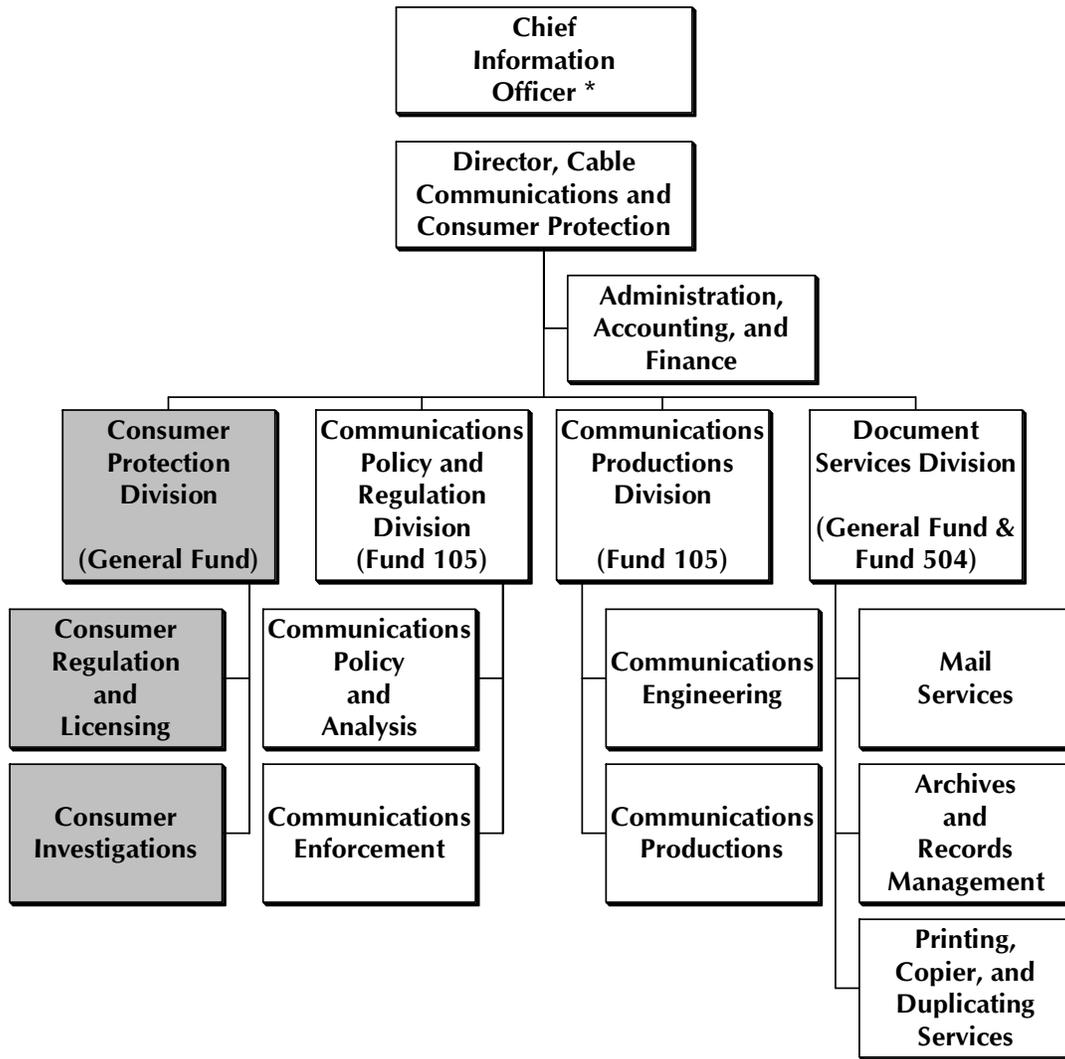


Department of Cable Communications and Consumer Protection



*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 three distinct functions: Consumer Protection, Document Services, and Cable Communications. The total agency staff of 103/103.0 SYE positions and a \$26.0 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 I) and is fully supported by the General Fund. The Document Services Division, which provides publication sales, archives and records management, mail, printing, and copier services to County Agencies and printing services to Fairfax County Public Schools, is presented in both the Legislative-Executive Program Area (Volume I) as well as in Fund 504 (Volume II). Fund 504 activities are funded by a General Fund transfer which supports the lease of digital multi-functional devices (copiers) throughout County agencies, and by revenue received from County agencies and the Fairfax County Public Schools for printing and duplicating charges. The Cable Communications function, which is responsible for television programming and for communications regulation, is presented in Fund 105 (Volume II). Fund 105 is supported principally by revenue received from local Cable operators through franchise agreements. While the three 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 provide and coordinate mail, publication sales and distribution, archives and records management, printing, copier and duplicating, and micrographic (microfilm and microfiche) services for County agencies, as well as printing services to the Fairfax County Public Schools.

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 citizens through the enforcement of consumer protection laws and the investigation/mediation of consumer, cable, and tenant-landlord disputes. Investigations staff mediate 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 91 percent of the 5,044 formal complaints investigated during FY 2003 recovering \$1,182,425 for citizens. 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 Investigation 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 thirteen (13) residents of Fairfax County that are appointed by the Board of Supervisors for terms of three (3) years. The Commission advises the agency and the Board of Supervisors on Consumer Protection and cable communication issues within the community.

THINKING STRATEGICALLY

Strategic issues to be addressed by the Department include:

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

The Regulation and Licensing Branch regulates and licenses the operation of taxicabs for hire within the County by issuing operator certificates for taxicab companies and licenses to taxicab drivers. 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, gun 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 1,403 licenses in FY 2003. The Regulation and Licensing Branch regulates the taxi industry by licensing taxicab drivers, 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 citizen demand and reviews certificate applications. Further, the Branch investigates customer complaints and controls fare rates. 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 electric contract negotiations for County government electric service with

Department of Cable Communications and Consumer Protection

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 develops and presents expert testimony before federal, state and local governmental bodies on behalf of the Board of Supervisors and citizens. Staff saved Fairfax County citizens \$33 million in FY 2003. The Regulation and Licensing 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. This Branch publishes a 300-page detailed Community Association Manual and hosts Your Community Your Call (YCYC) TV production shown on Channel 16. The Regulation and Licensing Branch provides staff support to the Tenant Landlord Commission which is composed of ten (10) members that are appointed by the Board of Supervisors for terms of three (3) years. 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 2005 Initiative	Cost Center
Implemented and enhanced 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.	☑		Consumer Investigations
Engaged in a joint effort with Fairfax County Police to enforce the license requirements put forth in the <u>Fairfax County Code</u> and the <u>Code of Virginia</u> .	☑	☑	Regulation and Licensing
 Connecting People and Places	Recent Success	FY 2005 Initiative	Cost Center
Implemented the computerized case management information retrieval system for consumer complaint information which allows for on-line filing of consumer complaints as well as the retrieval of complaint history records.	☑		Consumer Investigations
Implemented the computerized licensing information retrieval system to enable Police Department personnel to retrieve license information immediately for enforcement purposes.	☑		Regulation and Licensing
Streamlined the on-line access to business licenses to include background information and pictures.	☑		Regulation and Licensing
Designed and implemented licensing applications and forms to be available to the public through the Consumer Protection website.	☑		Regulation and Licensing

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 Connecting People and Places	Recent Success	FY 2005 Initiative	Cost Center
Enrolled Fairfax County in the Maryland Direct Access Record System (DARS) to effectively utilize the online driver record database for performing driving record checks for taxicab licenses applicants.	<input checked="" type="checkbox"/>		Regulation and Licensing
Translate and publish the Handbook for Tenants and Landlords into Spanish.		<input checked="" type="checkbox"/>	Regulation and Licensing
 Creating a Culture of Engagement	Recent Success	FY 2005 Initiative	Cost Center
Emphasized outreach programs to inform and disseminate information to citizen groups and homeowners' associations through seminars and educational programs.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Consumer Investigations
Revised, published, and distributed to homeowners' associations the Community Association Manual. The Manual also was put on-line for ease of access.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Regulation and Licensing
 Corporate Stewardship	Recent Success	FY 2005 Initiative	Cost Center
Intervened in three Washington Gas Light cases which resulted in a total of \$11.7 million in savings for Fairfax County consumers.	<input checked="" type="checkbox"/>		Regulation and Licensing
Participated with other local governments in joint contract negotiations with Dominion Virginia Power which resulted in \$3.9 million in annual savings to Fairfax County government.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Regulation and Licensing
Enhanced and streamlined the operational efficiency of handling complaints which maintained the number of staff hours per complaint to 4.0 in FY 2003.	<input checked="" type="checkbox"/>		Consumer Investigations
Achieved a 91 percent favorable resolution rate for valid consumer complaints, representing the highest favorable rate in the Department's history.	<input checked="" type="checkbox"/>		Consumer Investigations
Maintain an 85% favorable resolution rate for valid consumer complaints.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Consumer Investigations

Department of Cable Communications and Consumer Protection

Budget and Staff Resources

Agency Summary					
Category	FY 2003 Actual	FY 2004 Adopted Budget Plan	FY 2004 Revised Budget Plan	FY 2005 Advertised Budget Plan	FY 2005 Adopted Budget Plan
Authorized Positions/Staff Years					
Legislative-Executive Regular	29/ 29	29/ 29	29/ 29	29/ 29	29/ 29
Public Safety Regular	15/ 15	15/ 15	15/ 15	15/ 15	15/ 15
Expenditures:					
Legislative-Executive					
Personnel Services	\$1,208,913	\$1,343,520	\$1,261,113	\$1,396,781	\$1,396,781
Operating Expenses	3,347,307	3,373,853	3,457,461	3,333,587	3,333,587
Recovered Costs	(2,946,505)	(3,022,582)	(3,022,582)	(3,022,582)	(3,022,582)
Capital Equipment	23,594	0	0	341,651	341,651
Subtotal	\$1,633,309	\$1,694,791	\$1,695,992	\$2,049,437	\$2,049,437
Public Safety					
Personnel Services	\$831,286	\$834,167	\$776,663	\$867,647	\$846,072
Operating Expenses	201,040	120,800	178,304	120,800	120,800
Capital Equipment	0	0	0	0	0
Subtotal	\$1,032,326	\$954,967	\$954,967	\$988,447	\$966,872
Total General Fund Expenditures	\$2,665,635	\$2,649,758	\$2,650,959	\$3,037,884	\$3,016,309
Income:					
Legislative-Executive					
Publication Sales	\$31,115	\$38,876	\$54,717	\$55,811	\$55,811
Commemorative Gifts	11,653	14,280	11,653	11,653	11,653
Copying Machine Revenue	2,717	1,430	2,717	2,717	2,717
Library Copier Charges*	3,116	6,474	0	0	0
Subtotal	\$48,601	\$61,060	\$69,087	\$70,181	\$70,181
Public Safety					
Massage Therapy Permits	\$19,835	\$13,125	\$20,750	\$21,000	\$21,000
Precious Metal Dealers Licenses	5,525	4,925	4,925	4,925	4,925
Solicitors Licenses	7,640	9,000	7,700	8,000	8,000
Taxicab Licenses	113,300	122,971	119,516	119,516	127,616
Going Out of Business Fees	715	845	845	845	845
Copying Machine Revenue	0	335	0	0	0
Subtotal	\$147,015	\$151,201	\$153,736	\$154,286	\$162,386
Total General Fund Income	\$195,616	\$212,261	\$222,823	\$224,467	\$232,567
Net Cost to the County	\$2,470,019	\$2,437,497	\$2,428,136	\$2,813,417	\$2,783,742

* This agency no longer collects revenue for library copies charges.

FY 2005 Funding Adjustments

The following funding adjustments from the FY 2004 Revised Budget Plan are necessary to support the FY 2005 program:

- ◆ **Employee Compensation** **\$33,480**
An increase of \$33,480 associated with salary adjustments necessary to support the County's compensation program.

Department of Cable Communications and Consumer Protection

Board of Supervisors' Adjustments

The following funding adjustments reflect all changes to the FY 2005 Advertised Budget Plan, as approved by the Board of Supervisors on April 26, 2004:

- ◆ **Personnel Services** (\$21,575)
A decrease in Personnel Services of \$21,575 is associated with increasing the time positions are held vacant.

Changes to FY 2004 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2004 Revised Budget Plan since passage of the FY 2004 Adopted Budget Plan. Included are all adjustments made as part of the FY 2003 Carryover Review and all other approved changes through December 31, 2003:

- ◆ **Carryover Adjustments** \$0
As part of the FY 2003 Carryover Review, the Board of Supervisors made no adjustments to this agency.

The following funding adjustments reflect all approved changes to the FY 2004 Revised Budget Plan from January 1, 2004 through April 19, 2004. Included are all adjustments made as part of the FY 2004 Third Quarter Review:

- ◆ **Third Quarter Adjustments** \$0
A decrease of \$57,504 in Personnel Services due to position vacancies is offset with a commensurate increase in Operating Expenses for enhancements to the Intranet Quorum complaint and licensing program.

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 2003 Actual	FY 2004 Adopted Budget Plan	FY 2004 Revised Budget Plan	FY 2005 Advertised Budget Plan	FY 2005 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	15/ 15	15/ 15	15/ 15	15/ 15	15/ 15
Total Expenditures	\$1,032,326	\$954,967	\$954,967	\$988,447	\$966,872

Position Summary		
<u>Consumer Protection Division</u> 1 Director, Consumer Protection 1 Administrative Assistant IV <u>Agency Administration</u> 1 Administrative Assistant II	<u>Consumer Regulation and Licensing</u> 1 Consumer Specialist III 1 Management Analyst II 1 Consumer Specialists I 1 Utilities Analyst	<u>Consumer Investigations</u> 1 Consumer Specialist III 1 Consumer Specialist II 6 Consumer Specialists I 1 <i>Consumer Specialist I</i>
TOTAL POSITIONS 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 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 determined to be valid of 85 percent.
- ◆ To determine on a biennial basis, the appropriate number of taxicabs for the Fairfax County market and determine fair and equitable rates so that fewer than 0.5 percent of the complaints received are due to lack of service received.
- ◆ 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 \$40 million in curtailed or limited rate increases, up from \$33 million in FY 2003.
- ◆ To maintain a satisfaction rate of 95 percent of seminar attendees to ensure quality assistance and guidance on homeowners' association and tenant-landlord issues to over 1,700 community associations in Fairfax County.
- ◆ To maintain at 97 percent, the percent of outreach contacts who report that educational programs met their associations' needs.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2001 Actual	FY 2002 Actual	FY 2003 Estimate/Actual	FY 2004	FY 2005
Output:					
Valid complaints investigated	2,879	4,596	4,600 / 5,044	4,500	4,500
Taxicab company rate change requests analyzed	4	NA	4 / 0	NA	4
Biennial taxicab control of entry studies prepared	1	NA	1 / 1	NA	1
Utility rate and service cases analyzed	8	8	8 / 8	8	8
Utility rate and service case interventions before SCC	3	3	4 / 4	4	4
Seminars conducted	3	4	6 / 6	6	6
Outreach programs conducted	26	26	26 / 26	26	26
Efficiency:					
Staff hours per complaint	4.5	4.0	4.0 / 4.0	4.5	4.5
Staff hours per taxicab rate change request	240	NA	250 / NA	NA	250
Staff hours per taxicab control of entry study	480	NA	480 / 400	NA	450
Utility cases per analyst	4	4	4 / 4	4	4
Staff hours per seminar	160	160	160 / 160	160	160
Staff hours per outreach session	2.5	2.5	2.5 / 2.5	2.5	2.5

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Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2001 Actual	FY 2002 Actual	FY 2003 Estimate/Actual	FY 2004	FY 2005
Service Quality:					
Percent of complaints responded to within 48 hours of receipt	100%	100%	100% / 100%	100%	100%
Percent of rate change requests processed within statutory time requirements	100%	NA	100% / 100%	NA	100%
Percent of biennial control of entry study time requirements met	100%	NA	100% / 100%	NA	100%
Percent of utility case interventions completed within required time frame	100%	100%	100% / 100%	100%	100%
Percent of seminar programs scheduled that are completed	100%	100%	100% / 100%	100%	100%
Percent of outreach programs scheduled that are completed	NA	100%	100% / 100%	100%	100%
Outcome:					
Percent of favorably resolved valid complaints	85%	89%	89% / 91%	85%	85%
Taxicab complaints attributable to lack of service	20	9	15 / 12	15	15
Curtailed or limited rate increases (in millions)	\$24	\$27	\$27 / \$33	\$40	\$40
Percent of satisfied seminar attendees	90%	95%	95% / 95%	95%	95%
Percent of contacts indicating that outreach programs met educational objectives	97%	97%	97% / 97%	97%	97%

Performance Measurement Results

Staff hours per complaint are anticipated to increase from 4.0 to 4.5 hours in FY 2004, possibly affecting the percentage of favorably resolved complaints. The number of utility cases per analyst remains at 4 cases in FY 2004 and FY 2005. It is anticipated that outreach seminars and programs will continue to achieve at least 95 percent satisfaction ratings from organizations that attend such programs. In addition, Consumer Protection also will continue participating with other local governments in the competitive purchase of electricity through a Joint Powers Agreement, which also contributes to limiting public utility rate increases. The cumulative savings realized for consumers through these actions during FY 2003 was \$33 million.