

Please Amend SB15-271

SB15-271 would reauthorize the Office of Consumer Counsel, but removes the authority to support consumers on telecommunications issues that come before the Public Utilities Commission. This authority should be amended back in.

The telecommunications workload at the Office of Consumer Counsel has already been reduced as a result of partial deregulation of the industry. It is unnecessary to eliminate their authority.

During the 2014 legislative session, the telecommunications industry enjoyed significant deregulation. Basic telephone service was deregulated in areas of the state deemed competitive by the PUC. The result is fewer telecommunications issues coming before the PUC, which also means fewer telecommunications issues on which the OCC can play a role for consumers. *The OCC's role is automatically reduced on telecommunications, but eliminating their authority completely will remove a consumer voice on the important pieces left regulated.*

2018 is when we can have a public review of the impact, if any, deregulation has had on consumers. The OCC has been our advocate in this area for 30 years. They need to be there to make sure consumers are not experiencing harm from deregulation.

The areas of the state that remain regulated still need the OCC. When lawmakers deregulated much of the telecommunications industry last year, some areas were left regulated. These areas don't have options for voice service, which means without regulation the people there are at risk of price increases by a monopoly provider. *The OCC should be involved in rate increase requests in areas of the state where consumers have no other options.*

SB15-271 removes the OCC from the 9-1-1 Task Force where industry representatives have 8 voting seats. "The purpose of the Colorado PUC 9-1-1 Task Force is to provide oversight of the statewide implementation of Basic Emergency Service.... The Task Force is comprised of representation from governing bodies, consumer groups, and service providers." There is one representative for the disability community. The other consumer representative is the OCC. Industry has eight voting seats, in addition to the many local 911 authorities and local government representatives. *Removing the OCC's telecom authority removes the consumer voice on 9-1-1 emergency service.*

In addition to overseeing current functions, the task force "evaluates alternate technologies, services, and pricing issues related to the implementation of cost-affective statewide emergency 9-1-1 service." This includes new technologies that could save lives in a Next Generation 9-1-1 Network. *The OCC needs to be at the table to help evaluate, from a consumer perspective, what technologies are proven and should be implemented, and what technologies may need more work before consumer fees should be used to fund them.*

When consumers are asked to pay uniquely high fees by local 9-1-1 Authorities, the OCC intervenes on behalf of consumers to make sure the costs are merited. There are 57 local 9-1-1 Authorities and they sometimes ask to raise consumer fees above a threshold that requires them to present their case before the PUC. Fees vary depending on where you live due to the number of people sharing the cost, differences in technology and additional funds from other local governments. In two cases where a 9-1-1 authority asked for increases that would create a new state high, the OCC intervened on behalf of consumers and as a result these fees were reduced. In one case, just the act of intervention resulted in a lower request. *The OCC plays a clear role in 9-1-1 fees that should be retained.*

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EDITORIALS

A timely reprieve for Colorado's Office of Consumer Counsel

By The Denver Post Editorial Board

What should have been a routine vote to extend the life of a state agency that looks out for the interests of average Coloradans in utility rate cases has instead become a marathon slog.

This is ludicrous. The Office of Consumer Counsel (OCC) literally has saved consumers hundreds of millions of dollars since it was created in 1984. There is simply no other state agency advocating on behalf of residential customers and small businesses. Regulators at the Public Utilities Commission, for example, operate under a different mandate.

The first hearing on whether to reauthorize the OCC under the state's Sunset law occurred in January. It did not go well. And no hearing has been held since.

But this week, finally, the logjam may have broken. Sen. Jerry Sonnenberg, R-Sterling, who'd kept the sunset measure bottled up in a committee he chairs, introduced Senate Bill 271 to reauthorize the OCC for six more years.

With one catch. Although he'd maintain the OCC's oversight and input on electric and natural gas service, Sonnenberg would eliminate it on telephone service.

That's a mistake — although to be sure, electric and natural gas rate cases take up a far larger share of the OCC's energy and concern than telecommunications. And after July 1, 2016, Colorado won't even regulate rates and service for basic telephone service, meaning the OCC's role in that sphere will be further reduced.

Still, regulators will be able to reassert authority over basic service in 2018 if they are dissatisfied with the direction of rates and how they've been set. And if that happens, the OCC ought to be at the table once more offering its perspective.

Despite this flaw, SB 271 is a welcome measure that will prevent the consumer agency from disappearing at a time when potential changes in the resource portfolios of utilities could make the agency's voice more important than ever. Lawmakers should waste no time in ensuring its passage.