CONSUMER COUNSEL

TOTAL APPROPRIATION AUTHORITY

The total appropriation authority for the agency is shown in the pie chart below. HB 2 and HB 13 provide 81.2% 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.

Carryforward

The Consumer Counsel established $174,404 in operating expenses in FY 2020 carryforward authority in FY 2021. At 2021 fiscal year-end the funding had not been utilized. The Consumer Counsel reestablished the carryforward authority in FY 2022 as operating expenses. In addition, the Consumer Counsel established $217,852 in operating expenses for FY 2021 carryforward authority in December 2021. As reflected in the figure above, as of the end of February the Consumer Counsel has not expended any of the carryforward appropriations.
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 between December 1, 2021 and February 28, 2022. 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.

As of February 28, 2022, the Consumer Counsel has not modified its HB 2 budget.
**HB 2 Appropriation Authority**

The following chart shows the appropriated budget for the agency compared to expenditures through February 28, 2022.

![Graph showing budget and expenditures](image)

<table>
<thead>
<tr>
<th>accv1_descr</th>
<th>Modified Budget</th>
<th>Expended Budget</th>
<th>Percent Expended</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Services</td>
<td>682,684</td>
<td>290,468</td>
<td>42.5%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>1,007,165</td>
<td>270,183</td>
<td>27.8%</td>
</tr>
<tr>
<td>Debt Service</td>
<td>1,666</td>
<td>1,110</td>
<td>66.6%</td>
</tr>
</tbody>
</table>

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.

**Personal Services**

Personal services made up 40.4% of the HB 2 modified budget and, as shown in the chart above, were 42.5% expended as of February 28, 2022, which is below the level anticipated in the budget.

The following chart shows the filled and vacant FTE within the agency as of February 1, 2022.
In FY 2021, the consumer counsel director retired. In October 2021 the Legislative Consumer Committee appointed a new director from agency staff. The attorney position freed up by this appointment has been vacant since the appointment of the new director. As a result, the Consumer Counsel has not expended $51,712 in personal services through the end of February.

**Next Steps for Personal Services Reporting**

In upcoming Quarterly Financial Reports, the LFD will begin the process of a more comprehensive look at personal services. The LFD will compare two executive “snapshots” -- July 2020 and July 2022. The analysis will identify adjustments adopted by the legislature in 2021 and modifications made by the agencies, within the confines of budget law.

The September Quarterly Financial Report will provide the complete comparison from July 2020 to July 2022. Ultimately, the analysis will result in a description of all the components that will be part of the executive’s decision package one (DP 1) 2025 biennium budget request. This work will prepare legislators for budget deliberations in the 2023 session. For a review of how DP 1 works and snapshot components, please read this [short brochure](#) from 2019.

**Operating Expenses**

Operating expenses make up 59.5% of the FY 2022 HB 2 modified budget. Included in the operating expenses is a restricted, biennial appropriation of $150,000 for caseload contingencies. As of the end of February, the Public Service Commission filings and state and federal court hearings have not required the use of the caseload contingency.
OTHER ISSUES

Required Reports

The Consumer Counsel did not have any budget amendments, operating plan changes, or program transfers that require reporting to the Legislative Finance Committee.