



November 17, 2021

The Honorable David Wallace, Co-Chairperson
The Honorable David Hillman, Co-Chairperson
Uniform Personnel Classification and
Compensation Plan Subcommittee
Joint Budget Committee
State Capitol Building, Room 315
Little Rock, Arkansas 72201

Dear Senator Wallace and Representative Hillman:

The Office of Personnel Management (OPM) submits a request from the Arkansas Public Service Commission for your review.

The Arkansas Public Service Commission is requesting two (2) positions from the OPM Growth Pool established by Ark. Code Ann. §21-5-225(a)(1). These pool positions also require the establishment of new classifications. The classifications requested are listed below:

CLASSIFICATIONS REQUESTED

<u>CLASS CODE</u>	<u>TITLE</u>	<u>GRADE</u>	<u>SALARY RANGE</u>
NEW	PSC Director of Pipeline Safety	GS14	\$86,887 - \$125,986
NEW	PSC Director of Telecommunications and Consumer Services	GS14	\$86,887 - \$125,986

JUSTIFICATION


The Arkansas Public Service Commission is requesting the above positions in order to establish an effective organizational structure that fulfills all responsibilities of the agency in a timely manner. The U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) has identified heightened expectations for strengthening damage prevention efforts statewide. Opportunities for improvement are being explored by all stakeholders, and new responsibilities have been established as a result. The PSC Director of Pipeline Safety will be responsible for fostering partnership of all industry stakeholders working to evaluate current laws, identify areas for improvement, and propose changes to legislation. They will establish overall policies and procedures to ensure program effectiveness and compliance, implementing corrective action where needed. They will also lead the preparation and execution of the overall case strategy for contested issues and contribute technical expertise when necessary. The PSC Director of Telecommunications and Consumer Services is requested in response to a considerable increase in workload this year due to the emphasis on broadband expansion

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in the state. A significant portion of the growth has been in dockets in the telecommunications area. Thus far in 2021, thirty (30) applications for eligible telecommunications carrier status have been filed, compared to five (5) in 2020. The expanding nature of the telecommunications field has left the agency in need of this Director level position to lead all aspects of managing the telecommunications docket workload and responsibilities to ensure timely processing. The Director of Telecommunications and Consumer Services will be responsible for the development of positions and recommendations regarding the telecommunications utility industry, managing operations and coordinating consumer service programs for the department. The cost for the establishment of these two pool positions is \$231,119.

Your consideration of this request is greatly appreciated.

Sincerely,


Kay Barnhill, Director
Office of Personnel Management



11/15/2021

SECRETARY OF TRANSFORMATION & SHARED
SERVICES

DATE

KB/vp:1-2

Ted J. Thomas
Chairman
(501) 682-5806

Kimberly A. O'Guinn
Commissioner
(501) 682-5809

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Donna Gray
Executive Director
(501) 682-1794

October 29, 2021

Ms. Kay Barnhill, Director
Office of Personnel Management
501 Woodlane, Suite 201
Little Rock, AR 72201



RE: Central Growth Pool Request

Dear Ms. Barnhill:

Two areas of Public Service Commission (PSC) operations have recently arisen where sufficient resources to fulfill responsibilities are lacking and two additional leadership positions are needed - natural gas pipeline safety operations and increased telecommunications dockets. We are requesting a GS14 Director of Pipeline Safety and a GS14 Director of Telecommunications and Consumer Services to ensure the responsibilities of the agency are timely and effectively fulfilled.

Natural Gas Pipeline Safety

The PSC's pipeline safety inspection operations are operated as an authorized state program under the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA). The PSC State Pipeline Safety Program is operated consistent with PHMSA requirements and applies annually for Federal reimbursement. Based on our Program performance and the Federal availability of funds, historically our agency has received approximately 60-65% reimbursement of our approximate \$1 million budget for the conduct of the State Pipeline Safety Program.

PHMSA has identified heightened expectations in the area of Damage Prevention for strengthening state damage prevention programs. Opportunities for improvement in Arkansas to reduce damages are being explored by all stakeholders (e.g. operators, locators, One Call, excavators, PHMSA and PSC) working collaboratively with legislative improvements anticipated. Leadership specific to the area of damage prevention and its incorporation into the PSC ongoing pipeline safety inspection operations is needed, in furtherance of the goal of working with all stakeholders to improve safety and prevent damages in response to PHMSA guidance and its nine elements of effective damage prevention programs:

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1. Enhanced communication between operators and excavators
2. Fostering support and partnership of all stakeholders
3. Operator's use of performance measures for locators
4. Partnership in employee training
5. Partnership in public education
6. Enforcement agencies' role to help resolve issues
7. Fair and consistent enforcement of the law
8. Use of technology to improve the locating process
9. Data analysis to continually improve program effectiveness

We are requesting a Director level position to lead the agency toward ensuring all elements of an effective damage prevention program are achieved, through collaborative efforts among all damage prevention stakeholders, and clear opportunities for timely improvement are attained.

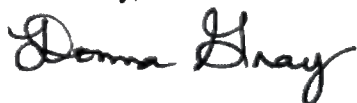
Telecommunications

Currently, the PSC Director of Engineering handles all net metering dockets, electric quality of service, integrated resource planning, any other electric engineering issues and all telecommunications dockets for the General Staff. An increase in workload has been seen this year with 104 new dockets filed thus far this year as compared to 73 new dockets during 2020. A significant portion of this growth has been in dockets in the telecommunications and engineering areas.

30 applications for eligible telecommunications carrier status were filed thus far in 2021, compared to five in 2020. Increased emphasis on broadband expansion in Arkansas has been a key factor, with several applications filed for the purposes of receiving federal universal service support from the Federal Communications Commission Rural Digital Opportunity Fund. Increases in electric dockets with engineering emphasis are the other significant growth. This trend is expected to continue and, as a result, these developments result in the agency standing in need of a Director level position to lead all aspects of managing the telecommunications docket workload and responsibilities to ensure timely processing.

Please let me know if you need additional information or have questions.

Sincerely,



Donna Gray

Attachments

cc: Ted J. Thomas
Victoria Peterson
Vikki Moore-Hearn



Department of Transformation and Shared Services
 Office of Personnel Management
 Request for Pool Position

Business Area	Department Name / Agency Name	Date
450	Arkansas Public Service Commission	10.29.21

Position(s) to be Surrendered

Position/Item Number	Classification Title	Pay Grade	Class Code
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Classification(s) Requested

Classification Title	Pay Grade	Class Code
PSC Director of Pipeline Safety	GS14	
PSC Director of Telecommunications and Consumer Services	GS14	

I hereby certify that:

- A. The position requested is critical to the operation of this Agency and a detailed justification for this request is attached. (Justification should be detailed and not less than one typed page in length.)
- B. Sufficient funds are available to fund this position at the requested grade.
- C. This is a full-time position that will not be used for any other purpose than that which is outlined in the attached narrative.
- D. The position to be surrendered is the highest grade position available and the loss of this position will not adversely affect the operation of this Agency.
- E. No current employee will be displaced by this action.

Vibki Moore-Hearn

HR Administrator's Signature

October 29, 2021

Date

[Signature]

Department Secretary's Signature

October 29, 2021

Date

CLASS SPECIFICATION

CLASS TITLE: PSC Director of Pipeline Safety

Class Code:

CLASS SUMMARY

The PSC Director of Pipeline Safety is responsible for the overall policy direction of the Pipeline Safety Office including all pipeline safety regulatory, damage prevention, and enforcement operations. This position is governed by state and federal law and agency policy.

TYPICAL FUNCTIONS

Evaluates and establishes overall policies, goals and objectives and long and short-range plans, develops policies and procedures, reviews and evaluates program effectiveness and compliance, implements and monitors corrective action, and implements and interprets federal and state laws and regulations. Fosters partnership of all industry stakeholders and works collaboratively to evaluate current laws and identify areas for improvement and propose and review changes to legislation and analyze the impact on pipeline safety in Arkansas. Analyzes data to evaluate and improve program effectiveness. Complete reports of findings and takes necessary action to correct deficiencies. Leads the preparation and execution of the overall case strategy with cross-sectional, multi-disciplinary teams, prepares witnesses for hearing and cross examination regarding contested issues, and contributes technical expertise to settlements, motions, comments, and briefs. Testifies as an expert witness in hearings before the Commission regarding contested issues in rate cases, the implementation of statutory requirements, rules, and generic industry regulatory and policy issues subject to extensive cross examination and Commission questions. Ensures enforcement actions are applied consistently and equitably. Coordinates with agency executive director regarding compliance, damage prevention, and enforcement actions as necessary. Represents the agency in regional and national organizations to maintain current awareness of developing trends and issues. Performs other duties as assigned.

SPECIAL JOB DIMENSIONS

Occasional in-state travel and out-of-state travel is required.

KNOWLEDGES, ABILITIES, AND SKILLS

Knowledge of supervisory practices and procedures. Knowledge of laws, rules, regulations, and commission precedent related to the utility industry. Knowledge of emerging economic, technological, legislative, judicial and regulatory issues and trends affecting the utility industry. Knowledge of the principles and practices of natural gas pipeline industry relating to the work performed. Knowledge of state and federal laws and regulations relating to the work performed.

MINIMUM QUALIFICATIONS

The formal education equivalent of a bachelor's degree in general business, mathematics, engineering, or a related field; plus eight years of progressively more responsible experience in analyzing utility industry accounting, financial, economic, and operational information, relating to the work performed, including two years in a supervisory or leadership capacity.

CERTIFICATES, LICENSES, REGISTRATIONS

Must possess a valid Arkansas driver's license. Additional requirements determined by the agency for recruiting purposes require review and approval by the Office of Personnel Management. OTHER JOB RELATED EDUCATION AND/OR EXPERIENCE MAY BE SUBSTITUTED FOR ALL OR PART OF THESE BASIC REQUIREMENTS, EXCEPT FOR CERTIFICATION OR LICENSURE REQUIREMENTS, UPON APPROVAL OF THE

CLASS SPECIFICATION

CLASS TITLE: PSC Director of Telecommunications and Consumer Services

Class Code:

CLASS SUMMARY

The Public Service Commission (PSC) Director of Telecommunications and Consumer Services Director is responsible for the development of positions and recommendations regarding issues and policies affecting the telecommunications utility industry and for managing and coordinating the operations, quality of service, and consumer service programs for the department. This position is governed by federal and state laws and agency policy.

TYPICAL FUNCTIONS

Interviews and selects managerial, professional, and administrative support staff, provides training opportunities, evaluates the performance of incumbents, and reviews and approves various administrative actions and analysis of potential regulatory issues, the evaluation of the relative merits of alternative courses of action, and the development of written testimony, exhibits, and reports. Serves as Project Manager on assigned telecommunications and related docketed proceedings before the Commission. Leads the preparation and execution of the overall case strategy. Prepares witnesses for hearing and cross examination regarding contested issues, and contributes technical expertise and utility regulatory experience and knowledge to settlements, motions, comments, and briefs. Maintains and shares technical knowledge of federal legislation, Federal Communications Commission, Rural Utility Service and National Association of Regulatory Utility Commissions rules and precedents, Arkansas statutes, and Commission rules and precedents that relate to utility policies and procedures. Testifies as an expert witness in proceedings before the Commission. Oversees and evaluates the agency's program for investigation of customer complaints, questions, and concerns regarding utility service. Provides direction to staff by analyzing operations, advising on projects or problems, serving as a technical resource. Establishes goals and objectives, develops policies and procedures, evaluates program effectiveness and compliance, monitors corrective action, and implements and interprets laws and regulations. Coordinates section activities by providing advice and assistance to the agency director and conferring with division management and other state, federal, and utility personnel regarding utility compliance inspection/investigation, quality of service, and consumer service programs. Reviews drafts of legislation, policy, and rules, preparing biennial budget requests based on section need, monitoring and approving expenditures, and presenting operating or program information reports. Ensures accuracy of required legislative reporting. Performs other duties as assigned.

KNOWLEDGES, ABILITIES, AND SKILLS

Knowledge of supervisory practices and procedures. Knowledge of the laws, rules, regulations, and Commission precedent governing the operations of utility industries. Knowledge of emerging economic, technological, legislative, judicial and regulatory issues and trends affecting the utility industry. Ability to plan work objectives and operational activities and to assign and direct the work of subordinate supervisors. Ability to monitor and evaluate the compliance of

utility companies with Commission standards. Knowledge of laws, rules, regulations, and commission precedent related to the utility industry. Ability to research policy issues and trends affecting responsibility areas. Ability to interpret and apply rules, laws, and policies affecting public utilities to specific situations and prepare and present verbal and written reports and information. Ability to plan, organize, and oversee the work of others.

MINIMUM QUALIFICATIONS

The formal education equivalent of a bachelor's degree in business, economics, engineering, or a related field; plus eight years of experience in a related area, including four years in a supervisory capacity. Additional requirements determined by the agency for recruiting purposes require review and approval by the Office of Personnel Management. OTHER JOB RELATED EDUCATION AND/OR EXPERIENCE MAY BE SUBSTITUTED FOR ALL OR PART OF THESE BASIC REQUIREMENTS, EXCEPT FOR CERTIFICATION OR LICENSURE REQUIREMENTS, UPON APPROVAL OF THE QUALIFICATIONS REVIEW COMMITTEE.