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Wednesday, November 03, 2010 12:10 PM ET RRA

## Election Results 2010

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By [Rob Schain](#)

Gubernatorial and state utility regulatory commission elections held on Nov. 2 will impact the utilities operating in the jurisdictions in which these elections occurred. In 12 of the 52 utility regulatory bodies followed by RRA, commissioners are selected through direct voter elections. Commissioners are elected by the state legislature at two of the agencies. At one agency (the [Tennessee Regulatory Authority](#)), commissioners are chosen by the Governor, the Speaker of the House, and the President of the Senate. At another agency (the [Massachusetts Dept. of Public Utilities](#)), commissioners are appointed by the Secretary of the Office of Energy and Environmental Affairs, with the Governor's approval. Commissioners in the remaining 36 jurisdictions are appointed by the chief executive of the jurisdiction.

Regulatory Research Associates has assembled data in a Nov. 3 [Special Report](#) that include election results, the commissioners whose terms expire in 2011, and the commission chairpersons who could be affected by a change in administration.

On Nov. 2, gubernatorial elections were conducted in 36 states (excluding Alaska, a state not followed by RRA). Additionally, the District of Columbia held its mayoral election. In 28 of these jurisdictions, the state's chief executive has the primary responsibility for appointing state utility regulatory commissioners. (We note that included in the 28 jurisdictions is the Nov. 2 special gubernatorial election in Utah to fill the remainder of the unexpired term of former Gov. Jon Huntsman that extends to January 2013.)

Nine other states held gubernatorial elections, but in those states (Alabama, Arizona, Georgia, Massachusetts, Nebraska, New Mexico, Oklahoma, South Carolina, and South Dakota), the governors do not appoint commissioners. RRA's study also indicates that in certain states with gubernatorial elections this year, the commission chairman is designated by the governor and serves at the governor's discretion for an unspecified term. Those states in which the chairman is so selected, but the chairman's term as commissioner is not due to expire, are Arkansas, California, Hawaii, Illinois, Michigan, Minnesota, Nevada, New York, Ohio, Pennsylvania, Texas, and Utah.

The report also includes the results of commissioner elections in Alabama, Arizona, Georgia, Louisiana, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, and Texas.

RRA noted that in California, voters rejected Proposition 23 (Initiative 1454), a measure that would have suspended the state's greenhouse gas (GHG) reduction law, Assembly Bill (AB) 32, until the unemployment rate in California was 5.5% or less for four consecutive calendar quarters. Enacted in 2006, AB 32 requires GHG emissions to be reduced to 1990 levels by 2020, an approximate 25% reduction from 2006 levels.

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