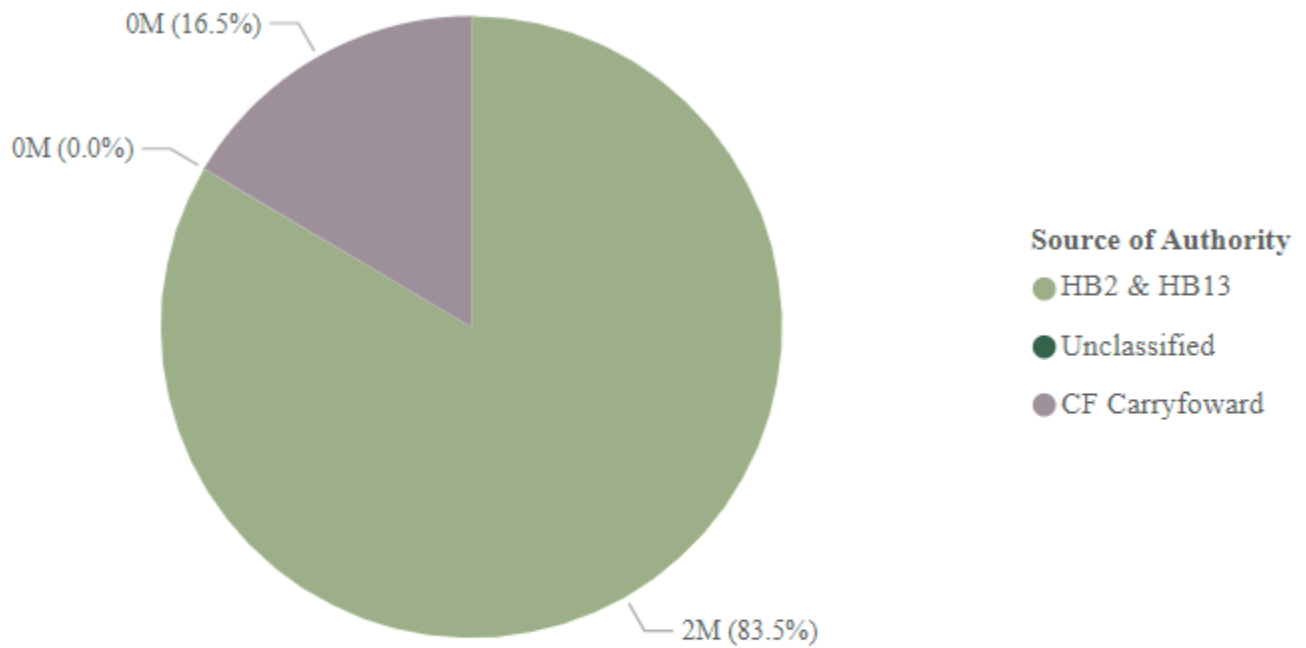


CONSUMER COUNSEL

TOTAL APPROPRIATION AUTHORITY

The total appropriation authority for the Consumer Counsel is shown in the pie chart below. HB 2 and HB 13 provide 83.5% of the total authority for this agency. All types of appropriation authority for this agency are described below, including total budget and the percent expended by source of authority.

Total Modified Budget by Source of Authority



Source of Authority	Modified Budget	Expended Budget	% Expended
HB2 & HB13	1,745,650	862,895	49.4%
CF Carryforward	344,722		
Unclassified	28		
Total	2,090,400	862,895	41.3%

Carryforward Authority

In addition to HB 2 authority, the Consumer Counsel has carryforward authority totaling approximately \$345,000 in FY 2024. This includes approximately \$206,000 of carryforward appropriation authority from FY 2022 and \$139,000 from FY 2023. The carryforward authority has been established entirely as operating expenses and is 0.0% expended as of fiscal year-end (FYE) 2024.

Unclassified

The Consumer Counsel has unclassified appropriation authority of \$28 because of lower workers' compensation premiums. Per 39-71-403(1)(b)(iv), MCA, when workers' compensation premiums are lower than the previous year, state agencies shall reduce personal services appropriations by the amount of the premium reduction. To track the changes in appropriation authority, total appropriations are not reduced, instead the Governor's Office of Budget and Program Planning (OBPP) requires state agencies to:

- Reduce HB 2, statutory, and proprietary appropriations
- Create a separate offsetting entry on the financial statements in the same amount using an identifying number for workers' compensation entries

The offsetting entries are identified as "frozen" appropriations, which means the appropriations will not be spent unless authorized by OBPP.

HB 2 BUDGET MODIFICATIONS

The following chart shows the HB 2 budget as passed by the legislature, including the pay plan, and the HB 2 modified budget from June 1, 2024 to FYE 2024. Net modifications to the budget include operating plan changes from one expenditure account to another, program transfers, reorganizations, and agency transfers of authority. The **positive modifications** and **negative modifications** are shown by program, expenditure account, and fund type.

Legislative Budget Compared to Modified Budget - HB 2 Only

Agency Name	HB 2 Budget	Modified Budget	Net Modifications
☐ Consumer Counsel	1,745,650	1,745,650	
Total	1,745,650	1,745,650	

Expenditure Type	HB 2 Budget	Modified Budget	Net Modifications
☐ 61000 Personal Services	717,795	717,795	
☐ 62000 Operating Expenses	985,623	985,623	
☐ 69000 Debt Service	42,232	42,232	
Total	1,745,650	1,745,650	

Fund Type	HB 2 Budget	Modified Budget	Net Modifications
☐ 02 State/Other Spec Rev	1,745,650	1,745,650	
Total	1,745,650	1,745,650	

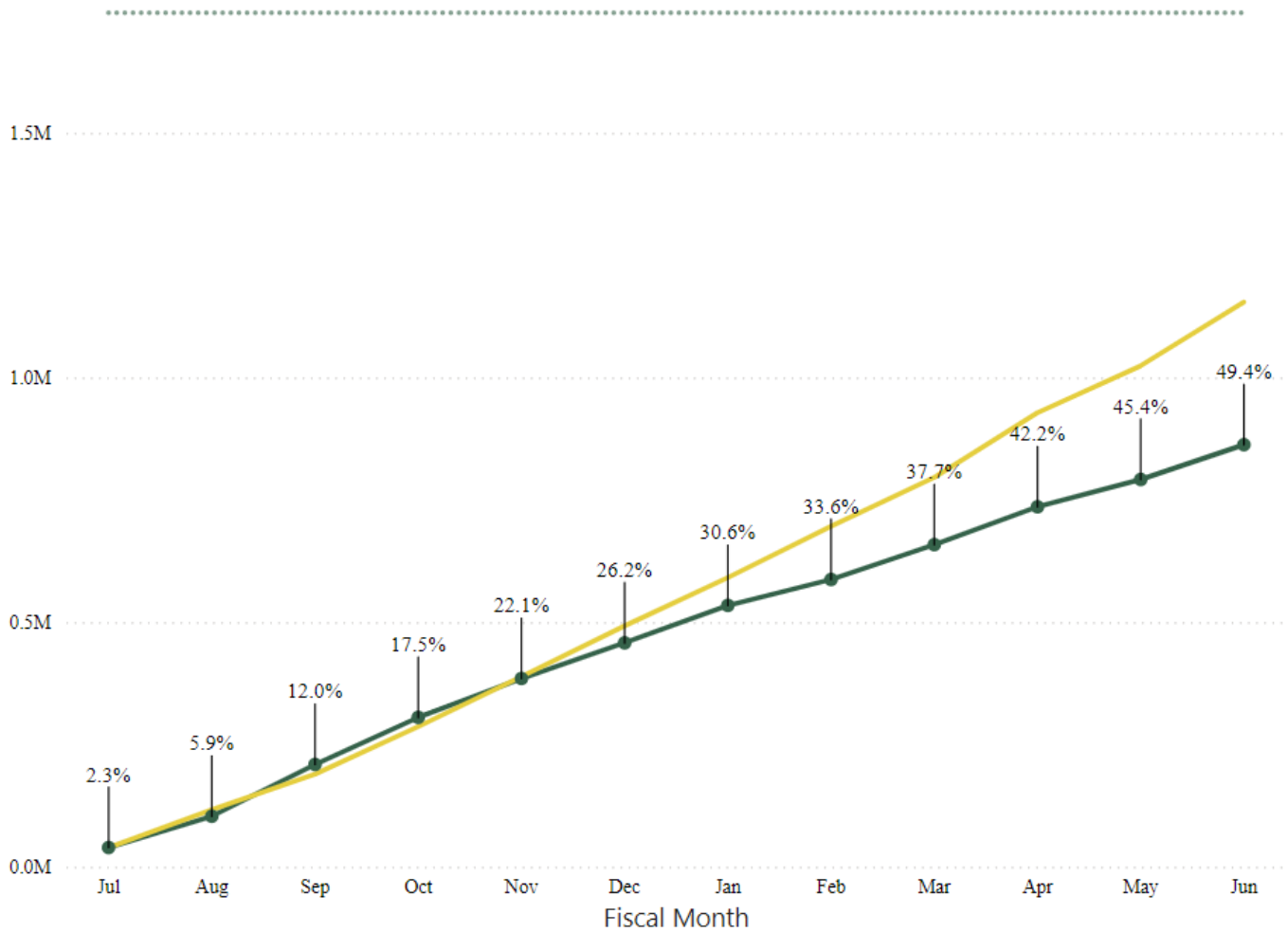
The Consumer Counsel did not make any budget modifications between June 1, 2024 and FYE 2024.

HB 2 APPROPRIATION AUTHORITY

The following chart shows the appropriated budget for the agency compared to expenditures through FYE 2024.

Monthly Expenditures Compared to Historical Average

● FY 2024 Budget ● Cumulative Monthly FY 2024 Expenditures ● Cumulative Historical Monthly Average Expended



Program Name	Modified Budget	Expended Budget	% Expended
☐ 01 ADMINISTRATIVE PROGRAM	1,745,650	862,895	49.4%
Total	1,745,650	862,895	49.4%

Expenditure Type	Modified Budget	Expended Budget	% Expended
☐ Personal Services	717,795	615,144	85.7%
☐ Operating Expenses	985,623	205,520	20.9%
☐ Debt Service	42,232	42,231	100.0%
Total	1,745,650	862,895	49.4%

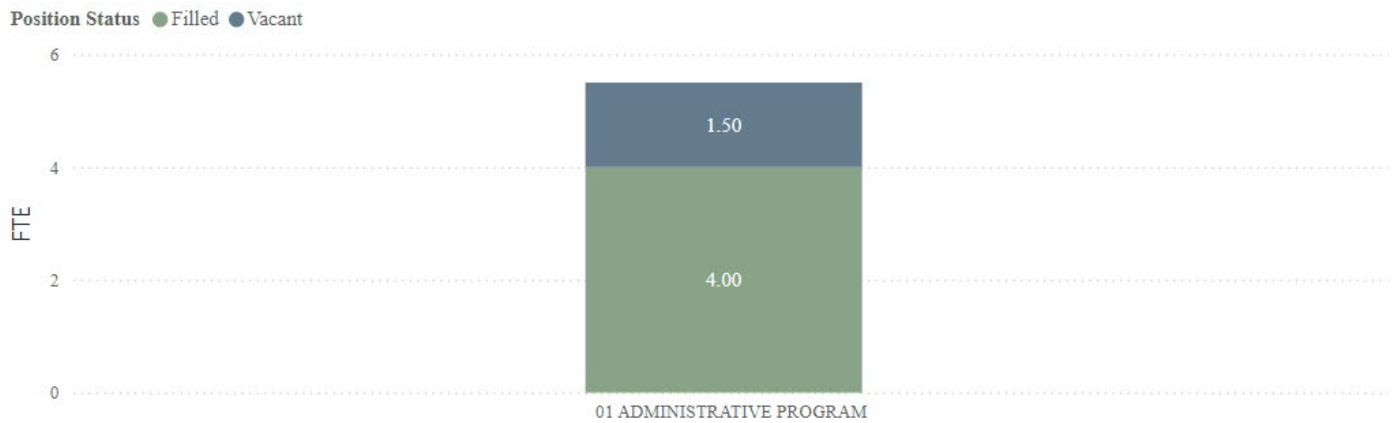
Fund Type	Modified Budget	Expended Budget	% Expended
☐ 02 State/Other Spec Rev	1,745,650	862,895	49.4%
Total	1,745,650	862,895	49.4%

The Consumer Counsel is entirely funded with state special revenue generated by fees imposed on regulated entities under the jurisdiction of the Public Service Commission. The Consumer Counsel expended 49.4% of its \$1.7 million FY 2024 modified HB 2 budget through FYE 2024. This expenditure amount is less than the historic five-year Olympic average of 66.1% expended as of FYE.

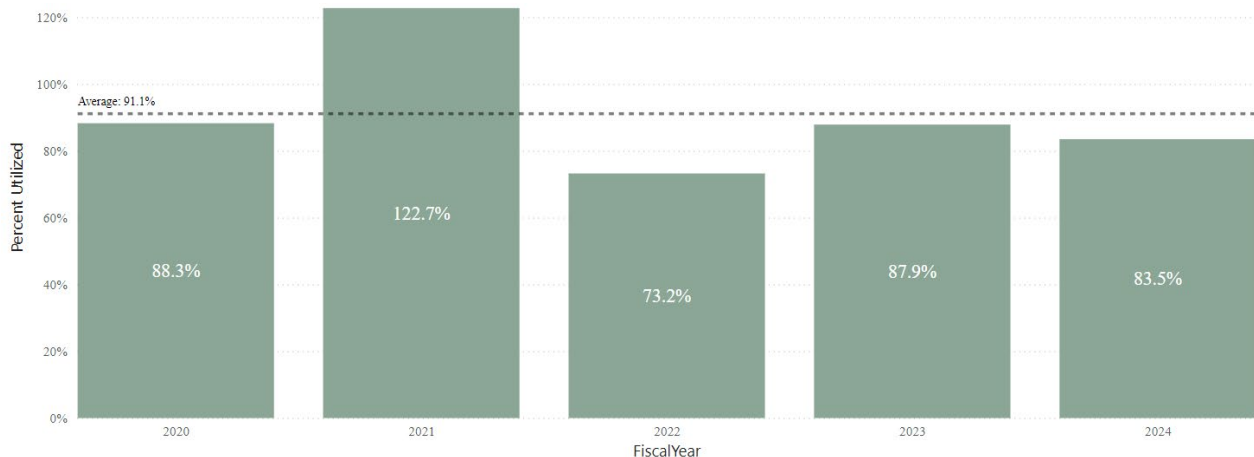
Operating expenses are 20.9% expended as of FYE 2024. Included in the operating expenses is a restricted, biennial, one-time-only appropriation of \$150,000 for caseload contingencies. If the caseload contingency was to be excluded, the operating expenses would be 36.1% expended and the HB 2 total percent expended for the agency would be 58.0%. According to the agency, the lower operating expenses are due to the number of caseloads in their purview being lower. The Consumer Counsel responds to cases that regulated utilities file with the Public Service Commission; given this, their operating budget fluctuates based on the caseload volume.

Personal Services

Appropriations for personal services in the Consumer Counsel total \$718,000 and are 85.7% expended through FYE 2024. The agency has 5.50 HB 2 FTE, and 72.7% of these positions are filled as of July 1, 2024. The following chart shows the filled and vacant FTE within the agency as of July 1, 2024.



The chart below shows the hourly utilization percentage for the Consumer Counsel for each fiscal year. Although the historical utilization at the conclusion of FY 2024 is lower than the average, the utilization is similar to that of FY 2023 and above the utilization of FY 2022. If the FY 2021 outlier data is removed the FY 2024 historical utilization is slightly higher than the new average of 83.2%. The large increase in historical utilization in FY 2021 is due to an employee payout of hours following their tenure with the agency.



The chart below shows the vacant FTE in the Consumer Counsel, the number of months the position has been vacant and the midpoint hourly pay rate. Of the 1.50 FTE vacant, 1.00 FTE is for a staff attorney position which recently became vacant. The Consumer Counsel posted the 1.00 FTE staff attorney position late in FY 2024. This posting will likely delay the recruitment of the 0.50 FTE position to beyond the end of the fiscal year due to the difficulty in effectively onboarding multiple staff in a small agency.

Vacant Positions Report

	FTE	Median Months Vacant	Market Midpoint (Hourly)
☐ 11120 CONSUMER COUNSEL	1.50	9.02	
☐ 01 ADMINISTRATIVE PROGRAM	1.50	9.02	
Consumer Counsel - Prof	1.50	9.02	
Total	1.50	9.02	