



COMMUNITY LEGAL SERVICES
OF PHILADELPHIA

April 28, 2017

VIA ELECTRONIC FILING

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

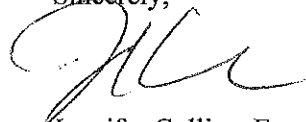
RE: Philadelphia Gas Works Universal Service Plan for 2017-2020 Submitted in Compliance with 52 Pa. Code § 62.4, Docket No. **M-2016-2542415**

Dear Secretary Chiavetta:

Enclosed please find the Comments on PGW's Additional Information 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 is being served pursuant to the enclosed Certificate of Service. Please contact me with any questions or concerns.

Sincerely,



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 on PGW's Additional Information 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: April 28, 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 IN
RESPONSE TO PGW'S SUPPLEMENTAL INFORMATION SUBMITTED APRIL 21,
2017**

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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”). In response to the Tentative Order, Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia (collectively “TURN *et al.*”) submitted comments on March 7, 2017. Comments were also submitted by the Office of Consumer Advocate (“OCA”) and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”). In response to these comments, on March 22, 2017, TURN *et al.* and PGW submitted reply comments and CAUSE-PA submitted a letter in support of the both OCA and TURN *et al.*’s comments.

On April 11, 2017, the Commission issued a letter “Commission Request for Info” with five requests for additional information from PGW. The Commission gave PGW until April 21, 2017 to provide the requested information. The Commission invited parties to comment on PGW’s supplemental information no later than April 28, 2017. The purpose of these Comments is to address the additional information supplied by PGW on April 21, 2017 (PGW Additional

Info), which TURN *et al.* believe is incomplete and inadequate. As relevant to these comments, PGW fails to directly address the Commission's questions regarding treatment of de facto heating situations under its Health & Safety Pilot. PGW fails to squarely answer the Commission's questions about staffing of its CARES unit, if the unit even exists. PGW's unclear answers are cause for concern and support TURN *et al.*'s position that PGW's Plan should be referred to the Office of Administrative Law Judge for an on-the-record proceeding.¹

II. Supplemental Comments of TURN *et al.*

a. *De facto* Heating Can Pose a Threat to Health & Safety and Should be Addressed by PGW's Health & Safety Pilot

PGW has proposed a pilot project as part of its 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.² TURN *et al.* support this pilot program and the potential positive effect it could have on low income customers. The Commission requested information on whether PGW's Health and Safety Pilot "will treat any *de facto*³ heating situations under this pilot if the household also has health and safety issues?"⁴ PGW responded, "The Health & Safety Pilot is not designed to address '*de facto* heating situations.'"⁵ PGW then outlined a scenario in which a customer with a broken heater may receive a new heater or heater

¹ See TURN *et al.* Comments at 2. See also TURN *et al.* Reply Comments at 1.

² PGW's Plan at 25.

³ A *de facto* heating situation is one in which a customer's home is normally heated by a central heating source, but the customer is **in-fact** using an alternate source as their primary heating source because the central heating source cannot be used (e.g., due to lack of fuel or malfunctioning equipment). Space heaters providing electric heat in a home with a gas furnace is one example. See e.g., PECO Compliance Filing (PECO USEC 2016-2018), PECO Energy Company Universal Service and Energy Conservation Plan 2016 to 2018, Docket No. M-2015-2507139 at 25 (Filed Jan. 19, 2017).

⁴ Commission Request for Info at 1.

⁵ PGW Additional Info at 1.

repairs though LIURP and health and safety measures under the pilot, but stressed that the heater costs would not be included in the Pilot.⁶

PGW's response neither reveals nor justifies why the Health & Safety Pilot does not address *de facto* heating situations, but appears to suggest that PGW does not intend to serve these homes other than by possible coincidence.⁷ If the purpose of the pilot is to assist high usage customers with health and safety issues that are either affecting their eligibility for LIURP or their gas usage, a customer with *de facto* heating should be eligible for funds as part of the Pilot.⁸ TURN *et al.* contend that use of space heaters or other *de facto* heating methods are often extremely dangerous for customers, posing, among other risks, a fire hazard.⁹ TURN *et al.* believe that *de facto* heating customers should be a priority under this pilot because, as PGW notes, the goal of this pilot is "help PGW 'protect consumers' health and safety by helping low-income customers maintain affordable natural gas service'; and... "result in improved health, safety and comfort levels for program recipients."¹⁰

TURN *et al.* are concerned that some families may be relying upon alternate heating sources, due to a broken heater or unaffordable bills that could otherwise have benefited from LIURP services, creating additional health and safety risks. Currently, these customers would not be eligible for the Pilot as they could not conceivably fall within the top 50% of normalized usage. TURN *et al.* believe that PGW should develop a structure to ensure that these customers

⁶ PGW Additional Info at 1.

⁷ In its most recent three year Universal Service Plan, PECO included an additional \$700,000 in its LIURP budget to "implement measures for *de facto* heating customers." PECO USEC 2016-2017 at 13.

⁸ "PGW notes that this pilot proposal is consistent with the Commission's recent recognition that routine health and safety measures do not have a separate allowance limit or threshold even though 'there are numerous homes that could benefit from minor repairs or renovations that enable the installed weatherization measure to function as intended.'" PGW Supplemental Info at 18 (internal citations omitted).

⁹ In a 2010 study the National Fire Protection Association released a study finding that 79% of all fatal home heating fires involved a space heater and 32% of home heating fires overall involved space heaters. National Fire Protection Association, *Space Heaters Involved in 79% of Fatal Home Heating Fires*. (February 11, 2010) Available at <http://www.nfpa.org/news-and-research/news-and-media/press-room/news-releases/2010/space-heaters-involved-in-79-percent-of-fatal-home-heating-fires>.

¹⁰ PGW Plan at 25.

can access the Health & Safety Pilot by making available avenues to apply for these services. One possible avenue for access would be through other community-based-organizations such as Philadelphia's Neighborhood Energy Centers. The NEC's could help identify these customers and refer them to the Health & Safety Pilot.

Because health and safety issues have previously served as a bar to the receipt of significant LIURP treatment, TURN *et al.* submit that currently shut off but previously high-usage homes should be eligible to apply for services under the Health & Safety Pilot. Providing these customers with Pilot services to assist with the health and safety issue would remove the initial barrier to LIURP services, which could, if service is restored result in more affordable current service bills due to lower usage and increased energy efficiency. Recognizing this potential, PGW should make *de facto* heating treatment available, to these customers, under the Health & Safety Pilot. The Commission should order PGW to provide an application opportunity for *de facto* heating households to access the Pilot. PGW should be directed to explore affordable restoration terms for those *de facto* heating households in connection with the Health & Safety Pilot and LIURP services. Furthermore, given PECO's inclusion of an additional \$700,000 in its LIURP budget to address *de facto* heating situations,¹¹ PGW should be directed to coordinate *de facto* heating treatment efforts with PECO in order to achieve both utilities common goals of providing safe and affordable service.

b. PGW CARES

The Commission also requested information regarding PGW CARES.¹² PGW states that CARES is a program designed to provide assistance to customers with special circumstances,

¹¹ See *supra* footnote 6.

¹² Commission Request for Info at 2.

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. According to PGW, the quick-fix component of the program is for cases that involve referral only-services that may assist customers 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.¹³

The Commission requested information on how many people work in the PGW CARES unit and the job titles of this staff.¹⁴ PGW claimed that there are 140 customer service representatives, who provide so-called quick fix referrals and a six person staff in their Universal Services Department.¹⁵ PGW explained that its Universal Services Department handles case management CARES services “*as needed*.”¹⁶ Accordingly, interpreting PGW’s nebulous response, the precise answer to the Commission’s question appears to be that PGW has zero CARES workers and does not maintain a CARES unit. As PGW describes it, the object of the CARES program “is to help customers resolve issues related to and beyond bill payment and energy affordability and to provide follow-up and case management services as needed.”¹⁷ However, as PGW makes clear in its response to the Commission, there is no dedicated CARES staff to provide this assistance. PGW is apparently providing all of its customer service representatives a “resource guide”, listing external organizations that may be able to offer further assistance. Yet, it is unclear how often these CARES referrals are made because PGW fails to

¹³ PGW Plan at 26.

¹⁴ Commission Request for Info at 2.

¹⁵ PGW Additional Info at 2.

¹⁶ PGW Additional Info at 2. (emphasis added).

¹⁷ PGW Plan at 26-27.

track their quick-fix CARES referrals.¹⁸ The Commission had previously asked for data on these quick-fix referrals, but, despite apparently having a system for tracking in place, PGW had no data to provide because “it has proven overly time-consuming to complete” the tracking process.¹⁹

PGW’s response to the Commission’s clear and direct question appears to indicate how little, if any, attention that PGW affords the CARES program. PGW admits that at least 29% of its customers may be eligible for some kind of CARES services.²⁰ PGW also claim that it is handling an average 22.6 CARES case management cases per month,²¹ but, incredibly, PGW reports having, at-most, a staff of six people handling those cases and purportedly handling these significant other responsibilities. PGW admits that these six staff members are not exclusively dedicated to CARES case management.²² They are members of the “Universal Services Department”.²³ PGW does not provide any information on what other duties this staff may handle, but as their USEC filing makes clear, there are many components to PGW’s Universal Services Program including, CRP and LIURP.²⁴ TURN *et al.* question the ability of such a limited nonexclusive staff to provide the extensive case management that PGW suggests is the goal of CARES.

TURN *et al.* are concerned that PGW’s inability to provide detailed information on its CARES program strongly suggests PGW is giving short-shrift to CARES, if it is truly providing

¹⁸ PGW Supplemental Info at 26.

¹⁹ PGW Supplemental Info at 26.

²⁰ PGW Plan at 26.

²¹ PGW Plan at 26.

²² By contrast, PECO’s CARES program includes dedicated CARES administrators that “assist customers on a personal basis with the identification of grant assistance and direct referrals. CARES administrators work with individual customers to ensure the customer receives the assistance they are eligible for based upon their income and circumstances and will provide direct follow-up to the customer as appropriate. Follow-up may be conducted with the agency accepting the CARES referral.” PECO Compliance Filing, PECO Energy Company Universal Service and Energy Conservation Plan 2016 to 2018, Docket No. M-2015-2507139 at 18 (Filed Jan. 19, 2017).

²³ PGW Additional Info at 2.

²⁴ See Generally PGW Plan.

any meaningful services at all. With such limited attention and resources dedicated to CARES, it seems unlikely that CARES is meeting its stated objectives. PGW should be required to assigned dedicated staff to its CARES program with a detailed description of their responsibilities, and PGW should further be required to track its CARES quick fix referrals along with more extensive case management services.

III. CONCLUSION

TURN *et al.* remain concerned about the lack of sufficient information PGW has provided concerning its Plan and the need for more extensive review. TURN *et al.* respectfully request that the Commission refer this proceeding to the OALJ or, in the alternative, accept all of the recommendations set forth in TURN *et al.*'s March 7, 2017 Comments, Reply Comments, and these Comments on PGW's Additional Information. As set forth herein and therein: PGW's Health & Safety Pilot should not only address but should prioritize de facto heating situations, and PGW should provide the CARES program with dedicated staff members and develop and utilize a system for tracking both quick fix referrals and more in-depth case management.

Respectfully Submitted.



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