

LOUISIANA PUBLIC SERVICE COMMISSION
AMENDED GENERAL ORDER
REGISTRATION OF LOBBYISTS
(SUPERSEDES GENERAL ORDER DATED AUGUST 29, 1989)

In re: Rules Governing Registration of Lobbyists

It is the policy of this Commission that the public and the Commission possess the right to know the identity of all persons or organizations who lobby this body directly or indirectly to achieve a desired result in connection with any business of this Commission. The regulations set out in this general order are to be given the broadest possible construction to facilitate the right to know as expressed above. Consistent with this policy, the following General Order is hereby enacted:

§1. Definitions

When used in this General Order:

- (a) The term "person" includes an individual, partnership, committee, association, corporation, cooperative, regulated carrier or public utility and any other organization or group of persons.
- (b) The term "Commission" means the Louisiana Public Service Commission and the employees of the Louisiana Public Service Commission.
- (c) The term "Secretary" means the Secretary of the Louisiana Public Service Commission.
- (d) The term "business" means docketed items, nondocketed items requiring Commission or staff action including approval or nonopposition, or any matter taken up by the Commission at any session. An item becomes "business" once a matter has been initially presented to the Commission or staff for docketing or other action, or which subsequently comes before the Commission or staff.
- (e) The term "lobbyist" means any person who engages in lobbying as defined herein with or without compensation even if such compensation is contingent upon the success or partial success of the lobbying effort. The term "lobbyist" shall not include a private citizen acting in his own capacity, and not on behalf of another person, expressing a personal conviction on any business of the Commission.
- (f) The term "lobbying" means any act or communication, the direct or indirect purpose of which is to influence, directly or indirectly, staff or Commission action, or the passage, defeat or modification of any business by the Commission.

§2. Persons to whom applicable

- (a) The provisions of this General Order shall be applicable to all persons who are lobbyists under §1.
- (b) The provisions of this General Order shall not be applicable to any person who:
 - (1) only makes a statement for the record at a public hearing or meeting of the Commission in support of or opposition to business;
 - (2) is an elected public official acting in his official capacity;
 - (3) in the case of any newspaper or other regularly published periodical, owns, publishes, or is employed by any such newspaper or periodical, which in the ordinary course of

business publishes news items, editorials, or other comments, or paid advertisements, which directly or indirectly urge the passage, defeat or modification of business, if such newspaper, periodical, or individual engages in no further or other activities in connection with the passage, defeat or modification of such business other than to appear before a hearing or a meeting of the Commission in support of or in opposition to such business;

- (4) is an attorney or other person publicly of written record as a proponent or opponent of business or action pending before the Commission; this exemption, however shall apply only to such person as to the transaction for which the written public record of representation exists;
- (5) is a Commission employee or an outside counsel or consultant retained by the Commission; or
- (6) is a full-time salaried or full-time hourly paid employee of a regulated utility, carrier or other regulated person required to be regulated by the Commission under the Constitution or laws of this State who engages in lobbying for his employer in connection with business in which his employer is the applicant, principal or respondent.

§3. Registration of lobbyists with Secretary of the Commission; compilation of information.

- (a) Any person to whom this General Order is made applicable in §2 shall register with the Secretary before engaging in lobbying. He shall give to the Secretary in writing and under oath, on forms promulgated by the Commission, the following information: his name and business address, the name and address of the person by whom he is employed or whose interests he represents, including the business in which that person is engaged, and the name of the person by whom he is paid or is to be paid. The lobbyist shall also file a statement signed under oath from each person by whom he is employed or whom he represents verifying that the person has authorized the lobbyist to represent him. Registration shall not be considered complete without such statements.
- (b) It shall be the responsibility of the regulated entity or the person served by a regulated entity or any applicant, intervenor or respondent who engages or employs a lobbyist to require compliance with the registration requirements.
- (c) The registration shall expire December 31 of each year and shall be renewed on or before January 1 of each year in writing and under oath on forms promulgated by the Commission. The renewal form shall include a statement that nothing on the registration form has changed, or if it has changed, a statement of the changes. Failure to file the renewal form by January 1 of each year shall cause the registration to expire immediately.
- (d) The forms shall be filed in the office of the Secretary at the domicile of the Commission in Baton Rouge. Neither Commission staff nor funds shall be used for distribution to the general public of any lists generated from the registration forms.
- (e) Whenever any information on the lobbyist's registration form changes, the lobbyist begins to represent an additional person, or the lobbyist ceases to represent any person, supplemental information shall be filed with the Secretary within ten days of such change, on forms promulgated by the Commission.

- (f) No person shall engage in lobbying prior to actual receipt by the Secretary of all applicable forms.
- (g) Each lobbyist shall pay a fee of ten dollars (\$10.00) with each registration and each renewal of the registration. No fee, however, shall be assessed for the filing of any supplemental information required by this General Order.

§4. Reports and statement under oath

All reports and statements required under this General Order shall be made under oath, before an officer authorized by law to administer oaths.

§5. Any person charged by the Commission of a violation of this General Order shall have the right to a public hearing as provided by the Rules of Practice and Procedure of the Commission. Upon being found guilty of a violation of this General Order, said person shall be fined by the Commission at open hearing not less than one hundred nor more than one thousand dollars for each violation. Each act found by the Commission to constitute a violation of this General Order shall be considered a separate offense. These fines are in addition to any other sanctions available to the Commission, including but not limited to sanctions for contempt as provided for in LA. R.S. 45:1186.

§6. As directed by the Commission, the Secretary and staff of the Commission are hereby empowered to develop and implement additional regulations and issue interpretations thereof to further the goals as expressed in this General Order.

§7. This General Order will be incorporated in the appropriate area of the Rules of Practice and Procedure of the Louisiana Public Service Commission.

Persons affected thereby have until January 1, 1990 to comply.

BY ORDER OF THE COMMISSION
BATON ROUGE, LOUISIANA
NOVEMBER 6, 1989

/S/ DON L. OWEN

/S/ THOMAS E. POWELL
VICE CHAIRMAN

/S/ KATHLEEN B. BLANCO
COMMISSIONER

/S/ LOUIS J. LAMBERT, JR.
COMMISSIONER

JOHN F. SCHWEGMANN - ABSENT
COMMISSIONER

/S/ MARSHALL B. BRINKLEY
SECRETARY