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July 30, 1951
Op. No. 51-210

Paul P. Tahy, Accountant
Arizona Corporation Commission
Capitol Annex
Phoenix, Arizona

Dear Mr. Tahy:

We have your letter of July 19 concerning travel expenses for the commissioners while conducting utility hearings. Your question as I understand it is as follows: Can the commissioners' travel expenses be paid from the \$50,000 appropriated in Section 1, Chapter 19, Laws of 1951, First Regular Session, or the supplementary appropriation added thereto by Chapter 1 of the First Special Session, when they travel in connection with hearings on gas, electric, telephone and water corporations?

It is our opinion that this fund cannot be used to pay the commissioners' travel expenses in connection with utility hearings. Section 2 of Chapter 19, above referred to, sets forth the purpose of the appropriation, the pertinent part of which provides:

"The purpose of the appropriation made in section 1 is for personal services, travel, current expenses and capital outlay necessary in connection with the employment of rate experts, accountants, engineers and attorneys to assist the corporation commission in electrical, gas, telephone and water utility investigations and hearings by and before it and before the federal power commission and the federal communications commission;
* * *"

We think this language is clear and unambiguous. The only logical construction we can place upon this provision is that the money was appropriated for personal services,

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Arizona Corporation Commission

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travel, current expenses and capital outlay in connection with the employment of rate experts, accountants, engineers and attorneys. To permit the commissioners to be paid out of this fund in conducting utility hearings would, in our opinion, do violence to the intent of the legislature as therein expressed.

We trust the foregoing will be of some assistance to you.

Very truly yours,

FRED O. WILSON
Attorney General

KENT A. BLAKE
Assistant Attorney General

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