

R.97-04-011/I.97-04-012

D.98-08-035

COMMISSIONERS HENRY M. DUQUE AND JESSIE J. KNIGHT, Jr.,
DISSENTING IN PART:

We fully support the decision, with one exception. The alternate pages sponsored by Commissioner Duque would have adopted a narrower definition of “temporary” for purposes of temporary or intermittent assignment of utility employees to certain affiliates. Because of the nature of utility work there will necessarily be some underutilization of employees during non-peak time periods. Therefore we believe that it is appropriate to allow some temporary use of utility employees by affiliates. However, the utility should not be viewed as a source of employees by affiliates, instead the utility should be staffed to conduct utility business. We simply believe that 30% of an employee’s time is an excessive amount to be considered temporary. The alternate pages allowed for 8.5% of a utility employee’s time to be assigned to an affiliate, which approximates one month. This would allow the utility to smooth the peaks and valleys of utility work while discouraging excess staffing.

For these reasons, we file this partial dissent regarding the definition of “temporary”.

/s/

HENRY M. DUQUE

Commissioner

/s/

JESSIE J. KNIGHT, JR.

Commissioner