



FY 2015 Performance Accountability Report Office of the People's Counsel

INTRODUCTION

The Performance Accountability Report (PAR) measures each agency's performance for the fiscal year against the agency's performance plan and includes major accomplishments, updates on initiatives' progress and key performance indicators (KPIs).

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.

OVERVIEW – AGENCY PERFORMANCE

The following section provides a summary of OPC performance in FY 2015 by listing OPC’s top three accomplishments, and a summary of its progress achieving its initiatives and progress on key performance indicators.

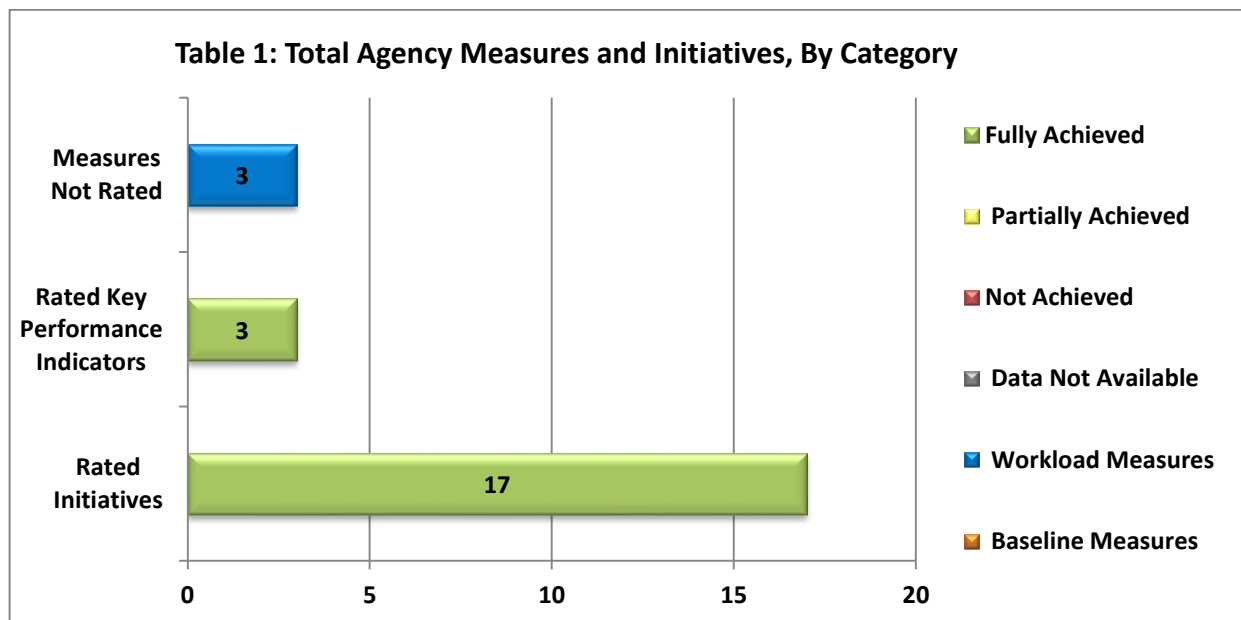
TOP THREE ACCOMPLISHMENTS

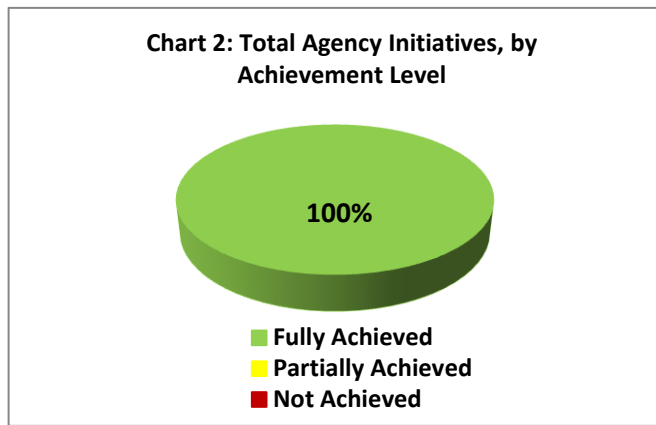
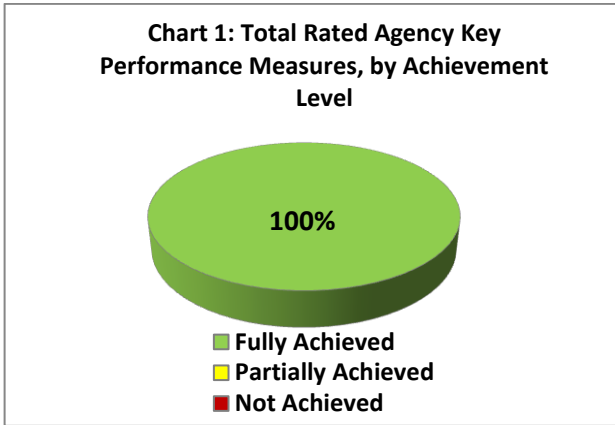
The top three accomplishments of OPC in FY 2015 are as follows:

- Achieved key consumer protections involving Verizon’s transition from copper to fiber service.
- Successfully opposed Exelon/PHI’s initial merger application.
- Achieved agency wide implementation of Microsoft SharePoint for more efficient agency operation.

SUMMARY OF PROGRESS TOWARD COMPLETING FY 2015 INITIATIVES AND PROGRESS ON KEY PERFORMANCE INDICATORS

Table 1 (see below) shows the overall progress the OPC made on completing its initiatives, and how overall progress is being made on achieving the agency’s objectives, as measured by their key performance indicators.





In FY 2015, OPC fully achieved all of its initiatives and all of its rated key performance measures. Table 1 provides a breakdown of the total number of performance metrics OPC uses, including key performance indicators and workload measures, initiatives, and whether or not some of those items were achieved, partially achieved or not achieved. Chart 1 displays the overall progress being made on achieving OPC objectives, as measured by their rated key performance indicators. Please note that chart 2 contains only rated performance measures. Rated performance measures do not include measures where data is not available, workload measures or baseline measures. Chart 2 displays the overall progress OPC made on completing its initiatives, by level of achievement.

The next sections provide greater detail on the specific metrics and initiatives for OPC in FY 2015.



PERFORMANCE INITIATIVES – ASSESSMENT DETAILS

Office of the People’s Counsel

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

INITIATIVE 1.1: Advocate for utility consumer benefits and protections in the Pepco/Exelon Merger proceeding.

In FY15, OPC will aggressively work to ensure that the PHI/Exelon merger application provides consumer benefits and is otherwise consistent with the public interest, by advocating positions that ensure that consumers receive safe, adequate and reliable electric service at just and reasonable rates, and maintain adequate consumer protections and a regulatory scheme that supports energy efficiency and renewable resources.

Completion Date: September 30, 2015.

- **This initiative was fully achieved.** In FY15, OPC aggressively litigated the PHI-Exelon merger application to ensure tangible consumer benefits to District ratepayers, as required by District law. As a result, the Commission found the application was fatally deficient and denied the proposed merger.

INITIATIVE 1.2: Advocate for stronger regulatory oversight of competitive energy supplier services.

In FY 15, OPC will actively pursue implementation of a compliance program to ensure consumers are provided clear, concise, and accurate information concerning the products offered to consumers by competitive energy supplier, Starion Energy. OPC will also vigorously pursue, through litigation, implementation of stronger consumer protection enforcement mechanisms regarding competitive energy suppliers operating in D.C. to address consumer concerns regarding solicitation, marketing and billing practices. **Completion Date: September 30, 2015.**

- **This initiative was fully achieved.** OPC zealously advocated for stronger consumer protections through amendments to the rules governing competitive energy suppliers. The Office also advocated against the marketing and sales of variable rate plans. OPC continued to monitor Starion’s marketing and sales practices and will continue to enforce the provisions of the Settlement Agreement and Voluntary Compliance Plan.

INITIATIVE 1.3: Advocate for cost-effective implementation of natural gas pipeline replacement.

OPC will aggressively advocate for reliable gas utility service for consumers at affordable rates by litigating its position that Washington Gas must maintain its distribution gas pipeline system without imposing an additional customer surcharge.

Completion Date: September 30, 2015.



- **This initiative was fully achieved.** In advocating for consumer protections concerning Washington Gas' Accelerated Pipe Replacement Plan (now known as "ProjectPipes"), the Office negotiated a unanimous Settlement Agreement, which successfully addresses the issue of the District's aging gas system while providing strong protections and safeguards for consumers.

INITIATIVE 1.4: Advocate for enhanced reliability of Pepco's electric distribution system and efficient company operations.

OPC will conduct comprehensive analysis of the D.C. Public Service Commission-ordered independent audit of the reliability of Pepco's electric distribution network executive compensation, capital structure, and customer service practices, and advocate for specific improvements to the reliability of Pepco's distribution network, decreased response times to network outages, and enhancement of consumer communication during outages. **Completion date: September 30, 2015.**

- **This initiative was fully achieved.** OPC comprehensively reviewed and participated in proceedings resulting from the Commission-ordered independent audit of the reliability of Pepco's electric distribution network, executive compensation, capital structure, and customer service practices, and specifically, advocated for improvements to Pepco's Comprehensive Vegetation Management Plan and sought to streamline the Company's reliability reporting requirements to improve efficiency and enhance outage analysis.

INITIATIVE 1.5: Advocate for stronger D.C. SEU energy efficiency and renewable energy programs.

As a member of the D.C. Sustainable Energy Utility Advisory Board, OPC will advocate for the development of more effective energy efficiency and renewable energy programs and evaluation methods that benefit consumers in terms of reduced energy usage and lower energy costs, and advocate for greater SEU consumer outreach and SEU performance benchmarks. **Completion Date: September 30, 2015.**

- **This initiative was fully achieved.** OPC fully participated in the DC Sustainable Energy Utility Advisory Board's analysis and deliberations regarding the SEU's performance benchmarks, programming and community outreach. With the passage of the Council's 2014 Supplemental Budget amendment, allowing for multiyear spending by the SEU, OPC contributed to discussions regarding how to move forward with matching multiyear spending and multiyear performance.



INITIATIVE 1.6: Expand advocacy at the regional and federal levels.

OPC will expand its advocacy at the federal level by participating in sustainable energy proceedings before the Federal Energy Regulatory Commission, the U.S. Environmental Protection Agency and PJM Interconnection on the issues impacting service quality and energy costs of D.C. consumers, including demand response in the wholesale capacity markets, transmission planning in compliance with FERC Order 1000, the integration of intermittent resources in the regional transmission grid, and EPA’s proposed standards for carbon emissions from existing power plants, Rule 111(d).

Completion Date: September 30, 2015.

- **This initiative was fully achieved.** OPC actively participated in the PJM stakeholder process and provided input on such issues as energy offer price caps, capacity performance and identification of mechanisms for enhancing the value of distributed energy resources in the wholesale energy market. OPC served as a member of the Executive Committee and Board of Directors of Consumer Advocates of PJM States, Inc. (CAPS) and helped to facilitate support among PJM Members for permanent funding for CAPS. Additionally, OPC joined a U.S. Supreme Court Amicus Brief in an appeal challenging FERC’s jurisdiction over demand response resources in wholesale energy markets.

INITIATIVE 1.7: Advocate for enhanced sustainable energy initiatives.

OPC, through its Energy Efficiency and Sustainability Section (EES), will advocate for cost-effective energy efficiency and renewable energy opportunities by providing active comprehensive analysis and comment on the District’s draft Comprehensive Energy Plan and the D.C. Public Service Commission’s proposed rules pertaining to the Community Renewables Energy Act. **Completion Date: September 30, 2015.**

- **This initiative was fully achieved.** OPC participated in several sustainable energy stakeholder initiatives focused on a variety of issues, including the future of microgrids in the District; CHP opportunities in DC; low-income solar access; and community-shared renewable energy. OPC submitted comments in the DC Public Service Commission’s rulemaking on the Community Renewable Energy Act of 2013. OPC provided preliminary input on the DC Council’s proposed Solar Energy Amendment Act of 2015 legislation. Additionally, OPC took on a national leadership role by becoming chair of the Distributed Energy Resources Committee of the National Association of State Utility Consumer Advocates.



OBJECTIVE 2: Provide community education outreach and technical assistance to District ratepayers and consumers on matters relating to utilities.

INITIATIVE 2.1: Continue education and outreach programs to limited and Non-English speaking residents.

To further the agency's mission in providing consumer education and outreach to all D.C. residents, in FY 2015, OPC will produce a video with speakers in Amharic, Chinese, French, Korean, Spanish and Vietnamese, which will describe OPC's mission and services and instruct clients how to obtain assistance from OPC. **Completion Date: September 30, 2015**

- **This initiative was fully achieved.** OPC translated several vital OPC documents in six languages and uploaded them to OPC's website with revolving links so that consumers could go directly to the documents in their language. Those documents included "OPC Is Your Lawyer," a brochure that describes OPC's mission and services, and OPC's energy consumption survey. OPC's Language Access Team conducted more than 40 LEP/NEP consumer education and outreach events throughout FY 2015 that included information on major utility construction projects, the Exelon/Pepco acquisition, third party energy suppliers and home energy efficiency tips.

INITIATIVE 2.2: Develop and conduct consumer education program on potential impacts of utility merger on energy consumers.

OPC will conduct at least three informational briefings to community and other District leaders to educate and solicit concerns of residents about the proposed merger of Pepco and Exelon and its potential impact on the quality, reliability and cost of utility services provided to D.C. consumers. **Completion date: September 30, 2015.**

- **This initiative was fully achieved.** Throughout FY 2015, OPC staff met with Advisory Neighborhood Commissions and other community organizations in each of the District's wards to provide consumers with detailed information about the Exelon/Pepco merger. OPC staff explained the proposal's elements regarding rates, reliability, sustainability and impacts on the local economy to consumers.

INITIATIVE 2.3: Develop and conduct consumer education conference on energy sustainability, including energy efficiency and renewable energy.

In furtherance of the Mayor's environmental sustainability goals, OPC will develop and coordinate a large-scale, forward-looking consumer education conference in Spring 2015, to educate District consumers about emerging energy sustainability issues and developments and available programs in the District, including energy efficiency and renewable energy. **Completion Date: September 30, 2015.**

- **This initiative was fully achieved.** In April 2015, OPC sponsored "Horizons 2015: Uniting Energy, Technology and Consumers." More than 250 consumers attended the conference at UDC's David A. Clarke School of Law. Utility industry experts provided information about a variety of utility topics, including how consumers can reduce energy costs through energy efficiency methods, the District's new frontier in Microgrid energy production and its importance



in reliability, green jobs and energy security, and how seniors can use the internet to manage their energy expenses.

INITIATIVE 2.4: Develop Consumer Awareness Program to facilitate expedient deployment of underground power lines.

OPC will develop an education plan for District energy consumers to provide them with comprehensive and neighborhood-specific information on the timing, notice and precise locations of power line undergrounding construction, and utility and government contacts for assistance when needed. **Completion date: September 30, 2015.**

- **This initiative was fully achieved.** OPC developed a consumer education program that provided comprehensive information about the DC PLUG project through fact sheets, press releases and a PowerPoint presentation.

INITIATIVE 2.5: Develop Competitive Energy Supplier Regulatory Compliance Education Program. OPC will implement a communications and education plan for competitive energy Suppliers operating in the District to educate them on the District’s utility regulatory process and the role of OPC compliance requirements for utilities and related consumer protection rules applicable to these energy suppliers. **Completion Date: September 30, 2015.**

- **This initiative was fully achieved.** OPC updated its “Third Party Suppliers Guide” to further define the parameters of energy suppliers marketing services in the District and consumers’ rights and responsibilities when considering using an energy supplier’s services. During the year, OPC staff held conference calls with several third party energy supplier representatives to share information about the District’s supplier marketing regulations and OPC’s role as consumer advocate.

OBJECTIVE 3: Provide assistance to individual consumers regarding their billing and service complaints against the utilities.

INITIATIVE 3.1: Conduct city-wide Utility101 workshops to enhance consumer’s knowledge about utility service bills, surcharges, taxes and fees.

In FY 2015, OPC will conduct a series of “Utility 101 Workshops,” for the purpose of educating consumers on how to read their utility bill line items, calculate kilowatt and therm costs and use simple energy efficiency measures to help reduce energy consumption and costs. The workshops will also empower utility consumers to make informed and educated decisions about their energy usage and supplier choices as the result of deregulation. **Competition date: September 30, 2015.**

- **This initiative was fully achieved.** OPC conducted 4 “Utility 101 Workshops” in FY 2015, which included information on to read Pepco’s new bill format, questions to ask before selecting a third party energy supplier, home energy efficiency tips and renewable energy technologies.



OBJECTIVE 4: Enhance operational efficiency to improve customer service and reduce costs.

INITIATIVE 4.1: Develop and implement office reorganization to enhance operational efficiency.

OPC is in the process of conducting an internal review of agency mission, functions, and operations, and in FY 15, will implement a reorganization plan to better align the agency's functions and positions in order to enhance the operation of the agency for the ultimate purpose of achieving the objectives of its statutory mission. **Completion date: September 30, 2015.**

- **This initiative was fully achieved.** OPC implemented a reorganization plan which included the hiring of a Chief Operating Officer and realignment of the agency's communications support team to the Operations division. The agency also reassigned select staff members to new positions in an effort to further strengthen and add support to OPC's Directorate and Legal Service and Consumer Service Divisions.

INITIATIVE 4.2: Enhance agency operations through installation of advanced telecommunications system.

In an effort to enhance efficiency and effectiveness of agency operations, in FY 15, OPC will install a new telephone system in new office space that will give the OPC staff additional capabilities such as advanced teleconferencing. **Completion Date: September 30, 2015.**

- **This initiative was fully achieved.** OPC converted its telephone lines from primary rate interface lines (PRI) through Verizon to fiber optic lines through OCTO's DC NET. The conversion has increased OPC's telephone reliability and provided a cost reduction in the agency's telecommunication costs

INITIATIVE 4.3: Enhance agency operations through acquisition and preparation of new office space.

In an effort to accommodate the expansion of agency staff and to enhance efficiency and effectiveness of agency operations, in FY 15, OPC will acquire and renovate new office space including painting, constructing individual offices and meeting rooms, and installation of carpeting. **Completion Date: September 30, 2015.**

- **This initiative was partially achieved.** OPC worked closely with the District Department of General Services (DGS) to finalize the lease for OPC's new office space. The lease execution was delayed due to the building owner's certification issues. OPC is in the process of working with DGS, architects, and the building owner to renovate the new space.

INITIATIVE 4.4: Enhance agency operations through upgrade of computer systems.

In FY14, OPC conducted a system audit of its computer system. The audit recommended that the Office upgrade its computer systems. In FY 15, OPC will purchase and install new computers and monitors. The new computer system will eliminate various bottlenecks and develop



advanced technologies that will enhance efficiency and effectiveness of agency operations.
Completion Date: September 30, 2015.

- **This initiative was fully achieved.** OPC upgraded its computer system through the purchase and installation of new computers and monitors.

KEY PERFORMANCE INDICATORS- Office of the People’s Counsel

KPI	Measure	FY 2014	FY 2015	FY 2015	FY 2015	FY 2015	Budget Program
		YE Actual	YE Target	YE Revised Target	YE Actual	YE Rating	
●	1.2	206	175		470	268.57%	OFFICE OF PEOPLE’S COUNSEL
●	2.2	1,048	2,400		2,513	104.9%	OFFICE OF PEOPLE’S COUNSEL
●	3.2	83%	90%		94%	104.7%	OFFICE OF PEOPLE’S COUNSEL



WORKLOAD MEASURES – APPENDIX

WORKLOAD MEASURES ●

Measure Name	FY 2013 YE Actual	FY 2014 YE Actual	FY 2015 YE Actual	Budget Program
Number of consumer inquiries	986	540	990	OFFICE OF THE PEOPLE'S COUNSEL
Number of consumer complaints	1,717	1,639	2058	OFFICE OF THE PEOPLE'S COUNSEL
Number of cases litigated before the Public Service Commission	72	64	72	OFFICE OF THE PEOPLE'S COUNSEL