

Program Proposed Budget									
Budget Item	Base Budget Fiscal 2000	PL Adjustment Fiscal 2002	Base New Proposals Fiscal 2002	Total Exec. Budget Fiscal 2002	PL Adjustment Fiscal 2003	Base New Proposals Fiscal 2003	Total Exec. Budget Fiscal 2003	Total Exec. Budget Fiscal 02-03	
FTE	5.04	0.00	0.00	5.04	0.00	0.00	5.04	5.04	
Personal Services	343,423	22,939	0	366,362	25,199	0	368,622	734,984	
Operating Expenses	524,093	215,621	0	739,714	215,418	0	739,511	1,479,225	
<b>Total Costs</b>	<b>\$867,516</b>	<b>\$238,560</b>	<b>\$0</b>	<b>\$1,106,076</b>	<b>\$240,617</b>	<b>\$0</b>	<b>\$1,108,133</b>	<b>\$2,214,209</b>	
State/Other Special	867,516	238,560	0	1,106,076	240,617	0	1,108,133	2,214,209	
<b>Total Funds</b>	<b>\$867,516</b>	<b>\$238,560</b>	<b>\$0</b>	<b>\$1,106,076</b>	<b>\$240,617</b>	<b>\$0</b>	<b>\$1,108,133</b>	<b>\$2,214,209</b>	

**Agency Description**

The Consumer Counsel was created by Article XIII, Section 2 of the 1972 Montana Constitution, and is governed by Title 5, Chapter 15, and Title 69, Chapter 1 and 2, MCA. The office represents consumer interests in hearings before the Public Service Commission and like agencies. The counsel may initiate, intervene, or participate in appropriate proceedings in the court systems or through administrative agencies on behalf of the public of Montana.

Biennium Budget Comparison									
Budget Item	Present Law Fiscal 2002	New Proposals Fiscal 2002	Total Exec. Budget Fiscal 2002	Present Law Fiscal 2003	New Proposals Fiscal 2003	Total Exec. Budget Fiscal 2003	Total Biennium Fiscal 00-01	Total Exec. Budget Fiscal 02-03	
FTE	5.04	0.00	5.04	5.04	0.00	5.04	0.00	5.04	
Personal Services	366,362	0	366,362	368,622	0	368,622	702,517	734,984	
Operating Expenses	739,714	0	739,714	739,511	0	739,511	1,263,792	1,479,225	
<b>Total Costs</b>	<b>\$1,106,076</b>	<b>\$0</b>	<b>\$1,106,076</b>	<b>\$1,108,133</b>	<b>\$0</b>	<b>\$1,108,133</b>	<b>\$1,966,309</b>	<b>\$2,214,209</b>	
State/Other Special	1,106,076	0	1,106,076	1,108,133	0	1,108,133	1,966,309	2,214,209	
<b>Total Funds</b>	<b>\$1,106,076</b>	<b>\$0</b>	<b>\$1,106,076</b>	<b>\$1,108,133</b>	<b>\$0</b>	<b>\$1,108,133</b>	<b>\$1,966,309</b>	<b>\$2,214,209</b>	

**Funding**

The Consumer Counsel is funded by a constitutionally-earmarked tax levied on all regulated entities under the jurisdiction of the Public Service Commission. The tax rate can be revised to adjust for previous fiscal year carryover to avoid accumulation of a significant cash balance.

Present Law Adjustments										
FTE	-----Fiscal 2002-----				-----Fiscal 2003-----					
	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
Personal Services				22,939					25,199	
Vacancy Savings				0					0	
Inflation/Deflation				273					718	
Fixed Costs				1,658					1,562	
<b>Total Statewide Present Law Adjustments</b>				<b>\$24,870</b>					<b>\$27,479</b>	
DP 1 - Present Law Base Adjustments	0.00	0	213,690	0	213,690	0.00	0	213,138	0	213,138
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$0</b>	<b>\$213,690</b>	<b>\$0</b>	<b>\$213,690</b>	<b>0.00</b>	<b>\$0</b>	<b>\$213,138</b>	<b>\$0</b>	<b>\$213,138</b>
<b>Grand Total All Present Law Adjustments</b>				<b>\$238,560</b>					<b>\$240,617</b>	

**Executive Present Law Adjustments**

The "Present Law Adjustments" table shows the primary changes to the adjusted base budget included in the executive present law. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies.

Legislative decisions on these items will be applied globally to all agencies. A description of each item is included in the "Agency Budget Analysis Roadmap" section that begins this volume. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 1 - Present Law Base Adjustments - The Consumer Counsel historically receives an annual \$100,000 contingency appropriation for predictable caseload increases with unpredictable costs. The contingency is not always spent in the base year. This present law adjustment restores the contingency fund and includes other present law adjustments.

Counsel budget requests include \$100,000 in contingency funds for each year of the 2003 biennium, as is consistent with appropriations in prior biennium. Remaining adjustments affect contracts and anticipated workload. The entire request includes \$213,690 in state special revenues for fiscal 2002 and \$213,138 state special revenues for fiscal 2003.

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COMMENT**

The Consumer Counsel spent less during their base year, as compared to other budget years. This was the result of a significant caseload decrease that the agency attributes to rate moratoriums in affect at that time. Reduced caseload has a significant effect, led to reduced costs for contracted services, communications, travel and other routine expenditures. The Consumer Counsel has added \$95,787 to their base. The year used as a base should be considered an atypical expenditure year, and the requests will provide balance. Base adjustments include \$27,913 in travel, \$2,442 in temporary services, \$954 in printing, \$1,218 in reference materials, and multiple smaller expenditures. A \$100,000 contingency fund has also been added to the present law base adjustment. The legislature established this contingency account using special state revenues during the 2001 biennium.