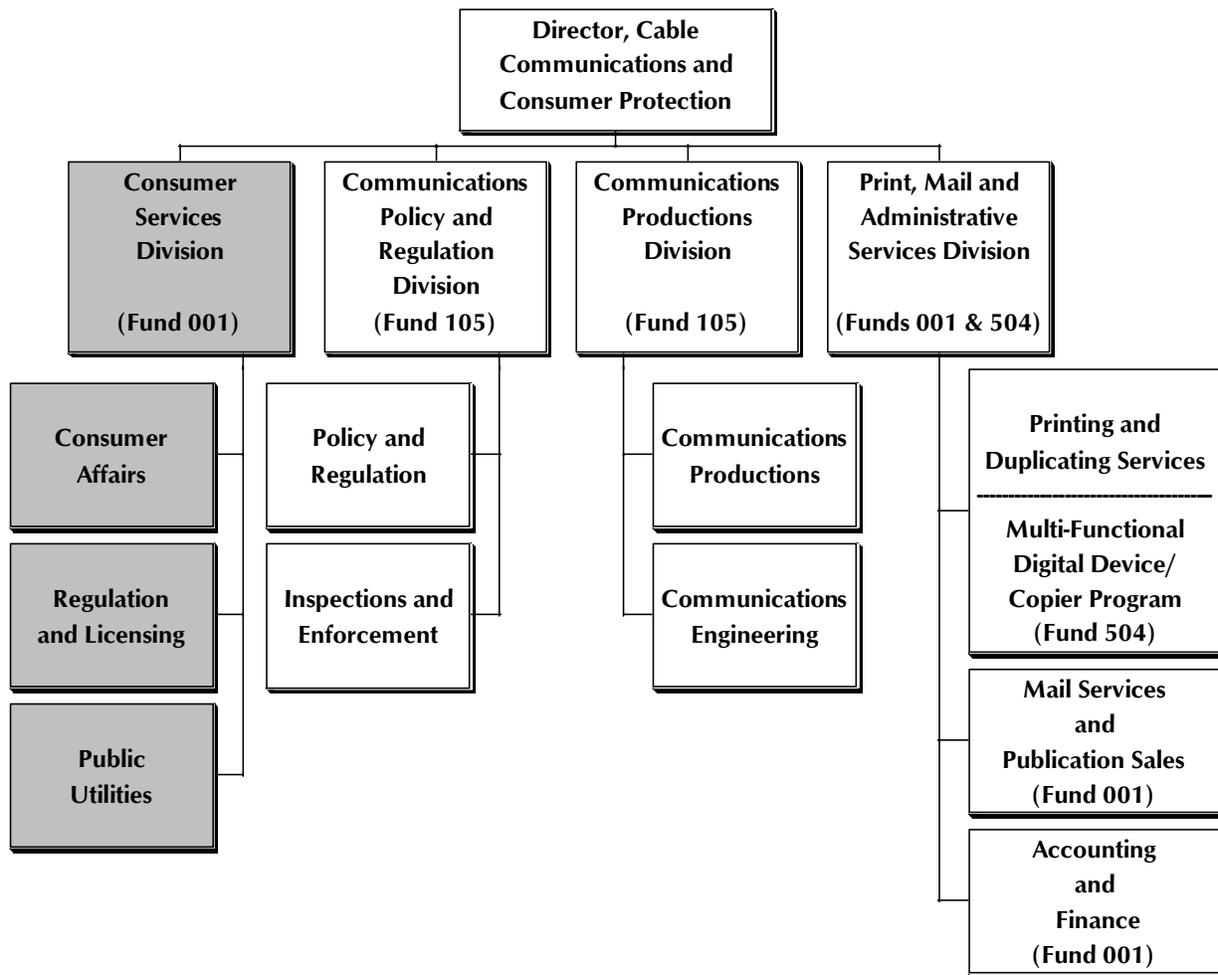


# Department of Cable Communications and Consumer Protection



The Department of Cable Communications and Consumer Protection (DCCCP) is the umbrella agency for four distinct functions: Consumer Services; Communications Policy and Regulation; Communications Productions; and Print, Mail and Administrative Services. The total agency staff is dispersed over three funding sources. In FY 2007, the department reorganized the Consumer Protection Division into three separate branches, Consumer Affairs; Regulation and Licensing; and Public Utilities, in an effort to raise the functions of consumer protection to a higher visibility within the County Structure. To better reflect the range of services provided by the three branches, the Consumer Protection Division was renamed Consumer Services. Consumer Services, which mediates complaints, educates consumers, regulates taxicabs, issues licenses and provides utility rate case intervention, is presented within the Public Safety Program Area (Volume 1) and is fully supported by the General Fund. The Cable Communications function, which includes the Communications Policy and Regulation Division and the Communications Productions Division, is responsible for communications regulation and for television programming, and is presented in Fund 105 (Volume 2). Fund 105 is supported principally by revenue received from local cable operators through franchise agreements. The Print, Mail and Administrative Services Division administers countywide printing and duplicating services, mail services and publication sales, and accounting and finance services. Mail Services and Publication Sales along with Accounting and Finance are programs presented in the Legislative-Executive Functions/Central Services Program Area in (Volume 1) and is fully supported by the General Fund. Printing and Duplicating Services, presented in Fund 504 (Volume 2), is funded by revenues received from County agencies and the Fairfax County Public Schools (FCPS). The Department of Information Technology is responsible for management of the Multi-Functional Digital Device/Copier Program and the fiber Institutional Network (I-Net). While the functions of the Department 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 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 provides essential consumer protection services to Fairfax County consumers through the enforcement of consumer protection laws and the investigation and mediation of consumer, cable and tenant-landlord disputes. Staff mediates complaints to determine whether consumer protection laws have been violated and also prepares 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. Consumer Affairs staff favorably resolved 76 percent of the 2,271 formal complaints investigated during FY 2007, recovering \$1,017,844 for consumers. Additionally, staff began an advice assistance program whereby investigators responded to 4,847 advice inquiries on a variety of consumer issues, providing valuable assistance and information. 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, frauds and other problems. During FY 2007, staff conducted 85 outreach seminars and will continue to educate consumers about potential risks and scams and provide them with the knowledge to make informed decisions. Staff also develops a series of consumer programs, *Consumer Focus*, televised on Fairfax County Government Channel 16. The Consumer Affairs 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 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.

### 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 Consumer Affairs 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* 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.

# Department of Cable Communications and Consumer Protection

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. During FY 2007, the Regulation and Licensing Branch issued 1,680 licenses, an increase of 356 or 26.9 percent over the number issued in FY 2006. 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 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 cumulative total of \$48.2 million through FY 2007 on the basis of recurring utility cost savings achieved over the past fifteen years.

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

 <b>Maintaining Safe and Caring Communities</b>	<b>Recent Success</b>	<b>FY 2009 Initiative</b>
Distributed revised fact sheets during Consumer Affairs outreach presentations and published educational articles in the <i>Golden Gazette</i> for County seniors.	<input checked="" type="checkbox"/>	
Completed revisions to the <u>Fairfax County Code</u> Chapter 28.1 Massage Therapy, Establishments and Services and Chapter 82, Section 82-5-32 regarding towing services.	<input checked="" type="checkbox"/>	
Developed and implemented a program for unannounced solicitor, massage, and taxicab licensing and certification site inspections.	<input checked="" type="checkbox"/>	
 <b>Connecting People and Places</b>	<b>Recent Success</b>	<b>FY 2009 Initiative</b>
Redesigned the Consumer Central Web site to enhance ease of use and to facilitate access to important consumer information.	<input checked="" type="checkbox"/>	
Responded to the Huntington flood crisis by deploying staff to provide information to residents pertaining to unlicensed contractors, solicitors, insurance and tenant-landlord issues.	<input checked="" type="checkbox"/>	

## Department of Cable Communications and Consumer Protection

 <b>Connecting People and Places</b>	<b>Recent Success</b>	<b>FY 2009 Initiative</b>
Develop and implement accessible outreach programs on home improvement contractors and tenant-landlord issues to promote citizen and organization awareness.		<input checked="" type="checkbox"/>
Continue to complete revisions to <u>Fairfax County Code</u> Chapter 84.1 Public Transportation to ensure best service to and protection of consumers.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Conduct a study to determine the new taxicab rates due to the change in gasoline prices and to determine the number of taxicab certificates required to support the County's transportation needs.		<input checked="" type="checkbox"/>
 <b>Practicing Environmental Stewardship</b>	<b>Recent Success</b>	<b>FY 2009 Initiative</b>
Secured renewable energy sources, such as wind power, at the request of the Board of Supervisors and other local government organizations.	<input checked="" type="checkbox"/>	
Submitted comments on behalf of the Board of Supervisors and Virginia Energy Purchasing Governmental Association (VEPGA) which were adopted by Virginia's Department of Environmental Quality (DEQ) Air Quality Standards that enabled the County to receive State Implementation Plan (SIP) credits for the County's wind energy purchase initiative.	<input checked="" type="checkbox"/>	
Continue to monitor and analyze state and federal proceedings regarding the siting of high voltage transmission lines in Virginia to ensure that the impacts of constructing the lines are minimized and the service reliability in the region remains strong.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Continue to participate in a State Corporation Commission Work Group promoting energy conservation through reduced consumption of electricity.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
 <b>Exercising Corporate Stewardship</b>	<b>Recent Success</b>	<b>FY 2009 Initiative</b>
Re-negotiated with the Northern Virginia Electric Cooperative (NOVEC) to ensure rate stability and cap rates for government accounts through February 2011.	<input checked="" type="checkbox"/>	
Intervened in a Columbia Gas rate case which yielded over \$200,000 in savings for County residents.	<input checked="" type="checkbox"/>	
Prepared and presented one emergency and one temporary taxicab rate surcharge analysis with recommendations that were adopted by the Board of Supervisors.	<input checked="" type="checkbox"/>	
Finalized contract negotiations for the County's electric services with Dominion Virginia Power that secures rates significantly below those paid by local governments in surrounding jurisdictions, and ensures a freeze in base rates over a three and a half year period.	<input checked="" type="checkbox"/>	

# Department of Cable Communications and Consumer Protection

## Budget and Staff Resources

<b>Agency Summary</b>				
Category	FY 2007 Actual	FY 2008 Adopted Budget Plan	FY 2008 Revised Budget Plan	FY 2009 Advertised Budget Plan
Authorized Positions/Staff Years				
Legislative-Executive Regular	21/ 21	21/ 21	21/ 21	21/ 21
Public Safety Regular	15/ 15	15/ 15	15/ 15	15/ 15
<b>Expenditures:</b>				
<b>Legislative-Executive</b>				
Personnel Services	\$885,597	\$1,176,927	\$1,176,927	\$1,188,699
Operating Expenses	3,080,619	3,443,972	3,604,578	3,443,972
Recovered Costs	(2,713,955)	(3,141,646)	(3,141,646)	(3,141,646)
Capital Equipment	31,779	42,413	72,974	12,500
<b>Subtotal</b>	<b>\$1,284,040</b>	<b>\$1,521,666</b>	<b>\$1,712,833</b>	<b>\$1,503,525</b>
<b>Public Safety</b>				
Personnel Services	\$816,324	\$838,626	\$838,626	\$847,080
Operating Expenses	151,010	145,817	146,590	145,817
Capital Equipment	0	0	0	0
<b>Subtotal</b>	<b>\$967,334</b>	<b>\$984,443</b>	<b>\$985,216</b>	<b>\$992,897</b>
<b>Total General Fund Expenditures</b>	<b>\$2,251,374</b>	<b>\$2,506,109</b>	<b>\$2,698,049</b>	<b>\$2,496,422</b>
<b>Income:</b>				
<b>Legislative-Executive</b>				
Publication Sales	\$43,476	\$62,902	\$35,256	\$35,961
Commemorative Gifts	13,703	12,853	13,900	14,100
Copying Machine Revenue	0	500	500	500
<b>Subtotal</b>	<b>\$57,179</b>	<b>\$76,255</b>	<b>\$49,656</b>	<b>\$50,561</b>
<b>Public Safety</b>				
Massage Therapy Permits	\$26,000	\$26,389	\$26,389	\$26,389
Precious Metal				
Dealers Licenses	4,000	4,925	4,925	4,200
Solicitors Licenses	6,780	6,420	6,860	7,000
Taxicab Licenses	147,265	137,071	147,205	156,550
Going Out of Business Fees	1,430	780	780	780
<b>Subtotal</b>	<b>\$185,475</b>	<b>\$175,585</b>	<b>\$186,159</b>	<b>\$194,919</b>
<b>Total General Fund Income</b>	<b>\$242,654</b>	<b>\$251,840</b>	<b>\$235,815</b>	<b>\$245,480</b>
<b>Net Cost to the County</b>	<b>\$2,008,720</b>	<b>\$2,254,269</b>	<b>\$2,462,234</b>	<b>\$2,250,942</b>

## FY 2009 Funding Adjustments

The following funding adjustments from the FY 2008 Revised Budget Plan are necessary to support the FY 2009 program:

- ◆ **Employee Compensation** **\$25,993**  
An increase of \$25,993 in Personnel Services associated with salary adjustments necessary to support the County's compensation program. As a result of budget constraints, compensation adjustments for County employees have been reduced. For FY 2009, employee increases as part of the pay for performance system have been discounted by 50 percent and the impact of the lower pay for performance funding is reflected above.

# Department of Cable Communications and Consumer Protection

- ◆ **Personnel Services Reduction**
(\$17,539)
- A decrease of \$17,539 in Personnel Services as part of an across-the-board reduction to meet budget limitations based on available revenues as a result of a continued softening of the residential real estate market.
  
- ◆ **Carryover Adjustment**
(\$773)
- A decrease of \$773 in Operating Expenses due to the one-time carryover of encumbered funds as part of the FY 2007 Carryover Review.

## **Changes to FY 2008 Adopted Budget Plan**

The following funding adjustments reflect all approved changes in the FY 2008 Revised Budget Plan since passage of the FY 2008 Adopted Budget Plan. Included are all adjustments made as part of the FY 2007 Carryover Review and all other approved changes through December 31, 2007:

- ◆ **Carryover Adjustment**
\$773
- An increase of \$773 in Operating Expenses due to the one-time carryover of encumbered funds as part of the FY 2007 Carryover Review.

## **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**

<b>Funding Summary</b>				
Category	FY 2007 Actual	FY 2008 Adopted Budget Plan	FY 2008 Revised Budget Plan	FY 2009 Advertised Budget Plan
Authorized Positions/Staff Years				
Regular	15/ 15	15/ 15	15/ 15	15/ 15
<b>Total Expenditures</b>	<b>\$967,334</b>	<b>\$984,443</b>	<b>\$985,216</b>	<b>\$992,897</b>

<b>Position Summary</b>		
<b>Public Utilities</b> 1 Senior Utilities Analyst 1 Utilities Analyst	<b>Regulation and Licensing</b> 1 Consumer Specialist III 1 Consumer Specialist II <b>2 Administrative Assistants II</b>	<b>Consumer Affairs</b> 1 Consumer Specialist III 3 Consumer Specialists II 4 Consumer Specialists I 1 Management Analyst II 1 Administrative Assistant IV 1 Administrative Assistant II <b>1 Consumer Specialist I</b> <b>1 Administrative Assistant II</b>
<b>TOTAL POSITIONS</b> 15 Positions / 15.0 Staff Years		*Positions in Bold Italics are supported by Fund 105, Cable Communications

# Department of Cable Communications and Consumer Protection

## 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 achieve an 80 percent favorable resolution rate on consumer complaints.
- ◆ 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 from 95 percent in FY 2007 to 96 percent in FY 2008 and 97 percent in FY 2009.
- ◆ 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 \$48.2 million in FY 2007.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2005 Actual	FY 2006 Actual	FY 2007 Estimate/Actual	FY 2008	FY 2009
<b>Output:</b>					
Valid complaints investigated	2,875	2,668	2,700 / 2,271	2,500	2,500
Outreach seminars conducted	57	110	85 / 85	110	110
Licenses issued	1,324	1,324	1,345 / 1,680	1,400	1,450
Utility rate and service cases before SCC/contract negotiations with utility companies	8	8	10 / 27	18	15
<b>Efficiency:</b>					
Staff hours per complaint	5.4	4.5	4.5 / 4.5	4.5	4.5
Staff hours per outreach seminar	3.2	3.2	3.2 / 4.5	3.2	3.2
Staff hours per license application	NA	2.5	2.5 / 2.2	2.2	2.2
Utility cases per analyst	8	8	10 / 27	18	15
<b>Service Quality:</b>					
Percent of complaints responded to within 48 hours of receipt	100%	100%	100% / 100%	100%	100%
Temporary licenses issued within 10 working days of application	NA	89%	95% / 99%	96%	97%
Percent of utility case interventions completed within required time frame	100%	100%	100% / 100%	100%	100%
Percent of consumers satisfied with outreach seminars	NA	NA	NA / 97%	97%	97%

## Department of Cable Communications and Consumer Protection

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2005 Actual	FY 2006 Actual	FY 2007 Estimate/Actual	FY 2008	FY 2009
<b>Outcome:</b>					
Percent of favorably resolved valid complaints	80%	77%	80% / 76%	80%	80%
Percent of contacts indicating that outreach seminars met educational objectives	100%	100%	99% / 100%	100%	100%
Percent of permanent licenses issued within 60 calendar days of application	NA	99%	95% / 99%	96%	97%
Cumulative County savings due to intervention (in millions)	\$48	\$48	\$50 / \$48	\$54	\$55

### Performance Measurement Results

Educational outreach programs and advice assistance have increased over time which may have resulted in the decrease of complaints filed. These indicators will continue to be reported in an effort to measure the success of the agency's outreach initiatives. The service quality measure of the percent of outreach seminars scheduled that are completed has been replaced with a measure of the percent of customers satisfied with outreach seminars, to better reflect the quality of outreach programs.

The Regulation and Licensing Branch issued 1,680 permanent licenses in FY 2007, a 26.9 percent increase over FY 2006. The staff effort required to issue the increased number of licenses was, in large part, offset by changes in license application processing which resulted in a 22.3 percent reduction in the number of temporary licenses required to be issued to applicants.

Pubic Utilities 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. These negotiations were successfully completed in FY 2007, to be effective in FY 2008. In FY 2007, staff intervened in three major rate case proceedings at the State Corporation Commission (SCC): Columbia Gas of Virginia, Washington Gas Light (WGL) and Verizon. While only the Columbia Gas case was finalized in FY 2007, this case resulted in a decrease in rates to County citizens, valued at over \$200,000. The WGL and Verizon cases should be finalized in FY 2008, and significant savings in rates to County citizens are anticipated as a result of staff intervention. It is anticipated that one or more utility rate case proceedings will commence in FY 2009.