

278.038 Public Service Commission -- Appointments -- Membership -- Vacancies -- Limitations.

- (1) The Public Service Commission shall consist of five (5) members appointed by the Governor as follows:
 - (a) Two (2) shall be licensed attorneys who have actively practiced law in the Commonwealth for at least seven (7) years; and
 - (b) Three (3) shall have education or training, and five (5) years of actual experience, in one (1) or more of the following fields:
 1. Economics;
 2. Engineering;
 3. Accounting;
 4. Finance;
 5. Utility regulation, operation, or management;
 6. Pipeline or utility infrastructure safety;
 7. Business management; or
 8. Environmental management.
- (2) Appointments and reappointments to the commission shall be subject to confirmation by the Senate as provided in KRS 11.160.
- (3)
 - (a) Every four (4) years, the commissioners shall elect a chair from among the commissioners, who shall serve a four (4) year term or until his or her term expires without reappointment, whichever comes first.
 - (b) Members of the commission may serve multiple terms as chair subject to the term limitations set forth in subsection (5) of this section.
 - (c) The chair shall be the chief executive officer of the commission and shall designate one (1) of the commissioners to serve as vice chair to act for the chair in his or her absence.
 - (d) The chair may designate in writing one (1) or more commissioners or the executive director to act for him or her in the event of his or her absence or inability for any reason to discharge the duties of the position. The designee of the chair shall have all of the duties and powers of the chair for the duration of the designation, except that the executive director shall not serve as a member of the commission on any cases before the commission.
- (4) Vacancies for unexpired terms shall be filled in the same manner as the original appointments, but the appointee shall hold office only until the end of the unexpired term and shall be subject to confirmation by the Senate as provided in KRS 11.160.
- (5) Members of the commission shall serve no more than three (3) terms, but any terms or partial terms served prior to April 15, 2026, shall not be counted toward the term limits established by this subsection.
- (6) After the initial appointments, a member of the commission shall serve for a term of four (4) years and until a successor is appointed and qualified.
- (7) No more than three (3) members of the commission shall be of the same political party, and members of the commission shall not serve on any other regulatory

bodies during their terms on the commission.

Effective: April 15, 2026

History: Created 2026 Ky. Acts ch. 185, sec. 1, effective April 15, 2026.