

Public Service Commission Structure

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting (5-4-105, MCA; Chapter 309, Laws of 2017). The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The legislation links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

Legislation can be complex, and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

BACKGROUND MATERIALS AND RESEARCH

TOPIC SUMMARY:

Montana's system for regulating public utilities began in 1907 when the Legislature established a three-member Board of Railroad Commissioners. The Board of Railroad Commissioners was charged with setting rates and establishing regulations governing freight and passenger transportation within the state. In 1913, Board of Railroad Commissioners began serving as ex-officio members of the newly formed Montana Public Service Commission (PSC), expanding regulatory oversight to additional public utilities. Since 1974, the PSC structure has consisted of five members who are elected from regional districts to four-year staggered terms. The Department of Public Service Regulation provides staff support to the Commission through its Regulatory, Legal, and Centralized Services divisions. Statutory provisions establishing the PSC are found in Title 69, chapter 1, MCA.

In recent years, several bills have been introduced to restructure the commission. These proposals have sought to reduce the number of commissioners, require non-partisan elections, establish minimum qualifications for serving, or transition the PSC from an elected body to one appointed by the Governor.

LEGISLATIVE SERVICES DIVISION MATERIALS:

[Utility Commissions: State Regulatory Structures in the West \(2019-2020\)](#)

[PSC Organizational Structure \(2011-2012\)](#)

OTHER MATERIALS:

[Department of Public Service Regulation Financial Compliance Audit \(2021\)](#)

[Public Service Commission and Department of Public Service Regulation Performance Audit \(2024\)](#)

INTRODUCED LEGISLATION

*Chapter number assigned means bill was passed and approved.

2025

[HB 363](#) -- (H) Died in Process. A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE SELECTION OF MEMBERS OF THE PUBLIC SERVICE COMMISSION; PROVIDING FOR ELECTED COMMISSION MEMBERS; PROVIDING FOR APPOINTED COMMISSION MEMBERS; PROVIDING DISTRICTS FOR THE ELECTED MEMBERS; PROVIDING TERMS OF SERVICE; PROVIDING QUALIFICATIONS FOR APPOINTED MEMBERS; PROVIDING DEFINITIONS; AMENDING SECTIONS 69-1-103, 69-1-104, 69-1-105, AND 69-1-106, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

[SB 561](#) -- (S) Died in Standing Committee. A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE SELECTION OF MEMBERS OF 5 THE PUBLIC SERVICE COMMISSION; AMENDING SECTIONS 69-1-103, 69-1-104, 69-1-105, AND 69-1-106, 6 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

2023

[HB 755](#) -- (H) Died in Standing Committee. A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE APPOINTMENT OF PUBLIC SERVICE COMMISSIONERS; PROVIDING QUALIFICATION STANDARDS; REVISING COMMISSION DISTRICTS; AMENDING SECTIONS 10-1-1010, 13-12-207, 13-37-216, 13-37-240, 69-1-103, 69-1-104, 69-1-105, 69-1-106, AND 69-1-107, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

2021

[SB 160](#) -- (S) Died in Process. A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE COMPOSITION OF THE PUBLIC SERVICE COMMISSION; PROVIDING FOR COMMISSIONER APPOINTMENTS; AMENDING SECTIONS 101-1010, 13-12-207, 13-37-216, 13-37-240, 69-1-103, 69-1-105, 69-1-106, AND 69-1-107, MCA; REPEALING SECTION 69-1-104, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

2019

[SB 246](#) -- (S) Died in Standing Committee. A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE PUBLIC SERVICE COMMISSION; REQUIRING PUBLIC SERVICE COMMISSIONERS TO BE NONPARTISAN CANDIDATES; REQUIRING THE ENERGY AND TELECOMMUNICATIONS INTERIM COMMITTEE TO REVIEW THE COMMISSION DISTRICTS AND MAKE RECOMMENDATIONS TO REVISE THE SIZE AND COMPOSITION OF THE COMMISSION; REVISING THE PROCESS FOR ESTABLISHING PUBLIC SERVICE COMMISSION SALARIES; REVISING THE PROCESS FOR FILLING PUBLIC SERVICE COMMISSION VACANCIES; AMENDING SECTIONS 2-16-405, 5-5-230, 13-12-207, 13-14-111, 13-35-231, 13-37-216, 69-1-105, AND 69-1-106, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

[SJ 17](#) -- (S) Died in Standing Committee. A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF THE COMPOSITION AND ELECTION OF THE MONTANA PUBLIC SERVICE COMMISSION.

2017

SB 210 -- (S) Died in Standing Committee. A BILL FOR AN ACT ENTITLED: "AN ACT REVISING PUBLIC SERVICE COMMISSION LAWS; CHANGING THE NAME OF THE PUBLIC SERVICE COMMISSION AND DEPARTMENT OF PUBLIC SERVICE REGULATION TO PUBLIC UTILITY COMMISSION AND DEPARTMENT OF PUBLIC UTILITY REGULATION; REQUIRING THE APPOINTMENT OF PUBLIC UTILITY COMMISSIONERS; ESTABLISHING QUALIFICATIONS FOR PUBLIC UTILITY COMMISSIONERS; ESTABLISHING A METHOD FOR SETTING COMMISSION SALARIES; AND AMENDING SECTIONS 2-4-102, 2-15-104, 2-15-1021, 2-15-2212, 2-15-2601, 2-15-2602, 2-16-405, 2-16-602, 2-18-101, 2-18-104, 5-5-230, 5-7-102, 7-2-4736, 7-3-4302, 7-7-4428, 7-10-215, 7-13-4107, 7-14-4401, 10-1-1010, 10-3-1306, 10-3-1309, 13-12-207, 13-37-216, 13-37-226, 13-37-240, 15-2-303, 15-6-138, 15-6-141, 15-23-101, 15-23-301, 15-31-114, 15-32-107, 18-4-302, 20-8-121, 27-19-203, 30-14-105, 30-14-1104, 30-14-1405, 30-14-1702, 30-16-303, 31-1-501, 35-18-104, 39-9-211, 53-1-704, 61-3-716, 61-3-722, 61-10-154, 69-1-101, 69-1-102, 69-1-103, 69-1-104, 69-1-105, 69-1-106, 69-1-107, 69-1-112, 69-1-201, 69-1-223, 69-1-224, 69-1-401, 69-1-403, 69-3-204, 69-3-307, 69-3-601, 69-3-701, 69-3-803, 69-3-901, 69-3-1003, 69-3-1004, 69-3-1006, 69-3-1007, 69-3-1205, 69-4-305, 69-4-314, 69-4-356, 69-5-121, 69-8-201, 69-8-215, 69-11-421, 69-11-422, 69-12-302, 69-12-408, 69-12-421, 69-12-423, 69-12-601, 69-14-604, 69-14-607, 69-14-701, 69-14-910, 75-1-201, 75-6-306, 75-10-404, 75-20-216, 76-3-622, 85-1-510, 85-1-511, 85-1-512, 85-1-513, 85-7-1419, 90-4-1202, AND 90-4-1210, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Prepared By:

Griffin Burns, Research Analyst

Office of Research and Policy Analysis

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