

Missouri Revised Statutes

Chapter 386 Public Service Commission Section 386.050

August 28, 2007

Appointment of commissioners--qualifications--tenure.

386.050. The commission shall consist of five members who shall be appointed by the governor, with the advice and consent of the senate, and one of whom shall be designated by the governor to be chair of the commission. Each commissioner, at the time of the commissioner's appointment and qualification, shall be a resident of the state of Missouri, and shall have resided in the state for a period of at least five years next preceding the appointment and qualification, and shall also be a qualified voter therein and not less than twenty-five years of age. Upon the expiration of each of the terms of office of the first commissioners, the term of office of each commissioner thereafter appointed shall be six years from the time of the commissioner's appointment and qualification and until his successor shall qualify. Vacancies in the commission shall be filled by the governor for the unexpired term.

(RSMo 1939 § 5580, A. 1949 H.B. 2099, A.L. 2003 H.B. 208)

Prior revisions: 1929 § 5124; 1919 § 10413

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Missouri General Assembly

Missouri Revised Statutes

Chapter 386 Public Service Commission Section 386.060

August 28, 2007

Removal of commissioners.

386.060. The governor may remove any commissioner for inefficiency, neglect of duty, or misconduct in office, giving to him a copy of the charges against him and an opportunity of being publicly heard in person or by counsel, in his own defense, upon not less than ten days' notice. If such commissioner shall be removed, the governor shall file in the office of the secretary of state a complete statement of all charges made against such commissioner, and his findings thereon, together with a complete record of the proceedings. The legislature also shall have the power, by a two-thirds vote of all members elected to each house, after ten days' notice in writing of the charges and a public hearing, to remove any one or more of said commissioners from office for dereliction of duty, or corruption, or incompetency.

(RSMo 1939 § 5581)

Prior revisions: 1929 § 5125; 1919 § 10414

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Chapter 386

Public Service Commission

Section 386.135

August 28, 2007

Independent technical staff for commission authorized, qualifications--personal advisors permitted--corresponding elimination of positions required--duties of technical staff.

386.135. 1. The commission shall have an independent technical advisory staff of up to six full-time employees. The advisory staff shall have expertise in accounting, economics, finance, engineering/utility operations, law, or public policy.

2. In addition, each commissioner shall also have the authority to retain one personal advisor, who shall be deemed a member of the technical advisory staff. The personal advisors will serve at the pleasure of the individual commissioner whom they serve and shall possess expertise in one or more of the following fields: accounting, economics, finance, engineering/utility operations, law, or public policy.

3. The commission shall only hire technical advisory staff pursuant to subsections 1 and 2 of this section if there is a corresponding elimination in comparable staff positions for commission staff to offset the hiring of such technical advisory staff on a cost-neutral basis. Such technical advisory staff shall be hired on or before July 1, 2005.

4. It shall be the duty of the technical advisory staff to render advice and assistance to the commissioners and the commission's administrative law judges on technical matters within their respective areas of expertise that may arise during the course of proceedings before the commission.

5. The technical advisory staff shall also update the commission and the commission's administrative law judges periodically on developments and trends in public utility regulation, including updates comparing the use, nature, and effect of various regulatory practices and procedures as employed by the commission and public utility commissions in other jurisdictions.

6. Each member of the technical advisory staff shall be subject to any applicable ex parte or conflict of interest requirements in the same manner and to the same degree as any commissioner, provided that neither any person regulated by, appearing before, or employed by the commission shall be permitted to offer such member a different appointment or position during that member's tenure on the technical advisory staff.

7. No employee of a company or corporation regulated by the public service commission, no employee of the office of public counsel or the public counsel, and no staff members of either the utility operations division or utility services division who were an employee or staff member on, during the two years immediately preceding, or anytime after August 28, 2003, may be a member of the commission's technical advisory staff for two years following the termination of their employment with the corporation, office of public counsel or commission staff member.

8. The technical advisory staff shall never be a party to any case before the commission.

(L. 2003 H.B. 208, A.L. 2004 H.B. 1548)

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