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OF PHILADELPHIA

March 7, 2017

VIA ELECTRONIC FILING

Ms. Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

RE: Philadelphia Gas Works Universal Service Plan for 2017-2020 Submitted in Compliance with 52
Pa. Code § 62.4, Docket No. **M-2016-2542415**

Dear Secretary Chiavetta:

Enclosed please find the Comments of Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia (TURN *et al.*), on the above-captioned matter.

A copy of the enclosed Comments are being served pursuant to the enclosed Certificate of Service.
Please contact me with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'JCC', is written over the typed name 'Jennifer Collins, Esq.'.

Jennifer Collins, Esq.

On behalf of Turn *et al.*

Enclosure

Cc: Service List

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CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of the Comments of Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia (TURN *et al.*) in the Matter of the Universal Service and Energy Conservation Plan for 2017-2020-PGW, Docket No. M-2016-2542415, upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code § 1.54.

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Dated: March 7, 2017

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Philadelphia Gas Works Universal Service :
and Energy Conservation Plan for 2017- : Docket No. M-2016-2542415
2020 Submitted in Compliance with 52 Pa. :
Code § 62.4 :

**COMMENTS OF TENANT UNION REPRESENTATIVE NETWORK AND
ACTION ALLIANCE OF SENIOR CITIZENS OF GREATER PHILADELPHIA**

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I. INTRODUCTION

On January 26, 2017 the Pennsylvania Public Utility Commission (“PUC or “Commission”) issued a Tentative Order (“Tentative Order”) in the matter of Philadelphia Gas Works Universal Service and Energy Conservation Plan for 2017-2020 Submitted in Compliance with 52 Pa. Code § 62.4., Docket No. M-2016-2542415 (“PGW’s Plan”). The Commission identified 14 areas in which it proposed changes to PGW’s Plan or asked for further information. The Commission withheld approval of PGW’s Plan pending receipt of further information from PGW and review of stakeholder comments. On February 15, 2017, PGW provided “Supplemental Information Submitted by Philadelphia Gas Works in Response to the January 26, 2017 Tentative Order” (“Supplemental Info”), which included as an attachment a 2015 Policy Evaluation performed by H. Gil Peach & Associates (“Peach Study”). These comments are submitted on behalf of the Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia (collectively “TURN *et al.*”).

The purpose of these comments is to address issues identified by the Commission in its Tentative Order, in which the Commission requested comments from PGW and interested parties, as well as related issues raised by PGW’s Plan and Supplemental Info but not specifically identified by the Commission. The Commission identified a host of issues, many of which TURN *et al.* respond to in the sections that follow.¹ In general, TURN *et al.* submit that there are significant issues of material fact regarding proposals in PGW’s Plan, including concerns surrounding modifications of CRP to allow customers to enroll at their budget bill level (and receive the benefit of other CRP program features) and the requisite needs assessment for

¹ TURN *et al.* reserve the right to raise additional issues in reply comments, if necessary to respond to issues raised in other parties’ comments.

PGW's CRP Home Comfort program, that merit review in an on-the-record proceeding.

Accordingly, TURN *et al.*, submit that the Commission should refer PGW's Plan to the Office of Administrative Law Judge (OALJ) for hearing and decision. Alternatively, TURN *et al.* submit that the Commission should order that PGW modify its Plan consistent with TURN *et al.*'s comments in the sections that follow.

II. COMMENTS OF TURN *ET AL.*

A. Modification of CRP to Allow Customers to Enroll in CRP at the Budget Bill Level if Lower Than PIP Bills

In the Tentative Order, the Commission requested clarification from PGW following its observation that PGW's placement of low income customers in budget billing and/or payment agreements has created unaffordable billing demands. Specifically, the Commission sought explanation of PGW's estimated costs of \$26 million to \$36 million annually to enroll low income customers in CRP at their budget billing amounts, if less than the PIP bills calculated in CRP.² Furthermore, the Commission sought specific data regarding the frequency of PGW's denial of CRP enrollment as disadvantageous to low income customers, specifically:

- How many low income customers were denied CRP enrollment from 2013-2105 due to CRP not providing the most "advantageous" rate;
- How many customers denied CRP enrollment as not "advantageous" entered payment arrangements, broke payment arrangements, were ineligible for further payment arrangements, or were rejected based on their budget bill amount;
- The amount of arrears owed by low-income customers denied enrollment in CRP as not the most "advantageous" rate;

² Tentative Order at 12.

- How many low income customers with high usage were denied CRP Home Comfort enrollment from 2013-2015 because the CRP rate was not their most “advantageous” rate;
- And the total amount of deferred arrears and in-program arrears for CRP customers at the end of years 2013-2015 by income level.³

PGW’s Supplemental Info, submitted in response to these inquiries is unsatisfactory. PGW has been unable to provide the information the Commission requested in almost every one of these categories leaving it impossible to evaluate any of PGW’s claims about changes to CRP.

Given the dearth of information provided by PGW, and the significant concerns raised by the Commission’s review, TURN *et al.* respectfully submit that these considerations should be referred to the OALJ for an on-the-record proceeding. By all indications, PGW has administered payment arrangements and budget billing requirements in a manner that has unduly impacted low income customers and demanded unreasonable payment amounts. Compounding these harms, PGW has failed to collect adequate data to allow the Commission to determine with precision the extent of the harm PGW has inflicted. Alternatively, if not referred to an on-the-record proceeding, TURN *et al.* submit that the Commission should order PGW to enroll low-income customers in CRP at their budget billing amounts, if more affordable than PIP bills, in order for these customers to earn CRP arrearage forgiveness. Furthermore, PGW should be ordered to eliminate unaffordable payment demands for low income customers, and ensure that PGW’s methods for determining CRP discount eligibility take into account all amounts low-income customers may be asked to pay, including prior CRP arrears.

1. Extension of CRP benefits to all low income customers

The Commission documents that 19 % of the complaints BCS reviewed for the Tentative Order were from customers who were ineligible for CRP because their monthly budget payment

³ Tentative Order at 12-13.

or payment arrangement bills were lower than the CRP PIP amount.⁴ In addition, the Commission observed that in order to qualify for budget billing or a payment arrangement, PGW frequently asked low income customers to pay prohibitively large balances.⁵ TURN *et al.* submit that the Commission's observations are cause for dire concern and must be rectified through modifications to PGW's policies for addressing low income customers who would not receive a discount in the form of CRP PIP bills. TURN *et al.* request that the Commission refer this issue to the OALJ. An on-the-record proceeding will provide the opportunity for parties to scrutinize PGW's policies and cost estimates, and to develop a record in support of providing pre-program arrearage forgiveness to all income eligible customers. If the Commission does not refer this matter to the OALJ, then the Commission should direct PGW to allow all income eligible customers to enroll in CRP at either the PIP bill amount or a budget bill amount, whichever is most advantageous. PGW must also be directed to provide pre-program arrearage forgiveness to all customers who enroll in CRP and are carrying arrearages on their accounts at the time of enrollment, irrespective of whether the customer will receive a PIP or budget bill.

As the Commission is aware, PGW initially estimated that the cost of CRP modifications was estimated at \$26 million to \$36 million, an alarmingly high cost, which PGW now concedes is inaccurate. PGW states that "upon further review of this estimate and based on the description of this issue contained in the Tentative Order, PGW believes revision and clarification is needed."⁶ In fact, to be more precise, the Commission's question was never considered by PGW's consultant, Dr. Peach. Dr. Peach explored a CRP average bill feature, which would charge an average CRP bill amount if more affordable to the customer than the CRP PIP bill. Dr. Peach estimated that this feature would result in \$26 million to \$36 million in costs,

⁴ Tentative Order at 11.

⁵ Tentative Order at 11.

⁶ PGW Supplemental Info at 6

including discounts below the customer's otherwise budget bill. While TURN *et al.* find Dr. Peach's analysis helpful for the purpose intended, Dr. Peach's analysis simply does not address the Commission's inquiry.

In its Supplemental Info, PGW attempts to justify its desire not to provide much needed CRP arrearage forgiveness to low income customers who would not require a discount under CRP on the basis that those customers may end up paying an energy burden amount lower than "the current policy statement on customer assistance programs."⁷ This assertion stems from a misunderstanding of the Commission's CAP Policy Statement.⁸ The CAP Policy Statement notes that under percentage of income plans "the *maximum* payments for gas heating should be within the following ranges: household income between 0---50% of poverty at 5%---8% of income. Household income between 51---100% of poverty at 7%---10%...etc."⁹ The CAP Policy Statement specifically states that these are ranges for **the maximum allowable** payment. These ranges do not set a floor for what constitutes an affordable payment, only a range of acceptable ceilings. PGW seeks to adhere to a stringent and absolute affordability definition, comprising a precise floor and ceiling for each CRP customer, which is not supportable under the CAP Policy Statement. Moreover, PGW's consultant, Dr. Peach, has submitted evidence that would support reducing the upper end of these ranges in order to provide more affordable bills for PGW's CRP customers.¹⁰

While PGW appears to acknowledge the goal of affordability in its Supplemental Info,¹¹ it has failed to effectuate policies or undertake sufficient data collection and analysis to ensure

⁷ PGW Supplemental Info at 7.

⁸ PGW Supplemental Info at 4 & 7 ("PGW's understanding is that the CAP Policy Statement percentages are deemed by the Commission to be affordable and this result seems inconsistent when contrasted with other CRP customers.").

⁹ 52 Pa. Code § 69.265 (emphasis added.).

¹⁰ Peach Study at 4.

¹¹ PGW Supplemental Info at 7

that unaffordable payment demands, payment agreements, and budget-billing effectuate that goal. The Tentative Order documents that BCS has received complaints from low income customers from whom PGW demanded more than \$3,000 in order to enroll in budget billing or be given a payment arrangement.¹² These amounts are well beyond the means of low income customers, and clearly undermine the statutory goals of affordability and universal service. PGW was unable to provide information on the customers who were denied CRP enrollment based on lower, undiscounted billing amounts, how many of these customers entered and broke payment arrangements, how many were ineligible for further payment arrangements, and how many had arrears in varying ranges.¹³ PGW's apparent failure to document the effect of its practices shows a stunning disregard for the needs of low income Philadelphians.

2. *Account balances and affordability analysis*

TURN *et al.* urge the Commission to require PGW to eliminate its policy of demanding payment of unaffordable balances prior to enrollment in a payment arrangement or budget bill for all low income customers who are denied CRP discounts. When determining if a payment arrangement or budget bill is truly more affordable than discounted CRP bills, PGW should be required to review its payment demand and whether the amount needed to establish the arrangement or budget bill is more than one month's CRP bill. If the payment demand is more than one month's CRP bill, PGW should be directed to enroll the customer in CRP, as CRP would be the more affordable option at the time of enrollment. Alternatively, PGW could waive its payment demand and instead add any demand amount to the total balance owing on the account, to be included in the calculation of the customer's monthly payment terms. In any event, on an ongoing basis, PGW's determination or redetermination concerning CRP eligibility

¹² Tentative Order at 11.

¹³ Tentative Order at 12; PGW Supplemental Info at 8.

must consider all payments a low-income customer may be expected to make to PGW, in order to fulfill PGW's obligation to provide the most affordable rate alternative to its customers.

B. Pilot Consumption Limits

PGW proposed a pilot program implementing a consumption limit for CRP participants consisting of consumption messaging and research into the causes for high use (such research intended to result in PGW's so-called "Reason Analysis"). As proposed by PGW, if a CRP household has annual gas usage exceeding 2,125 CCF, PGW will send a letter explaining the CAP Policy Statement exceptions to consumption limits and provide tips and advice on energy conservation.¹⁴ PGW will also refer the CRP customer to the CRP Home Comfort Program for weatherization. Customers who exceed PGW's proposed consumption limit and decline CRP Home Comfort services will be terminated from CRP.¹⁵

TURN *et al.* are concerned that PGW's pilot consumption limit proposal will confuse customers. PGW admits it lacks sufficient information to explain the causes of alleged "excess gas usage" and whether those customers to be targeted by the program may have high usage beyond their ability to mitigate. The Peach Study notes that "Philadelphia housing stock presents a particular problem...much of the housing available for people in poverty is not in good shape. Some of it is very old brick construction that would be impossible to adequately weatherize."¹⁶ Although TURN *et al.* understand the Reason Analysis to seek this information about causes of high use, it nonetheless appears that the messaging to customers may suggest that their usage has exceeded a "limit" within the CRP program, and is higher than permitted. PGW has neither proposed nor obtained approval to implement such a limit. In addition, TURN

¹⁴ It is not clear whether PGW proposes to weather normalize consumption amounts, as recommended by its consultant. Peach Study at 14.

¹⁵ PGW's Plan 16-18.

¹⁶ Peach Study at 9.

et al. are concerned by PGW's proposal to convert its consumption limit figure from CCFs to dollars. This is likely to further confuse customers, suggesting that a household financial impact is associated directly with exceeding the stated limit, when PGW's proposal is to conduct its Reason Analysis and direct high use customers to CRP Home Comfort, not to penalize them for high use.

TURN *et al.* are concerned about the implications of PGW's pilot, and the potential for PGW's Reason Analysis to result in proposals which undermine the affordability goal of CRP. TURN *et al.* re-emphasize their position on this issue, as set forth during PGW's DSM II proceeding.¹⁷ As explained in TURN *et al.*'s Main Brief in that proceeding, any restructuring of CRP that produces an increase in the customer's bill could further undermine the program's ability to provide affordable bills to low income customers.¹⁸ Customer assistance programs should be designed and funded to produce bill affordability for low income customers. PGW should clearly inform customers that its pilot program does not impose an actual limit on CRP customers and that customers will not be removed from CRP for exceeding the limit, unless they are offered and decline CRP Home Comfort services.

C. Use of External Sources to Verify CRP Household Income

PGW's Plan continues to authorize the use of external sources, such as government records, credit reporting bureaus, and third party income verification sources to verify household composition and income for CRP participants.¹⁹ The Commission noted that "it is not clear whether PGW continues to utilize only the Philadelphia Office of Property Assessment (OPA) and LIHEAP to verify CRP household information" or whether it also relies on credit reporting

¹⁷ Petition of Philadelphia Gas Works for Approval of Demand-Side Management Plan for FY 2016-2020 and Philadelphia Gas Works Universal Service and Energy Conservation Plan for 2014-2016 52 Pa Code § 62.4 – Request for Waivers, Docket No. P-2014-2459362, TURN *et al.* Main Brief at 25-27 (filed Nov. 19, 2015).

¹⁸ *Id.*

¹⁹ PGW Plan at 9.

bureaus and other third party entities.²⁰ The Commission directed PGW to explain its use of external sources to verify CRP household information.²¹ In its Supplemental Info, PGW states that it “does not utilize credit reports for any purpose, whether to obtain income verification or otherwise. PGW may, however, submit a soft inquiry to a credit reporting agency (such as Experian or TransUnion) to check such factors as residency and to perform death audits to ensure that incidents of fraud do not occur within the program.”²² If the soft inquiry reveals an “indicator of fraud or death,” PGW provides the customer with a letter stating that the customer must contact PGW within two weeks to confirm the information obtained.²³ PGW’s Plan clearly states that CRP customers will be removed from CRP if the customer submits fraudulent enrollment or re-certification information/documentation.²⁴ PGW does not clarify whether it continues to utilize OPA and LIHEAP data to verify income.

While PGW has agreed to follow applicable law governing the use of credit reports, TURN *et al.* request that the Commission continue to monitor PGW’s use of external income verification sources. TURN *et al.* are concerned about the ability of PGW to rely upon records from the Office of Property Assessment concerning the sale of real estate and LIHEAP grants. It is not clear to TURN *et al.* what value is gained by deriving inferences concerning current income from past real estate transactions (the sale of which may not have actually produced taxable income), and LIHEAP grants which PGW’s consultant acknowledges do not currently provide sufficient information to verify which CRP tier a customer should be placed in.²⁵ In addition to the issues outlined below, it is unclear what happens to CRP customers who refuse to consent to use of credit reporting information. Given this lack of information, TURN *et al.*

²⁰ Tentative Order at 15.

²¹ Tentative Order at 15.

²² Supplemental Info at 11-12.

²³ Supplemental Info at 12.

²⁴ PGW Plan at 8.

²⁵ Peach Study at 29.

request that PGW provide additional information about its use of external income verification sources to the Commission and interested parties.

1. *The FCRA applies to PGW's use of credit reports*

The Commission sought additional information about PGW's use of credit reports and specifically noted that it had directed another utility to follow the Federal Credit Reporting Act (FCRA) requirements "when using credit bureau information to question a CAP participant's eligibility."²⁶ PGW states that, although it is not certain that the FCRA is applicable to its use of credit reports in this instance, it will provide customers with FCRA rights in writing before removing a customer from CRP for fraud or evidence of death found from an inquiry.²⁷ TURN et al. believe that the FCRA is applicable to PGW's "soft inquiry" and support PGW's decision to comply with the law. The FCRA requires that any entity that makes an adverse decision based on information from a credit report must send an "Adverse Decision Letter" notifying the individual of his/her rights under the FCRA, including the right to obtain a free copy of the credit report used in the investigation.²⁸ An adverse action includes undertaking review of a customer account to determine whether the consumer meets the terms of eligibility.²⁹ PGW's investigation, with the possibility of removal from the program, of CRP customers constitutes an adverse action under the FCRA. Even if PGW is ultimately making an eligibility decision based on how the customer responds to its request for additional information, that request was based on PGW's review of credit reports and, therefore, adverse action rules under the FCRA apply.

Accordingly, TURN *et al.* submit that when PGW uses information in a credit report to request

²⁷ PGW Supplemental Info at 12.

²⁸ 15 U.S.C. § 1681m(a) (2012) (requiring any person who takes any adverse action "in whole or in part on any information contained in a consumer report," that person must provide the consumer notice of that basis and information her of her rights to access that consumer report free of charge).

²⁹ 15 U.S.C. § 1681a (k)(1)(B)(iv)(I) (2012).

more information concerning CRP eligibility, an adverse decision letter is required. While PGW has agreed to provide customers with “FCRA rights in writing,” TURN *et al.* submit that the Commission should continue to monitor PGW’s use of credit reports and its compliance with FCRA requirements.³⁰

2. *Low income customers benefit from flexibility in income verification*

PGW has not stated what verification it will require from customers to refute information obtained from third party sources. PGW should take a flexible approach to verification with the goal of keeping as many customers on CRP as possible. Because CRP participants are by definition low income, they face many challenges in obtaining verification. For example, it is likely some receive in-kind payments made by friends or family directly toward bills.³¹ These payments are not included in income calculations for government benefits or other such programs. If PGW consults a third party source and discovers that a customer is current on their mortgage, PGW has no way of knowing whether a friend or family member may be assisting by paying the mortgage directly so that the customer can maintain stable housing. Under PGW’s program, it plans to shift the burden to the customer to disprove information obtained from third party sources. But PGW’s program contains no detail on how a customer may satisfy PGW’s inquiry. For example, will PGW accept letters from family or friends who help with in-kind expenses?

TURN *et al.* submit that credit reports often contain errors. Common errors include outdated information and information from another individual appearing on the wrong report due to a similar name or identifying information. Considering the unreliability of information in

³⁰ PGW Supplemental Info at 15.

³¹ In fact, PECO serving an overlapping service territory has established a program to facilitate such payments. Their CAP application lists a variety of acceptable documents for proof of no-income including: Form letter proclaiming non income...letter from person (i.e. Family Member) who helps you pay your bills.”

credit reports and the unique challenges facing low income people in verifying expenses, PGW's "soft inquiry" policy could potentially lead to innocent customers facing harsh punishments. Again, PGW provides no detail concerning how customers may demonstrate their credit report is inaccurate. For example, will PGW accept letters of explanation from credit counseling agencies?

TURN *et al.* urge the Commission to order PGW to provide more information prior to approving this aspect of the Plan. The Commission should seek full explanation about how this aspect of the Plan will operate, including without limitation: how PGW will fully comply with the FCRA; how PGW will ensure that information it proposes to rely upon in its investigation is meaningfully reliable; and how customers, who would otherwise be at risk of erroneous removal from CRP, can easily dispute and correct bad data that PGW acquires from third party sources.

D. Use of Annual Tax Returns as Proof of Current Income for Self-employed Customers

In the past, PGW has required self-employed CRP customers to provide it with quarterly tax returns as proof of income.³² The Commission noted in its Tentative Order that customers sometimes found this requirement onerous because they could only provide annual tax returns.³³ The Commission states "to qualify for CRP, self-employed customers are often forced to file a quarterly tax return immediately or wait until their next annual tax return is filed. Either situation creates a delay in receiving CRP benefits, which may lead to increased utility debt and possible termination of service."³⁴ In its supplemental information PGW agreed to discontinue the use of quarterly tax returns.³⁵

³² Tentative Order at 15

³³ Tentative Order at 15-16.

³⁴ Tentative Order at 16.

³⁵ PGW Supplemental Info at 13.

TURN *et al.* support flexibility in income reporting requirements. Permitting self-employed customers to provide annual tax returns instead of quarterly tax returns would facilitate further flexibility. However, TURN *et al.* submit that PGW should accept reasonable accounting of income from self-employed individuals if a tax return is not available. The timing of the filing of a tax return, including any available extension to filing deadlines, should not impede access to PGW's CRP program. Moreover, PGW is not responsible for enforcing the Internal Revenue Code, and so cannot be expected to take into account all aspects of tax law that may indicate a self-employed individual need not file a tax return (or, alternatively, may file only an informational return). Similarly, PGW's proposal fails to consider the tax ramifications, if any, of failure of a self-employed individual to file a return, if such filing is in fact necessary.³⁶ Accordingly, even requiring a tax return could, in some instances, prevent access to CRP by self-employed individuals or households containing self-employed individuals. TURN *et al.* urge the Commission to require PGW to adopt a flexible standard, and accept reasonable accounting of income (if any) from self-employed individuals.

E. Required Cure Payments to Re-enroll in CRP

The Commission requested more information on what amounts CRP customers are required to pay to re-enroll in CRP.³⁷ PGW responded that the "cure amount is calculated by counting the number of bills generated on the account since the time of removal and multiplying that number by the customer's asked to pay CRP amount. After that...PGW combines that amount with the total amount of unpaid CRP bills at the time of their removal."³⁸ TURN *et al.*

³⁶ See, e.g., <https://www.irs.gov/individuals/self-employed>. The fact that a tax return may not be required where an individual has low net income bears fuller consideration: individuals starting businesses, and in the early stages of entrepreneurship that may ultimately provide the means to family income stability, should not be excluded from CRP on the basis that their endeavors have not yet produced sufficient gains to require filing tax returns.

³⁷ Tentative Order at 10.

³⁸ PGW Supplemental Info at 13.

find PGW's explanation confusing. As a threshold matter, it is unclear how PGW's explanation takes into account partial payments. It appears that PGW's calculation, in the first step, ignores these payments entirely, calculating the cure on the basis solely of the number of months since CRP removal and the CRP amount. The omission of consideration of partial payments appears to be repeated in the second step, where PGW asks customers to pay the amount of CRP arrears that existed at the time of removal. Although PGW states that its calculation effectively requires payment as though the customer had never been removed from CRP, it is unclear from PGW's description whether this is the case. For example, a customer removed from CRP, who makes a partial payment on a bill containing non-CRP charges following such removal, would appear to be entitled to receive the benefit of the CRP discount even though PGW's bill would not reflect it. It is not clear how PGW would handle this circumstance, and when (and if) PGW would later make an adjustment to show the amount actually due from the customer in order to cure a CRP default.

Furthermore, although PGW appears to flatly describe its CRP cure policy, it is not clear that PGW consistently applies this policy. For example, if a customer's service has been terminated, and Public Utility Code Section 1407(d) permits PGW to demand payment of the total balance outstanding, does PGW still offer the customer the opportunity to pay the cure amount, and re-enroll in CRP? TURN *et al.* submit that PGW should do so. PGW's low income customers able to pay the CRP cure should be eligible for service regardless of whether PGW has terminated service prior to payment. Frequently, these customers are only able to pay the cure amount by leveraging all available resources, including LIHEAP (Cash and Crisis), hardship funds, and personal savings/other charitable assistance. For a low income customer, the

ability to muster these resources, before or after termination, should warrant re-enrollment in CRP.

TURN *et al.* also agree with the recommendation in the Peach Study that when customers cure CRP by paying the equivalent to their CRP amount plus the \$5.00/month toward arrearage that the customer should receive credit for the arrearage amount.³⁹ However, PGW does not include a statement that it will provide arrearage forgiveness under these circumstances. The Commission should seek clarification, and, if PGW does not intend to adopt Dr. Peach's recommendation, the Commission should require PGW to do so, as PGW has provided no good reason to disregard Dr. Peach's recommendation. Arrearage forgiveness is an important part of the affordability of the CRP program and, given the current structure of the program, may be one of the primary benefits that low income customers are receiving. Arrearage forgiveness provides low income customers more long term energy stability by providing a path to a reset. Over time low income CRP customers end up paying less than their non-CRP enrolled counterparts because they are not saddled with balances that were accumulated before they were given a more affordable bill option.

F. Proposed Online Application Portal

PGW reports that it is developing an online CRP application. This application will allow customers to apply for CRP through the PGW website. It would also give customers the ability to electronically check the status of their application and receive electronic correspondence while still giving customers the option of applying for CRP in-person or online.⁴⁰

TURN *et al.* support efforts to increase the ability of customers to apply, to participate, and recertify for ongoing participation in PGW's universal services programs online. The

³⁹ Peach Study at 32.

⁴⁰ PGW's Plan at 13.

Commission asked for clarification on whether the online system would be used for CRP Home Comfort and the Hardship Fund.⁴¹ PGW indicates that at this time it intends to limit the online process to CRP because PGW believes development and implementation will be both time-consuming and costly.⁴² Making available online referrals and applications provides an opportunity for low income customers to access all of the programs and benefits of PGW's Plan through one seamless portal. PGW has not provided details on what the time and cost increase would be if it made these additional online tools available. TURN *et al.* submit that an analysis of the costs and benefits would likely support implementation of an online interface for low income customers to access PGW universal service program features. The Commission should direct PGW to pursue this opportunity to improve its systems to benefit low income customers.

G. CRP Home Comfort Health & Safety Pilot

PGW has proposed a pilot project as part of their CRP Home Comfort Program, which would target the highest usage homes and allow contractors to spend up to \$2,000 per-project on the installation of health and safety measures.⁴³ TURN *et al.* support the PGW pilot. This program has the potential to provide valuable health and safety improvements to PGW's low income customers. In particular, it may benefit those customers that have been ineligible for LIURP due to significant barriers associated with the condition of their housing. In its DSM II proceeding, PGW identified the following health and safety issues as preventing low income homes from LIURP eligibility: mold and moisture; asbestos; roof leaks; structural issues—roof collapse; structural issues—foundation crumbling or loose bricks; sewage backup; lead paint; mechanical equipment failures, including unsafe operation conditions, venting and chimney liner

⁴¹ Tentative Order at 17.

⁴² PGW Supplemental Info at 15.

⁴³ PGW's Plan at 25.

issues; pests; and active knob and tube wiring.⁴⁴ A program that targets these issues among the low income housing stock could provide long term health and safety benefits for low income Philadelphians. Expansion of this program could improve the housing stock available to low income customers in Philadelphia.

H. Process Regarding Quick Fix CARES Referrals

PGW CARES is a program designed to provide assistance to customers with special circumstances, which provides referrals to internal and external programs for assistance. This includes referrals for customers facing unemployment, health-related emergencies, and customers with active protection-from-abuse orders. The quick-fix component of the program is for cases that involve referral only-services that may assist a customer in resolving issues affecting their ability to pay their PGW bill. CARES services are available to customers at or below 150% of poverty who are having issues paying their bill, customers facing a personal crisis that is likely to affect their finances, or customers with a PFA. In its Tentative Order the Commission asked PGW to provide information on the tracking of its CARES quick-fix referrals.⁴⁵ PGW responded that its system to track those cases is not currently being used.⁴⁶

The lack of data available on the CARES program makes it difficult to determine how the program is being utilized. TURN *et al.* are unaware of the current structure of PGW's CARES program, what PGW staff members may be dedicated to the provision of CARES services, and whether PGW has dedicated staff and/or resources to perform the CARES function. PGW's Plan and Supplemental Info fail to provide any additional detail concerning these matters. According to PGW's website, customers desiring to access CARES must contact PGW's general customer service number at 215-235-1000. It is unclear whether customers are directed to designated

⁴⁴ PGW DSM II, Docket No. P-2014-2459362, TURN Hearing Exhibit No. 1 at II-6.

⁴⁵ Tentative Order at 26.

⁴⁶ PGW Supplemental Info at 26.

CARES personnel who can provide a higher level of service. Given the lack of detail provided by PGW, TURN *et al.* are concerned that there may be additional problems with PGW's CARES operations. TURN *et al.* submit that further investigation and fact-finding concerning PGW's CARES is warranted, and the Commission should refer to the OALJ for a hearing and decision. Moreover, TURN *et al.* submit that the operation of PGW's CARES "case management" function must also be investigated. Whether PGW's CARES services are meaningfully assisting low income customers is a fact-intensive inquiry. If not referred for hearing and decision, TURN *et al.* request that the Commission require PGW to provide more information on how its system is currently set up to track CARES outcomes and to either better institute its current tracking on CARES or explain how it will develop a more robust system for tracking data on quick fix CARES referrals. The Commission should also investigate PGW's CARES case management system, and ensure that it is meaningfully assisting low-income customers.

I. Hardship Fund

PGW has a hardship fund in partnership with the Utility Emergency Services Fund (UESF). This fund provides financial assistance to certain customers facing service termination or currently terminated. The fund is available to customers at or below 175% of the federal poverty guidelines, who have not received a UESF grant in the last two years and have applied for LIHEAP Cash and Crisis grants. PGW matches UESF grants of up to \$750 via a bill credit to help resolve a heating emergency. Currently, the credit and grant cannot exceed \$1,500 and must eliminate all of a customer's arrears. The program's arrearage requirement also applies to the deferred arrears of CRP participants.⁴⁷ These deferred arrears are not part of the amount customers must pay to maintain service, or to cure CRP default. Yet PGW has required these deferred arrears to be completely satisfied in order to use hardship funds to avoid termination or

⁴⁷ PGW's Plan at 29.

restore service. In its Tentative Order the Commission states that “these deferred arrears may total several thousand dollars...(and) take longer to reduce and eliminate. LIHEAP Cash and Crisis grants cannot be used to pay down deferred arrears.”⁴⁸

TURN *et al.* support modifications to PGW’s Hardship Fund policy. PGW indicates that it has asked UESF to consider modifying the policy to allow the grant to be paid to a CRP customer but not applied to all CRP deferred arrears.⁴⁹ PGW has also suggested removing the two year stay out requirement. According to PGW, UESF is open to considering these modifications and continuing discussions.⁵⁰ Allowing a Hardship Fund grant to be paid to low-income customers, including using such funds to catch up on CRP bills or payment arrangements, or to cure CRP or payment arrangement default, could prevent some of PGW’s most vulnerable customers from experiencing an interruption in service or living with unsafe heating sources. The Hardship Fund can be a lifeline for low income customers struggling with the lack of affordability of their PGW bill. The Commission should approve elimination of the requirement that Hardship Funds are only available if the grant, combined with any other resources, enable to customer to achieve a zero account balance. Similarly, the Commission should approve elimination of the two year stay out period, allowing Hardship Funds to be accessed more frequently, if appropriate based on household need.

J. Needs Assessment Including Calculation of Customers Eligible for CRP Home Comfort Program

PGW initially estimated that only 21,349 customers are eligible to receive Low Income Usage Reduction Program (“LIURP” or “CRP Home Comfort”) services under PGW’s CRP

⁴⁸ Tentative Order at 27.

⁴⁹ PGW Supplemental Info at 28.

⁵⁰ PGW Supplemental Info at 28

Home Comfort program.⁵¹ In its Tentative Order, the Commission questioned PGW's methodology and calculated that there are at least 101,893 potentially eligible low income customers available for CRP Home Comfort during program years 2017-2020.⁵² Based on its findings, the Commission directed PGW to recalculate its needs assessment for the CRP Home Comfort program, taking into account the Commission's concerns that PGW had under-represented the number of its Confirmed Low Income customers and utilized numerous exclusionary criteria to further screen and reduce the number of CRP Home Comfort eligible customers. It further directed that PGW recalculate its needs assessment by including those non-CRP customers who PGW had previously excluded from its calculation.⁵³ In its Supplemental Information, PGW maintained that its actual program data and experience support application of ten exclusion criteria; however, PGW proposed to accept some of the Commission's revisions. PGW arrived at a revised total number of 67,367 LIURP/CRP Home Comfort eligible customers.⁵⁴ While PGW proposed to include non-CRP customers in the calculation of its needs assessment, the utility continues to maintain that non-CRP low income customers should be prohibited from participation in CRP Home Comfort.⁵⁵

TURN *et al.* question PGW's revised LIURP needs assessment and are troubled by PGW's continued underestimation of the need for LIURP services within Philadelphia. PGW continues to utilize exclusionary and arbitrary criteria to deflate the need in its service territory. As it stands, there remains a difference of more than 30,000 customers who were included in the Commission's calculation and who continue to be excluded in PGW's calculations. Further, TURN *et al.* question whether either calculation fully captures the need for LIURP services in

⁵¹ PGW's Plan at 14.

⁵² Tentative Order at 31.

⁵³ Tentative Order at 34.

⁵⁴ PGW Supplemental Info at 30.

⁵⁵ PGW Supplemental Info at 34.

Philadelphia.⁵⁶ It is of paramount importance that PGW's assessment reflects the actual need for LIURP, as the projected numbers will factor into the determination of the appropriate budget for PGW's Home Comfort program. If the need is not accurately captured, PGW's budget for CRP Home Comfort could be significantly underestimated. Given the wildly varying numbers that have evolved over the course of this Plan proceeding, TURN *et al.* request that the Commission direct this issue to the OALJ.

TURN *et al.* strongly oppose PGW's stated intention to continue to exclude non-CRP low income customers from participation in PGW's LIURP. PGW cannot continue to exclude a majority of its low income customers from LIURP. LIURP eligibility tied to CRP enrollment has become more odious to TURN *et al.* in light of PGW's continued decline in CRP enrollment and PGW's stringent payment arrangement policies, which prohibit many CRP eligible customers from receiving natural gas service and accessing LIURP.⁵⁷ These policies have unfairly and arbitrarily reduced the pool of eligible LIURP customers.

The Commission's LIURP regulations require PGW to "establish fair, effective and efficient energy usage reduction programs for [its] *low income customers*."⁵⁸ Although the Commission has allowed PGW to limit LIURP services to its CRP customers in the past, Commission regulations do not require this limitation. PGW is aware that significant numbers of its non-CRP low income customers are high users who cannot receive treatment due to PGW's

⁵⁶ One troubling aspect of both sets of calculations is that both the PUC and PGW's calculations include removal of a category of customers who can't be treated "due to issues." According to PGW's Plan, these issues include assumptions such as "there would be customer refusal" and anticipation of "prohibitive language barriers." TURN *et al.* believe that further review of PGW's experience is necessary to determine whether these customers cannot be treated through LIURP.

⁵⁷ For example, PGW continues to deny LIHEAP Crisis grants to restore service for terminated customers if the grant is not enough to cure a defaulted arrangement or satisfy the balance on the account. This is in striking contrast to the Crisis acceptance policy of PECO, which permits terminated customers to restore service with a Crisis grant even if the grant will not fully satisfy the terms needed to cure a defaulted arrangement or satisfy the balance.

⁵⁸ 52 Pa. Code Sec. 58.1 (emphasis added.).

CRP enrollment requirement.⁵⁹ Many non-CRP low income customers would benefit from LIURP services. PGW's LIURP recipients benefit from significant reductions in natural gas usage and are less likely to be shut off for non-payment and more likely to restore service following a shut off.⁶⁰ In addition, PGW has failed to take into account long-term cost-saving benefits from providing LIURP more broadly. LIURP treats the home not the individual. Providing treatment to a home now will not only provide savings to the current resident but to future residents. This is especially valuable for low income customers who may see less location-stability over time. Many different low income customers may reside in the same unit over a period of years and savings are being passed along to each of these customers. Non-CRP low income customers deserve access to the full range of benefits that are available through LIURP treatment.⁶¹

PGW opposes including non-CRP low income customers in its LIURP because there are "significant high use CRP participants available today that need LIURP weatherization treatments."⁶² TURN *et al.* agree that there are CRP customers who still need LIURP treatment. TURN *et al.* do not agree that this is a sufficient reason for PGW to exclude other low income customers who may have high use, which could be controlled through the provision of LIURP services. The Commission's regulations require PGW to operate its LIURP in a fair manner. PGW's CRP enrollment requirement unfairly excludes thousands of low income customers from receiving LIURP.

PGW also opposes extending LIURP to its non-CRP low income customers because "offering LIURP services to non-CRP customers would likely erode the benefit received by non-

⁵⁹ PGW DSM II, Docket No. P-2014-2459362, August 15, 2016 OCA Comments, Colton Affidavit at 7.

⁶⁰ PGW DSM II, Docket No. P-2014-2459362, TURN *et al.* Main Brief.

⁶¹ PGW's LIURP customers also experience electric and water savings as result of LIURP treatment. See PGW DSM II, Docket No. P-2014-2459362, TURN Hearing Exhibit No. 1 at I-2.

⁶² PGW Supplemental Info. at 35.

CRP customers in terms of reduced subsidy costs that can be achieved through weatherizing the homes of CRP participants.”⁶³ Ironically, PGW posits that non-CRP low-income customers should not receive a direct benefit from LIURP treatment because they may indirectly benefit from a reduced CRP subsidy, a benefit that would be shared by non-CRP customers at every income level.⁶⁴ TURN *et al.* believe that the **direct** benefits of LIURP should be available to all low income customers. PGW has not evaluated whether low income customers in need of weatherization treatment are likely to realize savings and benefits from the direct provision of LIURP that far outweigh the savings they could receive through a reduced CRP subsidy. TURN *et al.* agree that reducing the CRP subsidy is one legitimate goal for PGW’s LIURP; however, the Commission regulations clearly establish that LIURP’s primary goal is to “**assist low income customers conserve energy and reduce residential energy bills**.” The reduction in energy bills should decrease the incidence and risk of customer payment delinquencies and the attendant utility costs associated with uncollectible accounts expense, collection costs and arrearage carrying costs.”⁶⁵ Nothing in the Commission’s regulations indicates that the LIURP should be operated solely with an eye to reducing the CRP subsidy. LIURP is intended to assist low income customers conserve and reduce residential energy bills. PGW’s CRP enrollment policy unreasonably denies this assistance to thousands of its low income customers.

PGW has stated that expanding LIURP to non-CRP customers will increase administrative costs due to the need to verify income for non-CRP low income customers. Yet, in its own response PGW indicated that “one way of avoiding related costs would be for PGW to include LIHEAP recipients from the current or most recent LIHEAP season as eligible recipients

⁶³ PGW Supplemental Info. at 35.

⁶⁴ PGW Supplemental Info at 35-36.

⁶⁵ 52 Pa. Code Sec. 58.1. Emphasis added.

of LIURP since the Department of Human Services has already verified income status.”⁶⁶ By PGW’s own admission, there is in fact a cost-effective way for PGW to expand the availability of LIURP to non-CRP customers, simply by “piggy-backing” on LIHEAP status, which is not dependent on CRP enrollment.

Finally, PGW’s policy of excluding non-CRP low income customers from its LIURP underscores TURN *et al.*’s primary concern that PGW is not adequately providing its universal services offerings to a multitude of low income customers in Philadelphia. Far too many of PGW customers are excluded from obtaining the benefits of universal services programs, which include not only discounted bills, but also arrearage forgiveness, and LIURP. TURN *et al.* encourage the Commission to order PGW to better serve its low income customers by providing them with these benefits, irrespective of whether these customers receive discounts through CRP’s PIP bills.

Given PGW’s multiple revisions to its needs assessment estimates, the inconsistent or unavailable data supporting PGW’s estimates, and the discrepancy between BCS’s estimate of need and PGW’s estimate of need, TURN *et al.* posit that there are material issues of fact that should be resolved in an on the record proceeding. TURN *et al.* request that the Commission refer these issues to the OALJ and require PGW to provide the information necessary to have a full and accurate needs assessment for LIURP. If the Commission does not assign this issue to the OALJ, TURN *et al.* urge the Commission to utilize the needs assessment calculation set forth in the Commission’s Tentative Order for the purpose of determining a LIURP budget in PGW’s service territory.

⁶⁶ PGW Supplemental Info at 37.

K. Outreach Regarding Decrease in CRP Enrollment

The Commission noted that PGW's CRP participation has declined 40% over the past six years.⁶⁷ Notwithstanding PGW's CRP outreach efforts over the past few years, CRP enrollment declined by approximately 9,000 participants in 2016, from 58,282 in December 2015 to 49,321 in December 2016.⁶⁸ PGW proposes to continue its CRP outreach efforts, including targeted outreach toward Spanish-speaking customers, and proposes to use various data points to identify potential applicants.⁶⁹ From 2014-2016 PGW's outreach targeted 63,704 customers.⁷⁰ During those same years, 15,310 customers enrolled in CRP.⁷¹ Even if it is assumed that each of these customers enrolled as a result of PGW's outreach (PGW does not make this assumption), PGW's data reveals that more than 75% of customers in its outreach population did not ultimately enroll in CRP.⁷² While TURN *et al.* support PGW's efforts to increase CRP enrollment, TURN *et al.* seriously doubt that outreach alone can reverse the trend of declining CRP enrollment. TURN *et al.* are concerned that a variety of bad policies have contributed to the decline in CRP enrollment, including the more advantageous arrangement policy (discussed *infra*, Section II.A), PGW's policy of requiring unaffordable restoration terms from low-income customers who are terminated for nonpayment, and PGW's policy of setting CRP percentage tiers at the highest range of the acceptable energy burden guidelines. TURN *et al.* submit that PGW should evaluate each of these policies to determine the extent that they have contributed to the decline in CRP enrollment. PGW should not continue to focus its energy and resources on outreach if the problem is readily resolved by allowing its active and terminated customers to access CRP on more affordable terms.

⁶⁷ Tentative Order at 35.

⁶⁸ Tentative Order at 35.

⁶⁹ PGW Plan at 19.

⁷⁰ PGW Supplemental Info at 40.

⁷¹ PGW Supplemental Info at 40.

⁷² PGW Supplemental Info at 40.

1. *Allow customers to enroll in CRP based on a total bill analysis*

PGW should be required to maintain data on the number of customers who are unable to access CRP due to the more advantageous arrangement policy, which requires PGW to place customers on a budget bill or a payment arrangement if either is determined to be a more affordable option for the customer. PGW has so far been unable to provide data on the number of customers denied CRP enrollment because the CRP rate would not be the most advantageous rate as determined by PGW.⁷³ In fact, PGW has not been able to provide much of the information the Commission requested regarding the low income customers who may have been denied CRP enrollment. PGW should be required to track this data to determine whether the more advantageous arrangement policy is contributing to the decline in CRP enrollment. The limited available data suggests that this policy is contributing to CRP denials. As TURN *et al.* have maintained in these comments, there are significant numbers of PGW customers who could benefit from arrearage forgiveness and LIURP services but who are locked out of CRP due to the more advantageous arrangement policy. The Commission's finding that customers were denied CRP enrollment but could not afford the down payment required for budget billing and other payment arrangements, reveals one problem resulting from PGW's policy.⁷⁴ An arrangement should not be deemed more advantageous if it cannot be accessed without payment of a large balance prior to enrollment. Similarly, an arrangement should not be deemed more advantageous if a customer could benefit from arrearage forgiveness and LIURP services, which are currently available to CRP customers only.

⁷³ PGW Supplemental Info at 8.

⁷⁴ Tentative Order at 10-11.

2. *Welcome-back program for terminated customers*

TURN *et al.* are also concerned that there are too many PGW customers, including CRP eligible customers, who have had service terminated for nonpayment and who remain without service due to unaffordable restoration terms. PGW should be required to track these customers and to develop solutions for customers to restore service and enroll in CRP if feasible. PGW's 2016 Cold Weather Re-Survey results reveal that, just in the last year, thousands of low income PGW customers have had PGW service terminated for non-payment and remain without service through the cold weather season.⁷⁵ PGW should be required to report whether its unaffordable restoration demands cause low income customers to remain without service and denied access to CRP. For those CRP eligible customers who remain without service, PGW should offer a welcome back program that allows customers to reinstate service on affordable terms. PGW could leverage LIHEAP and UESF funds to assist with this effort.

A welcome back program would also provide a remedy to those low income customers who accumulated arrearages due to high usage beyond their control and who were unable to access LIURP due to PGW's CRP enrollment requirement. PGW should be required to provide specific data on the number of these customers who are terminated each year. These customers should be permitted to restore service and enroll in CRP for the purpose of receiving LIURP treatment. Customers who were terminated due to inability to pay high gas bills could benefit from weatherization and education services. Enrolling these customers in LIURP could result in lower future bills and might result in some arrearage payback that PGW might not otherwise receive. Low income customers with many other demands on their limited income and without gas service have little to no incentive to pay down arrearages on a utility they are unable to

2016⁷⁵ PGW 2016 Cold Weather Re-Survey, Form A.

access. TURN *et al.* ask that the Commission direct PGW to explore affordable restoration options for low income customers who have had gas service shutoff due to unpaid PGW bills.

3. *Reducing the energy burden for CRP enrollees*

PGW's consultant found that reducing the energy burden for two of the three CRP income tiers may result in better affordability for low income customers.⁷⁶ The Peach Study found that "program attrition from Active status is less for the \$25 minimum payment tier and the 9% tier than for the 8% tier and the 10% tier."⁷⁷ This means more customers are dropping out of CRP in the 8% tier and the 10% tier, which the Peach study suggests is related to affordability and specifically the fact that the 9% tier is not set at the affordability ceiling.⁷⁸ PGW has decided not to adjust its CRP tiers to improve affordability, even in the face of low levels of participation in CRP.⁷⁹ TURN *et al.* are concerned that some low income customers are defaulting on CRP because they are not receiving an affordable rate.

TURN *et al* urge the Commission to refer these issues to the OALJ and require PGW to provide the information necessary to have a full and accurate assessment of the possible reasons for the continuing decline in CRP participation.

⁷⁶ Peach at 1-3

⁷⁷ Peach Study at 2

⁷⁸ Peach Study at 2-3.

⁷⁹ PGW supplemental Info at 6-7

III. CONCLUSION

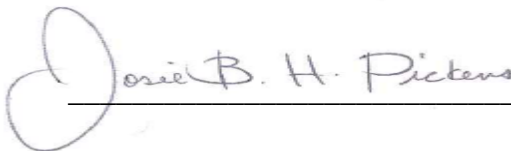
For the reasons set forth in these comments, TURN *et al.* respectfully request that the Commission refer PGW's Plan to the Office of Administrative Law Judge for hearing and decision on whether all PGW's non-CRP low income customers can cost-effectively receive arrearage forgiveness and LIURP services, whether or not they are formally enrolled in CRP.

TURN *et al.* also request that the Commission adopt the following specific recommendations, which are described more fully in these comments:

1. Direct PGW to allow income eligible customers to enroll in CRP at either the PIP bill amount or a budget bill amount, whichever is more advantageous.
2. Refer issues related to the cost of providing arrearage forgiveness to CRP eligible customers who are not eligible to receive a CRP discount to the OALJ for an on-the-record proceeding.
3. Require PGW to eliminate its policy of demanding large, unaffordable payments prior to enrollment in a payment arrangement or budget bill for all low income customers who are denied CRP discounts.
4. Require PGW to clearly inform customers that its consumption limit pilot program does not impose an actual usage limit on CRP customers and that customers will not be removed from CRP for exceeding the limit, unless they offered and decline to receive LIURP services.
5. Require PGW to provide additional information on its use of external income verification sources and its plan to fully comply with the Federal Credit Reporting Act.
6. Require PGW to adopt a flexible standard, and accept reasonable accounting of income (if any) from self-employed individuals.
7. Require PGW to clarify if it takes into account partial payments made by the customer when calculating the amount needed to cure a CRP default.
8. Require PGW to clarify if it permits a customer to cure a CRP default after the customer's service has been terminated.
9. Require PGW to clarify that it will provide arrearage forgiveness when a customer cures a CRP default by paying the equivalent to their CRP amount plus the \$5.00/month toward arrearage.
10. Require PGW to conduct an analysis of the costs and benefits of implementation of an online interface for low income customers to access PGW universal services program features, including CRP Home Comfort and the Hardship Fund.
11. Require PGW to provide more information on how its system is currently set up to track CARES outcomes.
12. Direct that further investigation and fact-finding concerning PGW's CARES is warranted, and refer this issue to the OALJ for a hearing and decision.

13. Direct PGW to continue to work with UESF to allow more low-income customers to qualify for hardship funds, including using such funds to catch up on CRP bills or payment arrangements, or to cure CRP or payment arrangement default. Eliminate the requirement that Hardship Funds are only available if the customer achieves a zero account balance.
14. Refer the issues surrounding PGW's LIURP needs assessment to the OALJ and require PGW to provide the information necessary to have a full and accurate needs assessment for LIURP.
15. If the Commission does not assign this proceeding to the OALJ, TURN *et al.* urge the Commission to utilize the needs assessment calculation set forth in the Commission's Tentative Order for the purpose of determining a LIURP budget in PGW's service territory.
16. Require PGW to include all low income customers in its LIURP needs assessment.
17. Refer issues related to CRP decline to the OALJ.
18. Require PGW to provide all the information necessary to have a full and accurate assessment of the possible reasons for the continuing decline in CRP enrollment, including data on customers locked out of CRP due to the more affordable arrangement policy, unaffordable restoration terms, and high energy burdens.

Respectfully Submitted,



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