transportation commission shall:</p> <p>(1) Exercise all the powers and perform all the duties prescribed by this title and by Title 81 RCW, or by any other law.</p> <p>(2) Regulate in the public interest, as provided by the public service laws, all persons engaging in the transportation of persons or property within this state for compensation.</p> <p>(3) Regulate in the public interest, as provided by the public service laws, the rates, services, facilities, and practices of all persons engaging within this state in the business of supplying any utility service or commodity to the public for compensation.</p> <p>(4) Make rules and regulations necessary to carry out its other powers and duties.</p>
	ARCW § 80.28.020	<p>Whenever the commission shall find, after a hearing had upon its own motion, or upon complaint, that the rates or charges demanded, exacted, charged or collected by any gas company, electrical company, wastewater company, or water company, for gas, electricity, wastewater company services, or water, or in connection therewith, or that the rules, regulations, practices or contracts affecting such rates or charges are unjust, unreasonable, unjustly discriminatory or unduly preferential, or in any wise in violation of the provisions of the law, or that such rates or charges are insufficient to yield a reasonable compensation for the service rendered, the commission shall determine the just, reasonable, or sufficient rates, charges, regulations, practices or contracts to be thereafter observed and in force, and shall fix the same by order.</p>
	ARCW § 80.28.010	<p>(2) Every gas company, electrical company, wastewater company, and water company shall furnish and supply such service, instrumentalities and facilities as shall be safe, adequate and efficient, and in all respects just and reasonable.</p>



	ARCW § 80.04.015	Whether or not any person or corporation is conducting business subject to regulation under this title, or has performed or is performing any act requiring registration or approval of the commission without securing such registration or approval, shall be a question of fact to be determined by the commission...After investigation, the commission is authorized and directed to issue the necessary order or orders declaring the activities to be subject to, or not subject to, the provisions of this title. In the event the activities are found to be subject to the provisions of this title, the commission shall issue such orders as may be necessary to require all parties involved in the activities to comply with this title, and with respect to services found to be reasonably available from alternative sources, to issue orders to cease and desist from providing jurisdictional services pending full compliance.
	ARCW § 80.04.080	Every public service company shall annually furnish to the commission a report in such form as the commission may require, and shall specifically answer all questions propounded to it by the commission, upon or concerning which the commission may need information. Such annual reports shall show in detail...the number of employees and the salaries paid each class, the accidents to employees and other persons and the cost thereof...
	ARCW § 80.04.090	The commission may, in its discretion, prescribe the forms of any and all accounts, records and memoranda to be kept by public service companies, including the accounts, records and memoranda of the movement of traffic, sales of its product, the receipts and expenditures of money. The commission shall at all times have access to all accounts, records and memoranda kept by public service companies, and may employ special agents or examiners, who shall have power to administer oaths and authority, under the order of the commission, to examine witnesses and to inspect and examine any and all accounts, records and memoranda kept by such companies.
	ARCW § 80.04.095	Records, subject to chapter 42.56 RCW, filed with the commission or the attorney general from any person which contain valuable commercial information, including trade secrets or confidential marketing, cost, or financial information, or customer-specific usage and network configuration and design information, shall not be subject to inspection or copying under chapter 42.56 RCW: (1) Until notice to the person or persons directly affected has been given; and (2) if, within ten days of the notice, the person has obtained a superior court order protecting the records as confidential. The court shall determine that the records are confidential and not subject to inspection and copying if disclosure would result in private loss, including an unfair competitive disadvantage. When providing information to the commission or the attorney general, a person shall designate which records or portions of records contain valuable commercial information. Nothing in this section shall prevent the use of protective orders by the commission governing disclosure of proprietary or confidential information in contested proceedings.
West Virginia	W. Va. Code § 24-2-5	The commission shall have power, through its members, inspectors, or employees to enter in, upon and to inspect the property, buildings, plants, fixtures, powerhouses and offices of any such utilities or municipalities, and shall have power to examine the books and affairs to be investigated by it.
	W. Va. Code § 24-2-2	(a) The commission is hereby given power to investigate all rates, methods and practices of public utilities subject to the provisions of this chapter; to require them to conform to the laws of this state and to all rules, regulations and orders of the commission not contrary to law; and to require copies of all reports, rates, classifications, schedules and timetables in effect and used by the public utility or other person to be filed with the commission, and all other information desired by the commission relating to the investigation and requirements, including inventories of all property in such form and detail as the commission may prescribe.
	W. Va. Code § 24-2-3	(c) In determining just and reasonable rates, the commission may audit and investigate management practices and policies, or have performed an audit and investigation of such practices and policies, in order to determine whether the utility is operating with efficiency and is utilizing sound management practices. The commission shall adopt rules and regulations setting forth the scope, frequency and application of such audits and investigations to the various utilities subject to its jurisdiction.

	W. Va. Code § 24B-1-1	... the public service commission of West Virginia, in addition to all other powers conferred and duties imposed upon it by law, to prescribe and enforce safety standards for pipeline facilities as hereinafter defined, and to regulate safety practices of persons engaged in the transportation of gas or hazardous liquids as hereinafter defined.
	W. Va. Code § 24B-2-1	The commission shall have power and authority to prescribe and enforce safety standards for pipeline facilities, and to regulate safety practices of persons engaged in the transportation of gas or hazardous liquids, to the extent permitted by the "Act of 1968" and the "Act of 1979" and any amendments thereto. Such standards may apply to the design, installation, inspection, testing, construction, extension, operation, replacement and maintenance of pipeline facilities. Standards affecting the design, installation, construction, initial inspection and initial testing shall not be applicable to pipeline facilities in existence on the date such standards are adopted. ... Such safety standards shall be practicable and designed to meet the need for pipeline safety. In prescribing such standards, the commission shall consider: (a) Relevant available pipeline safety data; (b) Whether such standards are appropriate for the particular type of pipeline transportation; (c) The reasonableness of any proposed standards; and (d) The extent to which such standards will contribute to public safety.
	W. Va. Code § 24-3-1	Every public utility subject to this chapter shall establish and maintain adequate and suitable facilities, safety appliances or other suitable devices, and shall perform such service in respect thereto as shall be reasonable, safe and sufficient for the security and convenience of the public, and the safety and comfort of its employees, and in all respects just and fair, and without any unjust discrimination or preference...
Wisconsin	Wis. Stat. § 196.02	(1) Jurisdiction. The commission has jurisdiction to supervise and regulate every public utility in this state and to do all things necessary and convenient to its jurisdiction. (3) Rules. The commission may adopt reasonable rules to govern its proceedings and to regulate the mode and manner of all inspections, tests, audits, investigations and hearings. (4) Information required; stock holders. (a) The commission may inquire into the management of the business of all public utilities. The commission shall keep itself informed as to the manner and method in which the same is conducted. The commission may obtain from any public utility any information necessary to enable the commission to perform its duties.
	Wis. Stat. § 196.03	(1) Subject to s. 196.63, a public utility shall furnish reasonably adequate service and facilities.
	Wis. Stat. § 196.08	The commission shall provide for the examination and audit of all accounts, and all items shall be allocated to the accounts in the manner prescribed by the commission.
Wyoming	Wyo. Stat. § 37-2-124	All reports, records and accounts in the possession of the commission shall be open to inspection by the public at all times except as otherwise provided in this act or as ordered by the commission and under rules prescribed by the commission.
	Wyo. Stat. § 37-2-117	Whenever the commission shall believe that an investigation of any act or omission to act, accomplished or proposed, or an investigation of any rate, service, facility or service regulation of any public utility should be made in order to secure compliance with the provisions of this act and orders of the commission, it may of its own motion summarily investigate the same.
	Wyo. Stat. § 37-2-119	In conducting any investigation pursuant to the provisions of this act the commission may investigate, consider and determine such matters as the cost or value, or both, of the property and business of any public utility, used and useful for the convenience of the public, and all matters affecting or influencing such cost or value, the operating statistics for any public utility both as to revenues and expenses and as to the physical features of operation in such detail as the commission may deem advisable; the earnings, investment and expenditures of any such corporation as a whole within this state, and as to rates in plants of any water, electrical or gas corporations, the geographical location thereof shall be considered as well as the population of the municipality in which such plant is located.

	Wyo. Stat. § 37-2-120	Whenever... the commission shall be of the opinion that any provisions or requirements of this act, or any order of the commission is being, has been, or is about to be violated, it may make and enter of record an order in the premises, specifying the actual or proposed acts or omissions to act which constitute such real or proposed violations, and require that such violations be discontinued or rectified, or both, or that it be prevented...
	Wyo. Stat. § 37-3-112	The service and facilities of every public utility shall be adequate and safe and every service regulation shall be just and reasonable. The commission shall have the authority to investigate, consider and determine standards for availability or reliability of service that are objectively established by rule consistent with commonly accepted industry standards. It shall be unlawful for any public utility to make or permit to exist any unjust discrimination or undue preference with respect to its service, facilities or service regulations...