

Minutes of the Fairfax County Consumer Protection Commission

May 19, 2009

7:30PM Conference 10
Government Center
12000 Government Center Pkwy.
Fairfax, Virginia 22035
Chairman Fee, presiding

Attendance:

Commissioners: Adams, Bahhur,
Boyd, Douskalis, Kirk, Fee, Hine,
Mrowka, Rosier

Absent:

Commissioners: Belkowitz, Hargraves,
Nguyen, Roark

Staff:

Michael S. Liberman, Director Cable
Communication and Consumer Protection
Ellen F. Posner, Assistant County Attorney
Susan C. Jones, Chief
Consumer Affairs Branch
Scotty Scott, Communications Analyst
Communications, Policy and Regulation

The meeting was called to order at 7:33PM by Chairman Fee.

Minutes

The minutes of the April 21, 2009, meeting was approved.

Report of the Chairman

Chairman Fee briefly discussed running into a former CPC Commissioner Paul Bellamy.

Report of the Director

Director Liberman pointed out that information concerning auto warranty issues was in the CPC package for their review.

Director Liberman mentioned that the County Attorney is reviewing the issue on businesses offering discounts.

Ellen Posner, Assistant County Attorney, provide an update on the on-going litigation lawsuit with the City of Falls Church and Fairfax Water Authority. The trial held in Circuit Court will begin on September 14, 2009.

Commission Matters

Commissioner Hine inquired about the reappointment process since his term will expire soon. Director Liberman provided the appropriate information.

Commissioner Mrowka had no matters to bring before the commission.

Commissioner Douskalis had no matters to bring before the commission.

Commissioner Kirk had no matters to bring before the commission.

Commissioner Bahhur had no matters to bring before the commission.

Commissioner Boyd had no matters to bring before the commission.

Commissioner Rosier had no matters to bring before the commission.

Commissioner Adams had no matters to bring before the commission.

Old Business

There was no old business.

New Business

1. Town of Herndon, Department of Public Works

David C. Kockendarfer, Deputy Director, Department of Public Works provided an overview of the water system components, rates, cost saving efforts, revenue sources, availability fee, and model results.

A discussion ensued on the actual cost to distribute/sell the water, rates increases, and the cost to treat the water.

Director Liberman informed the commissioners that City of Falls Church Water Department (Falls Church Water) chose not to participate in the Consumer Protection Commission meeting of May 19 to discuss water rates and services for the City of Falls Church's water system.

Chairman Fee made the motion to authorize staff in the Department of Cable Communications and Consumer Protection and the County Attorney's office to prepare Virginia Freedom of Information Act (VFOIA) requests to the City of Falls Church; to the extent necessary, in order to be able to complete an evaluation of the City of Falls Church's water system, rates and services as part of the Commission's study on water rates for municipal water utilities in Fairfax County and subsequent report to the Board of Supervisors.

Commissioner Kirk seconded the motion. The motion passed unanimously.

A discussion ensued on the upcoming water rate presentations, whether a public hearing is needed, and results that would be gained in having a public hearing.

Director Liberman stated that staff will prepare information on holding a public hearing and present the information at the June meeting.

The meeting adjourned at 8:26PM.