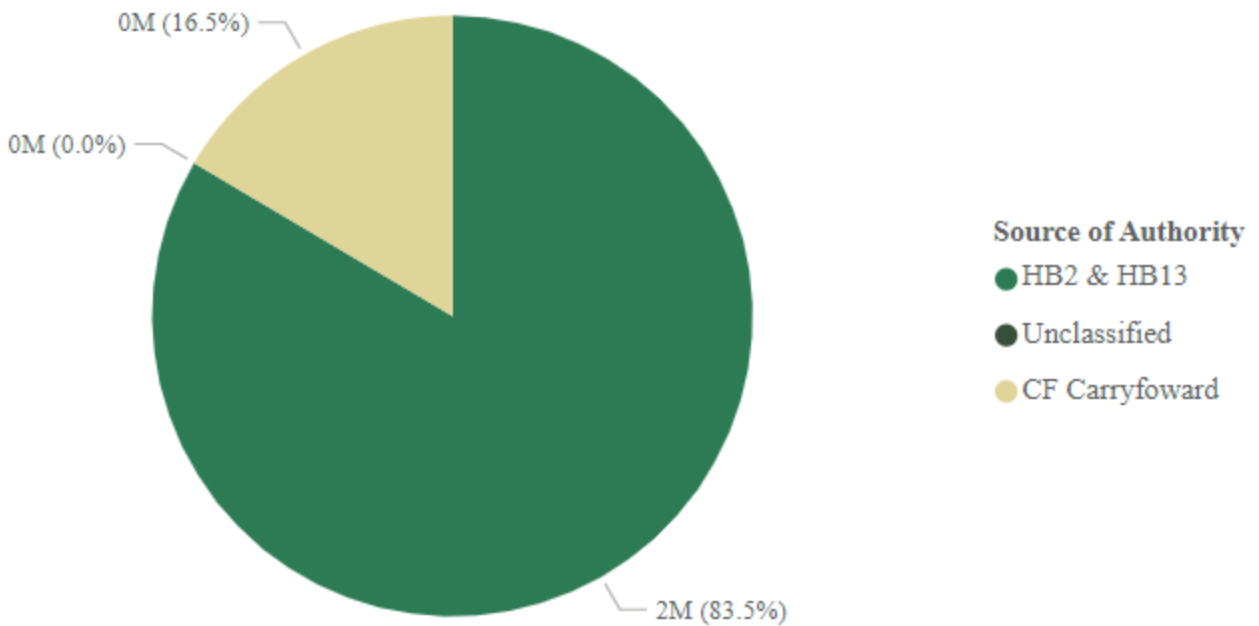


CONSUMER COUNSEL

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	587,406	33.6%
CF Carryforward	344,722		
Unclassified	28		
Total	2,090,400	587,406	28.1%

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 authority carrying forward 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 February 29, 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 December 1, 2023 to February 29, 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	1,745,678	1,745,650	-28
01 ADMINISTRATIVE PROGRAM	1,745,678	1,745,650	-28
Total	1,745,678	1,745,650	-28

Expenditure Type	HB 2 Budget	Modified Budget	Net Modifications
61000 Personal Services	717,823	717,795	-28
62000 Operating Expenses	985,623	985,623	
69000 Debt Service	42,232	42,232	
Total	1,745,678	1,745,650	-28

Fund Type	HB 2 Budget	Modified Budget	Net Modifications
02 State/Other Spec Rev	1,745,678	1,745,650	-28
Total	1,745,678	1,745,650	-28

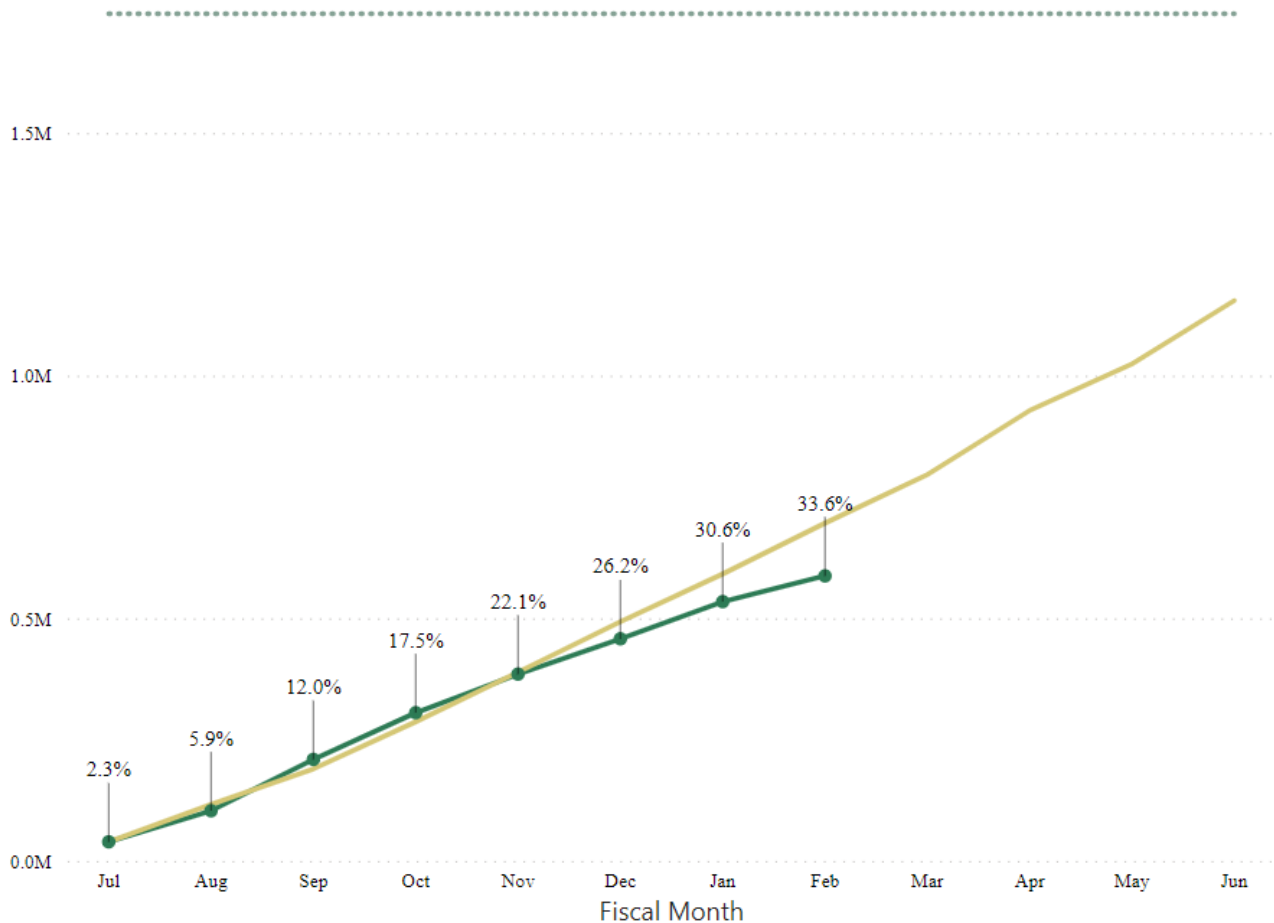
The Consumer Counsel had one HB 2 budget modification between December 1, 2023 and February 29, 2024. This modification was a workers' compensation reduction, described in detail in the "Unclassified" subsection of Total Appropriation Authority.

HB 2 APPROPRIATION AUTHORITY

The following chart shows the appropriated budget for the agency compared to expenditures through February 29, 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	587,406	33.6%
Total	1,745,650	587,406	33.6%
Expenditure Type	Modified Budget	Expended Budget	% Expended
⊕ Personal Services	717,795	405,249	56.5%
⊕ Operating Expenses	985,623	150,484	15.3%
⊕ Debt Service	42,232	31,673	75.0%
Total	1,745,650	587,406	33.6%
Fund Type	Modified Budget	Expended Budget	% Expended
⊕ 02 State/Other Spec Rev	1,745,650	587,406	33.6%
Total	1,745,650	587,406	33.6%

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 33.6% of its \$1.7 million FY 2024 modified HB 2 budget through February 29, 2024. This is slightly below the anticipated expenditures at this point in the fiscal year.

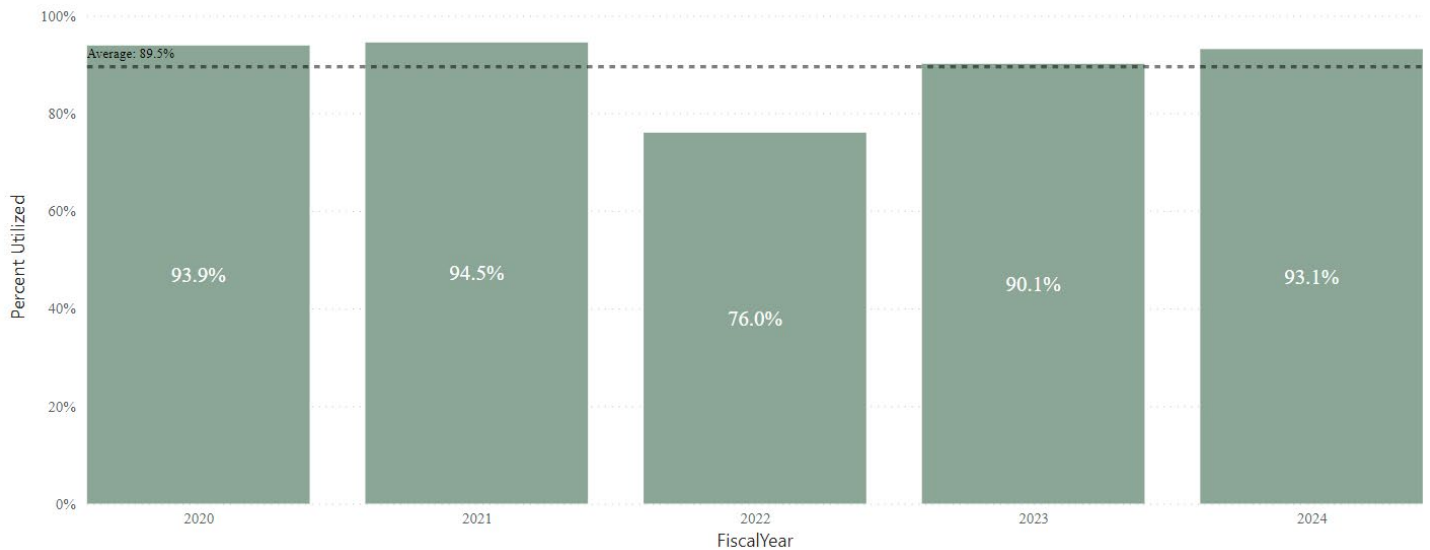
Operating expenses are 15.3% expended as of February 29, 2024. Included in the operating expenses is a restricted, biennial, one-time-only appropriation of \$150,000 for caseload contingencies. At this point in the fiscal year, the Public Service Commission filings and state and federal court hearings have not required the use of the caseload contingency.

Personal Services

Appropriations for personal services in the Consumer Counsel total \$718,000 and are 56.5% expended through February 29, 2024. The agency has 5.50 HB 2 FTE, and 72.7% of these positions are filled as of February 1, 2024. The following chart shows the filled and vacant FTE within the agency as of February 1, 2024.



The chart below shows the hourly utilization percentage for the Consumer Counsel between July 1 and February 1 for each fiscal year when compared to the available hours for the same time period. The lower utilization percentage in FY 2022 was due to the retirement of the executive director. Hours utilized in FY 2024 are similar to the hours utilized prior to FY 2022.



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 due to a staff attorney position recently becoming vacant. The Consumer Counsel expects to post this position in the very near future which will likely delay the posting 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.

DEPT NUM/NAME	FTE	Median Months Vacant	Market Midpoint (Hourly)
⊖ 11120 CONSUMER COUNSEL	1.50	4.07	
⊖ 01 ADMINISTRATIVE PROGRAM	1.50	4.07	
Consumer Counsel - Prof	1.50	4.07	
Total	1.50	4.07	