

## The fourth branch of the Arizona government

By Jennifer A. Cranston



Last November, Arizona voters elected two new members to the Arizona Corporation Commission. Doug Little and Tom Forese started their four-year terms in January. The other three positions are held by commissioners Bob Stump, Bob Burns and newly elected Susan Bitter Smith, chair.

While some are familiar with the commission, others may be asking, “What is the Corporation Commission and why should I care?”

### What is the Arizona Corporation Commission?

The Arizona Corporation Commission is unique. First, it derives its existence and authority from the state constitution, not from statute, as in most states. Second, Arizona commissioners are elected in a statewide election rather than appointed by the legislature or governor. Third, the commission is tasked with a broad set of responsibilities that go beyond corporate entity administration. The commission’s authority extends to public utilities regulation, securities regulation and railroad and pipeline safety.

Given its constitutional roots and the fact that it functions separately from the other three branches of state government (executive, legislative and judicial), the commission is sometimes referred to as the “fourth branch” of the Arizona government.

### Why should I care?

While all of the commission’s areas of responsibility are important, the one that has the most direct impact on the average citizen is the commission’s regulation of public utilities such as Arizona Public Service, Southwest Gas, Cox Communications, CenturyLink and numerous water and sewer companies.

Under the Arizona Constitution, the

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commission has authority to oversee the quality of service and set the rates charged by these utility providers. However, the commission does not have jurisdiction over all Arizona utilities. The Arizona Constitution expressly excludes municipalities and municipal utilities, like Salt River Project and the City of Phoenix, from the commission’s regulatory authority.

For those who are interested in the commission – especially given that its decisions can directly affect the services the public relies upon and the prices of those services – there are many opportunities to stay informed and voice opinions. The commission holds monthly Open Meetings at which members of the public are entitled to appear and provide comment. Also, the commission has an excellent website ([azcc.gov](http://azcc.gov)) that provides information and invites public comment on matters pending before the commission.

As elected officials, the commissioners often look to the public for guidance in making difficult decisions. For example, this year the commission is expected to consider several hot topics, including proposed regulations of rooftop solar providers and revisions to Arizona’s renewable energy requirements.

Hopefully, with a better understanding of what the commission does, you will be motivated to stay informed and provide input on issues that are important to you.

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