

Preside or Lead?

The Attributes and Actions of Effective Regulators

28. “Protect the Consumer”—From What? Today’s Consumers: Victims or Actors?



In statutes, orders, and conversations, “regulating utilities” and “protecting consumers” are phrases joined at the hip, often offered as synonyms. They are not synonyms. “Regulating utilities” means “inducing performance.” Regulators define the required performance, then condition utilities’ compensation and other approvals on that performance. Performance becomes embedded in a commission’s processes when it frames regulatory proceedings as performance inquiries and regulatory opinions as performance assessments.

Scott Hempling

Attorney at Law LLC

Copyright © 2013 Scott Hempling