

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73



**Fiscal Year FY 2024-2025
Agency Budget Plan**

FORM A - BUDGET PLAN SUMMARY

OPERATING REQUESTS <i>(FORM B1)</i>	For FY 2024-2025, my agency is (mark "X"):	
	<input type="checkbox"/>	Requesting General Fund Appropriations.
	<input checked="" type="checkbox"/>	Requesting Federal/Other Authorization.
	<input type="checkbox"/>	Not requesting any changes.

NON-RECURRING REQUESTS <i>(FORM B2)</i>	For FY 2024-2025, my agency is (mark "X"):	
	<input type="checkbox"/>	Requesting Non-Recurring Appropriations.
	<input type="checkbox"/>	Requesting Non-Recurring Federal/Other Authorization.
	<input checked="" type="checkbox"/>	Not requesting any changes.

CAPITAL REQUESTS <i>(FORM C)</i>	For FY 2024-2025, my agency is (mark "X"):	
	<input type="checkbox"/>	Requesting funding for Capital Projects.
	<input checked="" type="checkbox"/>	Not requesting any changes.

PROVISOS <i>(FORM D)</i>	For FY 2024-2025, my agency is (mark "X"):	
	<input checked="" type="checkbox"/>	Requesting a new proviso and/or substantive changes to existing provisos.
	<input type="checkbox"/>	Only requesting technical proviso changes (such as date references)
	<input type="checkbox"/>	Not requesting any proviso changes.

Please identify your agency's preferred contacts for this year's budget process.

	<i>Name</i>	<i>Phone</i>	<i>Email</i>
PRIMARY CONTACT:	Mark Rhoden	(803) 737-1108	mrhoden@ors.sc.gov
SECONDARY CONTACT:	Michael Guffee	(803) 737-1482	mguffee@ors.sc.gov

I have reviewed and approved the enclosed FY 2024-2025 Agency Budget Plan, which is complete and accurate to the extent of my knowledge.

SIGN/DATE: TYPE/PRINT NAME:	<i>Agency Director</i>	<i>Board or Commission Chair</i>
	 Nanette S. Edwards	 Senator Thomas C. Alexander

This form must be signed by the agency head – not a delegate.

Fiscal Year 2024-2025 Executive Summary

Agency Code:	R060
Agency Name:	Office Of Regulatory Staff
Section:	73

Agency Priority	Request Type	Title	General Dollars	Federal Dollars	Earmarked Dollars	Restricted Dollars	Total Dollars	General FTEs	Federal FTEs	Earmarked FTEs	Restricted FTEs	Total FTEs
1	B1 - Recurring	Salary and Benefits	\$0	\$0	\$1,223,362	\$0	\$1,223,362	0.00	0.00	0.00	0.00	0.00
2	B1 - Recurring	IT Operating and Equipment - Operating	\$0	\$0	\$125,000	\$0	\$125,000	0.00	0.00	0.00	0.00	0.00
Subtotal:			\$0	\$0	\$1,348,362	\$0	\$1,348,362	0.00	0.00	0.00	0.00	0.00

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	1
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Salary and Benefits
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Provide a brief, descriptive title for this request.

AMOUNT	<p>General: \$0</p> <p>Federal: \$0</p> <p>Other: \$1,223,362</p> <p>Total: \$1,223,362</p>
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
	<input checked="" type="checkbox"/>	Government and Citizens

ACCOUNTABILITY OF FUNDS	<p>This budget request for FY25 is related to ORS Fund 3035 which funds regulatory oversight of utilities: Electric, Water Wastewater, Transportation, Telecommunications; as well as public safety: pipeline safety, railroad safety, and emergency management. ORS serves the following Statewide Enterprise Strategic Objective components:</p> <ul style="list-style-type: none"> • Deliver a government that serves the needs of South Carolinians and achieves inter-agency collaboration to deliver highly effective, efficient, and innovative programs. • Build a world-class and safe public infrastructure to enhance the quality of life of our citizens and to promote the state in global competitiveness as a location for business, investment, talent, innovation, and visitors. <p>ORS Agency goals which align with strategic objectives are:</p> <ul style="list-style-type: none"> • Responsiveness to the public by providing consumer education related to public utilities. • Operations are marked by professional excellence by coordinating with other Federal and State Agencies in Pipeline and Railroad safety and responsiveness to EMD events, as well as excellence in performance of rate-making activities. • ORS also is responsive to the public serving the needs of South Carolinians through its mission and related rate-making activities saving SC citizens millions of dollars annually.
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This budget request advances the above strategy and goals by providing funds to support the following:

- Increased workloads in the following functions: Legal, IT, Accounting & Auditing, Energy Operations.
- Includes amounts to cover competitive pay increases for replacement hires.
- Includes amounts to cover key hires and key replacement hires, HR, Energy Ops, Executive.
- Includes amounts to fund (on a recurring basis) the recent 5% GI and related benefits.
- Includes provision for competitive pay, and performance, and promotional increases for a highly functioning technical staff supporting the ORS mission.

What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS

Budget request is to increase authorization and not to request cash funding. ORS intends to fund any spend in excess of gross receipts from its existing carryforward.

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

FORM B1 JUSTIFICATION OF REQUEST

ORS Fund 3035 is seeking approx. \$882K in authorization increase for wages and \$341K in authorization increase for related employee benefits for a total of \$1.2 million. Justification is as follows:

1. Includes the recent 5% GI of \$263,983 and related \$52,797 in benefits.
2. ORS has traditionally absorbed GI increases (except for FY23: GI ask was \$400K) but as spend levels approach authorization, we are now including GIs in our ask.
3. There was no budget ask for FY24 Budget Submission as spend has been absorbed by FY24 authorization; there was a "non-recurring" FY24 BD100 to cover the 5% GI in FY24 only.
4. ORS regulatory activity has significantly increased over the last four years driving the need for staff growth to meet work levels.
5. ORS wages for existing staff and for replacement hires has grown due to significant retention & competitive hiring challenges.

1. Some increases have been offset by various replacement hires at lower pay due to continued organizational management.

1. FY25 forecasted spend includes no "new hires" under our current FTEs allowed; includes filling open positions and provision for retention, promotion, merit during remaining FY24 & FY25.
2. ORS is planning on committing increased resources to improving IT applications and equipment to support functions.
3. Ask is related to increasing costs related to providing current services.
4. No other ORS funds are seeking FY25 authorization increases: Energy Office, Broadband, Santee Cooper, Dual Party Relay
5. ORS is not seeking increased cash funding; ORS intends to fund any spend in excess of its gross receipts from its existing carryforward.

1. ORS has kept cash gross receipts billings level since 2020 (at the \$9.4 million 2020 authorization) in order to utilize some of its carryforward; current FY24 authorization is \$10.1 million (before the FY25 ask)
2. ORS plans to keep gross receipts billings at this 2020 level (\$9.4 million) below our requested level \$11.4 million in FY25 and likely in FY26 to continue to utilize some of its carryforward.

1. Fringe assumption is 40%.
2. ORS expects operational costs related to these increased responsibilities and authorization to be nominal.
3. This analysis is for ORS Fund 3035 and is does not include any need for additional FTEs.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	2
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	IT Operating and Equipment - Operating
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$0 Federal: \$0 Other: \$125,000 Total: \$125,000
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input checked="" type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	<p>This budget request is to increase authorization related to ORS Fund 3035 which funds regulatory oversight of utilities: Electric, Water Wastewater, Transportation, Telecommunications; as well as public safety: pipeline safety, railroad safety, and emergency management. ORS serves the following Statewide Enterprise Strategic Objective components:</p> <ul style="list-style-type: none"> Deliver a government that serves the needs of South Carolinians and achieves inter-agency collaboration to deliver highly effective, efficient, and innovative programs. Build a world-class and safe public infrastructure to enhance the quality of life of our citizens and to promote the state in global competitiveness as a location for business, investment, talent, innovation, and visitors. <p>ORS Agency goals which align with strategic objectives are:</p> <ul style="list-style-type: none"> Responsiveness to the public by providing consumer education related to public utilities. Operations are marked by professional excellence by coordinating with other Federal and State Agencies in Pipeline and Railroad safety and responsiveness to EMD events, as well as excellence in performance of rate-making activities. ORS also is responsive to the public serving the needs of South Carolinians through its mission and related rate-making activities saving SC citizens millions
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of dollars annually.

This budget request advances the above strategy and goals by providing funds to support the following:

- IT applications and equipment to support ORS Staff.

What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS

Budget request is to increase authorization and not request cash funding. ORS intends to fund any spend in excess of gross receipts from existing carryforward.

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

ORS Fund 3035 is seeking approx. \$125K in authorization increase for resources to improve IT applications and equipment to support functions.

1. Ask is related to increasing costs related to providing current services.

2. No other ORS funds are seeking FY25 authorization increases: Energy Office, Broadband, Santee Cooper, Dual Party Relay

3. ORS is not seeking increased cash funding; ORS intends to fund any spend in excess of its gross receipts from its existing carryforward.

1. ORS has kept cash gross receipts billings level since 2020 (at the \$9.4 million 2020 authorization) in order to utilize some of its carryforward; current FY24 authorization is \$10.1 million (before the FY25 ask)
2. ORS plans to keep gross receipts billings at this 2020 level (\$9.4 million) below our requested level \$11.4 million in FY25 and likely in FY26 to continue to utilize some of its carryforward.

4. This analysis is for ORS Fund 3035 and is does not include any need for additional FTEs.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

FORM D – PROVISO REVISION REQUEST

NUMBER	73.5
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Cite the proviso according to the renumbered list (or mark "NEW").

TITLE	Office of Broadband Coordinator
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Provide the title from the renumbered list or suggest a short title for any new request.

BUDGET PROGRAM	Broadband Office
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	None
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Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.

REQUESTED ACTION	Delete
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	None
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>Deletion of proviso 73.5 SC Broadband Office and requesting a new proviso to add emergency procurement in accordance with Section 11-35-1570 of the 1976 Code, allow procurement of grant management services, and establish a SC Digital Opportunity department within the ORS to serve as the digital equity planning body for the State to address the digital divide.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

None

FISCAL IMPACT

Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISO TEXT

~~(ORS: Office of Broadband Coordinator) (A) From funds appropriated for this purpose, there is established the Office of Broadband Coordinator within the Office of Regulatory Staff to serve as the central broadband planning body for the State and to coordinate with federal, state, regional, local, and private entities, to the extent practicable, to encourage the continued development of access to broadband in the State.~~

~~(B) The Office of Broadband Coordinator shall convene a collaborative stakeholder process to identify challenges to expediting broadband access and shall provide a report to the General Assembly with recommendations for which legislative, regulatory, or other governmental actions are appropriate to promote broadband access throughout the State.~~

~~(C) Funds appropriated to the Office of Broadband Coordinator for broadband infrastructure shall be used to continue to fund the Broadband Infrastructure Program, including the completion of those broadband infrastructure projects that were approved for funding pursuant to Act 142 of 2020 but not constructed by December of 2020. Expansion of broadband infrastructure shall emphasize services to rural communities and communities with a lack of access to broadband. The Office of Broadband Coordinator shall prioritize infrastructure expansion that will make high-speed broadband available to homes, businesses, schools, health care facilities, and other institutions in unserved areas across South Carolina.~~

~~(D) The Office of Broadband Coordinator shall serve as a central resource to collect and publish information regarding federal and state programs to fund broadband expansion, and to the extent practicable, coordinate resources such that both state and federal resources are efficiently maximized.~~

~~(E) The Office of Broadband Coordinator may use assistance from state and federal agencies or from private organizations and industry to accomplish the purposes of this provision. Unexpended funds at the end of the prior fiscal year shall be carried forward and expended in the current fiscal year by the Office of Regulatory Staff for the same purposes.~~

Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

FORM D – PROVISO REVISION REQUEST

NUMBER	73.6
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Cite the proviso according to the renumbered list (or mark "NEW").

TITLE	SC Broadband Map
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Provide the title from the renumbered list or suggest a short title for any new request.

BUDGET PROGRAM	Broadband Program
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	None
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Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.

REQUESTED ACTION	Delete
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	None
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>Deletion of Proviso 73.6 SC Broadband Map requesting new proviso to changing the name and improve the clarity of the existing proviso language; allowing external reporting of service provider costs if required by federal law.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

None

FISCAL IMPACT

Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISO TEXT

~~(ORS: SC Broadband Map) (A)(1) From funds appropriated, the Office of Broadband Coordinator shall contact the appropriate entities to provide information necessary to compile the county by county broadband mapping plan required by Section 10 of Act 142 of 2020 showing the location and capability of broadband facilities throughout the State. In order to facilitate the provision of information necessary to this task, all information provided by a broadband service provider or other entity providing information for the purpose of creating a South Carolina broadband map shall be maintained by the Office of Broadband Coordinator and any other agency as confidential, proprietary, and a trade secret as defined in Section 30-4-40 of the 1976 Code, and subject to exemption from disclosure under state and federal law. The information shall not be subject to disclosure under Chapter 4, Title 30 of the 1976 Code, except in the form of a map where information that could be used to determine provider specific information about the network of the broadband service provider or other providing entity is not disclosed.~~

~~(2) Except as otherwise provided in this provision, such broadband provider specific information shall not be released to any person other than to the broadband service provider or other entity providing information, employees of the Office of Broadband Coordinator, agents designated to assist in developing the South Carolina broadband map, entities contracting with the Office of Broadband Coordinator, and other state agencies administering funds for broadband deployment without express permission of the submitting broadband service provider or other entity providing information. Such information shall be used solely for the purposes stated under this provision. The Office of Broadband Coordinator shall ensure that any such agents, entities, or agencies with whom the information is shared are aware of the confidential nature and restricted purposes for which the information may be used and that any such agents or entities that are not state agencies execute an appropriate nondisclosure agreement protecting the information from public disclosure before receiving the information.~~

~~(B) Entities providing broadband service or middle-mile infrastructure in South Carolina shall, on an annual basis, provide to the Office of Broadband Coordinator deployment data in a format specified by the office to provide the most accurate and granular representation of currently available broadband infrastructure. These same entities, when they serve residential or business customers, shall also provide the type of technology deployed together with the sustainable download and upload speeds available at each serviceable location. Entities failing to provide such data on an annual basis may be disqualified from state funding opportunities for the current fiscal year. Annually, the office shall compile this information, analyze, and update statewide broadband deployment information.~~

~~(C) Any unexpended funds at the end of the prior fiscal year shall be carried forward and expended in the current fiscal year by the Office of Regulatory Staff for the same purposes.~~

Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

FORM D – PROVISO REVISION REQUEST

NUMBER	NEW
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Cite the proviso according to the renumbered list (or mark "NEW").

TITLE	Energy Office
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Provide the title from the renumbered list or suggest a short title for any new request.

BUDGET PROGRAM	ORS Energy Office
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	N/A
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Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.

REQUESTED ACTION	Add
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	N/A
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>(ORS: Energy Office) The Infrastructure Investment and Jobs Act (IIJA) and the Inflation Reduction Act (IRA) allocated billions in federal funding for states to administer a variety of grant, loan, rebate, and other programs. The Office of Regulatory Staff - Energy Office ("Energy Office") expects to receive over \$148 million in federal funding under the IIJA and IRA combined.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

FISCAL IMPACT

N/A

Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISOR TEXT

(ORS: Energy Office)

(A) The Infrastructure Investment and Jobs Act (IIJA) and the Inflation Reduction Act (IRA) allocated billions in federal funding for states to administer a variety of grant, loan, rebate, and other programs. The Office of Regulatory Staff - Energy Office ("Energy Office") expects to receive over \$148 million in federal funding under the IIJA and IRA combined. Of this funding, \$137 million shall split between two consumer home energy rebate programs: Home Energy Performance Based, Whole House Rebates (HOME Rebates) and High Efficiency Electric Home rebates (Home Electrification and Appliance Rebates). For example, the Energy Office anticipates approximately \$68 million in funding for the HOME Rebates program. This program will provide rebates for energy efficiency retrofits ranging from \$2,000 - \$8,000 for individual households and up to \$400,000 for multifamily buildings. Rebate amounts will depend on the amount of energy savings achieved by the retrofits, and maximum rebate amounts will double for retrofits of low- and moderate-income homes. The Energy Office anticipates \$68 million in funding for the Home Electrification and Appliance Rebates program. This program will provide rebates on a percentage of the cost for an efficiency project based on the household's income. The program will include a \$14,000 rebate cap per household with additional caps on individual equipment types.

(B) The Energy Office, or its subrecipient, may use assistance from state and federal agencies or from private organizations, non-profits, and industry to accomplish the purposes of efficiently leveraging resources to successfully administer these energy efficiency and other federally funded programs established by the IIJA and IRA. Unexpended funds at the end of the prior fiscal year shall be carried forward and expended in the current fiscal year by the Energy Office for the same purposes in compliance with federal funding requirements.

(C) It is vital to the state's interest that federal funding provided under the IIJA and the IRA be utilized in the most expeditious manner possible as these federal funds have specified deadlines for funds commitment and completion. Accordingly, this procurement should be done pursuant to the provisions of Section [11-35-1570](#) of the 1976 Code. The Executive Director of the Office of Regulatory Staff shall coordinate the process used to procure the services needed and shall be responsible for the development of specifications to be included in any contract awarded. The State Fiscal Accountability Authority shall serve as the procuring officer for the procurement process and is responsible for administrative duties related to the process and the contract awarded. The State Fiscal Accountability Authority shall assign such personnel as necessary to assist the Office of Regulatory Staff and the Energy Office in carrying out its duties under this act.

(D) The Office of Regulatory Staff and the Energy Office may procure professional grant management services for oversight and compliance of funds received through the IIJA and IRA, among others, on behalf of the Energy Office. Energy Office is authorized to fulfill this requirement from federal funds and from existing fund resources as appropriate.

Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

FORM D – PROVISO REVISION REQUEST

NUMBER	NEW
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Cite the proviso according to the renumbered list (or mark "NEW").

TITLE	SC Broadband Office and SC Digital Opportunity
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Provide the title from the renumbered list or suggest a short title for any new request.

BUDGET PROGRAM	Broadband Office
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	N/A
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Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.

REQUESTED ACTION	Add
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	None
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>SC Broadband Office for broadband infrastructure shall be used to continue to fund the Broadband Infrastructure Program, broadband-related workforce development, and any other federally-approved non-deployment programs so as to maximize available federal funding under the American Rescue Plan Act (ARPA) and Infrastructure Investment and Jobs Act (IIJA) for the benefit of the state.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

None

FISCAL IMPACT

Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

(ORS: SC Broadband Office and SC Digital Opportunity)

(A) From funds appropriated for this purpose, there is established the SC Broadband Office within the Office of Regulatory Staff to serve as the central broadband planning body for the State and to coordinate with federal, state, regional, local, and private entities, to the extent practicable, to encourage the continued development of access to broadband in the State.

(B) The SC Broadband Office shall convene a collaborative stakeholder process to identify challenges to expediting broadband access and shall provide a report to the General Assembly with recommendations for which legislative, regulatory, or other governmental actions are appropriate to promote broadband access throughout the State.

(C) Funds appropriated to the SC Broadband Office for broadband infrastructure shall be used to continue to fund the Broadband Infrastructure Program, broadband-related workforce development, and any other federally-approved non-deployment programs so as to maximize available federal funding under the American Rescue Plan Act (ARPA) and Infrastructure Investment and Jobs Act (IIJA) for the benefit of the state. (C)(1) Expansion of broadband infrastructure shall emphasize services to rural communities and communities with a lack of access to broadband. The SC Broadband Office shall prioritize infrastructure expansion that will make high-speed broadband available to homes, businesses, schools, health care facilities, and other community anchor institutions in underserved areas across South Carolina.

(D) The SC Broadband Office shall serve as a central resource to collect and publish information regarding federal and state programs to fund broadband expansion, and to the extent practicable, coordinate resources such that both state and federal resources are efficiently maximized.

(E) From funds appropriated for this purpose, there is established a SC Digital Opportunity department within the Office of Regulatory Staff to serve as the digital equity planning body for the State and to coordinate with federal, state, regional, local, and private entities, to the extent practicable, to address the digital divide. ... To the extent personally identifiable information or health related information necessary to implement the goals of digital opportunity is collected or shared by state agencies with this department, such information shall be afforded confidential treatment.

(F) It is vital to the state's interest that federal funding provided under the ARPA and IIJA, among others, be utilized in the most expeditious manner possible as these federal funds have specified deadlines for funds commitment and completion. Accordingly, this procurement should be done pursuant to the provisions of Section [11-35-1570](#) of the 1976 Code. The Executive Director of the Office of Regulatory Staff shall coordinate the process used to procure the services needed and shall be responsible for the development of specifications to be included in any contract awarded. The State Fiscal Accountability Authority shall serve as the procuring officer for the procurement process and is responsible for administrative duties related to the process and the contract awarded. The State Fiscal Accountability Authority shall assign such personnel as necessary to assist the Office of Regulatory Staff and the Energy Office in carrying out its duties under this act.

PROPOSED PROVISO TEXT

(G) The Office of Regulatory Staff may procure professional grant management services for oversight and compliance of funds received through the IIJA among others, on behalf of the South Carolina Broadband and Digital Opportunity Offices. ORS is authorized to fulfill this requirement using federal funds as allowed for administration and from existing fund resources as appropriate.

(H) The SC Broadband Office and the SC Digital Opportunity Department may use assistance from state and federal agencies or from private organizations, non-profits, and industry to accomplish the purposes of this provision. Unexpended funds at the end of the prior fiscal year shall be carried forward and expended in the current fiscal year by **the Office of Regulatory Staff for the same purposes.**

Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

FORM D – PROVISO REVISION REQUEST

NUMBER	NEW
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Cite the proviso according to the renumbered list (or mark "NEW").

TITLE	SC Broadband Map and Internet Service Provider Data
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Provide the title from the renumbered list or suggest a short title for any new request.

BUDGET PROGRAM	ORS Broadband Program
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	None
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Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.

REQUESTED ACTION	Add
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	None
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>Funds appropriated to the SC Broadband Office shall contact the appropriate entities to provide information necessary to compile the county-by-county broadband mapping plan showing the location and capability of broadband facilities throughout the State.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

FISCAL IMPACT

None

Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISOR TEXT

(ORS: SC Broadband Map and Internet Service Provider Data)

(A)(1) From funds appropriated, the SC Broadband Office shall contact the appropriate entities to provide information necessary to compile the county-by-county broadband mapping plan showing the location and capability of broadband facilities throughout the State. To meet federal mandates, the SC Broadband Office may be required to collect confidential financial data to confirm and verify compliance with the various Grant programs. In order to facilitate the provision of information necessary to these tasks, financial data, including any planned construction timelines and related data, provided by a broadband service provider or other entity providing information shall be maintained by the SC Broadband Office and any other agency as confidential, proprietary, and a trade secret as defined in Section 30-4-40 of the 1976 Code, and subject to exemption from disclosure under state law. Data may be made publicly available in an aggregated, non-provider specific format or in the form of a map, where information that could be used to determine provider-specific information about the network of the broadband service provider or other providing entity is not disclosed.

(2) Except as otherwise provided in this provision, such broadband provider-specific information shall not be released to any person other than to the broadband service provider or other entity providing information, employees of the SC Broadband Office, agents designated to assist in developing the South Carolina broadband map, entities contracting with the SC Broadband Office, and other state or federal agencies administering funds for broadband deployment without express permission of the submitting broadband service provider or other entity providing information. Such information shall be used solely for the purposes stated under this provision. The SC Broadband Office shall ensure that any such agents, entities, or agencies with whom the information is shared are aware of the confidential nature and restricted purposes for which the information may be used and that any such agents or entities that are not state agencies execute an appropriate nondisclosure agreement protecting the information from public disclosure before receiving the information.

(3) Notwithstanding the above, if required by federal law, ORS may report broadband service provider costs for external reporting. (B) Entities providing broadband service or middle-mile infrastructure in South Carolina shall, on a bi-annual basis, provide to the South Carolina Broadband Office deployment data in a format specified by the office to provide the most accurate and granular representation of currently available broadband infrastructure. These same entities, when they serve residential or business customers, shall also provide the type of technology deployed together with the sustainable download and upload speeds available at each serviceable location. Entities failing to provide such data on an annual basis may be disqualified from state funding opportunities for the current fiscal year. At least annually, the office shall compile this information, analyze, and update statewide broadband deployment information.

Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

**FORM E – AGENCY COST SAVINGS AND GENERAL FUND REDUCTION
CONTINGENCY PLAN**

TITLE	Agency Cost Savings and General Fund Reduction Contingency Plan
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AMOUNT	\$91,590
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What is the General Fund 3% reduction amount? This amount should correspond to the reduction spreadsheet prepared by EBO.

ASSOCIATED FTE REDUCTIONS	N/A
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How many FTEs would be reduced in association with this General Fund reduction?

PROGRAM / ACTIVITY IMPACT	Office of Broadband Coordinator
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What programs or activities are supported by the General Funds identified?

SUMMARY	The Office of Broadband Coordinator would not expect a significant impact on its core responsibilities and function with a reduction of this amount. In the event of a General Fund reduction, the Office will look to leverage technology to reduce in-person meetings and optional conferences and the related travel expense.
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Please provide a detailed summary of service delivery impact caused by a reduction in General Fund Appropriations and provide the method of calculation for anticipated reductions. Agencies should prioritize reduction in expenditures that have the least significant impact on service delivery.

**AGENCY COST
SAVINGS PLANS**

Reduce travel Costs and optional conferences - \$20,000

Cost Share - \$21,590

Defer Purchases - \$25,000

Leverage Federal Funding - \$25,000

What measures does the agency plan to implement to reduce its costs and operating expenses by more than \$50,000? Provide a summary of the measures taken and the estimated amount of savings. How does the agency plan to repurpose the savings?

Agency Name:	Office Of Regulatory Staff		
Agency Code:	R060	Section:	73

FORM F – REDUCING COST AND BURDEN TO BUSINESSES AND CITIZENS

TITLE	Efforts to Redeuce Cost and Burden to Business
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Provide a brief, descriptive title for this request.

EXPECTED SAVINGS TO BUSINESSES AND CITIZENS	<p>ORS participated in regulation development initiated by the Public Service Commission of South Carolina ("Commission") related to regulation changes in the Commission practice and procedure and regulation changes impacting the customers of natural gas, electric, water, sewer utilities and transportation carriers. Many of the changes proposed by ORS during the Commission’s regulation development process are intended to streamline the regulatory process and reduce regulatory costs for customers.</p>
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What is the expected savings to South Carolina’s businesses and citizens that is generated by this proposal? The savings could be related to time or money.

FACTORS ASSOCIATED WITH THE REQUEST	Mark “X” for all that apply:	
	<input type="checkbox"/>	Repeal or revision of regulations.
	<input type="checkbox"/>	Reduction of agency fees or fines to businesses or citizens.
	<input checked="" type="checkbox"/>	Greater efficiency in agency services or reduction in compliance burden.
	<input type="checkbox"/>	Other

METHOD OF CALCULATION	N/A
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Describe the method of calculation for determining the expected cost or time savings to businesses or citizens.

REDUCTION OF FEES OR FINES	N/A
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Which fees or fines does the agency intend to reduce? What was the fine or fee revenue for the previous fiscal year? What was the associated program expenditure for the previous fiscal year? What is the enabling authority for the issuance of the fee or fine?

REDUCTION OF REGULATION	N/A
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Which regulations does the agency intend to amend or delete? What is the enabling authority for the regulation?

SUMMARY	<p>ORS participated in regulation development initiated by the Public Service Commission of South Carolina ("Commission") related to regulation changes in the Commission practice and procedure and regulation changes impacting the customers of natural gas, electric, water, sewer utilities and transportation carriers. Many of the changes proposed by ORS during the Commission’s regulation development process are intended to streamline the regulatory process and reduce regulatory costs for customers.</p>
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Provide an explanation of the proposal and its positive results on businesses or citizens. How will the request affect agency operations?