**PENNSYLVANIA**

**PUBLIC UTILITY COMMISSION**

**Harrisburg, PA 17105-3265**

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|  | Public Meeting held October 3, 2019 |
| Commissioners Present:  Gladys Brown Dutrieuille, Chairman  David W. Sweet, Vice Chairman  Andrew G. Place  John F. Coleman, Jr. | |

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| Universal Service and Energy Conservation Plan (USECP) Filing Schedule and  Independent Evaluation Filing Schedule | M-2019-3012601 |
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**ORDER**

**BY THE COMMISSION:**

With this Order, the Public Utility Commission (Commission) hereby implements a pilot universal service and energy conservation plan (USECP) filing schedule and universal service impact evaluation filing schedule. This pilot supersedes the existing filing schedules and extends the duration of USECPs from three (3) years to five (5) years. The changes were informed as part of, *inter alia*, (1) the Commission’s ongoing broader review of the effectiveness of residential universal service programs and policies; and (2) best practices identified through the Commission’s review of utility-specific triennial USECPs.

1. **INTRODUCTION**

“Universal service and energy conservation” is a collective term for the “policies, protections and services that help low-income customers[[[1]](#footnote-2)] to maintain service” as mandated by the Electric Competition Act and the Gas Competition Act.[[2]](#footnote-3) The four universal service programs are: (1) Customer Assistance Programs (CAPs),[[3]](#footnote-4) which may provide discounted pricing, arrearage forgiveness, and/or other benefits for enrolled low-income residential customers; (2) Low Income Usage Reduction Programs (LIURPs),[[4]](#footnote-5) which provide weatherization and usage reduction services to help customers reduce their energy utility bills; (3) Customer Assistance and Referral Evaluation Services (CARES), which provide information and referral services for low-income, special needs customers; and (4) Hardship Fund programs, which provide grants to help customers address utility debt, restore service, or stop a service termination. Electric distribution companies (EDCs) and natural gas distribution companies (NGDCs) are required to offer these universal service programs in each distribution territory[[5]](#footnote-6) and to submit updated USECPs every three years for Commission approval.[[6]](#footnote-7) Independent impact evaluations are due every six years.[[7]](#footnote-8)

In May 2017, the Commission initiated separate proceedings to conduct a comprehensive review of the policies, practices, and procedures of Pennsylvania’s universal service programs, including the impact on energy affordability for low-income customers.[[8]](#footnote-9) Based upon this review, the Commission has identified several opportunities to improve consistency in universal service requirements and to enhance the benefits of these programs. Policy changes related to CAPs are being addressed in the *2019 Amendments to CAP Policy Statement* proceeding at Docket No. M-2019-3012599.

Based upon the justifications described herein, the Commission hereby adopts a pilot period with a staggered schedule in which EDC and NGDC USECPs would be effective for five (5) years from the date of Commission approval of a given USECP for approximately one cycle. Third-party impact evaluations would be due approximately one (1) year prior to the next USECP filing.

1. **BACKGROUND**

EDCs and NGDCs are directed by 52 Pa. Code § 54.74 and § 62.4, respectively, to file triennial USECPs every three years on a staggered schedule.[[9]](#footnote-10) They are also directed by 52 Pa. Code § 54.76 and § 62.6, respectively, to file independent third-party impact evaluations every six (6) years. The USECP schedule, due to many factors, including mergers, appeals, and other delays, is no longer effectively staggered among the utilities, and the impact evaluation schedule is no longer coordinated with the USECP intervals. The Commission has previously confirmed an adjusted filing schedule only through May 2020.[[10]](#footnote-11)

By ordered entered on May 5, 2017, in the *Energy Affordability* proceeding at Docket No. M‑2017-2587711, the Commission initiated a study of energy affordability for low-income customers in Pennsylvania. By ordered entered on May 10, 2017, in the *Review* proceeding at Docket No. M‑2017-2596907, the Commission initiated a comprehensive review of the universal service and energy conservation model.[[11]](#footnote-12) The Commission has indicated its intention to modify its CAP Policy Statement at Docket No. M‑2019‑3012599 and that a proceeding to address universal service regulations will be commenced at Docket No. L-2019-3012600. Additionally, there is an on-going LIRUP rulemaking at Docket No. L-2016-2557886.

The May 10 Order invited interested parties to provide input on their priorities, concerns, and suggestions for amending and improving any or all aspects of universal service programs. Approximately 65 parties, including EDCs and NGDCs, separately or jointly, filed comments and/or reply comments. In addition, the Commission’s Bureau of Consumer Services (BCS) coordinated a stakeholder meeting on September 13‑14, 2017, to gather feedback on the previously submitted comments and any other priorities, concerns, or suggested changes pertaining to the universal service programs. Approximately 24 organizations participated in the stakeholder meetings, either in-person or by telephone.

On March 28, 2018, the Commission issued a Secretarial Letter releasing the *Staff Report Summarizing Public Comments, Feedback and Suggestions Regarding Universal Service and Energy Conservation Programs*. The Secretarial Letter also established a Universal Service Working Group (USWG) to further explore universal service policies and practices. The USWG has convened four times[[12]](#footnote-13) and discussed, *inter alia*, revising the USECP filing schedule.

1. **USECP AND IMPACT EVALUATION FILING PILOT**

Each EDC and NGDC is required by regulation to submit an updated USECP every three (3) years detailing, *inter alia*, a description of its universal service programs, eligibility criteria, a needs assessment, and projected budgets/enrollments over the next three years. Sections 54.74 and 62.4, respectively. The EDCs and NGDCs are also required pursuant to regulation to have an independent third-party conduct an impact evaluation of its universal service programs and provide a report of “findings and recommendations” to the Commission at least once every six years. Sections 54.76 (a-b) and 62.6 (a-b), respectively.

During the *Review* proceeding, many utilities and other stakeholders expressed support for extending the USECP review timeframes:

Duquesne, the Energy Association of Pennsylvania (EAP), FirstEnergy, PECO, PGW, and UGI individually recommended making changes to the USECP filing schedule. Suggested filing timeframes ranged from four (4) to six (6) years. Duquesne Comments at 8; EAP Comments at 9; FirstEnergy Comments at8; PECO Comments at 17-18; PGW Comments at 7-8; and UGI Comments at 6.

EAP and PGW also separately recommended that, if the Commission maintains a three-year filing schedule, a utility should not be required to file its next triennial USECPs until three years after the date of the most recent USECP approval. EAP Comments at 8 and PGW Comments at 7.

Other stakeholders raised additional points in justifying their recommendations to extend the USECP filing schedule, including:

* Needing time for utilities to evaluate a USECP’s effectiveness before proposing a new USECP;
* Having flexibility in implementing pilot programs;
* Noting that the USECP approval process is lengthy and USECP approvals are sometimes delayed past the intended starting date;
* Providing BCS with sufficient time for initial review prior to formal Commission action;
* Changing a utility’s almost constant state of “planning” for the next USECP;
* Allowing USECPs to be effective for a certain time period after approval before resubmitting the next proposed USECP; and
* Per PECO, “reduc[ing] the Commission’s overall workload.”

PGW Comments at 7-8; PPL Comments at 9; PECO Comments at17-18; FirstEnergy Comments at 8; UGI Comments at 6; Duquesne Comments at 8; Duquesne Reply Comments at 14; EAP Reply Comments at 12; PGW Reply Comments at 25; PECO Reply Comments at 9-10; and NFG Reply Comments at 6.

Peoples, however, opposed a mandatory lengthening of the period between USECP filings, as the current timeframe allows Peoples to introduce changes to universal service programs on a more frequent basis. Peoples Reply Comments at 8.

The Low Income Advocates[[13]](#footnote-14) would not object to extending the current triennial USECP review cycle if a more thorough exchange of data and information were part of the process or discoverable in the context of a USECP review. They asserted that expanded due process would become even more important if the Commission were to extend the USECP review cycle to once every four, five, or six years. Low Income Advocates Reply Comments at 20-21.

**Discussion**

Evaluations of EDC and NGDC USECPs have become much more comprehensive since the triennial review process was first established. Early Commission reviews of USECPs focused primarily on whether a plan had the requisite regulatory and policy elements rather than on how effective they were. Prior to 2010, USECPs were often approved by Commission order without exploring issues on the record or seeking input from entities other than the utility.[[14]](#footnote-15)

Current USECP reviews now also focus on, *inter alia*, the effectiveness of the EDCs’ and NGDCs’ universal service policies and procedures. Issues explored in recent USECP review proceedings have included: CAP outreach and enrollment; CAP application process; energy burdens for CAP participants; CAP payment structures; interplay between CAP and LIHEAP; LIURP eligibility criteria; needs assessment determinations; arrearage forgiveness; tracking of CARES referrals; and Hardship Fund policies and funding. These reviews also address informal complaints that have been received by BCS that may indicate universal service program deficiencies, such as utility policies resulting in unaffordable CAP bills or utility requirements inhibiting program enrollment.

The typical USECP review process can take up to eight months from start to finish, depending on the complexity of the issues raised in the proceeding. A number of situations can arise that could also add additional months to this process. This includes (1) BCS requesting new information or more detailed explanations of issues raised in the Tentative Order or other stakeholder comments[[15]](#footnote-16), [[16]](#footnote-17); (2) requests for extensions of time to provide supplemental information, comments, or reply comments[[17]](#footnote-18); (3) challenges to compliance filings; (4) petitions for reconsideration of Commission approval of a USECP[[18]](#footnote-19); and (5) appeals to Commonwealth Court. Due to the length of the approval process and implementation periods, as well as time BCS staff spends on other Commission proceedings/priorities, backlogs in USECP reviews are not uncommon; it can be months after a USECP is filed before BCS can begin its review.[[19]](#footnote-20)

We find that a systematic review of utility universal service programs, through the comprehensive and collaborative process described above, is necessary and appropriate. Numerous improvements to universal service policies and procedures have resulted from the Commission’s review of USECPs.[[20]](#footnote-21) However, conducting such a comprehensive review on a triennial basis can be problematic for a number of reasons, many of which were raised, as noted above, by stakeholders in the *Review* proceeding.

Extending the period between the filing of proposed USECPs would give a utility the opportunity to measure the impact of program changes implemented as a result of its prior approved USECP. Timing the independent third-party reviews to coordinate with the filing of USECPs would ensure that the reviews are evaluating the appropriate utility program impacts. A utility could use its internal evaluation – as well as findings and recommendations from its third-party impact evaluation – to inform the development of its next proposed USECP. Changes to universal service programs approved or directed through a USECP proceeding can take up to a year to implement, especially if they involve significant system design changes. Due to the triennial USECP filing deadlines, a utility often has to file its new proposed USECP without having the time to evaluate the impact of changes implemented pursuant the prior approved USECP.

It does not benefit the utilities and other stakeholders, the Commission, or low-income customers if a proposed USECP is not based on analysis of the utility’s current universal service policies and practices that have been in place for a sufficient time upon which to base the analysis.

Extending the length of time between USECP reviews or the duration of USECPs does not prohibit an EDC or NGDC from proposing to implement changes to its universal service programs at more frequent intervals. A utility can file and serve a petition to amend its current USECP at any time, regardless of the filing schedule. Such petitions allow the Commission and all stakeholders to focus only on the impact of the proposed program change(s) – rather than a comprehensive review of the utility’s entire universal service portfolio – and take significantly less time for the Commission to review and render a decision.

Between USECP filings, interested parties will also have the opportunity to raise concerns and request information from utilities through regularly scheduled Universal Service Advisory Committee (USAC) meetings. USAC meetings can provide regular updates on universal service program performance and encourage constructive dialogue between the utility, low-income advocates, OCA, Commission staff, and other interested parties. Further, USACs could develop metrics and a timeframe for meeting milestones to evaluate the utility’s performance during the five-year period between plan submissions.

We acknowledge the validity of the need for enhanced production of utility data in conjunction with longer intervals between USECP proceedings. We encourage the utilities to be as forthcoming and responsive to requests from Commission staff and other stakeholders for universal service data in the USECP proceedings and in USAC processes. We note that improvements to access to universal service data is also being considered in two on-going proceedings: *Fully Projected Future Test Year Regulations* at Docket No. L‑2012‑2317273 and *Universal Service Reporting Requirements* at Docket No. M‑2019‑3011814.

Accordingly, to evaluate the impact of an extended period between USECP evaluations, the Commission will implement a pilot period during which a utility USECP shall be effective for at least five (5) years from the date of approval.[[21]](#footnote-22) Due dates for a utility’s next proposed USECP and for its independent third-party impact evaluation will be set as part of the USECP approval process.

*Resolution*: The Commission shall temporarily waive the remaining triennial USECP filing schedule,[[22]](#footnote-23) which requires NFG and PGW to file their 2021-2023 USECPs on November 1, 2019,[[23]](#footnote-24) and May 1, 2020, respectively. Eliminating these two USECP filing dates will provide Commission staff with additional time to address the pending USECPs already on file from Peoples,[[24]](#footnote-25) PECO,[[25]](#footnote-26) and Duquesne[[26]](#footnote-27) as well as the addendums due pursuant to pending amendments to the CAP Policy Statement at Docket No. M-2019-3012599.[[27]](#footnote-28)

The Commission shall also temporarily waive, for the duration of the pilot, the USECP filing timeline in Section 54.74 and the impact evaluation filing timeline for third-party impact evaluations in Section 54.76 for EDCs as well as the USECP filing timeline in Section 62.4 and the impact evaluation filing timeline for third-party impact evaluations in Section 62.2 for NGDCs.

Instead, the Commission shall implement a pilot in which USECPs shall be effective for at least five (5) years after they are approved. Table 1 identifies the filing schedule for proposed USECPs and the impact evaluation filing schedule for this pilot period.[[28]](#footnote-29) This schedule shall be posted on the Commission’s website.

**Table 1**

**USECP and Impact Evaluation[[29]](#footnote-30) Filing Schedules 2020-2025**

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| --- | --- |
| **Filing Date** | **Utility USECPs/Evaluations** |
| 3/1/2020 | PPL Impact Evaluation[[30]](#footnote-31) |
| 9/2/2020 | NFG Impact Evaluation[[31]](#footnote-32) |
| 4/1/2021 | NFG 2022-2026 USECP |
| 11/1/2021 | PGW 2023-2027 USECP |
| 4/1/2022 | PPL 2023-2027 USECP |
| 11/1/2022 | FirstEnergy 2024-2028 USECP |
| 4/1/2023 | Columbia 2024-2028 USECP |
| 11/1/2023 | Peoples 2025-2029 USECP, Duquesne Impact Evaluation |
| 4/1/2024 | PECO 2025-2029 USECP, UGI Impact Evaluation |
| 11/1/2024 | Duquesne 2026-2030 USECP |
| 4/1/2025 | UGI 2026-2030 USECP |

As part of the USECP approval process based on this filing schedule, the Commission will set deadlines for the filing of each utility’s next proposed USECP and third-party universal service impact evaluation.[[32]](#footnote-33) An existing USECP will remain in effect until a new one is approved and implemented.

EDCs and NGDCs have been directed to file addendums to their existing and pending proposed USECPs (if applicable) indicating how (with timelines) they will comply with the CAP Policy Statement amendments adopted at Docket No. M‑2019-3012599. The addendums are due within 60 days of the entry date of the order at Docket No. M‑2019-3012599. As part of their compliance with this scheduling Order, utilities are directed to provide enrollment and budgetary projections based on any additional years added to their current USECPs and pending proposed USECPs (if applicable) consistent with the filing schedule in Table 1. These two compliance requirements should be included as part of the USECP addendum, which is due within 60 days of the entry date of the order in the CAP Policy Statement docket.[[33]](#footnote-34)

**V. CONCLUSION**

Consistent with the above discussion, EDCs and NGDCs are directed to file proposed USECPs and impact evaluations pursuant to the pilot filing schedule in Table 1.

Having addressed the USECP and impact evaluation schedule aspects as presented by utilities and other stakeholders in the *Review* proceeding, we note that any issue, comment, or reply comment requesting a further change to the USECP and impact evaluation filing schedules or USECP review process, but which we may not have specifically delineated herein, shall be deemed to have been duly considered and denied at this time without further discussion. The Commission is not required to consider expressly or at length each contention or argument raised by the parties. *Consolidated Rail Corp. v. Pa. PUC*, 625 A.2d 741 (Pa. Cmwlth. 1993); *see also*, *generally*, *U. of PA v. Pa. PUC*, 485 A.2d 1217 (Pa. Cmwlth. 1984); **THEREFORE,**

**IT IS ORDERED:**

1. That the pilot filing schedule for universal service and energy conservation plans and universal service impact evaluations through 2025 is hereby approved:

**USECP and Impact Evaluation Filing Schedules**[[34]](#footnote-35) **2020-2025**

|  |  |
| --- | --- |
| **Filing Date** | **Utility USECPs/Evaluations** |
| 3/1/2020 | PPL Impact Evaluation |
| 9/2/2020 | NFG Impact Evaluation |
| 4/1/2021 | NFG 2022-2026 USECP |
| 11/1/2021 | PGW 2023-2027 USECP |
| 4/1/2022 | PPL 2023-2027 USECP |
| 11/1/2022 | FirstEnergy 2024-2028 USECP |
| 4/1/2023 | Columbia 2024-2028 USECP |
| 11/1/2023 | Peoples 2025-2029 USECP |
| 11/1/2023 | Duquesne Impact Evaluation |
| 4/1/2024 | PECO 2025-2029 USECP |
| 4/1/2024 | UGI Impact Evaluation |
| 11/1/2024 | Duquesne 2026-2030 USECP |
| 4/1/2025 | UGI 2026-2030 USECP |

1. That this Order be served on the following entities:
   1. **Natural Gas Distribution Companies**: Columbia Gas of Pennsylvania, PECO Energy Co., National Fuel Gas Distribution Corp., Peoples Natural Gas Co., Peoples-Equitable Division, Philadelphia Gas Works, and UGI Utilities, Inc.
   2. **Electric Distribution Companies**: Duquesne Light Co., Metropolitan Edison Co., PECO Energy Co., Pennsylvania Electric Co., Pennsylvania Power Co., PPL Electric Utilities Inc., and West Penn Power Co.
   3. **Other Parties of Record**: The Commission’s Bureau of Investigation and Enforcement; Office of Consumer Advocate; Office of Small Business Advocate; Industrial Energy Consumers of Pennsylvania; Met-Ed Industrial Users Group; Penelec Industrial Customer Alliance; Penn Power Users Group; Philadelphia Area Industrial Users Group; PP&L Industrial Customer Alliance; West Penn Power Industrial Intervenors; Pennsylvania Utility Law Project; the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania; Energy Association of Pennsylvania; Dollar Energy Fund; Community Legal Services; Community Action Association of Pennsylvania; Tenant Union Representative Network; Commission on Economic Opportunity; Action Alliance of Senior Citizens of Greater Philadelphia; Pennsylvania Department of Community and Economic Development; Utility Emergency Service Fund; Philadelphia Housing Authority; and the Pennsylvania Department of Human Services. Any parties to Docket Nos. M‑2017‑2587711 and M-2017-2596907 not listed above.
2. That each electric distribution company and natural gas distribution company in Ordering Paragraph No. 2 above shall file and serve enrollment and budgetary projections based on additional years added to its current USECP and proposed USECP, if applicable, consistent with the filing schedule in Ordering Paragraph No. 1 above. These filings should be included as part of the USECP addendums, which are due 60 days after the entry date of the order amending the CAP Policy Statement at Docket M-2019-3012599.
3. That the remainder of the universal service and energy conservation plan and third-party impact evaluation filing schedule, established by Secretarial Letter issued June 27, 2014, is waived.
4. That the electric distribution companies and natural gas distribution companies listed in Ordering Paragraph No. 2 are granted temporary partial limited waivers of 52 Pa. Code §§ 54.74, 54.76 (a-b), 62.4, and 62.6 (a-b) for the purposes of adhering to the 2020-2025 universal service and energy conservation plan and universal services impact evaluation filing schedule in Ordering Paragraph No. 1.
5. That the universal service and energy conservation plans filed according to the schedule established in Ordering Paragraph No. 1 shall be effective for at least five years after they are approved, unless otherwise specified by the Commission. Concurrent with approval of a universal service and energy conservation plan, the Commission shall set deadlines for the filing of the next proposed universal service and energy conservation plan and third-party universal service impact evaluation.
6. That the universal service and energy conservation plan and universal service impact evaluation schedule designated in Ordering Paragraph No. 1 shall be published on the Commission’s website.
7. That the Secretary’s Bureau shall deposit this Order with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
8. That the contact person regarding policy and technical issues for this proceeding is Joseph Magee, Bureau of Consumer Services, [jmagee@pa.gov](mailto:jmagee@pa.gov). The contact person regarding legal issues for this proceeding is Assistant Counsel Louise Fink Smith, Law Bureau, [finksmith@pa.gov](mailto:finksmith@pa.gov).

 **BY THE COMMISSION,**

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: October 3, 2019

ORDER ENTERED: October 3, 2019

1. A low-income customer is one with a household income at or below 150% of the Federal Poverty Income Guidelines (FPIG). [↑](#footnote-ref-2)
2. Section 2801 of the Electricity Generation Customer Choice and Competition Act, 66 Pa. C.S. §§ 2801 – 2816 (1997), and Section 2202 of the Natural Gas Choice and Competition Act, 66 Pa. C.S. §§ 2201 – 2212 (1999), (respectively Electric Competition Act and Natural Gas Competition Act; collectively Competition Acts). [↑](#footnote-ref-3)
3. The Commission’s CAP Policy Statement at 52 Pa. Code §§ 69.261-69.267 provides guidance for utilities in the operation of CAPs. Additionally, the CAP Policy Statement is being revised at Docket No. M-2019-3012599. [↑](#footnote-ref-4)
4. The Commission’s LIURP regulations at 52 Pa. Code §§ 58.1 – 58.18 provide directions for utilities in the operation of CAPs. A utility may spend up to 20% of its annual LIURP budget on customers having an arrearage and whose household income is at or below 200% of FPIG. *See* 52 Pa. Code §§ 58.1, 58.2, and 58.10. Additionally, there is an on-going proceeding at Docket No. L-2016-2557886 to revise the LIURP regulations. [↑](#footnote-ref-5)
5. 66 Pa. C.S. §§ 2203(8) (natural gas) and 2804(9) (electric). [↑](#footnote-ref-6)
6. 52 Pa. Code §§ 54.74 (electric) and 62.4 (natural gas). [↑](#footnote-ref-7)
7. 52 Pa. Code §§ 54.76 (a-b) (electric) and 62.6 (a-b) (natural gas). [↑](#footnote-ref-8)
8. *Energy Affordability for Low-Income Customers* at Docket No. M-2017-2587711 (*Energy Affordability* proceeding) and *Review of Universal Service and Energy Conservation Programs* at Docket No. M-2017-2596907 (*Review* proceeding). [↑](#footnote-ref-9)
9. The utilities file and serve their proposed USECPs approximately one year before a new USECP is slated for implementation. [↑](#footnote-ref-10)
10. *See* Secretarial Letter issued June 27, 2014. <http://www.puc.pa.gov/pcdocs/1294169.docx> [↑](#footnote-ref-11)
11. EDCs that participated were Duquesne Light Co. (Duquesne), Metropolitan Edison Co. (Met-Ed), PECO Energy Co. (PECO Electric), Pennsylvania Electric Co. (Penelec), Pennsylvania Power Co. (Penn Power), PPL Electric Utilities Corp. (PPL), and West Penn Power Co. (WPP).

    NGDCs that participated were Columbia Gas of Pennsylvania (Columbia), PECO Energy Co. (PECO Gas), National Fuel Gas Distribution Corp. (NFG), Peoples Natural Gas Co. (Peoples), Peoples-Equitable Division (Peoples Equitable), Philadelphia Gas Works (PGW), UGI Utilities Inc.– Gas (nka UGI South), and UGI Penn Natural Gas (nka UGI North). [↑](#footnote-ref-12)
12. The USWG met on May 7, 2018, July 18, 2018, September 27, 2018, and February 6, 2019. [↑](#footnote-ref-13)
13. The Low Income Advocates are the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA); Tenant Union Representative Network (TURN); and Action Alliance of Senior Citizens of Philadelphia (Action Alliance). [↑](#footnote-ref-14)
14. For example, *see* *Dominion Peoples USECP*, Docket No. M-00021616 (order entered on September 26, 2002); *Met-Ed & Penelec USECP*, Docket No. M-00021602 (order entered on May 14, 2002); and *Columbia USECP*, Docket No. M-00051881 (order entered on January 13, 2006). (The captions for early USECPs did not reflect the applicable duration of the USECPs.) [↑](#footnote-ref-15)
15. Proposed USECPs are now routinely served on the Office of Consumer Advocate, the Commission’s Bureau of Investigation and Enforcement, and the low-income advocates, as well as other known stakeholders such as entities that may have participated in the utility’s prior USECP. [↑](#footnote-ref-16)
16. For example, *see* PGW 2014-2016 USECP proceeding at Docket No. M-2013-2366301 (Secretarial Letter issued June 27, 2014); and PPL 2017-2019 USECP proceeding at Docket No. M-2016-2554787 (Secretarial Letter issued May 3, 2017). The Secretarial Letter often provides a new comment/reply comment period to allow parties a chance to respond to any new information provided by the utility. [↑](#footnote-ref-17)
17. For example, *see* NFG 2017-2020 USECP proceeding at Docket No. M-2016-2573847. In this proceeding, the Commission granted extensions to the filing of utility supplemental information, the comment period, and the reply comment period via Secretarial Letters issued August 18, 2017, September 18, 2017, and November 15, 2017, respectively. [↑](#footnote-ref-18)
18. For example, *see* NFG 2014-2016 USECP proceeding at Docket No. M-2013-2366232. On June 6, 2014, the Pennsylvania Utility Law Project (PULP) filed a petition for reconsideration of the Commission’s final order (entered on May 22, 2014). The petition was followed by comments and/or reply comments from the Department of Public Welfare (nka DHS), NFG, OCA, and PULP. NFG also filed a motion to exclude DPW’s comments. The Commission addressed the petition and subsequent filings in an order entered on February 12, 2015. [↑](#footnote-ref-19)
19. Additionally, the Law Bureau is involved in many of the USECP review and implementation processes. [↑](#footnote-ref-20)
20. Many of which are being incorporated into the Commission’s amended CAP Policy Statement by virtue of our on-going proceeding at Docket No. M-2019-3012599. [↑](#footnote-ref-21)
21. While USECPs are currently captioned as having a three-year span, the USECPs do not specify an actual end date; they are effective until a new USECP is approved by the Commission. [↑](#footnote-ref-22)
22. Established via Secretarial Letter issued June 27, 2014. <http://www.puc.pa.gov/pcdocs/1294169.docx> [↑](#footnote-ref-23)
23. On July 19, 2019, at Docket No. M-2016-2573847, NFG filed a petition to extend its 2018-2020 USECP through December 31, 2021, and to delay the November 1, 2019, filing date for its next proposed USECP until May 3, 2020. [↑](#footnote-ref-24)
24. Peoples Proposed 2019-2021 USECP, Docket No. M-2018-3003177 (filed on July 2, 2018). [↑](#footnote-ref-25)
25. PECO Proposed 2019-2021 USECP, Docket No. M-2018-3005795 (filed on November 1, 2018). [↑](#footnote-ref-26)
26. Duquesne Proposed 2020-2022 USECP, Docket No. M‑2019-3008227 (filed on February 28, 2019). [↑](#footnote-ref-27)
27. Peoples, PECO, and Duquesne have been encouraged to amend their proposed USECPs, consistent with the pending CAP Policy Statement amendments. [↑](#footnote-ref-28)
28. The Commission may, however, shorten or lengthen the effective period of USECPs or the interval between impact evaluations, if warranted. [↑](#footnote-ref-29)
29. With the exception of the 2020 universal service impact evaluations of PPL and NFG, which are currently ongoing, the Commission finds it reasonable to delay further impact evaluation filings until late 2023 so that the impact of any changes the utilities make to their CAPs as a result of Docket No. M‑2019-3012599 can be measured and evaluated. [↑](#footnote-ref-30)
30. PPL’s impact evaluation filing deadline of March 1, 2020, was established via Secretarial Letter issued on February 28, 2019, at Docket No. M-2016-2554787. [↑](#footnote-ref-31)
31. NFG’s impact evaluation filing deadline of September 2, 2020, was established via Secretarial Letter issued on January 10, 2019, at Docket No. M-2016-2573847. [↑](#footnote-ref-32)
32. The third-party impact evaluations will be due approximately one year prior to a utility filing its next proposed USECP. With the extended time between USECP reviews, these evaluations should provide a useful assessment of the impacts of any changes implemented since the prior USECP review. [↑](#footnote-ref-33)
33. USECPs should include customer outreach and education plans as an appendix/attachment, as described in Docket No. M-2019-3012599. [↑](#footnote-ref-34)
34. The Commission may, however, shorten or lengthen the effective period of USECPs or the interval between impact evaluations, if warranted. [↑](#footnote-ref-35)