

# THE MONTANA CONSUMER COUNSEL

An Agency Profile Prepared by the  
Legislative Fiscal Division

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# INTRODUCTION

The Montana Consumer Counsel represents statewide consumer interests regarding utility and transportation issues in hearings before the Public Service Commission, as well as the state and federal courts and administrative agencies. The Montana Consumer Counsel is part of the Legislative Branch and is overseen by the Legislative Consumer Committee. The Counsel is provided for by Article XIII, Section 2 of the Montana Constitution, and is governed by Title 5, Chapter 15 and Title 69, Chapters 1 and 2, MCA.

## HOW SERVICES ARE PROVIDED

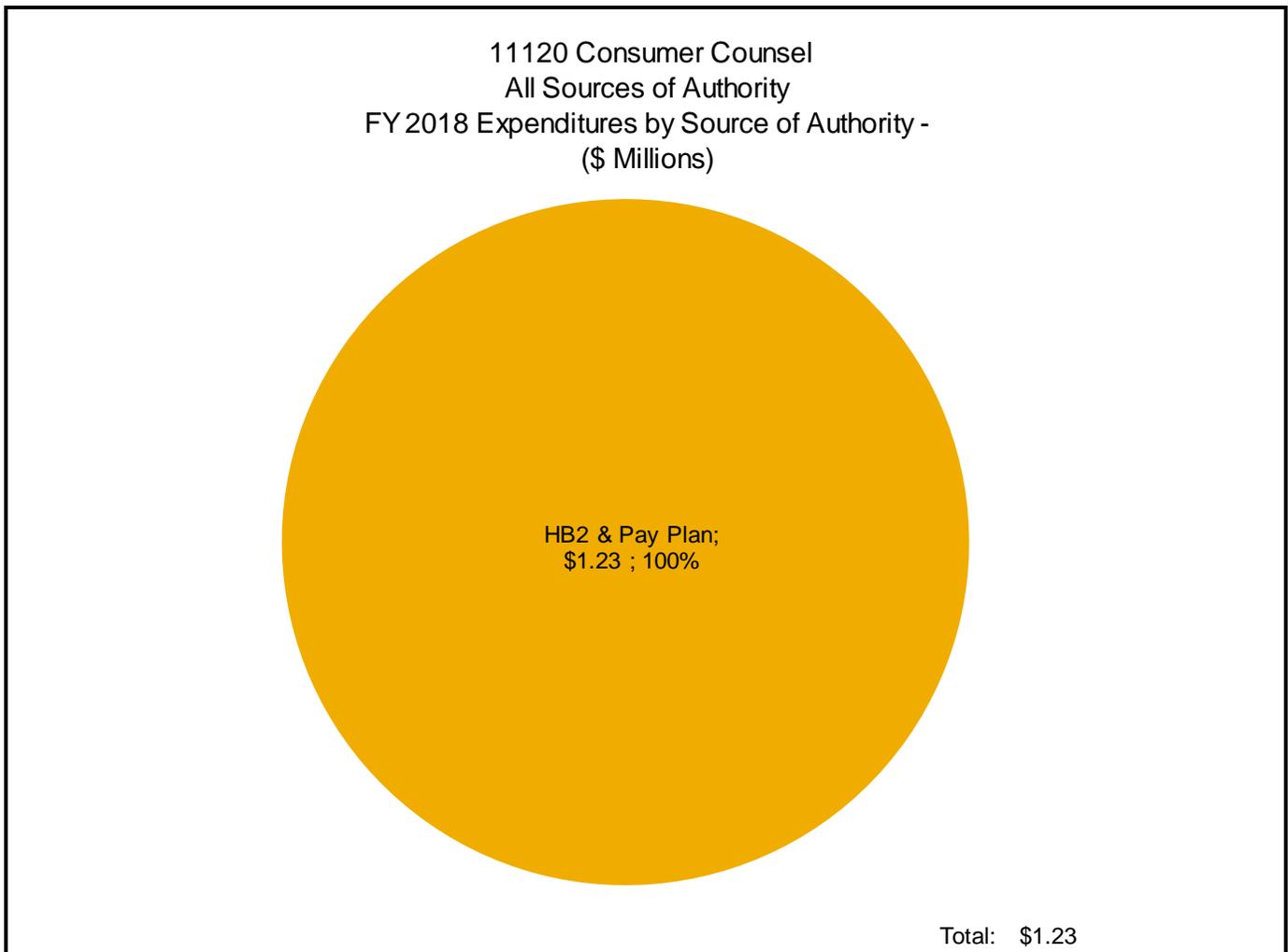
The Consumer Counsel represents Montana consumers in:

- Utility and transportation proceedings before the Public Service Commission,
- Proceedings before the Federal Energy Regulatory Commission, Federal Communications Commission, and other federal administrative agencies, and
- Applicable state and federal court proceedings.

The Montana Consumer Counsel provides these services through one program and the use of outside consulting services to bring expertise for regulatory issues as they arise.

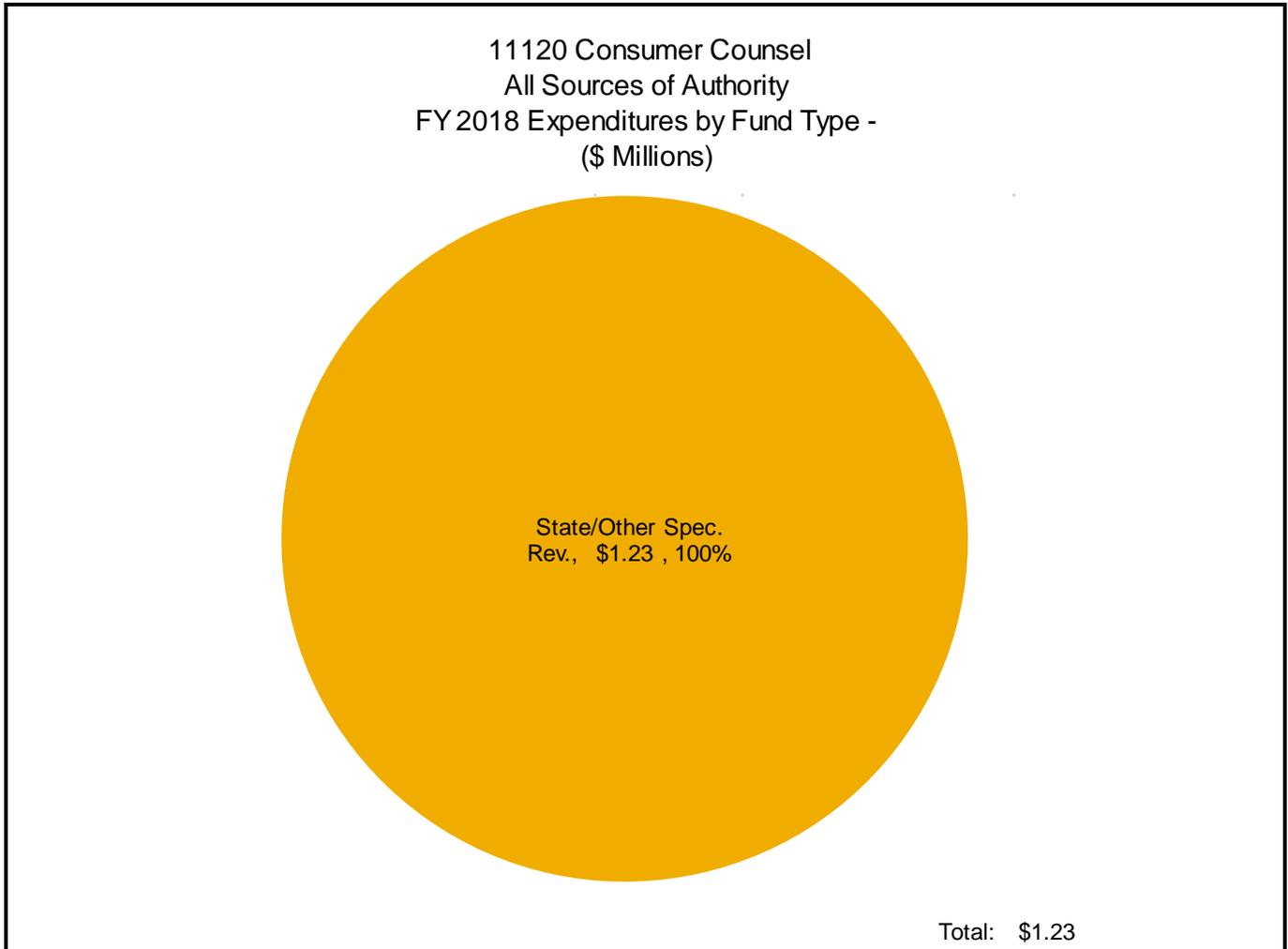
## SOURCES OF SPENDING AUTHORITY

The chart below shows the Consumer Counsel's expenditures from all sources of authority in FY 2018. All of the Counsel's expenditures in FY 2018 were from HB 2 and the pay plan.

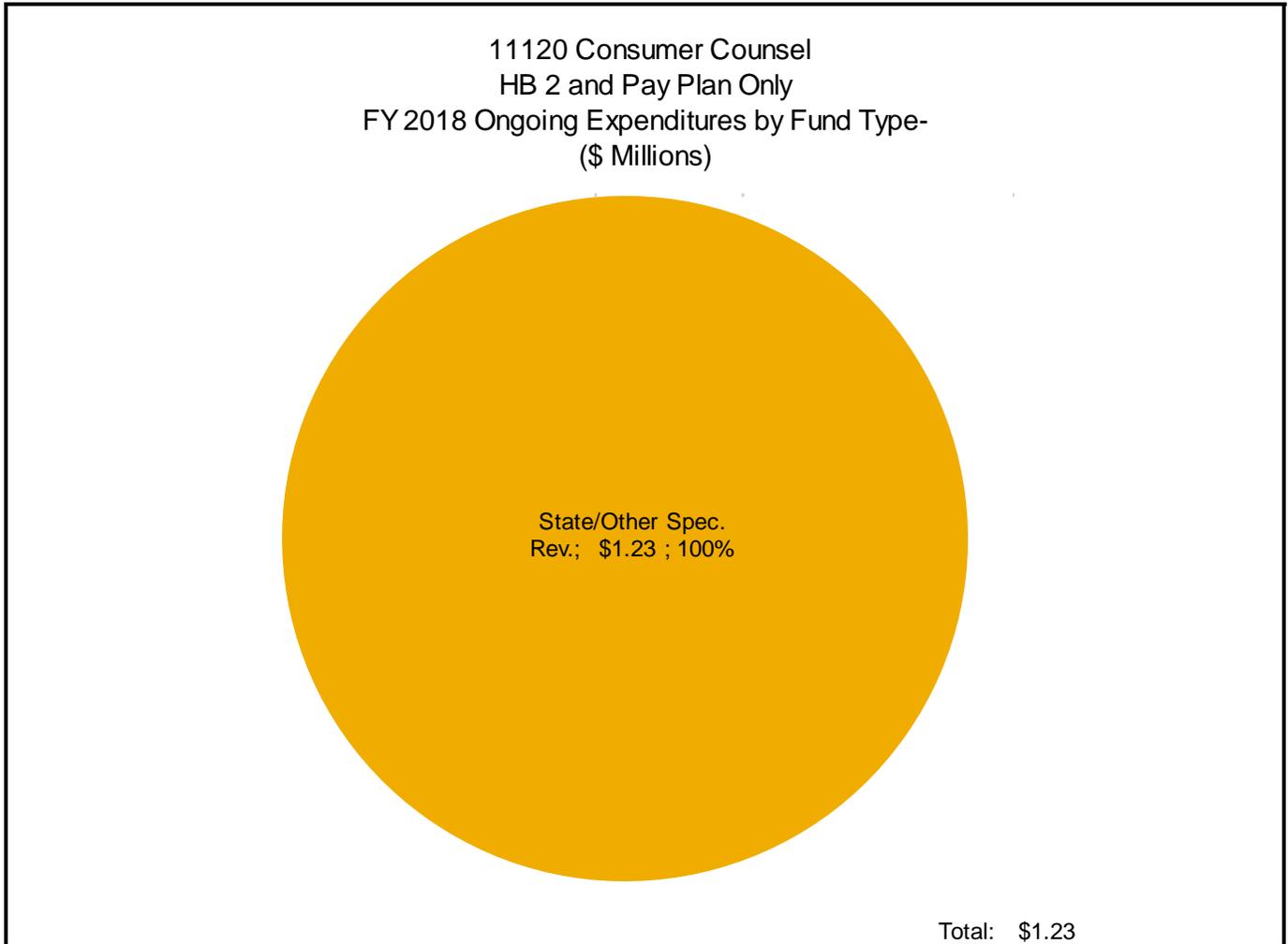


## FUNDING

The chart below shows FY 2018 actual expenditures by fund type from all sources of authority. The Montana Consumer Counsel was fully funded with state special revenues collected through fees imposed on all regulated entities under the jurisdiction of the Public Service Commission. The funding formula is specified in 69-1-223, MCA.

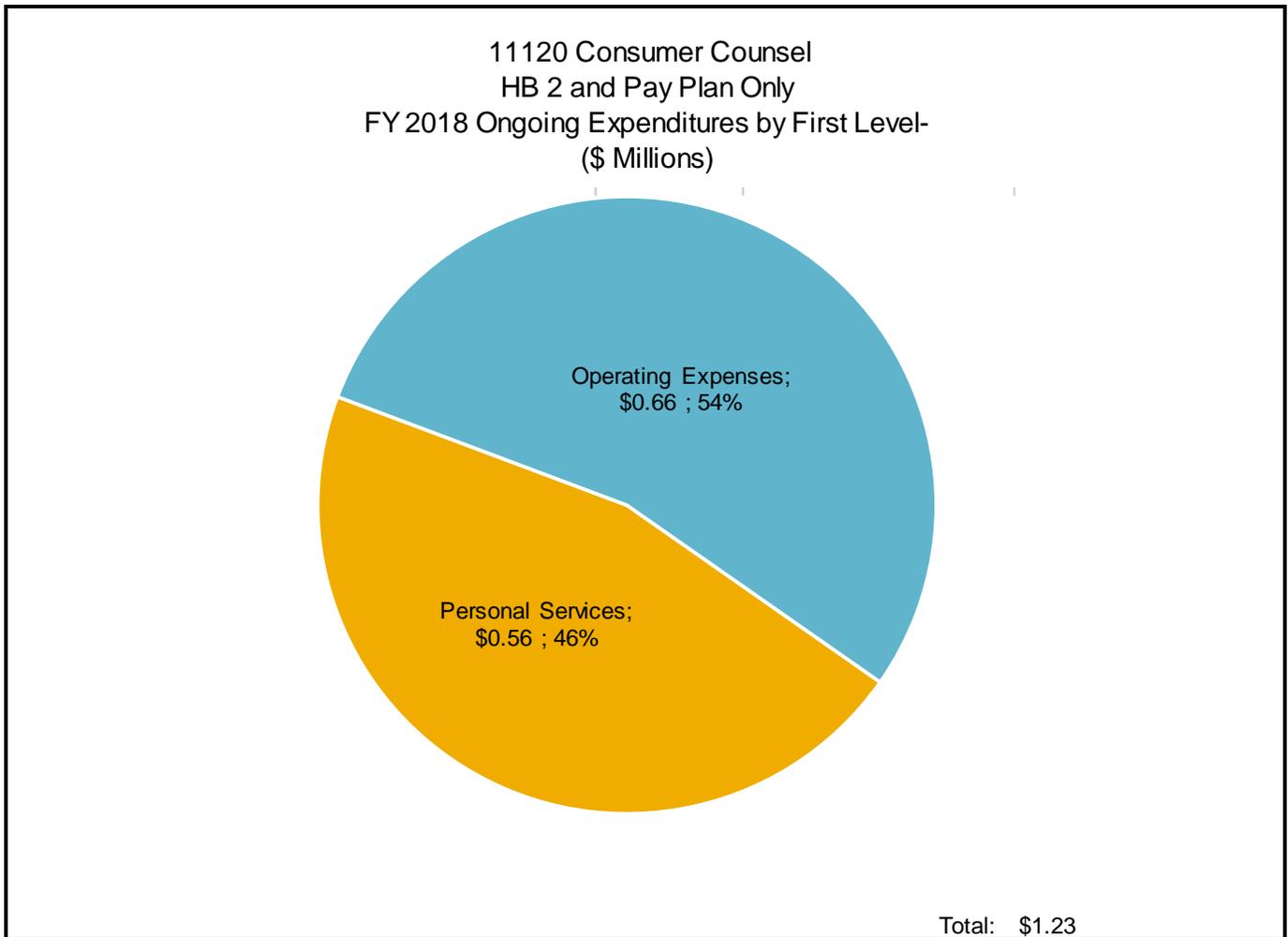


The chart below shows the Consumer Counsel's HB 2 expenditures by fund type. All of the Counsel's ongoing expenditures included in HB 2 and the pay plan were from the state special revenue fund described above.



## EXPENDITURES

The chart below explains how HB 2 authority was spent in FY 2018. The Consumer Counsel had 5.54 FTE and personal services expenditures totaled approximately \$0.66 million. Operating expenses were approximately \$0.66 million and were comprised primarily of consulting services.



## HOW THE 2019 LEGISLATURE CAN EFFECT CHANGE

In order to change expenditure levels and/or activity, the legislature might address:

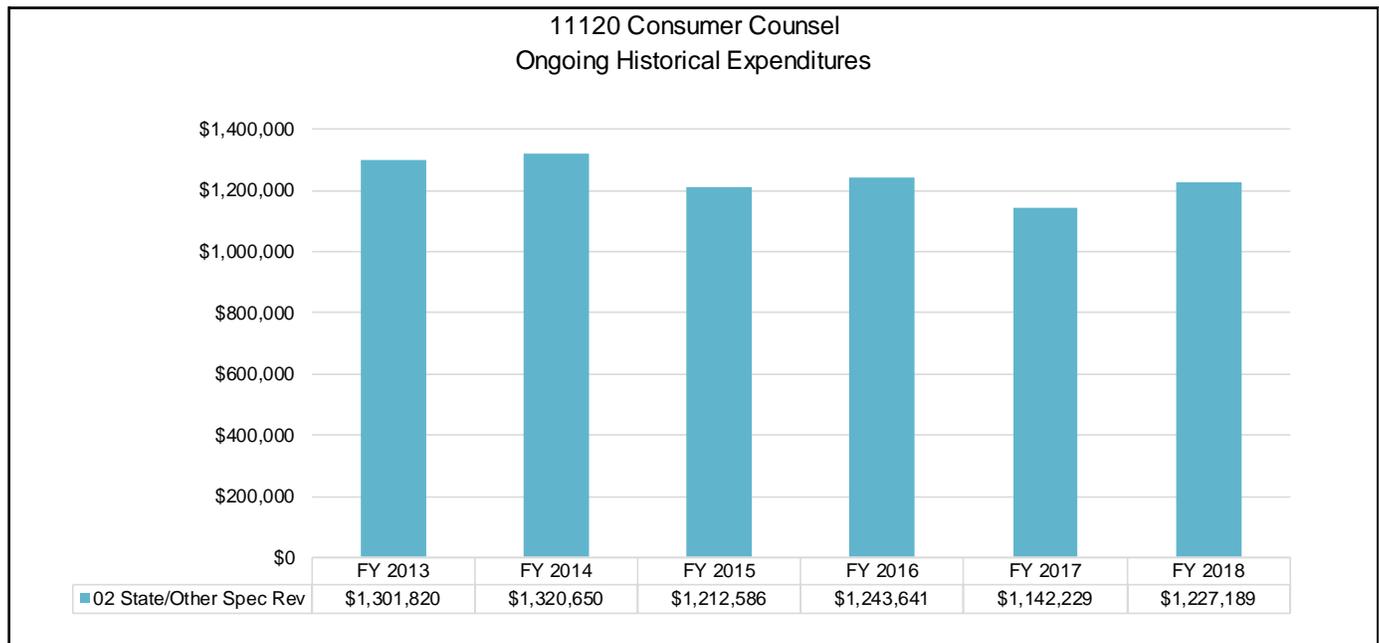
- Rates, reporting processes, and fees or taxes charged to regulated utilities
- Which agency, if any, monitors utilities (through changes to the Constitution)
- Agency participation in regional and/or national issues

## MAJOR COST DRIVERS

Element	FY 2016	FY 2018	Significance of Data
Contractor Fees	\$137	\$141	The Consumer Counsel makes use of contractors for the analysis of utility cases/issues. The fee is calculated based on the total hours worked divided by the total amount paid.
Dockets before the Montana Public Service Commission	175	164	As the number of dockets change, the number of cases that the Consumer Counsel might intervene on also changes. This data includes all dockets of the Public Service Commission, regardless of intervention. This factor influences contracting costs.

## FUNDING/EXPENDITURE HISTORY

The following table shows historical changes in the agency's expenditures by fund type. Costs for consulting and professional services vary based on the number and complexity of the cases for which the Consumer Counsel has intervened and is one of the major reasons for differences in expenditures between fiscal years.



## MAJOR LEGISLATIVE CHANGES IN THE LAST TEN YEARS

Major changes in the last ten years include:

- 2007 – The Montana Consumer Counsel was required to perform an analysis of the fiscal impacts related to permit applications for new electrical generation facilities and upgrades under the Montana Major Facility Siting Act. The analysis included an estimation of how customer rates may have been impacted. Costs of the analysis were paid by applicants.

For more information, please visit the consumer counsel website, here:  
<http://leg.mt.gov/css/Committees/Administration/Consumer%20Counsel/>