

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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March 28, 2016

Rosemary Chiavetta  
Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

RE: PECO Energy Company Universal Service  
and Energy Conservation Plan for 2016-  
2018 Submitted in Compliance with 52 Pa.  
Code §§ 54.74 and 62.4  
Docket No. M-2015-2507139

Dear Secretary Chiavetta:

Enclosed please find the Office of Consumer Advocate's Reply Comments, in the above-referenced proceeding.

Copies have been served upon all parties of record as shown on the attached Certificate of Service.

Respectfully Submitted,

/s/ Christy M. Appleby  
Christy M. Appleby  
Assistant Consumer Advocate  
PA Attorney I.D. # 85824

Enclosures

cc: Joseph Magee, Bureau of Consumer Services (e-mail)  
Sarah Dewey, Bureau of Consumer Services (e-mail)  
Louise Fink-Smith, Law Bureau (e-mail)

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PECO Energy Company	:	
Universal Service and Energy Conservation	:	Docket No. M-2015-2507139
Plan for 2016-2018 Submitted in Compliance	:	
With 52 Pa. Code §§ 54.74 and 62.4	:	

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REPLY COMMENTS  
OF THE  
OFFICE OF CONSUMER ADVOCATE

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The Office of Consumer Advocate (OCA) files these Reply Comments in response to the Pennsylvania Public Utility Commission’s (Commission) Tentative Order issued February 25, 2016, in the above-captioned proceeding.

**I. Introduction**

On October 2, 2015, PECO Energy Company (PECO or Company) filed the above-captioned Universal Service and Energy Conservation Plan (USECP or Plan) for 2016 through 2018, in accordance with the Commission’s regulations at 52 Pa. Code §§ 54.71-54.78, relating to electric universal service and energy conservation requirements, and 52 Pa. Code §§ 62.1-62.8, relating to natural gas universal service and energy conservation requirements. PECO’s proposed 2016-2018 Plan includes provisions for both electric and natural gas service. On February 25, 2016, the Commission entered its Tentative Order on the Plan which requested clarifications from the Company and comments from interested parties. On March 16, 2016, the OCA, PECO, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), and the Tenant Union Representative Network (TURN), Action Alliance of Senior Citizens of Greater Philadelphia (Action Alliance) (collectively TURN et al.)

filed Comments. The OCA responds to the Comments of CAUSE-PA regarding: (1) eligibility for the In-Program Arrearage Forgiveness program and (2) automatic CAP enrollment.

## **II. Comments**

### **A. Eligibility for the In-Program Arrearage Forgiveness Program**

In its Comments, CAUSE-PA proposes that a customer, who is “off” of the system as of October 2016<sup>1</sup> and later becomes a PECO customer again after October 2016, should still be qualified to receive the benefit of the five year (60 month) In-Program Arrearage Forgiveness (IPAF) program. CAUSE-PA Comments at 7. The OCA agrees that a low-income customer who was in the CAP program prior to October 2016, and accumulated in-program arrears prior to October 2016, should still be eligible for the IPAF program if the customer re-enrolls in CAP within the 60 month window for the program. For example, a low-income CAP customer who was terminated in the spring or summer of 2016 may not be able to restore service until LIHEAP or other assistance grants are available in the winter of 2016. The OCA submits that the previous CAP customer should not be penalized because the customer was unable to restore service until assistance funds became available. Similarly, the previous CAP customer should not be penalized if the customer leaves CAP due to another reason, such as income ineligibility, and that reason is “cured” (*i.e.* the customer again becomes CAP income eligible) within the 60 month window for the IPAF program.

### **B. Automatic CAP Enrollment**

In its Comments, CAUSE-PA proposes that Low Income Home Energy Assistance Program (LIHEAP) recipients should be automatically enrolled in CAP, pending income verification. CAUSE-PA Comments at 11. Under the CAP Rate design, PECO automatically enrolls LIHEAP recipients in its CAP Rate program and enrolls the customers at the highest

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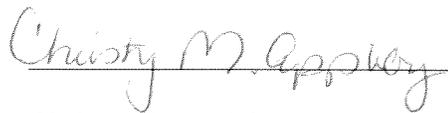
<sup>1</sup> October 2016 is the start date for the new Fixed Credit Option (FCO) program.

CAP Rate tier, but due to the need for more accurate income information under the new Fixed Credit Option (FCO) design, PECO states that it will no longer automatically be able to enroll LIHEAP recipients in CAP. Tentative Order at 9; Plan at 7. The OCA supports CAUSE-PA's proposal to allow LIHEAP recipients to be automatically enrolled to receive the benefits of arrearage forgiveness and prioritization for Low Income Usage Reduction Program (LIURP) services until the customer certifies his or her income. The OCA and CAUSE-PA agree that low-income customers may still receive benefits from the arrearage forgiveness components of CAP (either through the traditional pre-program arrearage forgiveness or the new IPAF program) or prioritization for LIURP services. OCA Comments at 8; CAUSE-PA Comments at 11-13.

### III. Conclusion

WHEREFORE, the Office of Consumer Advocate respectfully requests that PECO's Universal Service and Energy Conservation Plan be approved subject to the recommendations contained in the OCA's Comments and identified herein.

Respectfully Submitted,



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DATE: March 28, 2016  
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CERTIFICATE OF SERVICE

PECO Energy Company :  
Universal Service and Energy Conservation Plan : Docket No. M-2015-2507139  
For 2016-2018 Submitted in Compliance with :  
Pa. Code §§ 54.74 and 62.4 :

I hereby certify that I have this day served a true copy of the foregoing, the Office of Consumer Advocate's Reply Comments, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 28<sup>th</sup> day of March 2016.

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