

Legislative Appropriations Request

for Fiscal Years 2024 and 2025

**Submitted to the
Office of the Governor, Budget Division, and the Legislative Budget Board**

by

Office of Public Utility Counsel

July 29, 2022

Office of Public Utility Counsel
Legislative Appropriations Request
for Fiscal Years 2024 and 2025

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Office of Public Utility Counsel

**Legislative Appropriations Request
for Fiscal Years 2022 and 2023**

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Administrator's Statement

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88th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

475 Office of Public Utility Counsel

Agency Overview

The Office of Public Utility Counsel (OPUC) was created in 1983 as part of the 68th Legislature's Sunset Review of the Public Utility Commission of Texas (PUCT). The Legislature created OPUC to represent the interests of residential and small commercial consumers, as a class, in utility proceedings in Texas. Pursuant to its current statutory mission, OPUC represents residential and small commercial consumers, as a class, in the electric, water, wastewater, and telecommunications utility industries in Texas.

OPUC is headed by the Chief Executive & Public Counsel, who is appointed by the Governor and confirmed by the Senate for a two-year term. The Chief Executive & Public Counsel must be licensed to practice law in the state of Texas, must demonstrate a strong commitment to and involvement in efforts to safeguard the rights of the public, and possess the knowledge and experience necessary to practice effectively in utility proceedings. The Chief Executive & Public Counsel oversees the operation of the agency, including the agency's budget and staffing, and leads the agency's representation of residential and small commercial consumers, as a class, primarily before the PUCT, State Office of Administrative Hearings (SOAH), and state courts. OPUC also represents these consumers in the stakeholder and board governance processes at the Electric Reliability Council of Texas (ERCOT) and Texas Reliability Entity (Texas RE). OPUC's Chief Executive & Public Counsel serves as an ex-officio voting member of the ERCOT Board of Directors, and ex-officio non-voting member of Texas RE Board of Directors. OPUC's Chief Executive & Public Counsel is an agency member of the Texas Energy Reliability Council (TERC) and the Texas Coordinating Council of Veteran Services. In accordance with the agency's statutory obligations, OPUC also maintains a process to promptly and efficiently address and resolve utility-related consumer concerns by collaboratively working with individual consumers, the PUCT's Customer Protection Division, and industry stakeholders.

Baseline Appropriations Request

OPUC is submitting its Request for Legislative Appropriations for Fiscal Year (FY) 2024 and 2025 in accordance with the instructions provided by the Legislative Budget Board and the Budget, Planning, and Policy Division of the Governor's Office. The total General Revenue request for each fiscal year is \$2,021,909 and total General Revenue Dedicated-Water Resources Management Account request is \$495,055. Therefore, the agency is requesting a total amount of \$5,033,928 for the biennium, which consists of \$2,516,964 for FY 2024 and \$2,516,964 for FY 2025.

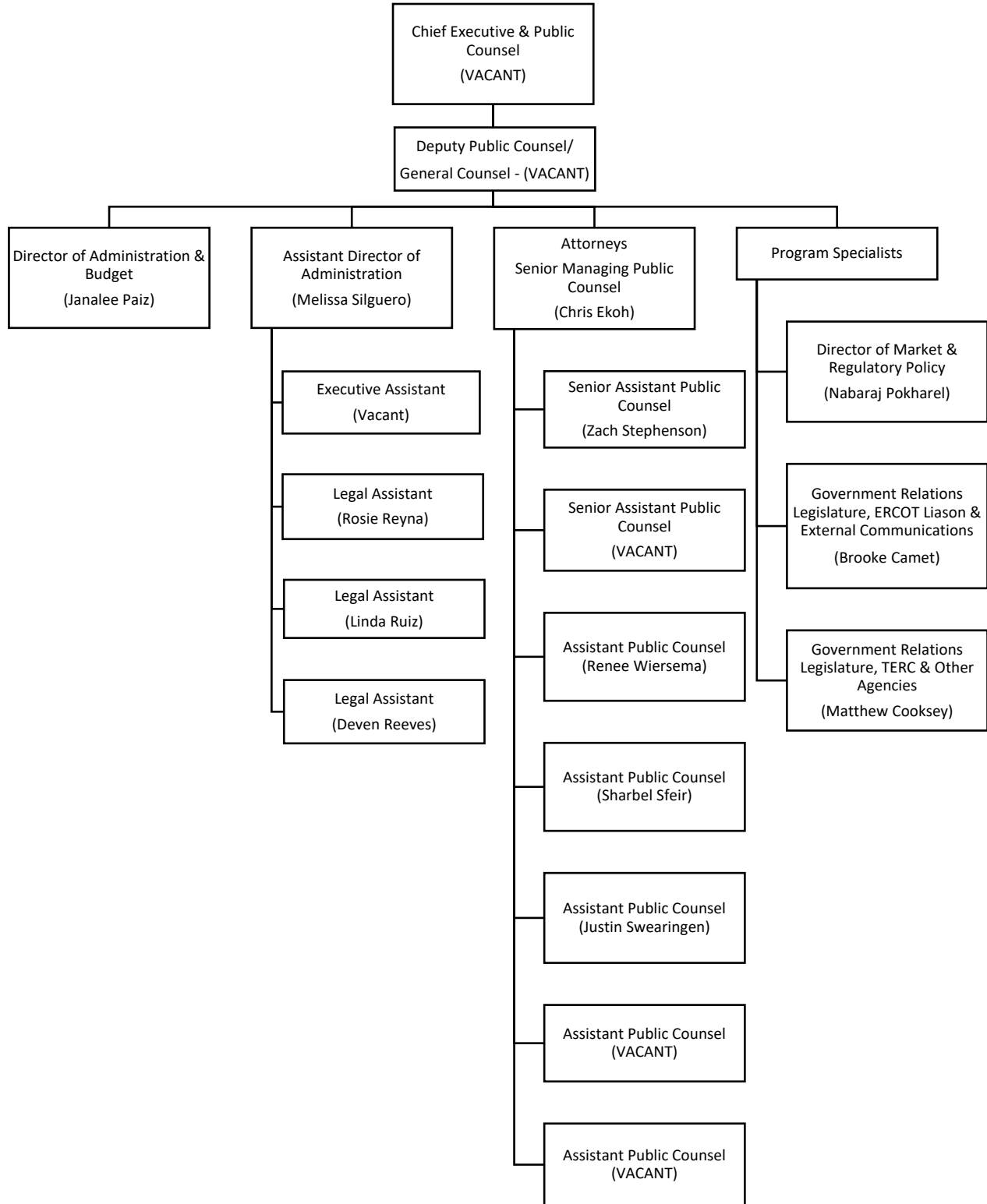
Information Technology Changes

In FY 2019, OPUC transitioned its information technology (IT) systems and services to the Department of Information Resources (DIR) Data Center Services (DCS) to strengthen the reliability and security of the agency's IT operations. As a result of this transition, OPUC is now incurring IT-related operating expenses of \$102,250 each fiscal year. These IT-related operating expenses include costs to operate and maintain the agency's existing IT network at the DIR DCS, costs for software upgrades and license renewals, costs for operating and maintaining a firewall, and other IT security measures.

Criminal History and Background Check Authority

OPUC does not have statutory authority to conduct criminal background checks and does not conduct criminal background checks on current or prospective employees.

Office of Public Utility Counsel Organizational Chart





CERTIFICATE

Agency Name Office of Public Utility Counsel

This is to certify that the information contained in the agency Legislative Appropriations Request filed with the Legislative Budget Board (LBB) and the Governor's Office Budget Division (Governor's Office) is accurate to the best of my knowledge and that the electronic submission to the LBB via the Automated Budget and Evaluation System of Texas (ABEST) and the PDF file submitted via the LBB Document Submission application are identical.

Additionally, should it become likely at any time that unexpended balances will accrue for any account, the LBB and the Governor's Office will be notified in writing in accordance with Article IX, Section 7.01 (2022-23 GAA).

Chief Executive Officer or Presiding Judge


Signature

Chris Ekoh

Printed Name

Interim Chief Executive & Public Counsel

Title

7/29/2022

Date

Board or Commission Chair

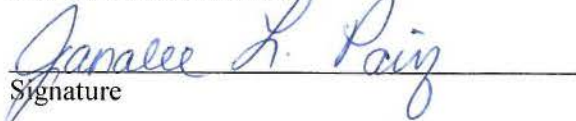
Signature

Printed Name

Title

Date

Chief Financial Officer


Signature

Janalee L. Paiz

Printed Name

Director of Administration & Budget

Title

7/29/2022

Date

Budget Overview - Biennial Amounts
88th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

475 Office of Public Utility Counsel
Appropriation Years: 2024-25

	GENERAL REVENUE FUNDS		GR DEDICATED		FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS		EXCEPTIONAL ITEM FUNDS
	2022-23	2024-25	2022-23	2024-25	2022-23	2024-25	2022-23	2024-25	2022-23	2024-25	2024-25
	<hr/>										
Goal: 1. Equitable Utility Rates for Residential and Small Commercial Consumers											
1.1.1. Participation In Cases	2,879,649	2,879,649	693,619	693,619					3,573,268	3,573,268	
Total, Goal	2,879,649	2,879,649	693,619	693,619					3,573,268	3,573,268	
Goal: 2. Protect Consumer Interests in Utility Markets											
2.1.1. Participation In Utility Projects	1,164,168	1,164,168	296,492	296,492					1,460,660	1,460,660	
Total, Goal	1,164,168	1,164,168	296,492	296,492					1,460,660	1,460,660	
Total, Agency	4,043,817	4,043,817	990,111	990,111					5,033,928	5,033,928	
Total FTEs									25.5	25.5	0.0

2.A. Summary of Base Request by Strategy

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88th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

475 Office of Public Utility Counsel

Goal / Objective / STRATEGY	Exp 2021	Est 2022	Bud 2023	Req 2024	Req 2025
1 Equitable Utility Rates for Residential and Small Commercial Consumers					
1 <i>To Protect Consumers and Ensure Reasonable Rates</i>					
1 PARTICIPATION IN CASES	1,217,260	1,786,634	1,786,634	1,786,634	1,786,634
TOTAL, GOAL 1	\$1,217,260	\$1,786,634	\$1,786,634	\$1,786,634	\$1,786,634
2 Protect Consumer Interests in Utility Markets					
1 <i>Promote Utility Choices and Consumer Protection Policies</i>					
1 PARTICIPATION IN UTILITY PROJECTS	356,517	730,330	730,330	730,330	730,330
TOTAL, GOAL 2	\$356,517	\$730,330	\$730,330	\$730,330	\$730,330
TOTAL, AGENCY STRATEGY REQUEST	\$1,573,777	\$2,516,964	\$2,516,964	\$2,516,964	\$2,516,964
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$1,573,777	\$2,516,964	\$2,516,964	\$2,516,964	\$2,516,964

2.A. Summary of Base Request by Strategy

88th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

475 Office of Public Utility Counsel

Goal / Objective / STRATEGY	Exp 2021	Est 2022	Bud 2023	Req 2024	Req 2025
<u>METHOD OF FINANCING:</u>					
General Revenue Funds:					
1 General Revenue Fund	1,271,830	2,021,909	2,021,908	2,021,909	2,021,908
SUBTOTAL	\$1,271,830	\$2,021,909	\$2,021,908	\$2,021,909	\$2,021,908
General Revenue Dedicated Funds:					
153 Water Resource Management	301,947	495,055	495,056	495,055	495,056
SUBTOTAL	\$301,947	\$495,055	\$495,056	\$495,055	\$495,056
TOTAL, METHOD OF FINANCING	\$1,573,777	\$2,516,964	\$2,516,964	\$2,516,964	\$2,516,964

*Rider appropriations for the historical years are included in the strategy amounts.

2.B. Summary of Base Request by Method of Finance
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

7/29/2022 9:51:41AM

Agency code: **475** Agency name: **Office of Public Utility Counsel**

METHOD OF FINANCING	Exp 2021	Est 2022	Bud 2023	Req 2024	Req 2025
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GENERAL REVENUE

1 General Revenue Fund

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2020-21 GAA)

\$1,640,709	\$0	\$0	\$0	\$0
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Regular Appropriations from MOF Table (2022-23 GAA)

\$0	\$1,940,709	\$1,940,708	\$0	\$0
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Regular Appropriations from MOF Table (2022-23 GAA)

\$0	\$81,200	\$81,200	\$0	\$0
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Comments: Article IX, Sec 18.62 Contingency for SB 1650 or HB 3853.

Regular Appropriations

\$0	\$0	\$0	\$2,021,909	\$2,021,908
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LAPSED APPROPRIATIONS

Regular Appropriations from MOF Table (2020-21 GAA)

\$(368,879)	\$0	\$0	\$0	\$0
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2.B. Summary of Base Request by Method of Finance
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

7/29/2022 9:51:41AM

Agency code: **475** Agency name: **Office of Public Utility Counsel**

METHOD OF FINANCING		Exp 2021	Est 2022	Bud 2023	Req 2024	Req 2025
<u>GENERAL REVENUE</u>						
	Comments: FY 2021 Lapses:					
	OPUC does not control the timing or schedule of utility cases and projects at the PUCT. Therefore, the agency may lapse funds when the utility cases and projects cross fiscal years and the schedules of utility cases and projects are impacted by action that is outside of the agency's control.					
	Strategy A.1.1 - \$258,108.00					
	Strategy B.1.1 - \$110,771.00					
TOTAL,	General Revenue Fund	\$1,271,830	\$2,021,909	\$2,021,908	\$2,021,909	\$2,021,908
TOTAL, ALL	GENERAL REVENUE	\$1,271,830	\$2,021,909	\$2,021,908	\$2,021,909	\$2,021,908

GENERAL REVENUE FUND - DEDICATED

153 GR Dedicated - Water Resource Management Account No. 153

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2020-21 GAA)

\$495,055	\$0	\$0	\$0	\$0
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Regular Appropriations from MOF Table (2022-23 GAA)

\$0	\$495,055	\$495,056	\$0	\$0
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Regular Appropriations

2.B. Summary of Base Request by Method of Finance
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

7/29/2022 9:51:41AM

Agency code: 475		Agency name: Office of Public Utility Counsel				
METHOD OF FINANCING		Exp 2021	Est 2022	Bud 2023	Req 2024	Req 2025
<u>GENERAL REVENUE FUND - DEDICATED</u>						
		\$0	\$0	\$0	\$495,055	\$495,056
<i>LAPSED APPROPRIATIONS</i>						
	Regular Appropriations from MOF Table (2020-21 GAA)	\$(193,108)	\$0	\$0	\$0	\$0
Comments: FY 2021 Lapses:						
OPUC does not control the timing or schedule of utility cases and projects at the PUCT. Therefore, the agency may lapse funds when the utility cases and projects cross fiscal years and the schedules of utility cases and projects are impacted by action that is outside of the agency's control.						
Strategy A.1.1 - \$118,823.00						
Strategy B.1.1 - \$74,285.00						
TOTAL,	GR Dedicated - Water Resource Management Account No. 153	\$301,947	\$495,055	\$495,056	\$495,055	\$495,056
TOTAL, ALL	GENERAL REVENUE FUND - DEDICATED	\$301,947	\$495,055	\$495,056	\$495,055	\$495,056
TOTAL,	GR & GR-DEDICATED FUNDS	\$1,573,777	\$2,516,964	\$2,516,964	\$2,516,964	\$2,516,964
GRAND TOTAL		\$1,573,777	\$2,516,964	\$2,516,964	\$2,516,964	\$2,516,964

2.B. Summary of Base Request by Method of Finance
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

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Agency code: 475	Agency name: Office of Public Utility Counsel				
METHOD OF FINANCING	Exp 2021	Est 2022	Bud 2023	Req 2024	Req 2025
FULL-TIME-EQUIVALENT POSITIONS					
REGULAR APPROPRIATIONS					
Regular Appropriations from MOF Table (2020-21 GAA)	20.5	0.0	0.0	0.0	0.0
Regular Appropriations from MOF Table (2022-23 GAA)	0.0	24.5	24.5	0.0	0.0
Regular Appropriations	0.0	0.0	0.0	25.5	25.5
RIDER APPROPRIATION					
Appropriation from Article IX, Sec. 18.62 Contingency for SB1650 or HB3853	0.0	1.0	1.0	0.0	0.0
UNAUTHORIZED NUMBER OVER (BELOW) CAP					
Unauthorized Number Over (Below) Cap	(8.9)	0.0	0.0	0.0	0.0
Comments: OPUC is authorized to use its FTEs to hire either in-house employees or outside expert witnesses to fulfill its statutory mission of representing residential and small commercial consumers in utility cases and projects. OPUC has been historically given the flexibility to use its FTEs in this manner because the agency requires expertise to assist with complex and technical issues in utility cases and projects before the PUCT & other regulatory agencies. Outside expert witnesses are more cost-effective than maintaining in-house expertise. Utility cases and projects are cyclical in nature and require expertise that is difficult to obtain and retain in the competitive job market environment.					
TOTAL, ADJUSTED FTES	11.6	25.5	25.5	25.5	25.5

2.B. Summary of Base Request by Method of Finance
88th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

7/29/2022 9:51:41AM

Agency code: **475**

Agency name: **Office of Public Utility Counsel**

METHOD OF FINANCING

Exp 2021

Est 2022

Bud 2023

Req 2024

Req 2025

**NUMBER OF 100% FEDERALLY FUNDED
FTEs**

2.C. Summary of Base Request by Object of Expense

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Automated Budget and Evaluation System of Texas (ABEST)

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OBJECT OF EXPENSE	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
1001 SALARIES AND WAGES	\$1,014,476	\$2,001,587	\$2,001,587	\$2,001,587	\$2,001,587
1002 OTHER PERSONNEL COSTS	\$24,717	\$95,957	\$95,957	\$95,957	\$95,957
2001 PROFESSIONAL FEES AND SERVICES	\$454,916	\$252,703	\$252,703	\$252,703	\$252,703
2003 CONSUMABLE SUPPLIES	\$4,303	\$12,500	\$12,500	\$12,500	\$12,500
2004 UTILITIES	\$2,889	\$4,246	\$4,246	\$4,246	\$4,246
2005 TRAVEL	\$0	\$9,119	\$9,119	\$9,119	\$9,119
2006 RENT - BUILDING	\$120	\$1,568	\$1,568	\$1,568	\$1,568
2007 RENT - MACHINE AND OTHER	\$9,546	\$23,926	\$23,926	\$23,926	\$23,926
2009 OTHER OPERATING EXPENSE	\$62,810	\$115,358	\$115,358	\$115,358	\$115,358
OOE Total (Excluding Riders)	\$1,573,777	\$2,516,964	\$2,516,964	\$2,516,964	\$2,516,964
OOE Total (Riders)					
Grand Total	\$1,573,777	\$2,516,964	\$2,516,964	\$2,516,964	\$2,516,964

2.D. Summary of Base Request Objective Outcomes
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

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Goal/ Objective / Outcome	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
1 Equitable Utility Rates for Residential and Small Commercial Consumers					
1 To Protect Consumers and Ensure Reasonable Rates					
KEY					
1 Percentage of OPUC Utility Cases that are Competition Related					
	41.20%	40.00%	40.00%	40.00%	40.00%
2 Percentage of OPUC Utility Cases that are Resource Related					
	17.60%	4.00%	4.00%	4.00%	4.00%
3 Current Year Bill Savings/Res/Sm Com Utility Consumer (In Millions)					
	173,537,622.47	18.00	18.00	18.00	18.00
2 Protect Consumer Interests in Utility Markets					
1 Promote Utility Choices and Consumer Protection Policies					
1 Percent of OPUC Utility Projects that are Competition Related					
	71.40%	40.00%	40.00%	40.00%	40.00%

2.F. Summary of Total Request by Strategy
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 7/29/2022
 TIME : 9:51:42AM

Agency code: 475 Agency name: Office of Public Utility Counsel

Goal/Objective/STRATEGY	Base 2024	Base 2025	Exceptional 2024	Exceptional 2025	Total Request 2024	Total Request 2025
1 Equitable Utility Rates for Residential and Small Commercial Consume						
1 <i>To Protect Consumers and Ensure Reasonable Rates</i>						
1 PARTICIPATION IN CASES	\$1,786,634	\$1,786,634	\$0	\$0	\$1,786,634	\$1,786,634
TOTAL, GOAL 1	\$1,786,634	\$1,786,634	\$0	\$0	\$1,786,634	\$1,786,634
2 Protect Consumer Interests in Utility Markets						
1 <i>Promote Utility Choices and Consumer Protection Policies</i>						
1 PARTICIPATION IN UTILITY PROJECTS	730,330	730,330	0	0	730,330	730,330
TOTAL, GOAL 2	\$730,330	\$730,330	\$0	\$0	\$730,330	\$730,330
TOTAL, AGENCY STRATEGY REQUEST	\$2,516,964	\$2,516,964	\$0	\$0	\$2,516,964	\$2,516,964
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$2,516,964	\$2,516,964	\$0	\$0	\$2,516,964	\$2,516,964

2.F. Summary of Total Request by Strategy
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 7/29/2022
 TIME : 9:51:42AM

Agency code: 475 Agency name: Office of Public Utility Counsel

Goal/Objective/STRATEGY	Base 2024	Base 2025	Exceptional 2024	Exceptional 2025	Total Request 2024	Total Request 2025
General Revenue Funds:						
1 General Revenue Fund	\$2,021,909	\$2,021,908	\$0	\$0	\$2,021,909	\$2,021,908
	\$2,021,909	\$2,021,908	\$0	\$0	\$2,021,909	\$2,021,908
General Revenue Dedicated Funds:						
153 Water Resource Management	495,055	495,056	0	0	495,055	495,056
	\$495,055	\$495,056	\$0	\$0	\$495,055	\$495,056
TOTAL, METHOD OF FINANCING	\$2,516,964	\$2,516,964	\$0	\$0	\$2,516,964	\$2,516,964
FULL TIME EQUIVALENT POSITIONS	25.5	25.5	0.0	0.0	25.5	25.5

2.G. Summary of Total Request Objective Outcomes
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

Date : 7/29/2022

Time: 9:51:43AM

Agency code: 475

Agency name: Office of Public Utility Counsel

Goal/ Objective / Outcome

	BL 2024	BL 2025	Excp 2024	Excp 2025	Total Request 2024	Total Request 2025
1	Equitable Utility Rates for Residential and Small Commercial Consumers					
1	<i>To Protect Consumers and Ensure Reasonable Rates</i>					
KEY	1 Percentage of OPUC Utility Cases that are Competition Related					
	40.00%	40.00%			40.00%	40.00%
	2 Percentage of OPUC Utility Cases that are Resource Related					
	4.00%	4.00%			4.00%	4.00%
	3 Current Year Bill Savings/Res/Sm Com Utility Consumer (In Millions)					
	18.00	18.00			18.00	18.00
2	Protect Consumer Interests in Utility Markets					
1	<i>Promote Utility Choices and Consumer Protection Policies</i>					
	1 Percent of OPUC Utility Projects that are Competition Related					
	40.00%	40.00%			40.00%	40.00%

3.A. Strategy Request
88th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

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GOAL: 1 Equitable Utility Rates for Residential and Small Commercial Consumers
OBJECTIVE: 1 To Protect Consumers and Ensure Reasonable Rates
STRATEGY: 1 Participate in Major Utility Cases

Service Categories:

Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
Output Measures:						
KEY 1	Number of Utility Cases in which OPUC Participates	51.00	49.00	30.00	30.00	30.00
2	Number of Utility Court Cases in which OPUC Participates	2.00	2.00	5.00	5.00	5.00
Efficiency Measures:						
KEY 1	Average Cost Per Utility Case in which OPUC Participates	15,101.93	23,302.00	23,302.00	23,302.00	23,302.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$710,133	\$1,426,060	\$1,426,060	\$1,426,060	\$1,426,060
1002	OTHER PERSONNEL COSTS	\$17,302	\$67,170	\$67,170	\$67,170	\$67,170
2001	PROFESSIONAL FEES AND SERVICES	\$433,466	\$176,705	\$176,705	\$176,705	\$176,705
2003	CONSUMABLE SUPPLIES	\$3,012	\$8,750	\$8,750	\$8,750	\$8,750
2004	UTILITIES	\$2,022	\$2,972	\$2,972	\$2,972	\$2,972
2005	TRAVEL	\$0	\$6,384	\$6,384	\$6,384	\$6,384
2006	RENT - BUILDING	\$84	\$1,097	\$1,097	\$1,097	\$1,097
2007	RENT - MACHINE AND OTHER	\$6,682	\$16,748	\$16,748	\$16,748	\$16,748
2009	OTHER OPERATING EXPENSE	\$44,559	\$80,748	\$80,748	\$80,748	\$80,748
TOTAL, OBJECT OF EXPENSE		\$1,217,260	\$1,786,634	\$1,786,634	\$1,786,634	\$1,786,634

Method of Financing:

475 Office of Public Utility Counsel

GOAL: 1 Equitable Utility Rates for Residential and Small Commercial Consumers
 OBJECTIVE: 1 To Protect Consumers and Ensure Reasonable Rates
 STRATEGY: 1 Participate in Major Utility Cases

Service Categories:

Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
1	General Revenue Fund	\$989,748	\$1,439,825	\$1,439,824	\$1,439,825	\$1,439,824
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$989,748	\$1,439,825	\$1,439,824	\$1,439,825	\$1,439,824
Method of Financing:						
153	Water Resource Management	\$227,512	\$346,809	\$346,810	\$346,809	\$346,810
SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)		\$227,512	\$346,809	\$346,810	\$346,809	\$346,810
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$1,786,634	\$1,786,634
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$1,217,260	\$1,786,634	\$1,786,634	\$1,786,634	\$1,786,634
FULL TIME EQUIVALENT POSITIONS:		8.1	18.5	18.5	18.5	18.5

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Public Utility Regulatory Act (PURA), Tex. Util. Code Ann. §§13.001 et seq. and Texas Water Code §13.017, charge OPUC with representing residential and small commercial consumers, as a class, in the electric, telecommunications, water and wastewater utility industries in Texas. OPUC primarily represents these consumers before the PUCT, SOAH, and state courts. Additionally, OPUC participates in ERCOT, TERC, and Texas RE projects and stakeholder processes to provide consumer protections and guardrails for residential and small commercial consumers.

475 Office of Public Utility Counsel

GOAL: 1 Equitable Utility Rates for Residential and Small Commercial Consumers
 OBJECTIVE: 1 To Protect Consumers and Ensure Reasonable Rates Service Categories:
 STRATEGY: 1 Participate in Major Utility Cases Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
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EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

External factors, such as changes in state & federal law, the rapid evolution of the state’s utility industries, & number & complexity of utility cases at the PUCT in a fiscal year, impact the amount of agency staff & budgetary resources dedicated to this strategy. In 2015 & 2017, the Legislature passed legislation requiring electric utilities operating in the state to file a rate case at the PUCT every four years. The PUCT established rules in 2016 & 2018 to create a rate review schedule for electric utilities. As a result of this PUCT periodic rate review process, OPUC has been & will continue to be involved in litigating more electric rate cases, because electric utilities now file rate cases more frequently at the PUCT. OPUC also continues to be significantly involved in litigating water utility rate cases at the PUCT. Internal factors affecting this strategy include the agency’s ability to hire & retain staff attorneys & the agency’s ability to maintain reliable & secure IT operations. From an agency stability standpoint, OPUC is working on hiring & retaining additional staff resources due to the increase in litigation of electric & water utility rate cases at the PUCT & required increase in consumer advocacy as the state’s complex electric, water, wastewater & telecommunications utility industries continue to evolve in the future. In FY19, OPUC transitioned its IT systems & services to the DIR DCS to strengthen the reliability & security of the agency’s IT operations. Reliable & secure IT operations are critical to the agency’s litigation of utility cases at the PUCT.

EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL CHANGE</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
<u>Base Spending (Est 2022 + Bud 2023)</u>	<u>Baseline Request (BL 2024 + BL 2025)</u>		<u>\$ Amount</u>	<u>Explanation(s) of Amount (must specify MOFs and FTEs)</u>
\$3,573,268	\$3,573,268	\$0	\$0	Total of Explanation of Biennial Change

475 Office of Public Utility Counsel

GOAL: 2 Protect Consumer Interests in Utility Markets
 OBJECTIVE: 1 Promote Utility Choices and Consumer Protection Policies
 STRATEGY: 1 Participate in Major Utility Projects Affecting Consumers

Service Categories:

Service: 02 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
Output Measures:						
KEY 1	Number of Utility Projects in which OPUC Participates	28.00	42.00	26.00	26.00	26.00
Efficiency Measures:						
1	Average Cost Per Utility Project	11,044.05	13,545.00	13,545.00	13,545.00	13,545.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$304,343	\$575,527	\$575,527	\$575,527	\$575,527
1002	OTHER PERSONNEL COSTS	\$7,415	\$28,787	\$28,787	\$28,787	\$28,787
2001	PROFESSIONAL FEES AND SERVICES	\$21,450	\$75,998	\$75,998	\$75,998	\$75,998
2003	CONSUMABLE SUPPLIES	\$1,291	\$3,750	\$3,750	\$3,750	\$3,750
2004	UTILITIES	\$867	\$1,274	\$1,274	\$1,274	\$1,274
2005	TRAVEL	\$0	\$2,735	\$2,735	\$2,735	\$2,735
2006	RENT - BUILDING	\$36	\$471	\$471	\$471	\$471
2007	RENT - MACHINE AND OTHER	\$2,864	\$7,178	\$7,178	\$7,178	\$7,178
2009	OTHER OPERATING EXPENSE	\$18,251	\$34,610	\$34,610	\$34,610	\$34,610
TOTAL, OBJECT OF EXPENSE		\$356,517	\$730,330	\$730,330	\$730,330	\$730,330
Method of Financing:						
1	General Revenue Fund	\$282,082	\$582,084	\$582,084	\$582,084	\$582,084

475 Office of Public Utility Counsel

GOAL: 2 Protect Consumer Interests in Utility Markets
 OBJECTIVE: 1 Promote Utility Choices and Consumer Protection Policies
 STRATEGY: 1 Participate in Major Utility Projects Affecting Consumers

Service Categories:

Service: 02 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$282,082	\$582,084	\$582,084	\$582,084	\$582,084
Method of Financing:						
153	Water Resource Management	\$74,435	\$148,246	\$148,246	\$148,246	\$148,246
SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)		\$74,435	\$148,246	\$148,246	\$148,246	\$148,246
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$730,330	\$730,330
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$356,517	\$730,330	\$730,330	\$730,330	\$730,330
FULL TIME EQUIVALENT POSITIONS:		3.5	7.0	7.0	7.0	7.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Public Utility Regulatory Act (PURA), Tex. Util. Code Ann. §§13.001 et seq. and Texas Water Code §13.017, charge OPUC with representing residential and small commercial consumers, as a class, in the electric, telecommunications, water and wastewater utility industries in Texas. OPUC primarily represents these consumers before the PUCT, SOAH, state courts, ERCOT and Texas RE.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

475 Office of Public Utility Counsel

GOAL: 2 Protect Consumer Interests in Utility Markets
 OBJECTIVE: 1 Promote Utility Choices and Consumer Protection Policies Service Categories:
 STRATEGY: 1 Participate in Major Utility Projects Affecting Consumers Service: 02 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2021	Est 2022	Bud 2023	BL 2024	BL 2025
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External factors, such as changes in state and federal law, the rapid evolution of the state’s utility industries, and number and complexity of utility projects at the PUCT in a fiscal year, impact the amount of agency staff and budgetary resources dedicated to this strategy. Internal factors affecting this strategy include the agency’s ability to hire and retain staff attorneys. From an agency stability standpoint, OPUC will need additional staff resources due to the increase in consumer advocacy that will be required as more severe weather emergencies continue to occur in Texas, and the state’s complex electric, water, and wastewater utility industries continue to evolve in the future. In FY 2019, OPUC transitioned its IT systems and services to the DIR DCS to strengthen the reliability and security of the agency’s IT operations. Reliable and secure IT operations are critical to the agency’s participation in utility projects at the PUCT.

EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
Base Spending (Est 2022 + Bud 2023)	Baseline Request (BL 2024 + BL 2025)	CHANGE	\$ Amount	Explanation(s) of Amount (must specify MOFs and FTEs)
\$1,460,660	\$1,460,660	\$0	\$0	Total of Explanation of Biennial Change

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$1,573,777	\$2,516,964	\$2,516,964	\$2,516,964	\$2,516,964
METHODS OF FINANCE (INCLUDING RIDERS):				\$2,516,964	\$2,516,964
METHODS OF FINANCE (EXCLUDING RIDERS):	\$1,573,777	\$2,516,964	\$2,516,964	\$2,516,964	\$2,516,964
FULL TIME EQUIVALENT POSITIONS:	11.6	25.5	25.5	25.5	25.5

Agency Code: 475	Agency Name: Office of Public Utility Counsel	Prepared By: Chris Ekoh	Date: 7/29/2022	Request Level:
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Current Rider Number	Page Number in 2022-23 GAA	Proposed Rider Language
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VII-55

Unexpended Balances Within the Biennium. Any unexpended balances as of August 31, 2024 in appropriations made to the Office of Public Utility Counsel are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2024.

OPUC is requesting Unexpended Budget (UB) authority to enable the agency to carry forward its unexpended budgeted funds. This authority will provide the agency with necessary flexibility to strategically manage and allocate its existing budgetary resources to fulfill its statutory mission of representing residential and small commercial consumers, as a class, in the state's complex electric, water, wastewater and telecommunications utility industries. OPUC's need for additional budgetary flexibility is primarily based on the agency's lack of control over the timing and schedule of major electric and water utility cases and the associated need for internal staff resources and outside legal testifying expert witnesses to litigate these complex cases.

OPUC litigates at least 30 contested cases per fiscal year, which primarily consist of major electric and water utility base rate cases, other electric rate-related cases, electric generation certificate of convenience and necessity cases, and electric sale-transfer-merger transaction cases. Importantly, in 2015 and 2017, the Legislature passed legislation requiring electric utilities operating in the state to file a rate case at the Public Utility Commission of Texas (PUCT) every four years. The PUCT established rules in 2016 and 2018 to create a periodic rate review schedule for electric utilities. As a result of this PUCT rate review process, OPUC is litigating more electric rate cases, because electric utilities are filing rate cases more frequently at the PUCT. OPUC also continues to be significantly involved in litigating water utility rate cases at the PUCT. In addition to these complex cases, the agency participates in at least 26 consumer-related rulemaking and policy projects at the PUCT per fiscal year.

The agency's budgetary resources are continuously impacted by the timing of major electric and water utility cases and lack of control over actions that impact the schedule of these cases. Because the timing and schedule of these cases can be unpredictable and are outside of the agency's control, OPUC has to continuously ensure that sufficient budgeted funds are available for internal staff resources and outside expert witnesses that are necessary to litigate these complex cases. For background purposes, outside expert witnesses provide specialized expertise that enable OPUC to more effectively represent residential and small commercial consumers, as a class, in complex electric and water utility cases at the PUCT. The agency must also continuously ensure that sufficient budgeted funds are available to litigate the cases throughout a fiscal year as well as structure outside expert witness contracts to avoid losing budgeted funds when cases extend over two consecutive fiscal years. Furthermore, OPUC's use of budgeted funds for internal staff resources, primarily attorneys, that are necessary to litigate the cases are also impacted by the agency's lack of control over the timing and schedule of cases at the PUCT. Moreover, if the agency has employee turnover toward the end of the fiscal year, the agency will have to return the budgeted funds at the end of the fiscal year instead of using the funds for other needed internal staff resources, which ultimately impacts long-term agency stability.

Given these significant factors, UB authority would provide OPUC with the necessary flexibility to strategically manage and allocate its existing budgetary resources to ensure that it continues to effectively represent residential and small commercial consumers, as a class, in the state's complex electric, water, wastewater, and telecommunications utility industries in the future. Notably, based on these factors, the PUCT has been granted UB authority. Finally, with a reduced baseline budget and potential future budgetary changes, UB authority will allow OPUC to get the most effective use out of every dollar allocated to the agency.

General Revenue (GR) & General Revenue Dedicated (GR-D) Baseline

DATE: 7/29/2022

88th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

TIME: 9:51:47AM

Agency code: 475

Agency name: **Office of Public Utility Counsel**

GR Baseline Request Limit = \$4,043,817

GR-D Baseline Request Limit = \$990,111

Strategy/Strategy Option/Rider								Biennial	Biennial	
2024 Funds				2025 Funds				Cumulative GR	Cumulative Ded	Page #
FTEs	Total	GR	Ded	FTEs	Total	GR	Ded			
Strategy: 1 - 1 - 1 Participate in Major Utility Cases										
18.5	1,786,634	1,439,825	346,809	18.5	1,786,634	1,439,824	346,810	2,879,649	693,619	_____
Strategy: 2 - 1 - 1 Participate in Major Utility Projects Affecting Consumers										
7.0	730,330	582,084	148,246	7.0	730,330	582,084	148,246	4,043,817	990,111	_____
25.5	\$2,516,964	\$2,021,909	\$495,055	25.5	\$2,516,964	\$2,021,908	495,056			

5.A. Capital Budget Project Schedule
88th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/29/2022
TIME : 9:51:47AM

Agency code: 475

Agency name: Office of Public Utility Counsel

Category Code / Category Name

Project Sequence/Project Id/ Name

OOE / TOF / MOF CODE

Est 2022

Bud 2023

BL 2024

BL 2025

7000 Data Center/Shared Technology Services

1/1 Acquisition of Information Resources

OBJECTS OF EXPENSE

Informational

General	2001	PROFESSIONAL FEES AND SERVICES		\$102,250	\$102,250	\$102,250	\$102,250
		Informational Subtotal OOE, Project	1	\$102,250	\$102,250	\$102,250	\$102,250
		Subtotal OOE, Project	1	\$102,250	\$102,250	\$102,250	\$102,250

TYPE OF FINANCING

Informational

General	CA	1	General Revenue Fund	\$78,732	\$78,732	\$78,732	\$78,732
General	CA	153	Water Resource Management	\$23,518	\$23,518	\$23,518	\$23,518
			Informational Subtotal TOF, Project	\$102,250	\$102,250	\$102,250	\$102,250
			Subtotal TOF, Project	\$102,250	\$102,250	\$102,250	\$102,250

Capital Subtotal, Category 7000

Informational Subtotal, Category 7000

Total, Category 7000

				\$102,250	\$102,250	\$102,250	\$102,250
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AGENCY TOTAL -CAPITAL

AGENCY TOTAL -INFORMATIONAL

AGENCY TOTAL

				\$102,250	\$102,250	\$102,250	\$102,250
				\$102,250	\$102,250	\$102,250	\$102,250

5.A. Capital Budget Project Schedule
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/29/2022
 TIME : 9:51:47AM

Agency code: **475**

Agency name: **Office of Public Utility Counsel**

Category Code / Category Name

Project Sequence/Project Id/ Name

OOE / TOF / MOF CODE

Est 2022

Bud 2023

BL 2024

BL 2025

METHOD OF FINANCING:

Informational

General	1	General Revenue Fund	\$78,732	\$78,732	\$78,732	\$78,732
General	153	Water Resource Management	\$23,518	\$23,518	\$23,518	\$23,518
Total, Method of Financing-Informational			\$102,250	\$102,250	\$102,250	\$102,250
Total, Method of Financing			\$102,250	\$102,250	\$102,250	\$102,250

TYPE OF FINANCING:

Informational

General	CA	CURRENT APPROPRIATIONS	\$102,250	\$102,250	\$102,250	\$102,250
Total, Type of Financing-Informational			\$102,250	\$102,250	\$102,250	\$102,250
Total, Type of Financing			\$102,250	\$102,250	\$102,250	\$102,250

5.B. Capital Budget Project Information
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/29/2022
 TIME: 9:51:48AM

Agency Code:	475	Agency name:	Office of Public Utility Counsel
Category Number:	7000	Category Name:	Data Center/Shared Technology Svcs
Project number:	1	Project Name:	Information Resources

PROJECT DESCRIPTION

General Information

In FY 2019, OPUC transitioned its IT systems and services to the DIR DCS to strengthen the reliability and security of the agency's IT operations. As a result of this transition, OPUC is now incurring IT-related operating expenses of \$102,250 on an annual fiscal year basis. The agency's transition to the DIR DCS, and associated IT-related operating expenses, are necessary to ensure reliable and secure IT operations. The IT-related operating expenses include costs to operate and maintain the agency's existing IT network at the DIR DCS, costs for software upgrades and license renewals, and costs for operating and maintaining a firewall.

PLCS Tracking Key

N/A

Number of Units / Average Unit Cost

Operational Cost has been estimated to be \$102,250.00 per year.

Estimated Completion Date

Completed in FY 2020

Additional Capital Expenditure Amounts Required

2026

2027

0

0

Type of Financing

CA CURRENT APPROPRIATIONS

Projected Useful Life

0

Estimated/Actual Project Cost

\$0

Length of Financing/ Lease Period

Ongoing

ESTIMATED/ACTUAL DEBT OBLIGATION PAYMENTS

2024

2025

2026

2027

**Total over
project life**

0

0

0

0

0

REVENUE GENERATION / COST SAVINGS

REVENUE COST FLAG

MOF CODE

AVERAGE AMOUNT

Explanation:

OPUC does not plan to implement any new IT-related projects in the next biennium. OPUC's current IT-related operating expenses are necessary for the continuation of IT systems and services that are critical for the agency's reliable and secure IT operations. These IT-related operating expenses include costs to operate and maintain the agency's existing IT network at the DIR DCS, costs for software upgrades and license renewals, and costs for operating and maintaining a firewall.

Project Location:

Maintaining and monitoring the agency's existing IT network provides protection at the agency's office and outside of the agency's office in a teleworking environment.

Beneficiaries:

DIR DCS provides the agency with a more reliable and secure platform to provide services to residential and small commercial consumers via the agency's website, social media, and consumer inquiry hotline.

Frequency of Use and External Factors Affecting Use:

5.B. Capital Budget Project Information
88th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/29/2022
TIME: 9:51:48AM

Reliable and secure IT operations are critical to the agency's litigation of utility cases and participation in utility projects at the PUCT. In FY 2019, OPUC transitioned its IT systems and services to the DIR DCS to strengthen the reliability and security of the agency's IT operations. The importance of having secure and reliable IT operations was heightened by the COVID-19 pandemic, which highlighted the importance of having the capability for working remotely.

Agency code: 475 Agency name: Office of Public Utility Counsel

Category Code/Name

Project Sequence/Project Id/Name

Goal/Obj/Str	Strategy Name	Est 2022	Bud 2023	BL 2024	BL 2025	
7000 Data Center/Shared Technology Services						
<i>1/1</i>	<i>Information Resources</i>					
<u>GENERAL BUDGET</u>						
Informational	1-1-1	PARTICIPATION IN CASES	78,732	78,732	\$78,732	\$78,732
	2-1-1	PARTICIPATION IN UTILITY PROJECTS	23,518	23,518	23,518	23,518
		TOTAL, PROJECT	\$102,250	\$102,250	\$102,250	\$102,250
		TOTAL CAPITAL, ALL PROJECTS				
		TOTAL INFORMATIONAL, ALL PROJECTS	\$102,250	\$102,250	\$102,250	\$102,250
		TOTAL, ALL PROJECTS	\$102,250	\$102,250	\$102,250	\$102,250

5.D. Capital Budget Operating and Maintenance Expenses
 88th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/29/2022
 TIME: 9:51:48AM

Agency Code: **475** Agency name: **Office of Public Utility Counsel**
 Project Number: **1** Project name: **Acquisition of Information Resources**
Operating Expenses Estimates (For Information Only)

CODE DESCRIPTION	2024	2025	2026	2027
OBJECTS OF EXPENSE:				
2001 PROFESSIONAL FEES AND SERVICES	\$102,250	\$102,250	\$102,250	\$102,250
TOTAL, OBJECT OF EXPENSE	\$102,250	\$102,250	\$102,250	\$102,250
METHOD OF FINANCING:				
1 General Revenue Fund	\$78,732	\$78,732	\$78,732	\$78,732
153 Water Resource Management	\$23,518	\$23,518	\$23,518	\$23,518
TOTAL, METHOD OF FINANCING	\$102,250	\$102,250	\$102,250	\$102,250

OPERATING COSTS DESCRIPTION AND JUSTIFICATION:

OPUC’s transition to the DIR DCS has strengthened the reliability and security of the agency’s IT operations. The DIR DCS also provides the agency with a more reliable and secure platform to provide key information and services to residential and small commercial consumers via the agency’s website, social media, and consumer inquiry hotline. The importance of having secure and reliable IT operations was heightened by the COVID-19 pandemic. The agency was able to work remotely in a secure and reliable manner and seamlessly conduct day-to-day agency operations during the pandemic.

475 Office of Public Utility Counsel

Category Code/Name		Est 2022	Bud 2023	BL 2024	BL 2025
Project Sequence/Name					
Goal/Obj/Str	Strategy Name				
7000 Data Center/Shared Technology Services					
1 Information Resources					
OOE					
Informational					
1-1-1 PARTICIPATION IN CASES					
<u>General Budget</u>					
2001	PROFESSIONAL FEES AND SERVICES	78,732	78,732	78,732	78,732
2-1-1 PARTICIPATION IN UTILITY PROJECTS					
<u>General Budget</u>					
2001	PROFESSIONAL FEES AND SERVICES	23,518	23,518	23,518	23,518
TOTAL, OOE's		\$102,250	\$102,250	102,250	102,250
MOF					
GENERAL REVENUE FUNDS					
Informational					
1-1-1 PARTICIPATION IN CASES					
<u>General Budget</u>					
1	General Revenue Fund	60,624	60,624	60,624	60,624
2-1-1 PARTICIPATION IN UTILITY PROJECTS					
<u>General Budget</u>					
1	General Revenue Fund	18,108	18,108	18,108	18,108
TOTAL, GENERAL REVENUE FUNDS		\$78,732	\$78,732	78,732	78,732
GR DEDICATED					
Informational					
1-1-1 PARTICIPATION IN CASES					

475 Office of Public Utility Counsel

Category Code/Name

Project Sequence/Name

Goal/Obj/Str	Strategy Name	Est 2022	Bud 2023	BL 2024	BL 2025
1 Information Resources					
General Budget					
153	Water Resource Management	18,108	18,108	18,108	18,108
2-1-1 PARTICIPATION IN UTILITY PROJECTS					
General Budget					
153	Water Resource Management	5,410	5,410	5,410	5,410
TOTAL, GR DEDICATED		\$23,518	\$23,518	23,518	23,518
TOTAL, MOFs		\$102,250	\$102,250	102,250	102,250

475 Office of Public Utility Counsel

	Est 2022	Bud 2023	BL 2024	BL 2025
INFORMATIONAL				
<u>General Budget</u>				
GENERAL REVENUE FUNDS	\$78,732	\$78,732	78,732	78,732
GR DEDICATED	\$23,518	\$23,518	23,518	23,518
TOTAL, GENERAL BUDGET	102,250	102,250	102,250	102,250
TOTAL, ALL PROJECTS	\$102,250	\$102,250	102,250	102,250

6.A. Historically Underutilized Business Supporting Schedule
 88th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/29/2022
 Time: 9:51:49AM

Agency Code: 475 Agency: Office of Public Utility Counsel

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

A. Fiscal Year - HUB Expenditure Information

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2020			Total Expenditures FY 2020		HUB Expenditures FY 2021			Total Expenditures FY 2021	
			% Actual	Diff	Actual \$	% Goal	% Actual	Diff	Actual \$	FY 2021		
11.2%	Heavy Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
21.1%	Building Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
32.9%	Special Trade	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
23.7%	Professional Services	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
26.0%	Other Services	26.0 %	26.2%	0.2%	\$11,920	\$45,460	26.0 %	4.4%	-21.6%	\$804	\$18,304	
21.1%	Commodities	21.1 %	70.6%	49.5%	\$43,696	\$61,854	21.1 %	8.2%	-12.9%	\$1,146	\$13,966	
	Total Expenditures		51.8%		\$55,616	\$107,314		6.0%		\$1,950	\$32,270	

B. Assessment of Attainment of HUB Procurement Goals

Attainment:

OPUC attained 26.22% of the statewide goal for other services and 70.64% of the statewide goal for commodities in FY 2020,

Applicability:

The Heavy Construction, Building Construction, Special Trade and Professional Services procurement categories are not applicable to the agency's operations since the agency did not have any strategies or programs related to these functions.

Factors Affecting Attainment:

OPUC continually strives to meet or exceed established statewide HUB goals. However, due to the unique nature of the agency's statutory mission, OPUC procures goods and services in only two (2) of the available six (6) reportable procurement categories (other services and commodity purchases).

Heavy Construction, Building Construction, Special Trade Construction and Professional Services procurement categories were not applicable to the agency's operations in Fiscal Years 2020 and 2021. Therefore, the agency set its own HUB goals appropriate to its purchasing requirements.

In addition, many of the agency's purchases are statutorily required to be made within the Texas SmartBuy online ordering system or by utilizing the Texas Correctional Industries (TCI) and WorkQuest (formerly TIBH) vendors through the Set Aside Program governed by the Texas Workforce Commission. Purchases made through SmartBuy, TCI or WorkQuest are not counted toward the agency's statewide HUB goals. Both of these factors may limit the agency's ability to meet its statewide HUB goals during a fiscal year.

Agency Code: 475 Agency: Office of Public Utility Counsel

C. Good-Faith Efforts to Increase HUB Participation

Outreach Efforts and Mentor-Protégé Programs:

N/A

HUB Program Staffing:

OPUC has one HUB Coordinator

Current and Future Good-Faith Efforts:

OPUC is committed to increasing procurement opportunities for Historically Underutilized Businesses (HUBs) in accordance with Chapter 2161 of the Texas Government Code. OPUC performed the following good faith efforts to promote HUB utilization and comply with Statewide HUB Procurement :

- Ensured that requests for goods and services clearly and accurately reflected the agency's needs and requirements;
- Contacted at least two (2) HUB vendors for purchases and service contract opportunities, where applicable;
- Utilized HUB resellers from Department of Information Resources (DIR) contracts as often as possible;
- Attended HUB-related meetings to network with other state agency HUB coordinators to share ideas and recommendations with regard to HUB utilization; and
- Encouraged HUB vendors to register on the Centralized Master Bidder's List (CMBL)