

Public Service Commission

**Functional Analysis
&
Records Disposition Authority**

**Revision
Presented to the
State Records Commission
April 24, 2013**

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Functional and Organizational Analysis of the Public Service Commission

Sources of Information

Representatives of the Public Service Commission

Code of Alabama (1975), Sections 22-25B-1, 31-1-80.2, 37-1-1 through 37-1-157, 37-2-3, and 37-3-32.1

United States Code, Title 49, 14504

Title IV of the Federal Aviation Administration Authorization Act of 1994

Federal Telecommunications Act of 1996

Federal Transportation Equity Act of 1998

Federal Interstate Commerce Commission Termination Act of 1995

Alabama Government Manual (2010) pp. 126 – 130

Government Records Division, State Agency Files, (1985 – ongoing)

Government Records Division, Agency History

“Functional Analysis of Alabama Government” (1998)

Holdings of the Department of Archives and History for the Public Service Commission

Public Service Commission Records Schedules

Administration of United Carrier Registration Act of 2005

Act 2005-110, Communications Reform Act of 2005

Historical Context

The Public Service Commission is successor to the Railroad Commission, which an act of the legislature, originally created on February 26, 1881. The legislature gave the Railroad Commission very limited powers to regulate railroads that operated as common carriers for hire. Eventually, the legislature enacted laws broadening the jurisdiction of the commission to include regulation of express companies, sleeping car companies, and depot and terminal stations. The legislature also granted the commission jurisdiction over telephone and telegraph companies and other common carriers for hire. In 1915, the legislature changed the name of the Railroad Commission to the Public Service Commission and broadened its powers to include the regulation of public utilities. The legislature added jurisdiction over motor transportation companies in 1927, and broadened the commission’s authority over transport companies in 1931 and 1932 by including motor carriers not operating over regular routes. In 1945, the legislature gave the commission jurisdiction over air carriers.

The legislature placed all natural gas transmission and distribution systems under the commission’s jurisdiction for safety purposes in 1968. In 1971, the legislature empowered transportation enforcement officers to enforce the rules and regulations of the commission, and placed radio common carriers under the commission’s authority. In 1976, railroad tracks and equipment were included under the commission’s jurisdiction with the passage of the State Participation Program in the Federal Railroad Safety Act of 1970. In 1977, the legislature

empowered the Office of the Attorney General to represent consumers and the state in all commission hearings.

In recent years, the United States Congress has passed several important laws that greatly influenced state regulatory agencies. The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) established the Single State Registration System (SSRS) and directed the Interstate Commerce Commission to implement regulations converting the bingo stamp program to a base state insurance registration program. Title IV of the Federal Aviation Administration Authorization Act of 1994 provides for federal preemption of state regulation of prices, routes, and services of motor carriers of all freight except household goods. This law eliminates tariffs and hearings on applications for property carrier authority to operate. The commission still regulates carriers of household goods and passengers, and still ensures that all carriers maintain proper bodily injury and property damage liability insurance and, when necessary, cargo insurance, and that they meet appropriate safety standards.

Congress also passed the United Carrier registration (UCR) Act in August of 2005 to replace the Single State Registration System (SSRS) and extended the motor carrier registration to include private motor carrier companies, changed registration fees and restricted filings for insurance or any associated annual fees for for-hire motor carriers. The Public Service Commission is the only agency in the state responsible for the administration of the UCR Act.

The Telecommunications Act of 1996 provides a framework for opening the nation to competition for local telephone service. The Transportation Equity Act of 1998 provides preemption on charter buses, and the ICC Termination Act of 1995 provides preemption on railroad rates. These federal actions take precedence over rules of state regulatory agencies. In accord with the new federal acts, the commission must now provide an orderly transition from overseeing regulated monopolies to regulating open competition.

The Telecommunications Division also maintains limited jurisdiction over the regulation of telephone service providers in the State of Alabama. Utilities that fall under the commission's jurisdiction include: Incumbent Local Exchange Carriers (ILECs) – the traditional providers of local telephone service; Competitive Local Exchange Carriers (CLECs); Interexchange Carriers (IXCs); Long Distance Service Resellers (Toll); Payphone Service Providers (PSPs); Shared Tenant Telephone Service (STS) providers; and Inmate Service Providers (ISP).

The Alabama Legislature's Communications Reform Act of 2005 ("Act") curtailed the commission's authority over pricing for most retail telecommunication services. For those providers electing regulation under the Act, the commission's pricing jurisdiction for bundled service offerings, services offered under contract, broadband Internet services and broadband enabled services, and for most retail telecommunications services was eliminated. The commission retained pricing jurisdiction for stand-alone basic service, optional telephone features, emergency telephone (911) services, Lifeline and Link up service, and all wholesale services. As of September 30, 2011, nine (9) independent telephone companies in Alabama have not opted for regulation under the Act and remain fully under the commission's price regulation authority.

In 2009, the Alabama Legislature amended the Communications Reform Act to eliminate the commission's pricing jurisdiction over stand-alone basic service and optional telephone features for BellSouth, CenturyLink, and any rural telephone company agreeing to surrender their rural exemption from competition. As of September 30, 2011 only Windstream Communications and Frontier Telephone Company have agreed to end their rural exemption claim while 25 incumbent telephone companies remain regulated under either the 2005 Act of the commission's price regulation plan that existed prior to its passage.

Because they failed to meet the FCC's definition of telecommunications "carrier" and because the Act applies only to telecommunications carriers, the commission's regulatory authority over payphone service providers and inmate service providers was unaffected.

In April 2011, the Alabama Legislature enacted into law Section 31-1-80.2 of the Code of Alabama, 1975, which charged the Public Service Commission with the duty of implementation and the establishment of procedures for its continuation of the Dual Party Relay System. The law authorized the commission to impose a surcharge on each customer's access line of the local exchange companies operating in Alabama to fund the Dual Party Relay System. The system entitled the hearing and speech impaired community of Alabama to the same access and use of the telephone network as those without such impairments.

Agency Organization

The Public Service Commission consists of three elected commissioners – a president and two associates – with four-year staggered terms. The commissioners meet monthly in Montgomery. The commissioners, as the chief executive officers of the agency, appoint an Executive Director that oversees the day to day operations of the agency and appoint merit system employees as necessary. The commission's organization includes six divisions: Administrative, Electricity Policy, Energy, Legal, Telecommunications, and Transportation.

Agency Function and Subfunctions

The mandated function of the Public Service Commission is to regulate public utilities and the intrastate rates and services of transportation companies conducting business in the state. The commission is one of the agencies responsible for performing the Regulatory function of Alabama government as described in "Functional Analysis of Alabama Government." In the performance of its mandated function, the commission may engage in the following subfunctions.

- **Regulating.** The commission exercises general supervision of all persons, firms, and corporations operating utilities; regulates the issuance of Certificates of Public Convenience and Necessity for the construction of new plants or facilities; and regulates the sale or lease of the property of a utility to another utility, the abandonment of service of a utility to the public, and rates and charges for services rendered. The Attorney General assigns an assistant attorney general to represent the public in matters and proceedings before the commission. The commission is authorized to intervene in federal agency proceedings affecting interstate rates or regulations in Alabama. Regulatory activities of the commission

are divided into general, electricity policy, energy, railway safety, telecommunications, and transportation.

The commission is exempt from the Administrative Procedures Act (Code of Alabama 1975, Section 41-22-3). The commission creates rules and regulations through a notice and comment procedure that begins when the commission gives notice of a possible rule or regulation change and asks for comments from all affected parties. All changes are voted upon by the commissioners at a public commission meeting.

In the course of its regulatory activities, the commission receives numerous filings such as rules, regulations, rates, and operating procedures of each company, and any proposed changes to these matters. Appropriate staff members of the commission review these required filings for compliance with regulations, fairness, reasonableness, prudence, and give each filing a docket number based upon the type of docket (formal, informal, or deregulation under the Telecommunications Act of 1996 or Flexible Contract Rates for Alabama Power Company). Formal dockets require a hearing by an administrative law judge of the commission. The secretary of the commission assigns a formal docket number to cases requiring public hearings (informal and deregulation cases do not require a hearing, but the commission can request that an informal case become a formal case requiring a hearing), and places the hearing on the commission's calendar. Staff members mail notices of hearings, and the chief administrative law judge assigns one of the three judges (including himself) to preside over the hearing. Usually a representative from the Attorney General's Office is present at the hearings. The assigned judge reviews the docket file provided by staff members of commission, hears testimony, and receives evidence. The judge makes a recommendation that is presented to the commissioners at their monthly meeting. The commissioners then vote on the decision and issue an order.

The commission is charged with supervising, regulating, and controlling all transportation companies doing business in the state including common and contract carriers by motor vehicles, railroads, telephone and telegraph lines, pipelines, and waterways. The commission maintains insurance filings and vehicle registrations on all for-hire interstate carriers. Federal law requires motor carriers to register with the Federal Highway Administration and obtain a US DOT number. The Public Service commission requires the motor carriers with their base of operations in Alabama to file under the UCR Act and pay the appropriate fee in support of insurance and safety programs. The motor carrier pays applicable fees based upon the matrix of fees of fees approved by the UCR Board and receives a receipt from the commission. Monthly, the commission reports all registration activity to the UCR Board for review. Hearings are required on intrastate applications for passenger carries (except charter buses, non-profit, and commuter carriers) and for household goods.

The commission also controls, supervises, and regulates persons engaged in intrastate air commerce and in radio utilities within Alabama. In accordance with the National Gas Pipeline Safety Act of 1968, the commission is authorized to exercise regulatory jurisdiction over the safety of pipeline systems and the transportation of natural gas and hazardous liquids, and to enforce federal safety standards in the state, in lieu of enforcement by the U. S. Department of Transportation.

In addition, the commission regulates wastewater management entities and systems. The Alabama Legislature signed into law, in Code of Alabama, 1975, Section 22-25B-1 on May 22, 2009, an Act that gives the Alabama Public Service Commission jurisdiction over companies that operate certain decentralized wastewater systems in Alabama. The commission issues Certificates of Financial Viability, approves rates, and establishes the rules and regulations for their operations. The companies are also required to file annual reports with the commission.

- **Investigating.** Staff members of the commission handle informal complaints of customers or patrons against services or practices of public utilities and other regulated companies. Activities include testing service meters of customers and, where possible, obtaining a fair and proper adjustment without litigation. The commission's inspectors travel all over the state making inspections of facilities and services of common carriers and visit local public officials to ascertain if there are any local complaints. The investigators assist in the collection of delinquent fees and make written reports of their inspections. Staff members of the commission investigate cases involving operations regulated by the commission. Investigations may involve the collection of operating and statistical reports of public utilities and the examination of books and records.

Commission staff members conduct safety compliance inspections on all railroad common carriers' tracks and equipment in Alabama. Inspectors also monitor compliance with applicable regulations for railroad workplace safety; investigate railroad accidents and derailments to determine causes and to recommend action to prevent recurrence; investigate complaints in all matters pertaining to railway safety; and investigate railroad rehabilitative projects, which are administered by the Alabama Department of Transportation.

The commission designates certain employees as enforcement officers having the powers of peace officers and deputy sheriffs in the state. These employees exercise such powers anywhere in the state as to the provisions of the rules and regulations of the commission.

Activities include issuing arrest citations, tickets, and warning tickets; filling out safety inspection forms, accident reports, and investigation records; and conducting investigations as necessary relating to enforcement activities.

- **Administering Internal Operations.** A significant portion of the agency's activities includes general administrative, financial, and personnel activities geared toward the internal functioning of the agency. These administrative duties are grouped together under the subfunction Administering Internal Operations. Administering Internal Operations includes the following groups of activities:

Managing the Agency: Activities include internal office management activities common to most government agencies such as corresponding and communicating, scheduling, meeting, documenting policy and procedures, reporting, litigating, legislating (drafting, lobbying, tracking), publicizing and providing information, managing records, and managing information systems and technology.

Managing Finances: Activities include budgeting (preparing and reviewing a budget package, submitting the budget package to the state Finance Department, documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; assisting in the audit process; investing, and issuing bonds.

Managing Human Resources: Activities include recruiting and hiring eligible individuals to fill positions within the agency; providing compensation and benefits to employees, such as leave, health insurance, unemployment compensation, worker's compensation, injury compensation, retirement, and death benefits; supervising employees by evaluating performance, promoting, granting leave, and monitoring the accumulation of leave; training and providing continuing education for employees; and disciplining employee behavior.

Managing Properties, Facilities, and Resources: Activities include: inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; constructing buildings and facilities; leasing and/or renting offices or facilities; providing for security for property owned by the agency; insuring property; and assigning, inspecting, and maintaining agency property, including vehicles.

Analysis of Record Keeping System and Record Appraisal of the Public Service Commission

Agency Record Keeping System

The Public Service Commission operates a hybrid system composed of computer systems and paper record-keeping.

Computer-Based System: The current information systems environment is a combination of a local area network (LAN), desktop computers, laptop, and websites. The LAN consists of over 100 personal computers, nine servers (which the commission is in the process of replacing with three Hewlett Packard ProLiant ML 330 Virtual Servers), and a SAN. The SAN file server is the central repository for information generated and stored by the commission along with the Star Database System which is on another server. There is standard office suite Microsoft Office but several other software packages are used as well. The database applications are written in-house in Access as the front end software and SQL as the database software. Information in the databases is also found in paper. Staff members perform a complete backup of the SAN and the Star database daily and store the external hard drive, a Seagate 1000 GB external backup drive, offsite at an employee's house. The commission uses the State Finance Department's Information Services Division (ISD) as its Internet provider and electronic mail service. All employees have Internet and e-mail access, but not all of the staff members utilize these applications. The commission has an Internet usage policy that must be signed, if employees want access to the Internet and e-mail.

The commission maintains a website at www.psc.alabama.gov. Information on the website includes copies of news releases, orders, forms, and commission rules as well as other documents that are public record.

Microfilm: The commission no longer scans documents onto microfilm. In years past, the commission filmed several series of transportation records using a microfilm camera that simultaneously created two silver masters with computer assisted retrieval (CAR) encoding. The Department of Industrial Relations processed the film. The commission stores one silver master at the offices of the commission. Commission staff members use a diazo duplicate for reference on a Cannon Microfilm Scanner 300. The reader-printer mode (Capture Perfect) allows scanned images to be printed out directly through a designated printer or copy machine.

Paper-based System: The commission continues to maintain most of its records in paper form. The commission does not currently include paper records management instructions in its procedures manual.

Records Appraisal

The following is a discussion of the three major categories of records created and/or maintained by the Public Service Commission: Temporary Records, Permanent Records, and Records No Longer Created.

I. Temporary Records. Temporary records should be held for what is considered their active life and disposed of once all their fiscal, legal, and administrative requirements have been met. Some of the temporary records created by the Public Service Commission are discussed below:

- **Gas Pipeline Safety System Files.** These files contain all the information collected by the commission concerning natural gas systems operating in Alabama. Items that can be found in each company file include inspection/field reports, accident reports, leak reports, gas system histories, evaluations of gas systems or hazardous liquids systems, photographs, newspaper clippings, and correspondence.
- **Master Meter Files.** These files contain all the information collected by the commission concerning Master Meter systems in Alabama. Master Meter systems are systems operated by investor-owned companies, partnerships, or public housing authorities that use a master meter for one or more units on a premise. Items that can be included in each file are inspection/field reports, accident reports, leak reports, photographs, newspaper clippings, and correspondence.
- **Gas Pipeline Safety Training Records.** The commission conducts training sessions around the state for individuals working on pipeline systems, makes slide presentations, and disseminates information on pipeline safety. Included in these records are monthly training reports listing trainers' activities, certificates, a roster of individuals who have received a certificate, state evaluation monitoring forms, and some correspondence.
- **Alabama Power Company Jurisdictional Separation Study (JSS).** The Public Service Commission requires Alabama Power to prepare an annual cost study that breaks down electric and non-electric revenues, expenditures, and investments. The study is necessary because the commission only regulates the utility portion of Alabama Power and therefore needs only energy related information. The study is necessary monthly during the year for reference use to regulate rates, and for several years to enable commission staff members to perform trend analysis.
- **Water System and Wastewater Management Entities' Books.** The energy section of the commission collects filings and information from water systems. This information is grouped by system and is used by the commission as reference files.
- **Utilities and Wastewater Management Entities' Annual Reports.** The Public Service Commission requires annual reports to be filed by all utilities operating in the state. This series consists of "Form M" filed by telephone companies, "Form 1" filed by power companies, "Form 2, 2-A, or 6" filed by gas companies, audited financial statements filed by

long distance resellers, and reports filed by water companies and radio common carriers. Each report lists the company's business activities for the year, company holdings and investments, money collected, and other pertinent financial data.

- **Consumer Compliant Files.** When a complaint is received by phone, visit, or letter, a compliant report is completed. The report details the complaint, complainant's name and address, date compliant is received, and the name of the company involved. The complaint is assigned to an investigator, and any action taken is noted on the form. When complaints are received involving motor carriers, the enforcement inspectors investigate. For each investigation they complete an investigation report listing the case title, type of complaint, name of investigator, date of report, and a narrative of their actions.

- **Railway Policemen Files.** Railroad companies can apply to request that the governor commission individuals to act as policemen for the company. Railway policemen are empowered to protect company property. Items that can be included in each file are copies of commissions, bonds, and oaths of office. When a railroad no longer requires the services of a policeman, a written notice to that effect is also included in the file.

- **Blue Books (created in or after April 2011).** The Blue Books are bound agendas, given to the commissioners in preparation for the monthly scheduled meeting of the commission.

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Regulating

- **Publications.** The Public Service Commission produces publications to inform the public about the operations, rules, and regulations of the commission. These publications are necessary to document the commission's attempts to publicize its regulations and activities. (RDA page 15) (**Bibliographic Title: State Publications**)

- **Docket Books.** These records are registers of docket numbers of cases filed with the Public Service Commission. Each working day, various utilities may request tariff charges or rate changes. Each request is given a docket number that is entered into the docket register. Generally, formal docket numbers are assigned to cases/matters that are expected to be heard by the Commission in the form of a public hearing. Informal docket numbers are assigned to cases/matters that do not require a public hearing but are decided in a commission meeting and documented by a commission order. Deregulation docket numbers (D docket) are assigned to filings that do not require any action of the commission to take effect. The purpose of these filings is informational only. (RDA page 15)

- **Docket File Index Cards.** These card files serve as an index of all formal and informal dockets handled by the Public Service Commission and are organized by company. One set is for telephone companies and lists formal and informal docket numbers that apply to each company; one set lists all formal docket numbers applying to all companies except telephone

companies; and one set lists all informal dockets for all companies except telephone companies. The cards list the docket numbers (case file numbers), commission actions taken on each docket, and dates of action. These cards are necessary to locate orders and case files. If a staff member or researcher only knows a company name, the name can be looked up in the cards. The cards give the docket numbers for that company. The docket number can then be looked up in the minute book indices, which gives the volume and page number of the minute book containing the order for that docket. The researcher can then look in the minute book for a copy of the filing and order. Also, by using the index cards, a research can obtain a formal docket number, and find the docket file in the formal docket files, which are filed numerically. (RDA page 15) **(Bibliographic Title: Docket File Index Cards)**

- **Formal Docket Files.** These files are for cases that were heard by an administrative law judge either because of the nature of the filing or because the commission felt the filing was noteworthy enough to be brought before a judge. The dockets provide the background information to support the issuance of an order by the commission. Included in the files are filings, briefs, correspondence, case exhibits, financial information on the company, copies of commission orders, hearing transcripts, and commission reports. Because these records contain the background information that led to the approval of filings such as authorization of major utilities to operate in the state, they are necessary to document the decision making process of the commission and also to document the development of particular utilities in the state, which impact most everyone in the state as well as to document the development of utilities as a whole. (RDA page 15) **(Bibliographic Title: Hearing Case Files)**
- **Transportation Tariffs/Contracts.** These tariffs and contracts are filed separately from the other tariffs of the commission. These records are the original documents whereby the commission authorized the levels of service, rates, and other criteria charged and used by motor carriers in dealing with the citizens of the state. It is quite common for the commission to investigate complaints and inquiries several years after a tariff is superseded. The rate supervisor needs the information in the tariffs for analysis. (RDA page 17)
- **Transportation Certification (Formal and Informal).** The certificate gives the applicant the authority to operate in the state and, therefore, document the companies which have operated in the state. (RDA page 17)
- **Motor Carrier Ledgers.** The ledger contains a list of certificate numbers and the name of the company to which it was issued. The commission uses the ledger to track what number was issued to what company and to prevent duplication of numbers. (RDA page 17)
- **Railway Investigator's Accident Reports.** Investigators of the commission investigate some of the railroad accidents occurring in the state and then generate reports. These reports provide useful information on major accidents in the state. Because they document significant occurrences in the transportation system of the state, they retain historical value. (RDA page 18) **(Bibliographic Title: Accident Reports Filed by Railway Investigators)**
- **Directory of Railroad Companies and Officials.** Staff members of the commission compile a directory of railroad companies and officials based upon information submitted by the

companies. This directory provides quick access to basic information on the railroad companies. It retain little administrative value to the commission after it is superseded, but it retains historical value because it serves as reference tool documenting basic information on the railroad companies operating in the state at a given time. (RDA page 18) **(Bibliographic Title: Directory of Railroad Companies and Officials)**

- **Rosters of Safety Training Certificate Holders.** According to the Code of Federal Regulations 49 Part 192.285, no person may make a plastic pipe joint unless that person has been qualified under the applicable joining procedure by appropriate training or experience in the use of the procedure and has made joints that pass inspections and tests. The roster is a list of certificate holders and is necessary to document whether a person is or was qualified to make a plastic pipe joint. (RDA page 19) **(Bibliographic Title: Rosters of Safety Training Certificate Holders)**

Administering Internal Operations

- **Commissioners' Correspondence and Subject Files.** This correspondence file consists of letters to and from the commissioners. The subject files contain information on such topics as state agencies, projects, meetings, and non-state agencies. The commissioners set policy and procedures for the agency. The correspondence and subject files document the activities and decisions of the commissioners and/or the commission. (RDA page 21) **(Bibliographic Title: Correspondence Files; Subject Files)**
- **Commission Meeting Agendas, Minutes, and Packets.** These records document the actions of the commission during its meetings. Because policy may be set and orders are issued at the meetings, records of the meetings are necessary to document policy and actions of the commission. The minutes indices list docket numbers in order, give a brief synopsis of the filing, and give the volume and page number of the minute book in which the order is recorded. (RDA page 21) **(Bibliographic Title: Meeting Agendas, Minutes, and Packets)**
- **Blue Books (created prior to April 2011).** The blue books are the detailed agendas, working papers, analyses, reports, recommendations, charts and graphs, historical background, and other relevant information that staff members generate and give to the commissioners for the monthly scheduled meeting of the commission. These books are necessary to help document the decision making process of the commission members. The blue books provide the detail of actions and decisions made by the commission and retain continuing administrative value to the commission. As of April 2011, the blue books no longer contain the detailed agendas and are bound copies of the agendas. (RDA page 21) **(Bibliographic Title: Meeting Background Books)**
- **Press Releases.** These records document activities of the commission and how the commission sees its missions and obligations. (RDA page 22) **(Bibliographic Title: News Releases)**
- **Website and Social Media Sites.** The agency has a website at www.psc.alabama.gov. Information on the website includes copies of news releases, orders, forms, and commission

rules as well as other documents that are public record. This agency may also have other social media(s) that provide the public with a channel to interact with the agency. This series documents the functions of the agency and its interaction with the public. (RDA page 22) **(Bibliographic Title: Website)**

- **Public Service Commission Annual Reports.** Annual reports provide the best summary documentation of the agency. Many times, information is found only in the annual reports. (RDA page 22) **(Bibliographic Title: Annual Reports)**

III. Records No Longer Created. The following records were created by the agency over time but are no longer created. In most cases these records were created for a purpose that no longer exists.

A. Temporary Records

- **Microfilm Transmittal Forms.** The agency used to store microfilm reels at the State Records Center. The transmittal forms documented the transfer of the film to the State Records Center.
- **Film Processing Job Order Forms.** The agency used to microfilm several transportation series. The Department of Industrial Relations processed the film for the agency. As the Public Service Commission no longer microfilms records, these records are no longer created.

Permanent Records List Public Service Commission

Regulating

1. Publications
2. Docket Books
3. Docket File Index Cards
4. Formal Docket Files
5. Transportation Tariffs/Contracts*
6. Transportation Certification (Formal and Informal)*
7. Motor Carrier Ledgers*
8. Railway Investigator's Accident Reports
9. Directory of Railroad Companies and Officials
10. Rosters of Safety Training Certificate Holders

Administering Internal Operations:

1. Commissioners' Correspondence and Subject Files
2. Commission Meeting Agendas, Minutes, and Packets
3. Blue Books (created prior to April 2011)
4. Press Releases
5. Website and Social Media Sites
6. Public Service Commission Annual Reports

*indicates records that ADAH anticipates will remain in the care and custody of the creating agency. ADAH staff is available to work with agency staff in determining the best location and storage conditions for the long-term care and maintenance of permanent records.

Public Service Commission Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975, Sections 41-13-5 and 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation with representatives of the Public Service Commission. The RDA lists records created and maintained by the Public Service Commission in carrying out its mandated functions and activities. It establishes retention periods and disposition instructions for those records and provides the legal authority for the Public Service Commission to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Under the Code of Alabama 1975, Section 36-12-40, "every citizen has a right to inspect and take a copy of any public writing in this state, except as otherwise expressly provided by statute." Records must be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975, Sections 36-12-2, 36-12-4, and 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules and/or RDAs governing the retention of the Public Service Commission's records. Copies of superseded schedules or/and RDAs are no longer valid and should be discarded.
- This RDA shall govern the disposition of all records, regardless of format, created by the agency from its creation to dissolution. Please contact the staff of the Department of Archives and History before destroying any records created before 1940.
- The RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Some temporary records listed under the Administering Internal Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.
- Certain other record-like materials need not be retained as records under the disposition requirements in this RDA. They may be disposed of in whatever way the agency determines best. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs,

trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationary, blank forms, or other surplus materials that are not subject to audit and have become obsolete; (4) transitory records, which are temporary records created for short-term internal purposes that may include, but are not limited to, telephone call-back messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about social activities, such as a note to a group going to lunch; and (5) honorary materials, plaques, awards, presentations, certificates, and gifts received or maintained by the agency staff. They may be disposed of without documentation of destruction.

- Any record created by the commission prior to 1900 shall be regarded as permanent unless there is a specific action by the State Records Commission to authorize its destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Public Service Commission and lists the groups of records created and/or maintain by the commission as a result of activities and transactions performed in carrying out these subfunctions. The agency may submit requests to revise specific records disposition requirements to the States Records Commission for consideration at its regular meetings.

■ Regulating

General:

Reciprocity Agreements

Disposition: Temporary Record. Retain for useful life.

PUBLICATIONS

Disposition: PERMANENT RECORD.

Hearing Calendars

Disposition: Temporary Record. Retain 3 years.

DOCKET BOOKS

Disposition: PERMANENT RECORD.

DOCKET FILE INDEX CARDS

Disposition: PERMANENT RECORD.

FORMAL DOCKET FILES

Disposition: PERMANENT RECORD.

Deregulation (D) Docket Files

Disposition: Temporary Record. Retain 2 years.

Informal (U) and Tariff Docket Files

Disposition: Temporary Record. Retain 10 years.

Tariff Books/Pages

Disposition: Temporary Record. Retain until superseded/canceled and then place in canceled tariff book/file.

Canceled Tariff Books/Pages

Disposition: Temporary Record. Retain for useful life.

Judges' Correspondence

Disposition: Temporary Record. Retain 10 years.

Certifications

Disposition: Temporary Record. Retain 1 year after end of certification.

Alabama Power Company Filings

Disposition: Temporary Record. Retain 3 years after end of year of filing.

Monitoring Reports

Disposition: Temporary Record. Retain for 5 years.

Telecommunications:

Records of telecommunications and resale agreements

Disposition: Temporary Record. Retain for 6 months.

Telecommunications audit work papers, supporting correspondence, and reporting information (includes Form M)

Disposition: Temporary Record. Retain for useful life.

Telecommunications Division Correspondence

Disposition: Temporary Record. Retain for five years.

Records of telecommunications engineering correspondence, quality of service workpapers, and company loan information

Disposition: Temporary Record. Retain for 5 years.

Forms Submitted to Engineering

Disposition: Temporary Record. Retain for 5 years.

Records of payphone service providers, inmate service providers, shared tenant service, commercial radio service providers, local exchange carriers, and hotel/motel inspections
Disposition: Temporary Record. Retain for 5 years.

Complaints and supporting documentation
Disposition: Temporary Record. Retain for 4 years after resolution of complaint.

Transportation:

TRANSPORTATION TARIFFS/CONTRACTS

Disposition: Retain in Office.

TRANSPORTATION CERTIFICATION (FORMAL AND INFORMAL)

Disposition: RETAIN IN OFFICE.

Transportation Division Correspondence

Disposition: Temporary Record. Retain for five years.

Insurance Filings from Motor Carriers

Disposition: Temporary Record. Retain 7 years after cancellation.

Applications for Authority for For-hire Transportation Businesses

Disposition: Temporary Record. Retain three years after the fiscal year in which the records were created.

Unified Carrier Registration Form and Receipt

Disposition: Temporary Record. Retain three years after the fiscal year in which the records were created.

Submitted Transportation Annual Reports

Disposition: Temporary Record. Retain 3 years.

Motor Carrier Vehicle Identification Records

Disposition: Temporary Record. Retain until vehicle is decommissioned.

Annual Reports for Inspection and Supervision Fees

Disposition: Temporary Record. Retain 5 years.

MOTOR CARRIER LEDGERS

Disposition: Retain in Office.

Bus Schedules

Disposition: Temporary Record. Retain 10 years.

Railway Inspection Reports

Disposition: Temporary Record. Retain 5 years.

Railway Violation Reports
Disposition: Temporary Record. Retain 7 years.

Railroad Track Files
Disposition: Temporary Record. Retain 5 years.

Railway Accident Notifications
Disposition: Temporary Record. Retain 7 years.

Monthly Railway Accident Reports
Disposition: Temporary Record. Retain 7 years.

RAILWAY INVESTIGATOR'S ACCIDENT REPORTS
Disposition: PERMANENT RECORD.

Railway Monthly Activity Record
Disposition: Temporary Record. Retain 5 years.

Railway Monthly Inspection Summaries
Disposition: Temporary Record. Retain 5 years.

DIRECTORY OF RAILROAD COMPANIES AND OFFICIALS
Disposition: PERMANENT RECORD.

State/Federal Administration Annual Plans and Training Agreements
Disposition: Temporary Record. Retain 3 years.

Operation Lifesaver Reports
Disposition: Temporary Record. Retain 2 years.

Railway Annual Plans
Disposition: Temporary Record. Retain 5 years.

Federal Administration Training Reports
Disposition: Temporary Record. Retain 2 years.

Rehabilitation Project Agreements
Disposition: Temporary Record. Retain 10 years.

Federal Administration Activity Reports
Disposition: Temporary Record. Retain 5 years.

Energy

Energy Division Correspondence
Disposition: Temporary Record. Retain for five years.

Gas Pipeline Safety System Files
Disposition: Temporary Record. Retain 10 years.

Master Meter Files
Disposition: Temporary Record. Retain 10 years.

Safety Grant Applications with U.S. Department of Transportation and Safety Certification from U.S. Department of Transportation for Gas and Hazardous Liquids Safety Program Records
Disposition: Temporary Record. Retain 25 years.

Gas Pipeline Safety Training Records (not roster of safety training certificate holders)
Disposition: Temporary Record. Retain for 10 years.

ROSTERS OF SAFETY TRAINING CERTIFICATE HOLDERS
Disposition: PERMANENT RECORD.

Gas Pipeline Safety Operations, Maintenance, and Emergencies Plans
Disposition: Temporary Record. Retain until superseded.

Gas Systems Annual Operating Reports
Disposition: Temporary Record. Retain 5 years.

Energy Company and Wastewater Management Entities' Files
Disposition: Temporary Record. Retain 5 years.

Water System and Wastewater Management Entities' Books
Disposition: Temporary Record. Retain 25 years after termination of system.

Energy Audit Files
Disposition: Temporary Record. Retain 2 years after completion of internal audit.

Energy Section Files
Disposition: Temporary Record. Retain 5 years.

Utilities and Wastewater Management Entities' Annual Reports and Monthly Report Summaries
Disposition: Temporary Record. Retain 10 years.

Utility Monthly Detail Reports
Disposition: Temporary Record. Retain for 15 years.

Energy Division Docket Workpapers
Disposition: Temporary Record. Retain 5 years after termination of system or contract.

Rate Stabilization and Equalization Files (gas companies)
Disposition: Temporary Record. Retain 5 years.

Electricity Policy

Electricity Policy Division Correspondence

Disposition: Temporary Record. Retain for five years.

Alabama Power Company Jurisdictional Separation Study (JSS)

Disposition: Temporary Record. Retain 10 years.

Electric Utility Company Files

Disposition: Temporary Record. Retain 5 years.

Electricity Policy Division and Section Files

Disposition: Temporary Record. Retain 5 years.

Utilities Annual Reports and Monthly Report Summaries

Disposition: Temporary Record. Retain 10 years.

Utility Monthly Detail Reports

Disposition: Temporary Record. Retain for 5 years.

Accounting and Auditing Files

Disposition: Temporary Record. Retain for five years.

Monitoring Reports

Disposition: Temporary Record. Retain for five years.

Project Files

Disposition: Temporary Record. Retain for 5 years.

Monthly Activity Reports

Disposition: Temporary Record. Retain for 3 years.

Federal Affairs Files

Disposition: Temporary Record. Retain 3 years.

Rate Stabilization and Equalization Files (electric companies)

Disposition: Temporary Record. Retain 5 years.

■ Investigating

Consumer Complaint Files

Disposition: Temporary Record. Retain 4 years after resolution of complaint.

Court Pleadings

Disposition: Temporary Record. Retain 5 years from close of docket.

Legal Research Results

Disposition: Temporary Record. Retain 5 years from close of docket.

Attorney's Legal Work Papers

Disposition: Temporary Record. Retain 5 years from close of docket.

Uniform Traffic Ticket and Complaint (UTTC) Records (arrest citations, tickets, warning tickets, safety inspection forms, accident reports, and investigation records)

Disposition: Temporary Record. Retain 5 years.

Uniform Traffic Ticket and Complaint (UTTC) Accountability Records (includes ticket book)

Disposition: Temporary Record. Retain until audited by Administrative Office of the Courts or 2 years, whichever is longer.

Railway Policemen Files

Disposition: Temporary Record. Retain 5 years after termination of appointment.

Motor Carrier Hearing Notices

Disposition: Temporary Record. Retain 3 years.

Unified Carrier Registration Audits

Disposition: Temporary Record. Retain until completion of one audit and the release of the audit report or three years, whichever comes last.

■ **Administering Internal Operations**

Managing the Agency

COMMISSIONERS' CORRESPONDENCE AND SUBJECT FILES

Disposition: PERMANENT RECORD.

COMMISSION MEETING AGENDAS, MINUTES, AND PACKETS

Disposition: PERMANENT RECORD.

Blue Books

Disposition:

1. BLUE BOOKS (CREATED PRIOR TO APRIL 2011)
Disposition: PERMANENT RECORD.
2. Blue Books (created in or after April 2011)
Disposition: Temporary Record. Retain one month.

Recording of Meeting Minutes/Video Taping

Disposition: Temporary Record. Retain until the official minutes are adopted and signed.

Commission Meeting Notices

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

PRESS RELEASES

Disposition: PERMANENT RECORD.

WEBSITE AND SOCIAL MEDIA SITE(S)

Disposition: PERMANENT RECORD.

(ADAH staff captures and preserves the agency's website and other social media sites via a service offered by the Internet Archive [Archive It]. Check with ADAH website at www.archive-it.org/organizations/62 to ensure your agency website and social media site(s) are captured and preserved. If your agency's website and social media site(s) are not captured by the service, please contact the Government Records Division at 334-242-4452 to get them included.)

Sunset Committee Review Records

Disposition: Temporary Record. Retain until completion of subsequent sunset review.

Requests for information

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Routine Correspondence

Disposition: Retain 3 years after the end of the fiscal year in which the records were created.

Mailing Lists

Disposition: Temporary Record. Retain for useful life.

State Calling Card List

Disposition: Temporary Record. Retain until superseded.

Telephone Logs

Disposition: Temporary Record. Retain 3 years.

Litigation Files

Disposition: Temporary Record. Retain 20 years.

Records documenting the employee appeal to the Personnel Board of formal reprimands, demotions, transfers, or terminations

Disposition: Temporary Record. Retain 3 years following decision of Personnel Board.

PUBLIC SERVICE COMMISSION ANNUAL REPORTS

Disposition: PERMANENT RECORD.

Monthly Sectional Reports

Disposition: Temporary Record. Retain 3 years.

Records documenting the implementation of the agency's RDA (copies of transmittals forms to Archives or State Records Center, evidence of obsolete records destroyed, and annual reports to the State Records Commission)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Copies of RDA

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the RDA is superseded.

Index to Files

Disposition: Temporary Record. Retain until superseded.

File Sign Out Book

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Microfilm Transmittal Forms (No Longer Created)

Disposition: Temporary Record. Retain for life of film.

Film Processing Job Order Forms (No Longer Created)

Disposition: Temporary Record. Retain for life of film.

System Documentation (hardware/software manuals and diskettes, warranties, records of access/authorities, file naming conventions)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which former hardware and software no longer exists anywhere in the agency and all permanent records have migrated to a new system.

Records of Internet Usage

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Internet Usage Policy

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Managing Finances:

Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records of original entry such as journals, registers, and ledgers; and records of funds deposited inside or outside the state treasury

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Agency Audit Reports

Disposition: Temporary Record. Retain 6 years after end of the fiscal year in which the records were created.

Records documenting contracts for supplies, equipment, and services

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Records documenting the bid process, including requests for proposals and unsuccessful responses

Disposition:

1. Original bid records maintained in the purchasing office of the agency for contracts over \$15,000

Disposition: Temporary Record. Retain 7 years after end of the fiscal year in which the bids were opened.

2. Duplicate copies of bid (originals are maintained by the Division of Purchasing, Department of Finance)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Managing Human Resources:

Job Recruitment Materials

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Application Materials

Disposition: Temporary Record. Retain 1 year.

Position Classification Questionnaire

Disposition: Temporary Record. Retain 4 years after reclassification of the position.

Position Files

Disposition: Temporary Record. Retain 7 years.

Records documenting payroll (e.g. pre-payroll reports, payroll check registers)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting payroll deductions for tax purposes

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting payroll deduction authorizations

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting employee hours worked, leave earned, and leave taken (including time sheets)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting employees' daily and weekly work schedules

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting leave donations

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting final leave status

Disposition: Temporary Record. Retain record of individual employee's cumulative leave 6 years after separation of the employee from the agency.

Annual and Probationary Raise Reports

Disposition: Temporary Record. Retain 5 years.

Records documenting an employee's work history – generally maintained as a case file

Disposition: Temporary Record. Retain 6 years after separation of an employee from the agency.

Employee Flexible Benefits Plan Files (applications and correspondence)

Disposition: Temporary Record. Retain 6 years after termination of participation in program.

Records documenting the State Employee Injury Compensation Trust Fund (SEICTF) Claims
Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Employees Administrative Hearing Files

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Section/Division Personnel Files

Disposition: Temporary Record. Retain until separation of employee from the agency.

RSA Status Reports

Disposition: Temporary Record. Retain until superseded.

Managing Properties, Facilities, and Resources:

Semiannual Inventory Lists

Disposition: Retain in office. (Code of Alabama 1975, Section 36-16-8[1])

Agency Copies of Transfer of State Property Forms (SD-1)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Inventory Cards

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year following the removal of an item from the inventory.

Property Inventory Affidavits

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Receipts of Responsibility for Property

Disposition: Temporary Record. Retain until return of item to property manager.

Records documenting the lease or rental of office or warehouse space for the department

Disposition: Retain 6 years after expiration of lease.

Parking Deck Card Records

Disposition: Temporary Record. Retain until superseded.

Records of Accidents

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Building Access Records

Disposition: Temporary Record. Retain 3 years.

Records documenting the use, maintenance, ownership, insurance, and disposition of vehicles owned by the agency

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the vehicle was removed from the property inventory.

Requirements and Recommendations for Implementing the Records Disposition Authority

Under the Code of Alabama 1975, Section 41-13-21, “ no state officer or agency head shall cause any state record to be destroyed or otherwise disposed of without obtaining approval of the State Records Commission.” This Records Disposition Authority constitutes authorization by the State Records Commission for the disposition of the records of the Alabama Department of Archives and History (hereafter referred to as the agency) as stipulated in the document.

One condition of this authorization is that the agency submits an annual Records Disposition Authority (RDA) Implementation Report on agency records management activities, including documentation of records destruction, to the State Record Commission in July of each year. In addition, the agency should make every effort to establish and maintain a quality record-keeping program through the following activities:

- The agency should designate a records liaison, who is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, and ensuring the regular implementation of the agency’s approved RDA.
- Permanent records in the agency’s custody will be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis – for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA’s provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The agency should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; (3) migrating all permanent records when the system is upgraded or replaced. If the agency chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records’ permanent preservation and accessibility.

- Electronic mail contain permanent, temporary, or transitory record information. Although e-mail records can be printed out, filed, and retained according to the RDA’s requirements, the agency should preferably employ an electronic records management system capable of sorting e-mail into folders and archiving messages having long-term value.
- The staff of the State Records Commission or the Examiners of Public Accounts may examine the condition of the permanent records in the custody of the agency and to inspect records destruction documentation. Government Records Division archivists are available to instruct the agency staff in RDA implementation and otherwise assist the agency in implementing its records management program.

The State Records Commission adopted this records disposition authority on April 24, 2013.

 Steve Murray
 Chairman, State Records Commission

 Date

Receipt acknowledged:

 Twinkle Andress Cavanaugh, President
 Public Service Commission

 Date

 Jeremy H. Oden, Commissioner
 Public Service Commission

 Date

 Terry Dunn, Commissioner
 Public Service Commission

 Date

John A. Garner, Executive Director
Public Service Commission

Date

Walter L. Thomas, Jr., Secretary
Public Service Commission

Date