



## **FY 2014 PERFORMANCE PLAN Office of the People's Counsel**

### **MISSION**

The mission of the Office of the People's Counsel ("OPC" or "Office") is to advocate for the provision of safe and reliable quality utility service and equitable treatment at rates that are just, reasonable, and nondiscriminatory; assist individual consumers in disputes with utility providers; provide technical assistance, education and outreach to consumers and ratepayers, community groups, associations and the Consumer Utility Board; and provide legislative analysis and information to the Council of the District of Columbia on matters relating to utilities. The Office's mission further includes consideration of the District's economy and promotion of the environmental sustainability of the District. Specifically, OPC's mission includes:

- Advocating on behalf of D.C. consumers in adjudicatory and regulatory proceedings before the D.C. Public Service Commission, federal agencies and courts;
- Representing D.C. consumers in individual disputes involving gas, electric and telephone companies providing residential service in the District of Columbia;
- Educating consumers about on-going and emerging utility issues;
- Collaborating and forming alliances with D.C. agencies and other stakeholders involved in the utility regulatory process;
- Informing and advising D.C. policy makers, including the Executive Office of the Mayor and the D.C. Council, of emerging utility issues affecting their constituents;
- Advising the D.C. Council on the need for legislative action to address consumer-based utility issues;
- Serving as a statutory member on the Sustainable Energy Utility Advisory Board to assist in the development of a city-wide sustainable energy policy; and
- Providing consultative services and technical assistance to utility consumers to facilitate their participation in utility proceedings and to ensure that their interests are adequately represented in these proceedings.

### **SUMMARY OF SERVICES**

OPC is a party to all utility-related proceedings before the D.C. Public Service Commission and represents the interests of D.C. ratepayers before local and federal regulatory agencies and courts.

The Office assists individual consumers in disputes with utility companies about billing or services and provides consumer education and outreach to community groups and associations on emerging issues impacting the quality, reliability and affordability of their utility services and associated environmental issues. The Office provides technical assistance to consumers, the Consumer Utility Board (CUB), as well as other D.C. community groups.

OPC also provides legislative analysis for, assistance to and testimony before the D.C. Council on utility matters.



## PERFORMANCE PLAN DIVISIONS<sup>1</sup>

- Office of the People's Counsel
- Agency Management
- Agency Financial Operations

## AGENCY WORKLOAD MEASURES

Measure	FY2011 Actual	FY2012 Actual	FY2013 YTD <sup>2</sup>
Number of consumer inquiries	702	1,789	824
Number of consumer complaints	1,734	2,031	1,254
Number of cases litigated before the Public Service Commission	54	42	34

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<sup>1</sup> The OPC is an independent agency. For the purposes of the FY14 Performance Plan, OPC elected to organize the Plan at the agency level instead of by budget division. In addition, the OPC budget divisions do not match the functional divisions of the agency, which are: Directorate Division, Litigation Services Division, Consumer Services Division and the Operations Division.

<sup>2</sup> The data is accurate as of August 11, 2013.



**OBJECTIVE 1: Ensure effective advocacy on behalf of consumers and ratepayers of natural gas, electric and telephone service in the District.**

**INITIATIVE 1.1: Maintain Verizon’s Quality of Local Telecommunications Service through Transition from Copper Infrastructure to Optic Fiber Infrastructure**

In FY13, OPC petitioned the Public Service Commission (“PSC” or “Commission”) to open an investigation into the quality of local telecommunications service provided by Verizon. As a result, a proceeding was initiated wherein OPC and the PSC examined and analyzed the quality of Verizon’s service to D.C. residents through discovery, testimony and evidentiary hearings. In FY14, OPC will advocate for a PSC order requiring Verizon to maintain adequate functioning of its telephone service provided over copper lines during the period in which it transitions its local network infrastructure from copper to optic fiber by litigating this matter before the Public Service Commission. Completion date: September 30, 2014.

**INITIATIVE 1.2: Continue Expansion of Consultant Data Base.**

In FY12, OPC began expanding the data base of consultants to obtain a diverse list of subject matter experts qualified to assist the Office in fully carrying out its statutory responsibilities in proceedings before the D.C. Public Service Commission. In FY14, OPC will continue to seek and research technical experts experienced in utility regulation and environmental sustainability to assist OPC in its consumer advocacy. Completion date: September 30, 2014.

**INITIATIVE 1.3: Maintain Reasonable Electric Distribution Rates For DC Residents**

OPC will aggressively advocate for reasonable electric rates for DC consumers through the litigation of the Potomac Electric Power Company rate increase request by filing testimony opposing the requested rate increase based on review and analysis of the rate application, cross examination of Pepco witnesses and filing legal briefs. Completion date: September 30, 2014.

**INITIATIVE 1.4: Enhance the Time Matters Case Management Program.**

In FY13, OPC implemented a case management system to streamline and improve its internal litigation process in terms of centralizing access to and organization of documents, calendars and other information related to litigation projects. In FY14, OPC will implement enhancements to its case management system that will enable OPC attorneys to access the system in real time— without calling the office— through a secure, web-based case management system mobility service and permit attorneys to access calendar and contact information on smartphones and other Web-enabled mobile devices through secure integration with Microsoft® Outlook® and Microsoft Exchange. Completion date: September 30, 2014.



**INITIATIVE 1.5: Continue Advocacy For Smart Meter Opt Out Availability to DC Consumers**

In FY13, OPC worked with the Public Service Commission, DC Council and other stakeholders to examine the feasibility of and appropriate ways to make the opting out of smart meter installation available to DC consumers through active litigation at the PSC. In addition, OPC actively worked with the city council to obtain support for OPC's advocacy at the PSC and to develop legislation allowing residents to opt-out of smart meter installation. In FY14, OPC will work with the city council and community leaders and organizations to enact consumer friendly smart meter opt-out legislation. Completion date: September 30, 2014.

**INITIATIVE 1.6: Advocate for Implementation of Electric Conduit Undergrounding**

OPC will actively participate in the drafting of legislation and prepare and provide testimony before the DC Council in support of placing electric lines serving DC residents underground to improve electric service reliability. Completion date: September 30, 2014.

**INITIATIVE 1.7: Advocate for Stronger Regulatory Oversight of Alternative Energy Provider Services**

In FY13, OPC advocated for PSC review of consumer concerns regarding interactions with alternative energy suppliers by petitioning the PSC to conduct a formal investigation into consumer complaints against these energy providers. OPC's petition was granted. In FY14, OPC will actively pursue, through litigation, implementation of stronger consumer protection enforcement mechanisms regarding alternative energy providers operating in DC to address consumer concerns regarding solicitation, marketing and billing practices. Completion date: September 30, 2014.

**INITIATIVE 1.8: Continue Enhancement of OPC's Technical Expert Unit**

In FY13, OPC added staff and provided staff training to support the Technical Experts section of the Office's Litigation Division in order to improve the RFP process for acquiring outside utility regulation expertise. In FY14, OPC will continue to enhance the Technical Experts section for the purpose of strengthening the economic and engineering support for OPC's legal advocacy by acquiring two professional staff members with expertise in electric infrastructure issues. Completion date: September 30, 2014.

**INITIATIVE 1.9: Continue to Advocate for Consumer Interests on D.C. Sustainable Energy Utility Advisory Board**

OPC, as an active member of the D.C. Sustainable Energy Utility Advisory Board, will continue to represent the interests of DC energy consumers and ratepayers through its oversight and guidance in the development and evaluation of energy efficiency and renewable energy programs that benefit consumers in terms of reduced energy usage and lower energy costs, as well as provide input regarding whether legislative changes are needed to the District's Clean and Affordable Energy Act. Completion date: September 30, 2014.