

Office of Consumer Counsel (OCC) Responses to Representative Nuccio Requests for Information for Conservation and Development the Subcommittee Work Session

February 27, 2023

Headcount questions:

- 1. What is the authorized headcount, the funded headcount and the filled headcount for your area?**

19 FTEs Authorized; 19 Funded; 16 Filled (2 recent vacancies).

- 2. If there is change in headcount (either up or down) please provide an explanation of the change.**

The Governor's budget proposes one additional FTE for OCC in the biennium budget. I strongly support the inclusion of one additional position for OCC to be able to hire an office director position -- Director of Utility Oversight and Regulatory Reform -- in the Governor's proposed budget. This position is critical to OCC's effective representation of consumers for many reasons.

- a. If there is a positive change in headcount, please explain why these positions are needed.**

The increased volume and complexity of PURA-related work has grown substantially, adding to the already significant workload imposed by the normal cycle of utility rate cases handled by PURA and in which OCC must participate. PURA has also launched multiple multi-year reform efforts related to grid modernization and a transition to a performance-based ratemaking framework. Given this context of growing regulatory activity and increased number of applications for rate increases we expect to see from our electric, water and gas utilities, OCC needs an experienced, supervisory attorney with substantial ratemaking expertise to strategically oversee and coordinate this work with the support of staff attorneys and technical financial and utility staff. This leadership expert position will enable the Office of Consumer Counsel to play a more proactive, strategic role in utility oversight, in rate design and ratemaking, and in the new performance-based regulatory structure currently under development by PURA -- all to better protect consumer interests and public policy goals consistent with our statutory mission.

- b. If these adds are legislatively driven, what piece of legislation is driving the increase?**

These positions are not mandated by legislation, but legislation has created increased workload for our office. This includes [Public Act 20-5](#), known as the "Take Back Our Grid" Act, bipartisan legislation required PURA to, among other things, initiate a proceeding to research and consider financial, performance-based incentives, penalties, and metrics to use in regulating the EDCs. In other words, PURA is required to design a performance-based regulatory framework (PBR Framework) that cost-effectively incentivizes the EDCs to achieve all the outcomes desired from Connecticut's electric grid, including but not limited to: reliability, safety, affordability, emergency responsiveness, cost-efficiency, equity, customer satisfaction, municipal engagement, resilience, and the advancement of the state's environmental and climate policy goals.

This also includes implementation of PURA's [Equitable Modern Grid Initiative](#) to assist with complying with the state's carbon free energy goals and other clean energy deployment consistent with:

- Public Act 19- 35, An Act Concerning a Green Economy and Environmental Protection, directing PURA to, among other things, establish the next generation Class I renewable energy programs for each customer class and renewable energy procurement plans and tariffs
- Public Act 21-162, An Act Concerning the Solicitation of New Fuel Cell Electricity Generation Projects.
- Public Act 22-14, An Act Concerning Clean Energy Tariff Programs, annual review dockets evaluating and making changes the residential and non-residential solar programs, and the shared clean energy facility program.
- Public Act 21-159, An Act Concerning Equitable Access to Broadband, directed the state to begin promoting the build out of highspeed broadband internet service, particularly in underserved communities, such as rural communities, urban centers, or low-income areas.
- Public Act No. 22-55, An Act Concerning Energy Storage Systems and Electric Distribution System Reliability (Public Act 22-55), which establishes and annually reviews a set of requirements for the electric distribution companies' (EDCs) proposals for energy storage systems (ESSs).
- Public Act 22-20, An Act Concerning Modifications to Gas Pipeline Process, expands PURA's authority over certain gas entities and aligns with federal standards.

3. Are there any vacant positions in your headcount?

We currently have three vacancies:

- 1 Economist position that has an offer pending (became vacant due to employee leaving in November 2022);
- 1 Utilities Examiner/Accountant we are in process of filling (vacancy occurred in December 2022).
- 1 Visual Media Designer – This was a new position approved in 2022 budget in conjunction with our Communications and Legislative Manager position. Previously OCC had no communications, media or legislative staff. I was waiting to fill this position until after our Communications & Legislative Manager came on board. Our Communications & Legislative Manager started in December, 2022 and we are in the process of creating a strategic plan to ensure we fill this position in the most effective way possible. We are seeking ways to combine

media skills with consumer outreach skills into one position to most cost-effectively utilize this FTE.

- a. If yes, how are they budgeted into your plan? (as a full year FTE or partial? Are they fulltime or part time?)**

All new positions are assumed to be full-time permanent positions.

- b. What is the anticipated start date of your vacancies?**

- i. Economist: April 1, 2023.
- ii. Utilities Examiner/Accountant: June 1, 2022
- iii. Visual Media Designer: TBD

- c. Are they staggered throughout the year, or all anticipated to start on July 1?**

These positions will be filled as rapidly as we can fill them, following the State's hiring rules and procedures.

- 4. How many vacancies did you have at year end on 06/30/22?**

- a. How many vacancies did you have throughout the year last fiscal year?**

OCC had a total of three vacancies during FY 2021-22. OCC's new permanent agency head, Claire Coleman, started in December 2021. The agency waited until the new agency head was hired to fill new authorized positions. OCC averaged approximately 1 to 1.5 FTE vacancies in FY 2021-2022.

- b. How many new hires did you have in the same time period? Three**

- 5. What is the average cost of an FTE for your area?**

- a. \$202,707 (roughly \$103,952 in salary & \$101,312 in fringe)

- 6. What is the average fringe cost of an FTE in the comptrollers area?**

- a. \$0.00 (PUC fringe not covered by OSC)

Lapse Questions:

- 1. Were there any lapsing accounts on 06/30? Yes.**

- 2. If yes, what were the accounts?** The Office had lapses in FY 2021-22. In the Consumer Counsel & Public Utility Fund (see below).

- a. If yes, what was the lapse balance?**

Personal Services - \$393,235
Other Expenses: \$113,648
Equipment- \$2,200
Fringe Benefits: \$383,831

b. If yes, what drove the lapse?

Lapses in Personal Services were due to job vacancies associated with the vacant Agency Head position and newly authorized positions, which had to get approval to fill after and go through state hiring process. In OE the lapses occurred mostly due to the COVID pandemic and that employees are in the office only part-time, and there were reduced expenses for training and professional development; reduced travel expenses; reduce office supplies and materials; reduced building utilities.

- c. What spending didn't occur that was planned to occur?** See above. Please note that as PURA proceedings are happening in person more frequently, the need for staff to be in the office is also increasing, and in-person conferences for consumer advocates through the National Association of State Consumer Advocates and the regulatory commissions through the National Association of Regulatory Utility Commissions have started back up again and are a critical resource for training and education of staff members.

3. If there is a lapsing balance, do you anticipate it carrying forward?

- a. If yes, how do you propose to use that lapse?** There may be slight lapses in Personal Services and Fringe Benefits due to the short-term employee vacancies, but we also have several employees eligible for step promotions (e.g. Staff attorney 2 to Staff attorney 3), and may seek to reclassify the visual media designer to a job classification that will combine media and consumer outreach skills, which may require use of some of the lapsed PS. In terms of our lapsed OE, we recently engaged a consultant to assist with our technical analysis required for our work as Connecticut's voting member of NEPOOL, an advisory body of ISO-New England, the regional power grid operator. This is a two-year contract executed at the end of January 2023 not to exceed \$123,200.00, which will be reflected in our OE budget going forward.

Additionally, as PURA proceedings are happening in person more, the need for staff to be in the office is also increasing, and in-person conferences for consumer advocates through the National Association of State Consumer Advocates and the regulatory commissions through the National Association of Regulatory Utility Commissions have started back up again and are a critical resource for training and education of staff members.

- b. Will it be for one-time expenses?** No
i. If so, what are those one-time expenses? N/A
- c. If ongoing expense is that expense built into this budget in FY 25?** N/A

ARPA – Not Applicable

- 1. Did you receive any ARPA funding in your department?** NO
- a.** If yes, have you assumed the programs/staffing established with the ARPA funding is now in your General Fund budget as an ongoing expense?
i. If not all, how much?
- b. Are there still ARPA funds included in this budget?** N/A

- i. If yes, how much of this budget is continuation of ARPA funding?
- ii. How much ARPA do you still have in the budget that may need to be picked up as ongoing expenses in out years?

General Questions:

1. Is there anything you would change about this budget?
2. Is there anything you would add to this budget?
3. Is there anything you would remove from this budget?
4. Is there any legislation that was passed you feel you are not adequately prepared to enforce?
 - a. If so, what would we need to change to make it administer-able?

OCC is pleased that the Governor's budget included the one additional position that was requested. In general, while I know we'd benefit from a larger staff, I only requested one position to be careful to request and fill positions that are critical to our offices mission, to protect Connecticut ratepayers. We have a very lean staff and often feel overburdened with work, and appreciate the willingness to assess our needs on an ongoing basis, including potential for future expansions of our technical staff; as the scope of the work of PURA and DEEP continues to expand, so too does the important work of the OCC.