

**Office of State Budget and Management**  
**Establish New, Receipt-Supported Positions**  
(S.L. 2008-107)

**Agency:** Department of Commerce      **Division:** Public Staff—N.C. Utilities Commission

**Budget Code:** 54600      **Center Title:** Utilities – Public Staff      **Center Number:** 5221

**\*\*\* Position Information \*\*\***

**Proposed Classification:** Processing Assistant V      **Proposed Salary Grade:** 61

**Salary Range:** \$26,444-\$40,797      **Proposed Effective Date:** 11/01/2008

**Number of Positions:** 1

	<u>Center Authorized Budget</u>	<u>Current Request (Salary and Fringes)</u>
Total Budget	\$ 8,183,412	\$ 38,000
Receipts	<u>8,183,412</u>	<u>38,000</u>
Appropriation	\$ -0-	\$ -0-

**Funding Source(s):** Utility Company Regulatory Fees


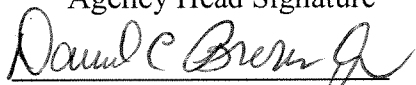
**Justification for Position (including description of duties and responsibilities):**

The primary purpose of this position is to review allegations or evidence that individuals or companies are providing intrastate household goods moves without a certificate from the Utilities Commission. The work will require the establishment of an effective filing system to house the information acquired during the person's efforts. An Access database will be created to track how and when the suspected illegal operation was discovered, the actions taken to educate the owners, details of follow-up efforts, and other pertinent information. The database will also show the date the operation was reported to the Commission for enforcement action or the date which the application for a certificate was filed with the Commission.

The Processing Assistant will develop a working knowledge of the tasks performed by the Division and be a contributing member of the team. As such, the person will be familiar with the consumer advocate role of the Division and its responsibilities for ensuring the compliance by certified carriers with Commission expectations. Performance of audits, reviews of annual reports, assisting customers and carriers will also be a part of the person's work plan. By using knowledge of the Division's role and effectively maintaining accurate, detailed, and organized records regarding uncertificated operations, the person will help eliminate the current weakness in enforcing carrier compliance. The Division will be better able to answer the question, "What is being done to eliminate the risk to the public and certificated movers generated by approximately 200 illegal moving companies?"

Carol Stahl,  
Director Transportation Division, Public Staff

Presentation to be made by:

  
\_\_\_\_\_  
Agency Head Signature  
  
\_\_\_\_\_  
State Budget Officer Signature

## **SECTION I: GENERAL INFORMATION**

### **A. Primary Purpose of Organizational Unit**

The Public Staff of the North Carolina Utilities Commission (Public Staff) is charged by statute (N.C.G.S. Sec. 62-15(d)) with representing the interests of the using and consuming public in matters concerning the rates and service practices of public utilities regulated by the North Carolina Utilities Commission (Commission). These public utilities (defined in N.C.G.S. Sec. 62-3) include investor-owned electric, natural gas, water, and sewer companies as well as certain telecommunications and transportation companies providing services within North Carolina.

The Transportation Rates Division of the Public Staff (Division) oversees the compliance by common carriers with the North Carolina General Statutes, Commission Rules and Regulations, issued and approved tariffs, and administrative law as developed in Commission orders. The Division meets the legislative mandate by investigating, monitoring, and providing recommendations to the Commission regarding the transportation of passengers by motor carrier (regular route buses) and by water (privately owned ferry service operations), passenger brokers, and most intrastate movements of household goods (HHG) by motor carriers over public highways for compensation. The Division also maintains the official annual reports filed by all certificated transportation companies as required by N.C.G.S. Sec. 62-36 and conducts tariff compliance audits of certificated HHG carriers. Training seminars are held regularly to educate HHG carriers on the proper use of the Maximum Rate Tariff (MRT) issued by the Commission that governs the HHG carriers' operations. Regular route bus services and the ferry operations file tariffs for Commission approval that govern the services those businesses provide.

The Division acts as an instrument of consumer protection and serves as a liaison between the public and the carriers, providing assistance and information to both parties. The Division investigates complaints and damage claims lodged against carriers and provides general information regarding such investigations to consumers to assist them in their decision-making processes. Carriers contact the Division to request advice and guidance in complying with Commission Rules and Regulations and tariffs. Allegations of HHG carriers operating without proper certification from the Commission prompt an investigation by the Division and a report to the Commission of the suspected illegal operation, if appropriate. Such allegations arise from contacts with customers and carriers as well as from reviews of telephone yellow page directories on file with the Commission and Internet websites for moving services.

### **B. Primary Purpose of Position**

The primary purpose of this position is to review allegations or evidence that individuals or companies are providing intrastate HHG moves without a Certificate of Exemption (certificate) from the Commission. The Division currently consists of three positions: the Chief Rate Specialist (Director), a Rate Specialist II (Rate Specialist) and a Processing Assistant V (Office Assistant).

## **C. Changes in Organization Structure**

Effective January 1, 2003, the Commission implemented a change in its regulatory oversight of the HHG moving industry. A combination of expanded jurisdiction, relaxed entry, tariff publishing, and greater public awareness of Commission oversight increased the responsibilities of the Division. Prior to 2003, moves made within municipalities and certain contiguous areas were not under Commission jurisdiction. After that date, those previously exempt moves fell under the Commission's intrastate oversight and now are governed by the MRT. Included in the MRT are certain documents that must be used for all jurisdictional moves. Those documents advise customers to contact the Division if they have questions regarding the move and provide the telephone number for the Division.

A greater number of common carriers of HHG are under Commission jurisdiction. Between January 1, 2003 and May 15, 2008, the number of certificated HHG carriers increased from 182 to 275 with an additional 15 pending applications. In 2003, the Division addressed 221 carrier concerns; in 2007, the number was 388. Those concerns increasingly have included descriptions of suspected illegal HHG operations and questions as to what the Commission is doing to stop them. Such businesses typically do not maintain the requisite insurance coverages nor do they invest in equipment to perform the services. Customers are at great risk in obtaining relief when damages or losses occur, and some certificated carriers have gone out of business due to an uneven competitive environment, thus reducing the number of certificated carriers available to the public for legally provided moving services.

The increased demands upon the Division to address suspected illegal HHG moving activities have revealed that the current staffing cannot keep pace with the problem. Failure to fulfill the compliance element of the Division's responsibilities requires that an additional Processing Assistant V (Assistant) position be established. The primary responsibility for the person in this new position would be to educate the uncertificated operators, follow up on compliance, and refer non-complying cases to the Commission for enforcement action.

## **SECTION II. DUTIES AND RESPONSIBILITIES BY FUNCTIONAL AREA**

### **A. Public Contact**

1. Educates carriers of Commission requirements regarding the transportation of HHG within NC by speaking knowledgeably of insurance requirements, MRT provisions and training, audit compliance parameters, annual report filings, and the certification process.
2. Assists customers filing a complaint or damage claim against a carrier involving a move already conducted, especially when performed by an uncertificated carrier.

3. Advises customers and carriers as to whether or not a company offering moving services has authority granted by the Commission. Discourages customers from using uncertificated carriers to perform intrastate HHG moves.
4. Acts as receptionist/office assistant when primary receptionist/office assistant is not available by determining the best party to respond to calls or emails and transferring the party to responsible staff personnel or other divisions or agencies, as appropriate, if unable to address party's questions.
5. Instructs parties on accessing information on the Commission's and/or the Public Staff's websites, when needed.
6. Liaisons with other members of the Public Staff and Commission Staff to enhance the smooth interaction of the Division with other divisions, as needed.

## **B. Records and Reports**

1. Uncertificated HHG Carrier Database: The Assistant will establish and maintain an Access database of all known uncertificated HHG operations. The database will show when and how the business was discovered, actions taken to educate the operators, details of follow-up efforts, and any other pertinent information. The database will also show date the operation is reported to the Commission for enforcement action or the date the application was filed with the Commission.
2. Research Reports: The Assistant will create a standard document to summarize research performed to discover uncertificated carriers, including reviews of telephone directory yellow pages and Internet websites for moving services. Such summary may be provided to Commission staff for use in requesting an investigation by the Motor Carrier Enforcement Section of the State Highway Patrol.
3. Annual Reports: In order to comply with N.C.G.S. Sec. 62-36 and Commission Rules R1-32 and R2-48, each certificated carrier must file an annual report on or before April 30 of each year for the preceding year. The Assistant will work closely with the other Office Assistant and Rate Specialist to understand the annual report form and to ascertain whether or not submitted reports are properly completed. Such hands-on knowledge will improve the Assistant's ability to educate uncertificated carriers of Commission requirements. Entry of data from approved annual report forms will be performed by the Assistant as needed and if available.
4. Compliance Audits: The Assistant will work closely with the other Office Assistant and Rate Specialist to determine compliance by certificated carriers with the provisions of the MRT issued by the Commission. The Assistant will help with the education of certificated carriers for better compliance with the provisions of the MRT to improve the Assistant's ability to educate uncertificated carriers of Commission requirements.

5. Contact Sheet and Database: All inquiries, complaints, or other contacts from the carriers and customers requiring action on the part of the Division are recorded and tracked on a Contact Sheet. Certain information from those sheets is entered into a master database established for each calendar year. The report generated from this source is used to locate files, track status, and provide statistical information to the public. The information is also used to prepare the Division's section of the Public Staff's report to the General Assembly each year.

6. MRT Training Seminars: Although attendance at the monthly training seminars is free to the HHG carriers' representatives, space reservations must be made to accommodate seating, handouts, and name tag needs. The Assistant will work with the Office Assistant and Rate Specialist in preparation for those programs, including updates to handouts and entries into the Access database showing attendance information. The report generated from this database is used to plan future sessions and to prepare the Division's section of the Public Staff's report to the General Assembly each year.

The resources used in preparation of the records and reports include the following: 1) North Carolina General Statutes, 2) Commission Rules and Regulations, 3) Microsoft Office 2007, 4) Division's Processing Assistant Handbook, 5) Public Staff operating manual, 6) Division and Chief Clerk's Office reference files, 7) the Division's Director, Rate Specialist, and Office Assistant as well as the Commission's Transportation Utility Analyst, 8) Internet websites and 9) thesaurus, dictionary, and other composition handbooks. The Assistant will develop a handbook for this position for reference purposes. The Assistant will also draw upon the knowledge of other external agencies, such as the North Carolina Movers Association, the Federal Motor Carriers Safety Administration, the Motor Carrier Enforcement Section of the State Highway Patrol, the Energy Information Administration of the US Department of Energy, and the American Moving and Storage Association.

---

## **C. Composition**

1. Composes emails as well as letters and memos, as needed, for Director's, Rate Specialist's or the Assistant's own signature. The intent of typical documents sent to a certificated or uncertificated carrier might be to acquire information, provide information, or confirm carrier understanding as to Commission expectations and tariff compliance; those to customers might be to summarize the resolution of matters brought to the Division's attention.

2. Prepares other documents as needed for the education of certificated and uncertificated carriers and for the forwarding of named uncertificated carriers to the Commission for enforcement action.

3. Assists in the preparation of the Division's section of the Public Staff's annual report to the General Assembly.

4. Assists other Office Assistant as needed and if available in fulfilling other office tasks, such as reviewing the fuel surcharge and preparing supply orders, travel forms, and documents associated with archiving of materials.

The materials produced include letters (usually using the letterhead template), any required envelopes, memoranda, tables, and analytical and statistical reports. Familiarity with the vocabulary and terminology used by the transportation industries is helpful for proper composition.

The resources used to create documents are the same as those used to process records and reports.

#### **D. Office Equipment Operation**

1. List of the equipment used:

**Computer** – Assistant uses the computer for creating and maintaining multiple databases (Access) and spreadsheets (Excel) as well as for the preparation of records, reports, and the composition of emails, letters, memos, envelopes, and labels (Word).

**Telephone** – Assistant receives and transfers calls, retrieves voice mail messages, and places calls to acquire or dispense information.

**Calculator** – Assistant uses device to review and verify annual report information and to determine the accuracy of calculations used in the documents submitted for tariff compliance audits.

**Network Printer** – Assistant generates hard copies of documents as needed.

**Facsimile Machine** – Assistant sends and receives hard copies of documents when other venues are not available; retains confirmations in files. Machine also used as a copy machine as appropriate.

**Copy Machines** – Assistant reproduces documents (including book pages) requiring size definitions, dark/light variances, and large quantities, as needed.

**Scanner** – Assistant creates stored .pdf, .rtf or .jpg files from hardcopies to allow emailing of information to customers, carriers, and other parties.

2. The approximate amount of time the various pieces of office equipment are used as a percentage of all equipment used is as follows: computer (40%), telephone (40%), calculator (3%), printer (5%), facsimile machine (5%), copy machines (5%), and scanner (2%).

3. The decisions made regarding the use of office equipment and selected software to perform work assignments have been made at the executive level of the Public Staff. Computer software is uniform throughout the Public Staff.

## **E. Files**

1. Maintains a comprehensive filing system of each uncertificated carrier discovered containing copies of all pertinent materials, including solicitations/advertisements, moving documents, notes from contacts, memos, websites, emails, etc., with most recent materials in the forefront.
2. Transfers pertinent information from the uncertificated carrier folder to the folder established for its application for certification, once filed with the Chief Clerk's Office.
3. Transfers folders for uncertificated carriers to correct file cabinet locations once carrier has been reported to Commission for enforcement action.
4. Prepares file labels in a consistent format for the folders containing information about uncertificated carriers.
5. Assists other Office Assistant as needed and if available in fulfilling other filing efforts, including storage of Contact Sheets, annual reports and their check sheets, and audit folders as well as the relocation of certificated carrier folders to cancelled or authorized suspension sections of the Division's file cabinets.

## **F. Mail**

1. Assist Office Assistant with mail tasks as needed and if available. Those tasks include collecting mail, opening and date stamping items according to office protocols, sorting for correct distribution, preparing outgoing mail, documenting Delivery Confirmation processes, and other similar mailing tasks.
2. Contributes in the preparation of the mailing of annual reports to carriers in February of each year.

## **G. Supervision Exercised      No supervisory responsibilities.**

## **H. Other**

Makes suggestions with regard to the flow of work and organization of the office materials. When new assignments arrive in the Division, the Assistant shares insights to achieve maximum efficiency in meeting those commitments while coordinating the information flow within the Division.

**SECTION III:                    PERCENTAGES OF TIME AND ORDER OF IMPORTANCE BY FUNCTIONAL AREA**

FUNCTIONAL AREA	PERCENTAGE OF TIME	RANKING BY IMPORTANCE
Public Contact	35%	1
Records & Reports	24%	2
Composition	10%	3
Office Equipment Operation	15%	5
Files	10%	4
Mail	5%	6
Supervision	N/A	N/A
Other	1%	7

**SECTION IV:                    ADDITIONAL CONSIDERATIONS**

**A.    Supervision Received**

This position requires limited supervision in most functional areas once the employee is familiar with the work itself. The person will exercise considerable independence in carrying out the responsibilities of the position, seeking assistance as needed.

**B.    Resource and Guideline Availability**

The resources and guidelines available to this position for use in performing work assignments, decision making, and problem solving include the Maximum Rate Tariff issued by the Commission, staff members of the Commission and Public Staff, the NC General Statutes, and the Division's Processing Assistant Handbook as well as other internal guidelines established as needed for the Division.



## **SECTION V:            QUALIFICATIONS REQUIRED**

- A.**    The knowledge, skills, and abilities necessary to perform the work assigned to this position include the following: 1) a high aptitude for detail, accuracy, and organization, 2) an appropriate understanding of the use of personal computers and other office equipment, 3) the skills to communicate verbally and in writing with persons from various backgrounds, 4) the aptitude to learn, understand and effectively use various computer software applications, 5) the talent to self-motivate and exercise self-discipline, 6) the ability to use strong interpersonal, team-building skills, and 7) the flexibility to rearrange priorities to accommodate known project deadlines and daily responsibilities with unexpected demands created by the public and those carriers serving the public.
  - B.**    The training and experience necessary to perform the work assigned to this position would be a minimum of three years of office assistant or secretarial experience beyond high school, completion of a two-year secretarial science or business administration program with one year of responsible experience as described, or equivalent combination of training or experience. Assistant must have very high standards for detail, accuracy, and organization, efficient computer hardware and software skills, and the capacity to effectively communicate with the public, the carriers and fellow team members.
  - C.**    Certain areas of the job assignment would be immediately familiar to an experienced support person. However, on-the-job training of approximately two years would be necessary to become fully familiar with the duties required of this position, especially since some tasks are performed annually. Other areas, such as understanding the transportation industry, may require an even greater amount of experience to be truly comfortable with all aspects of this position's job requirements.
-