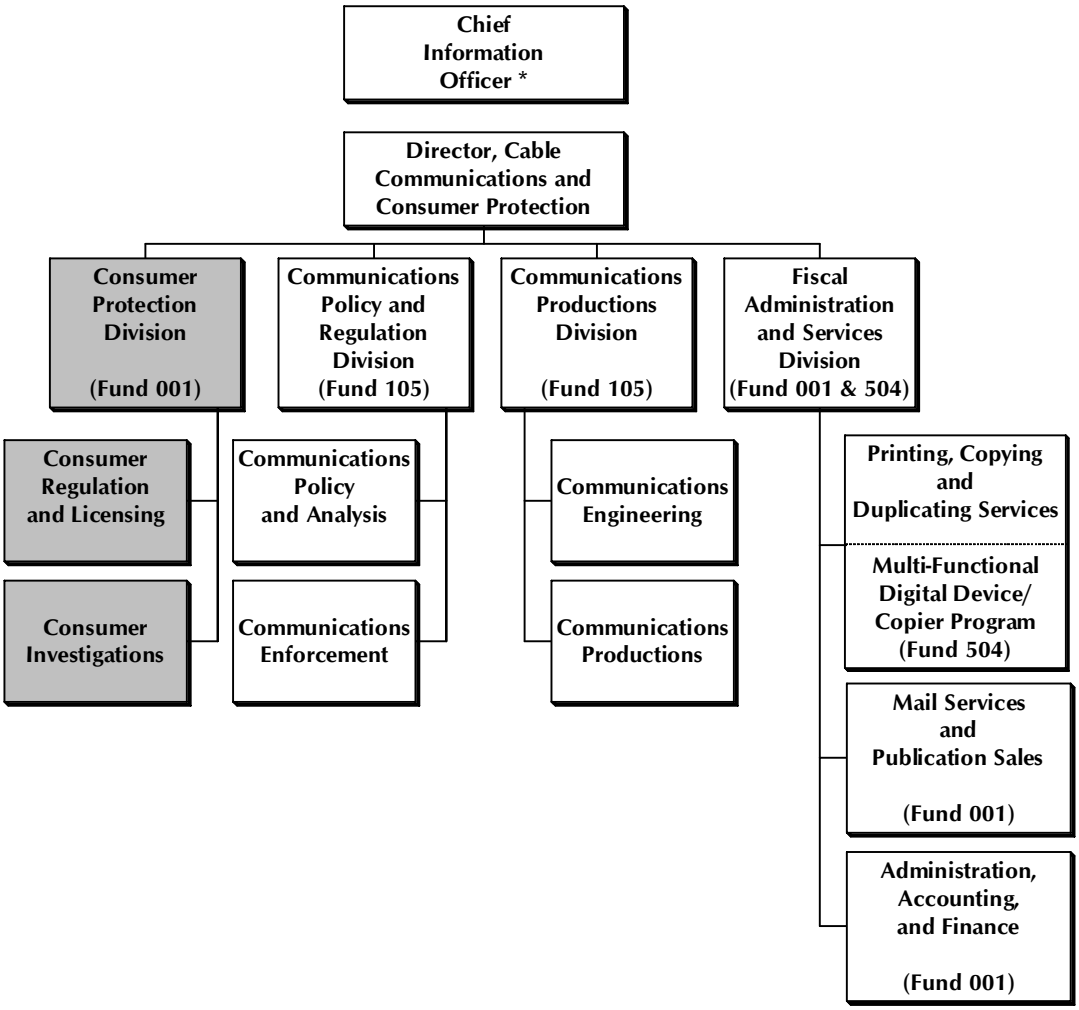
Department of Cable Communications and Consumer Protection



* The Chief Information Officer has responsibility for strategic direction and oversight of this agency; however, for budget purposes, this position and associated funding are also reflected within the Department of Information Technology.

The Department of Cable Communications and Consumer Protection is the umbrella agency for four distinct functions: Consumer Protection; Communications Policy and Regulation; Communications Productions; and Fiscal Administration and Services. The total agency staff of 92/92.0 SYE positions and a $16.8 million budget is dispersed over three funding sources. The Consumer Protection Division, which responds to consumer complaints and ensures business compliance with applicable laws, is presented within the Public Safety Program Area (Volume 1) and is fully supported by the General Fund. The Cable Communications function, which is responsible for television programming and for communications regulation, is presented in Fund 105 (Volume 2). Fund 105 is supported principally by revenue received from local cable operators through franchise agreements. The Department reorganized in FY 2006 and as a result created the Fiscal Administration and Services Division which administers countywide printing, copying and duplicating services; mail and publication sales; and fiscal administration services. This new division replaces the previous Document Services Division. Mail and publications sales along with fiscal administration services are programs presented in the Legislative-Executive Functions/Central Services Program Area in Volume 1. Printing, Copying and Duplicating Services, presented in Fund 504 (Volume 2), is funded by revenues received from County agencies and the Fairfax County Public Schools for printing, copying and duplicating services. While the functions of Cable Communications and Consumer Protection provide diverse services, they all provide quality customer service to the community and work collaboratively with County agencies, neighboring jurisdictions and professional organizations.

Department of Cable Communications and Consumer Protection

Mission

To provide consumer protection services for consumers and businesses in Fairfax County in order to ensure compliance with applicable laws. To protect and maintain the fiscal integrity and financial solvency of the Department. To provide and coordinate mail, publication sales and distribution services for County agencies.

Focus

The Consumer Protection Division investigates and mediates consumer and tenant-landlord issues and is responsible for issuing licenses for certain business activities. The Division also assists consumers by intervening in utility rate cases, regulating the taxi industry, and providing assistance to homeowner associations.

The Investigations Branch provides essential consumer protection services to Fairfax County residents through the enforcement of consumer protection laws and the investigation/mediation of consumer, cable and tenant-landlord disputes. Investigations staff mediates complaints to determine whether consumer protection laws have been violated and also prepare cases for legal action. In addition to mediation, staff develops conciliation agreements to resolve complex disputes and offers binding arbitration when mediation efforts are exhausted. Investigations staff favorably resolved 80 percent of the 2,875 formal complaints investigated during FY 2005 recovering $1,585,978 for residents. The recovery was an increase of 7.9 percent over the funds recovered in FY 2004. The Investigations Branch also provides a leadership role in the community by 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, frauds and other problems. Staff also develops a series of consumer programs, *Consumer Focus*, televised on Channel 16. The Investigations Branch administers an arbitration program at no cost to the business or consumer. Fairfax County's Arbitration Program is a fair and efficient way to resolve consumer disputes without going to court. The Investigations Branch provides staff support to the Consumer Protection Commission which is composed of 13 residents of Fairfax County that are appointed by the Board of Supervisors for three-year terms. The Commission advises the agency and the Board of Supervisors on consumer protection and cable communication issues within the community.

THINKING STRATEGICALLY

Strategic issues for the Department include:

- Providing quality customer service to the community and maintaining a highly skilled and knowledgeable workforce;
- Assessing the equity of fees for business certificates and operator licenses;
- Utilizing new technologies to improve resolution rates for valid complaints;
- Improving communication with all residents by pursuing foreign language translations of Web-based information resources; and
- Expanding regulatory authority through the legislative process to more effectively monitor and enforce fair and ethical business practices.

The Regulation and Licensing Branch regulates the operation of taxicabs for hire within the County by issuing operator certificates for taxicab companies and licenses to taxicab drivers, and conducting vehicle safety inspections and inspecting taximeters for accuracy. The Branch biennially recommends to the Board of Supervisors the appropriate number of taxicabs to respond to resident demand and reviews certificate applications. Further, the Branch investigates customer complaints and controls fare rates. In addition, the Branch is responsible for issuing licenses, permits or registrations to canvassers, peddlers, solicitors, vendors, promoters, massage establishments and technicians, pawn brokers, precious metal dealers, gem dealers, going out-of-business sales, charitable organizations soliciting within the County, and towing companies that engage in non-consensual towing of vehicles. Licensing staff issued 1,324 licenses in FY 2005. The Regulation and Licensing Branch provides utility rate case intervention on behalf of County residents, including petitioning the State Corporation Commission to change utility rates and services when appropriate, and works directly with the various utilities to encourage the development of beneficial consumer policies. In

addition, this Branch conducts electrical contract negotiations for County government electric service with Dominion Virginia Power and Northern Virginia Electric Cooperative, which has resulted in favorable contract terms at the lowest cost for all County government agencies. Staff has developed and presented expert testimony before federal, state and local governmental bodies on behalf of the Board of Supervisors and residents. Staff saved Fairfax County residents a total of $48 million in utility costs over the past ten years. The Regulation and Licensing Branch also 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. For example, this Branch publishes a 300-page detailed Community Association Manual and hosts *Your Community Your Call* (YCYC) TV production shown on Channel 16. In addition, the Regulation and Licensing Branch provides staff support to the Tenant Landlord Commission which is composed of ten Fairfax County residents who are appointed by the Board of Supervisors for three-year terms. The Commission advises the agency and the Board of Supervisors on Tenant and Landlord issues within the community and arbitrates tenant-landlord complaints.

New Initiatives and Recent Accomplishments in Support of the Fairfax County Vision

Maintaining Safe and Caring Communities	Recent Success	FY 2007 Initiative
Continue to implement and enhance an enforcement program that provides improved application of customer service standards of the Cable Franchise Agreement and the County's Cable Ordinance, Chapter 9.1 (Communications) to consumer complaints.	☑	☑
Revitalize the volunteer program, which consists of Fairfax County residents assisting staff with phone calls and correspondence, in an effort to reduce complaint resolution time.		☑
Complete revisions to the Fairfax County Code to ensure best service to and protection of constituents, including Chapter 28.1 Massage Therapy, Establishments and Services and Chapter 82, Section 82-5-32 regarding towing services.		☑
Develop and implement a program for unannounced licensing and certification site inspections.		☑
Continue an ongoing joint effort with Fairfax County Police Department and the Department of Planning and Zoning to enforce the license requirements put forth in the Fairfax County Code and the Code of Virginia.	☑	☑
Connecting People and Places	**Recent Success**	**FY 2007 Initiative**
Established a presence in the South County Building to provide Consumer Protection Division services to Fairfax County residents.	☑	
Continue to emphasize outreach programs to residents, resident groups, and homeowners' associations through seminars, educational programs, presentations, handouts, internet, and cable television programming.	☑	☑

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Connecting People and Places	Recent Success	FY 2007 Initiative
Assisted in the redesign of the Department of Cable Communications and Consumer Protection Web site to enhance ease of use and to facilitate access to important consumer and cable television information.	☑	
Design and implement licensing applications and forms to be available to the public through the Consumer Protection Web site.		☑
Translate and publish the Handbook for Tenants and Landlords into Spanish.		☑
Complete revisions to the Fairfax County Code to ensure best service to and protection of constituents, including Chapter 84.1, Public Transportation regarding taxicab operations.		☑
Practicing Environmental Stewardship	**Recent Success**	**FY 2007 Initiative**
Continue efforts to secure renewable energy sources, such as wind power, that are environmentally friendly, at the request of the Board of Supervisors.	☑	☑
In cooperation with other County agencies, seek to obtain credits for the purchases of renewable energy and implementation of energy initiatives on the Environmental Protection Agency's State Implementation Plan (SIP).		☑
Creating a Culture of Engagement	**Recent Success**	**FY 2007 Initiative**
Continue to improve the working relationship with the Consumer Protection Commission (CPC) and Tenant Landlord Commission (TLC) and work with both the CPC and TLC to better define their role and make the most effective use of their expertise.	☑	☑
Continue to engage residents through various outreach activities such as: ▪ conducting educational outreach seminars for Fairfax County Public Schools, civic associations, rotary clubs, retirement homes and various boards and commissions; ▪ guiding, advising, and educating the members and directors of self-governing associations through attending condominium and homeowner association board meetings; and ▪ attending multiple Tenant-Landlord and Consumer Protection Commission meetings.	☑	☑
Update the accessibility of the Community Association Manual on the Consumer Protection Web site.		☑

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Exercising Corporate Stewardship	Recent Success	FY 2007 Initiative
Recovered $1,585,978 for constituents in FY 2005 through the investigation and successful resolution of consumer complaints, an increase of 7.9 percent over FY 2004 recoveries.	☑	
Develop and utilize surveys to determine efficacy of complaint processing and outreach efforts.		☑
Continue to review, develop, and implement improved Division operations for efficient team operations while increasing attention to detail, standardizing and streamlining complaint and licensing processing.	☑	☑
Intervened in one Washington Gas Light case for which results are still pending.	☑	
Continue to analyze taxicab company rate increase and certificate increase requests and present recommendations to the Fairfax County Board of Supervisors.	☑	☑
Submitted comments to the State Corporation Commission (SCC) on behalf of the Fairfax County Board of Supervisors on Verizon's request to automatically increase rates for telephone service.	☑	
Successfully completed contract negotiations with the Northern Virginia Electric Cooperative (NOVEC) that resulted in a 4.3 percent rate decrease and ensures capped rates for government accounts through February 2011.	☑	
Initiated a by-law change for the Virginia Energy Purchasing Governmental Association (VEPGA) which allowed the County to be the first public entity in Virginia to award a contract to purchase wind energy (5 percent of general County load).	☑	
Work with SCC staff to ensure residents are treated fairly and billed properly by utility companies. Intervene before the SCC, if necessary, to implement more equitable treatment of billing issues utilized by public utility companies.	☑	☑

Department of Cable Communications and Consumer Protection

Budget and Staff Resources

Agency Summary				
Category	FY 2005 Actual	FY 2006 Adopted Budget Plan	FY 2006 Revised Budget Plan	FY 2007 Advertised Budget Plan
Authorized Positions/Staff Years				
Legislative-Executive Regular	21/ 21	21/ 21	21/ 21	21/ 21
Public Safety Regular	14/ 14	14/ 14	14/ 14	14/ 14
Expenditures:				
Legislative-Executive				
Personnel Services	$822,786	$1,007,842	$1,007,842	$1,151,537
Operating Expenses	3,005,785	3,306,803	3,489,163	3,443,972
Recovered Costs	(2,738,098)	(3,022,582)	(3,022,582)	(3,153,719)
Capital Equipment	0	61,713	61,713	62,340
Subtotal	**$1,090,473**	**$1,353,776**	**$1,536,136**	**$1,504,130**
Public Safety				
Personnel Services	$692,733	$784,108	$784,108	$818,715
Operating Expenses	128,101	129,340	158,064	129,340
Capital Equipment	0	0	0	0
Subtotal	**$820,834**	**$913,448**	**$942,172**	**$948,055**
Total General Fund Expenditures	**$1,911,307**	**$2,267,224**	**$2,478,308**	**$2,452,185**
Income:				
Legislative-Executive				
Publication Sales	$58,499	$62,092	$62,092	$62,092
Commemorative Gifts	10,875	11,653	11,653	11,653
Copying Machine Revenue	137	2,717	2,717	2,717
Subtotal	**$69,511**	**$76,462**	**$76,462**	**$76,462**
Public Safety				
Massage Therapy Permits	$24,375	$21,000	$25,365	$25,872
Precious Metal Dealers Licenses	4,408	4,925	4,925	4,925
Solicitors Licenses	5,640	8,000	8,000	8,000
Taxicab Licenses	133,405	127,616	133,776	133,776
Going Out of Business Fees	325	845	845	500
Subtotal	**$168,153**	**$162,386**	**$172,911**	**$173,073**
Total General Fund Income	**$237,664**	**$238,848**	**$249,373**	**$249,535**
Net Cost to the County	**$1,673,643**	**$2,028,376**	**$2,228,935**	**$2,202,650**

FY 2007 Funding Adjustments

The following funding adjustments from the FY 2006 Revised Budget Plan are necessary to support the FY 2007 program:

- **Employee Compensation** **$34,607**
  An increase of $34,607 in Personnel Services associated with salary adjustments necessary to support the County's compensation program.

- **Carryover Adjustment** **($28,724)**
  A decrease of $28,724 in Operating Expenses due to the one-time carryover of encumbered funds as part of the *FY 2005 Carryover Review*.

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Changes to FY 2006 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2006 Revised Budget Plan since passage of the FY 2006 Adopted Budget Plan. Included are all adjustments made as part of the FY 2005 Carryover Review and all other approved changes through December 31, 2005:

- **Carryover Adjustment** **$28,724**
  As part of the *FY 2005 Carryover Review*, the Board of Supervisors approved encumbered funding of $28,724 in Operating Expenses.

Cost Centers

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

Consumer Protection

Funding Summary				
Category	FY 2005 Actual	FY 2006 Adopted Budget Plan	FY 2006 Revised Budget Plan	FY 2007 Advertised Budget Plan
Authorized Positions/Staff Years				
Regular	14/ 14	14/ 14	14/ 14	14/ 14
Total Expenditures	**$820,834**	**$913,448**	**$942,172**	**$948,055**

Position Summary		
Consumer Protection Division	**Consumer Regulation and Licensing**	**Consumer Investigations**
1 Director, Consumer Protection	1 Consumer Specialist II	1 Consumer Specialist III
1 Administrative Assistant IV	1 Management Analyst II	3 Consumer Specialists II
	1 Consumer Specialist I	3 Consumer Specialists I
Administration, Accounting and Finance	1 Utilities Analyst	***1 Consumer Specialist I***
1 Administrative Assistant II	***2 Administrative Assistants II***	***1 Administrative Assistant II***
TOTAL POSITIONS		*Positions in Bold Italics are supported by
14 Positions / 14.0 Staff Years		**Fund 105, Cable Communications**

Key Performance Measures

Goal

To provide consumer protection services for consumers and businesses in Fairfax County in order to ensure compliance with applicable laws.

Objectives

- To achieve a favorable resolution rate of consumer complaints of 80 percent.
- To improve the percent of outreach contacts who report that educational programs met their associations' needs from 97 percent towards a target of 99 percent.
- To achieve a 95 percent completion rate for issuing permanent licenses within 60 days of application.
- 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 $55 million in curtailed or limited rate increases, up from $54 million in FY 2006.

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Indicator	Prior Year Actuals FY 2003 Actual	FY 2004 Actual	FY 2005 Estimate/Actual	Current Estimate FY 2006	Future Estimate FY 2007
Output:					
Valid complaints investigated	5,044	4,047	3,400 / 2,875	3,000	2,900
Outreach programs conducted	26	41	27 / 57	27	45
Licenses issued	NA	NA	NA / 1,324	1,335	1,345
Utility rate and service case interventions before SCC/contract negotiations with utility companies	4	5	4 / 8	8	12
Efficiency:					
Staff hours per complaint	4.0	5.1	4.5 / 5.4	4.5	4.5
Staff hours per outreach session	2.5	3.6	3.0 / 3.2	3.0	3.2
Staff hours per license application	NA	NA	NA / NA	NA	2.5
Utility cases per analyst	4	9	8 / 8	8	12
Service Quality:					
Percent of complaints responded to within 48 hours of receipt	100%	100%	100% / 100%	100%	100%
Percent of outreach programs scheduled that are completed	100%	100%	100% / 100%	100%	100%
Temporary licenses issued within 10 working days of application	NA	NA	NA / NA	NA	95%
Percent of utility case interventions completed within required time frame	100%	100%	100% / 100%	100%	100%
Outcome:					
Percent of favorably resolved valid complaints	91%	90%	85% / 80%	85%	80%
Percent of contacts indicating that outreach programs met educational objectives	97%	97%	97% / 100%	97%	99%
Percent of permanent licenses issued within 60 calendar days of application	NA	NA	NA / NA	NA	95%
Cumulative County savings due to intervention (in millions)	$33	$48	$48 / $48	$54	$55

Performance Measurement Results

The decrease from 90 percent to 80 percent of favorably resolved complaints in FY 2005 is due to the completion of the Cox Communications upgrade and change in complaint opening procedures. The total number of complaints is projected to remain steady during FY 2006 and FY 2007. Despite the decrease in complaint resolutions, staff recovered $1,585,978 for County residents, a 7.9 percent increase over FY 2004. Staff completed six taxi rate studies in FY 2005. Four biennial rate requests were analyzed and implemented and emergency rate increase requests by two operators, due to the significant increases in gasoline costs, were analyzed and implemented. It is expected that if the gasoline costs remain high in FY 2006 and FY 2007, the taxicab company operators will file for additional emergency gas increase requests. Consumer Protection staff will continue participating with other local governments in seeking the lowest electric rates possible through the Virginia Energy Purchasing Governmental Association (VEPGA), which negotiates rates on behalf of local governments. During FY 2005, $12.2 million was saved as a result of cumulative negotiated rates for County electric services. Consumer Protection staff will also continue monitoring and intervening in rate case proceedings at the State Corporation Commission in order to achieve the lowest utility rates for consumers that are both fair and equitable. The cumulative savings realized for consumers through these actions during FY 2005 was $48.0 million. It is anticipated that the number of outreach seminars and programs will increase and continue to achieve at least 99 percent satisfaction ratings from organizations that attend such programs. Other, non-quantifiable performance measurements include: conducting background investigations on solicitors, pawnbrokers, massage establishments and technicians, and taxicab driver applications and inspecting taxicabs for accurate rate charges and operational safety.