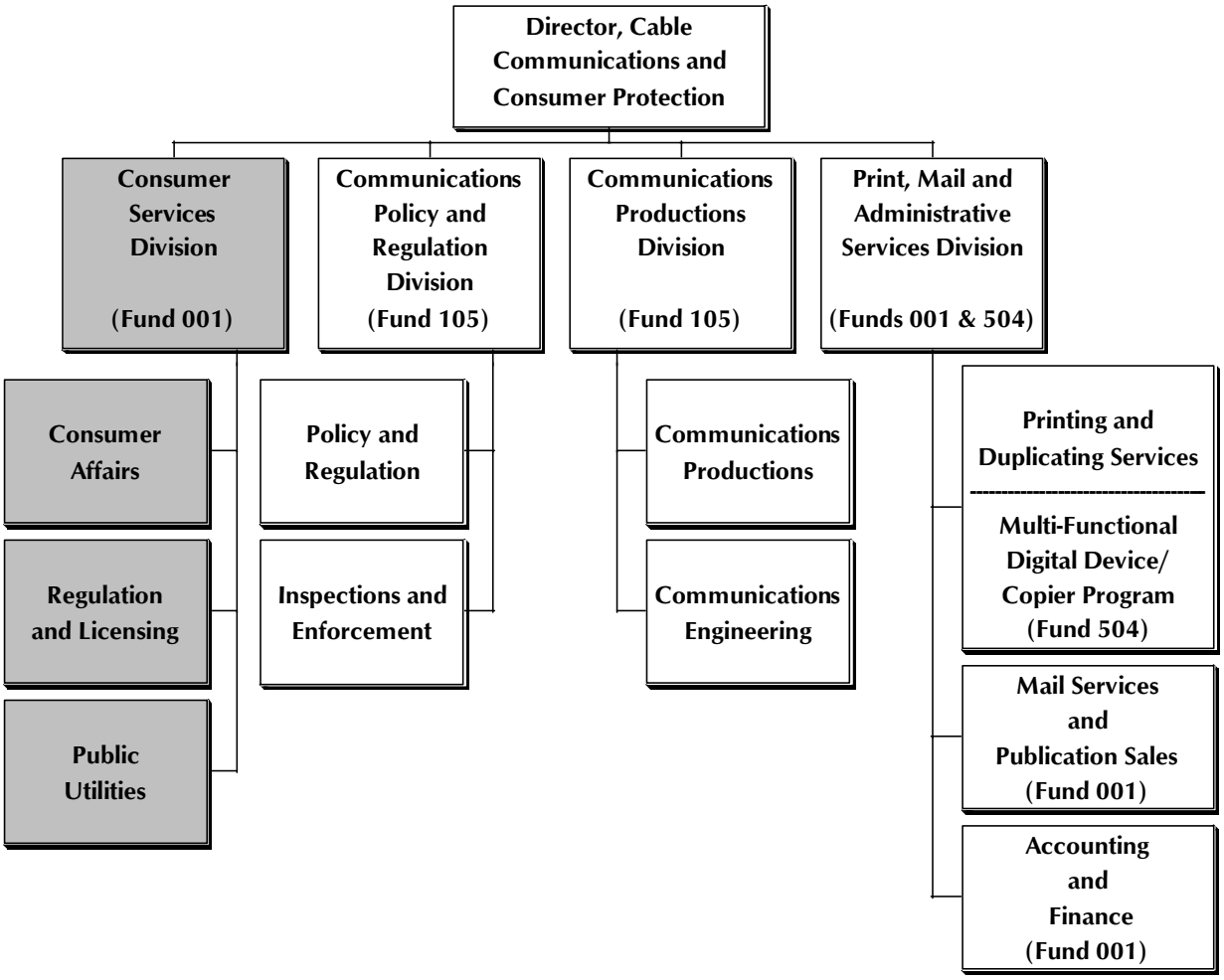
Department of Cable Communications and Consumer Protection



Mission

To mediate consumer and tenant-landlord issues, provide educational and informational presentations and literature, regulate the taxi and towing industries, issue licenses for certain business activities and provide utility rate case intervention on behalf of County residents. To protect and maintain the fiscal integrity and financial solvency of the department. To provide mail and inter-office distribution services to County agencies and administer the Gifts and Publications Sales Center for County residents and customers.

Focus

The Public Safety component of the Department of Cable Communications and Consumer Protection (DCCCP) includes the Consumer Affairs, Regulation and Licensing, and Public Utilities branches.

The Consumer Affairs Branch mediates and investigates consumer complaints with businesses, tenant landlord disputes, and cable issues. Staff works with businesses and consumers to resolve complaints to the satisfaction of both parties. In addition to mediation, staff develops conciliation agreements to resolve complex disputes and offers binding arbitration when mediation efforts are exhausted. The branch also provides leadership in the community by conducting presentations and distributing educational brochures on a wide variety of consumer topics. Regular meetings are conducted with associations, schools, and other interest groups to keep them apprised of current consumer trends and ways to avoid consumer scams, fraud and other problems. During FY 2008, staff conducted 120 outreach seminars and will continue to educate consumers about potential risks and scams and provide them with the knowledge to make informed decisions. In FY 2008, the Consumer Affairs Branch received the MarCom Award Honorable Mention for "Brilliant Deceptions" and the National Association of Consumer Agency Administrators' Achievement in Consumer

Education Award for "Read Up and Reach Out to be an Informed Consumer." Staff also develops the *Consumer Focus* program televised on Fairfax County Government Channel 16. The Consumer Affairs Branch administers an arbitration program at no cost to the business or consumer. The arbitration program is a fair and effective way to resolve consumer disputes without going to court. The branch also provides staff support to the Consumer Protection Commission which is composed of 13 Fairfax County residents that are appointed by the Board of Supervisors for three-year terms. This Commission advises the agency and the Board of Supervisors on consumer protection and cable communication issues within the community.

The Consumer Affairs Branch educates and supports the combined total of 1,700 homeowners' associations, condominium unit owners' associations and civic associations that represent approximately 80 percent of the County population. The branch publishes a detailed Community Association Manual and hosts *Your Community Your Call* television production shown on Channel 16. In addition, the branch provides staff support to the Tenant-Landlord Commission which is composed of 10 Fairfax County residents who are appointed by the Board of Supervisors for three-year terms. This Commission advises the agency and the Board of Supervisors on tenant and landlord issues within the community and arbitrates tenant landlord complaints.

The Regulation and Licensing Branch regulates the operation of taxicabs for hire within the County by issuing certificates to taxicab operators and licenses to taxicab drivers, and conducting inspections to ensure vehicle safety and accuracy of taximeters. In coordination with the Public Utilities Branch, the branch biennially recommends to the Board of Supervisors the appropriate number of taxicabs required to service County transportation needs and reviews new taxicab certificate applications. The branch is also responsible for issuing licenses, permits or registrations to canvassers, peddlers, solicitors, vendors, promoters, massage establishments and technicians, pawn brokers, precious metal and gem dealers, going out-of-business sales, charitable organizations soliciting within the County and companies that engage in trespass towing of vehicles. The branch investigates all consumer trespass towing and taxicab related complaints and develops rate recommendations for both industries within the County. The branch also provides staff support to the five member Trespass Towing Advisory Board made up of one County resident, two law enforcement, and two towing industry representatives. This board makes recommendations to the Board of Supervisors on towing industry regulations and fees.

The Public Utilities Branch protects and advances the interests of both County residents and the County government in matters involving utility services. The branch monitors and intervenes in regulatory proceedings before the State Corporation Commission involving utilities serving Fairfax County and also works directly with these utilities to encourage the development of policies and practices that benefit and safeguard consumer interests. In addition, the branch meets regularly with utilities to resolve service issues, provides staff support for the County's Energy Efficiency and Conservation Coordinating Committee, and serves in a leadership capacity in the Virginia Energy Purchasing Governmental Association (VEPGA). The branch conducts negotiations for electric service with both Dominion Virginia Power and Northern Virginia Electric Cooperative, which has resulted in favorable contract terms at the lowest cost for all County government agencies. Branch staff develops and presents expert testimony before federal, state and local governmental bodies on behalf of the Board of Supervisors and residents. Staff saved Fairfax County residents a cumulative total of $54 million through FY 2008 on the basis of recurring utility cost savings achieved over the past sixteen years.

Challenge of FY 2010 Budget Reductions

In order to address a projected FY 2010 budget shortfall, the County Executive proposed, and the Board of Supervisors adopted, a series of budget reductions affecting all General Fund-supported agency budgets.

Reductions included within the FY 2010 budget vary in level of impact. The transfer of a Consumer Affairs position to the County's Cable Communications Fund, results in no impact to current service or operations. The elimination of a Consumer Affairs position will have a moderate impact by decreasing the number and timeliness of consumer complaints investigated and may impact the 1,700 homeowner and condominium associations in the County.

Department of Cable Communications and Consumer Protection

Consumer Affairs serves approximately 6,900 customers annually. The implemented reductions will translate into a reduced level of service for consumer complaints investigated. Using efficiencies and system supports, Consumer Affairs will do its best to provide quality service to Fairfax County consumers.

Budget and Staff Resources

Agency Summary					
Category	FY 2008 Actual	FY 2009 Adopted Budget Plan	FY 2009 Revised Budget Plan	FY 2010 Advertised Budget Plan	FY 2010 Adopted Budget Plan
Authorized Positions/Staff Years					
Legislative-Exec. Regular	21/21	21/21	21/21	19/19	19/19
Public Safety Regular	15/15	15/15	14/14	13/13	13/13
Expenditures:					
Legislative-Executive					
Personnel Services	$958,375	$1,184,576	$1,113,376	$934,458	$934,458
Operating Expenses	3,172,081	3,443,972	3,647,822	3,355,595	3,365,388
Recovered Costs	(2,835,459)	(3,141,646)	(3,141,646)	(3,110,987)	(3,110,987)
Capital Equipment	20,310	12,500	74,380	0	0
Subtotal	**$1,315,307**	**$1,499,402**	**$1,693,932**	**$1,179,066**	**$1,188,859**
Public Safety					
Personnel Services	$907,814	$859,237	$800,404	$733,247	$733,247
Operating Expenses	148,511	145,817	143,969	136,024	126,231
Capital Equipment	0	0	0	0	0
Subtotal	**$1,056,325**	**$1,005,054**	**$944,373**	**$869,271**	**$859,478**
Total General Fund Expenditures	**$2,371,632**	**$2,504,456**	**$2,638,305**	**$2,048,337**	**$2,048,337**
Income:					
Legislative-Executive					
Publication Sales	$38,701	$35,961	$38,701	$0	$0
Commemorative Gifts	13,529	14,100	14,100	0	0
Copying Machine Revenue	0	500	500	0	0
Subtotal	**$52,230**	**$50,561**	**$53,301**	**$0**	**$0**
Public Safety					
Massage Therapy Permits	$28,150	$26,389	$29,150	$29,150	$29,150
Precious Metal Dealers Lic.	5,225	4,200	5,225	5,225	5,225
Solicitors Licenses	11,410	7,000	7,000	7,000	7,000
Taxicab Licenses	144,085	156,550	156,550	156,550	156,550
Going Out of Business Fees	195	780	780	780	780
Subtotal	**$189,065**	**$194,919**	**$198,705**	**$198,705**	**$198,705**
Total General Fund Income	**$241,295**	**$245,480**	**$252,006**	**$198,705**	**$198,705**
Net Cost to the County	**$2,130,337**	**$2,258,976**	**$2,386,299**	**$1,849,632**	**$1,849,632**

FY 2010 Funding Adjustments

The following funding adjustments from the FY 2009 Adopted Budget Plan are necessary to support the FY 2010 program. Included are all adjustments recommended by the County Executive that were approved by the Board of Supervisors, as well as any additional Board of Supervisors' actions, as approved in the adoption of the budget on April 27, 2009.

- **Employee Compensation** **$16,486**
  An increase of $16,486 reflects the full-year impact of salary increases awarded during FY 2009. It should be noted that no funding is included for pay for performance or merit awards in FY 2010.

- **Reductions** **($162,062)**
  A decrease of $162,062 and 1/1.0 SYE position reflects agency reductions utilized to balance the FY 2010 budget. In addition, 1/1.0 SYE position was transferred to the County's Cable Communications Fund as part of *FY 2009 Third Quarter Review*. The following chart provides details on the specific reductions approved, including funding and the associated positions.

LOB Reduction	Impact	Posn	SYE	Reduction
Transfer Consumer Specialist II Position in Consumer Affairs	Consumer Affairs will transfer one merit Consumer Specialist II position to the County's Cable Communications Fund, which is supported by cable franchise fee revenue. The position primarily works on Cable-related issues. This reduction is an internal transfer and results in no service or position reductions.	0	0.0	$82,337
Eliminate Management Analyst II Position in Consumer Affairs	This reduction will result in a reduced level of service by limiting the number or timeliness of consumer complaints investigated, case inquiries closed, and outreach seminars conducted and may impact the 1,700 homeowner and condominium associations in the County.	1	1.0	$79,725

Changes to FY 2009 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2009 Revised Budget Plan since passage of the FY 2009 Adopted Budget Plan. Included are all adjustments made as part of the FY 2008 Carryover Review, FY 2009 Third Quarter Review, and all other approved changes through April 20, 2009.

- **Carryover Adjustment** **$1,085**
  An increase of $1,085 in Operating Expenses due to the one-time carryover of encumbered funds as part of the *FY 2008 Carryover Review*.

- **Third Quarter Adjustments** **($61,766)**
  As part of the *FY 2009 Third Quarter Review*, the Board of Supervisors approved a net reduction of $61,766, including $33,544 based on additional Personnel Services reductions, $3,564 based on the mandatory January 2, 2009 furlough day, and $24,658 based on the acceleration of FY 2010 reductions in order to address the FY 2009 revenue shortfall. It should be noted that as part of *FY 2009 Third Quarter Review*, 1/1.0 SYE merit Consumer Specialist II position was transferred to Fund 105, the County's Cable Communications Fund, which is supported by cable franchise fee revenue. The position primarily works on Cable-related issues. This reduction is an internal transfer and results in no service impact.

Department of Cable Communications and Consumer Protection

Cost Centers

The public safety function of the Department of Cable Communications and Consumer Protection has one cost center, Consumer Services, which works to fulfill the mission of the Department and to carry out the key initiatives for the fiscal year.

Consumer Services

Funding Summary					
Category	FY 2008 Actual	FY 2009 Adopted Budget Plan	FY 2009 Revised Budget Plan	FY 2010 Advertised Budget Plan	FY 2010 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	15/15	15/15	14/14	13/13	13/13
Total Expenditures	**$1,056,325**	**$1,005,054**	**$944,373**	**$869,271**	**$859,478**

Position Summary

Public Utilities	Regulation and Licensing	Consumer Affairs
1 Senior Utilities Analyst	1 Consumer Specialist III	1 Consumer Specialist III
1 Utilities Analyst	1 Consumer Specialist II	2 Consumer Specialists II
	2 Administrative Assistants II	4 Consumer Specialists I
		0 Management Analysts II (-1)
		1 Administrative Assistant IV
		1 Administrative Assistant II
		1 Consumer Specialist II
		1 Consumer Specialist I
		1 Administrative Assistant II

TOTAL POSITIONS
13 Positions (-1) / 13.0 Staff Years (-1.0)

***Positions in Bold are supported by Fund 105, Cable Communications**
Position in Bold Italics transferred from the General Fund to Fund 105 as part of FY 2009 Third Quarter Review
(-) Denotes Abolished Positions due to Budget Reductions

Key Performance Measures

Goal

To provide consumer services and educational outreach, to issue licenses for certain businesses and provide utility rate case intervention.

Objectives

- To close 88 percent of all case inquiries.
- To maintain the percentage of outreach contacts who report that educational programs met their associations' needs at 100 percent.
- To increase the completion rate for issuing permanent licenses within 60 days of application to 98 percent.
- To intervene in rate and service provision utility cases before the State Corporation Commission to ensure quality utility service at the lowest possible rates, to reach an estimated $58 million in curtailed or limited rate increases, up from $54 million in FY 2008.

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Indicator	Prior Year Actuals FY 2006 Actual	FY 2007 Actual	FY 2008 Estimate/Actual	Current Estimate FY 2009	Future Estimate FY 2010
Output:					
Case inquiries (complaints, advice, walk-ins)	NA	NA	NA / 6,964	6,900	6,900
Outreach seminars conducted	110	85	110 / 120	115	115
Licenses issued	1,324	1,680	1,400 / 1,762	1,600	1,600
Utility rate and service cases before SCC/contract negotiations with utility companies	8	27	18 / 31	34	35
Efficiency:					
Staff hours per case inquiry	NA	NA	NA / 2.4	2.4	2.4
Staff hours per outreach seminar	3.2	4.5	3.2 / 3.7	4.5	4.5
Staff hours per license application	2.5	2.2	2.2 / 2.1	2.2	2.1
Utility cases per analyst	8	27	18 / 31	34	35
Service Quality:					
Percent of case inquiries responded to within 48 hours of receipt	NA	NA	NA / 100%	100%	100%
Percent of consumers satisfied with outreach seminars	NA	97%	97% / 97%	97%	97%
Temporary licenses issued within 10 working days of application	89%	99%	96% / 99%	97%	98%
Percent of utility case interventions completed within required time frame	100%	100%	100% / 100%	100%	100%
Outcome:					
Percent of case inquries closed	NA	NA	NA / 98%	98%	88%
Percent of contacts indicating that outreach seminars met educational objectives	100%	100%	100% / 100%	100%	100%
Percent of permanent licenses issued within 60 calendar days of application	99%	99%	96% / 99%	97%	98%
Cumulative County savings due to intervention (in millions)	$48	$48	$54 / $54	$56	$58

Performance Measurement Results

Consumer Affairs will begin tracking a new family of measures in FY 2010 to best illustrate services provided by the branch. The new measures are the number of case inquiries which include complaints, advice, and walk-ins, staff hours per inquiry, percent of cases responded to within 48 hours, and the percent of case inquiries closed. In FY 2008, staff responded to 6,964 case inquiries within 48 hours, closing 98 percent by year end. In an effort to more accurately reflect the branch's workload, this new set of measures will replace the past measure of valid complaints investigated, staff hours per complaint, percent of complaints responded to within 48 hours, and the percent of favorably resolved complaints. Additionally, beginning in FY 2009, staff will include preparation time in addition to seminar time to more accurately account for staff hours per outreach seminar. This new calculation method reflects an increase in both the FY 2009 and FY 2010 estimates. Included in the FY 2010 Adopted Budget Plan is the elimination of a Consumer Affairs position. Based on the position reduction, staff projects a 10 percent decrease in Case Inquiries Closed for FY 2010.

The Regulation and Licensing Branch issued 1,762 permanent licenses in FY 2008, a 4.9 percent increase over FY 2007. This increase was primarily due to an increase in both peddler and solicitor license applications during FY 2008.

The Public Utilities Branch will continue participating with other local governments in seeking the lowest electric rates possible and in securing favorable rate schedules, energy efficiency, and conservation programs through the Virginia Energy Purchasing Governmental Association, which negotiates rates on behalf of local governments. These negotiations were successfully completed in FY 2007, to be effective FY 2008 through mid FY 2010. In FY 2008, staff participated in two major utility rate case proceedings at the State Corporation Commission (SCC): Washington Gas Light (WGL) and Verizon. The WGL case was finalized in FY 2008, and this case resulted in a decrease in rates to County residents, valued at over $6.4 million per year. The Verizon case also resulted in a favorable outcome to County residents when the SCC adopted the recommendations contained in staff testimony for an increased level of consumer safeguards. The SCC's Final Order establishes a five-year transitional period ending December 31, 2012, which limits Verizon's rate increases to not more than $1.00 per year, on a per-line basis. It is anticipated that one or more major utility rate case proceedings will commence in FY 2010.