



800 North Third Street, Suite 205, Harrisburg, Pennsylvania 17102
Telephone (717) 901-0600 • Fax (717) 901-0611 • www.energypa.org

November 20, 2019

Rosemary Chiavetta, Esq., Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Re: Final Policy Statement and Order Re: 2019 Amendments to Policy Statement on Customer Assistance Program, 52 Pa. Code §§ 69.261 – 69.267, Docket No. M-2019-3012599

Dear Secretary Chiavetta:

Enclosed for filing please find the Petition of the Energy Association of Pennsylvania for Reconsideration and Clarification of the Final Policy Statement Order at the above-referenced docket.

Copies have been served per the attached Certificate of Service.

Sincerely,

A handwritten signature in black ink that reads "Donna M.J. Clark".

Donna M.J. Clark
Vice President & General Counsel

cc: Joseph Magee, Bureau of Consumer Services (via email)
Louise Fink Smith, Law Bureau (via email)

Enclosure

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Final Policy Statement and Order Re: : Docket No. M-2019-3012599
2019 Amendments to Policy Statement on
Customer Assistance Program, 52 Pa. Code
§§ 69.261 – 69.267

**PETITION OF THE ENERGY ASSOCIATION OF PENNSYLVANIA FOR
RECONSIDERATION AND CLARIFICATION OF FINAL POLICY STATEMENT
ORDER ENTERED ON NOVEMBER 5, 2019**

The Energy Association of Pennsylvania (“EAP” or “Association”), acting on behalf of its electric distribution company (“EDC”) and natural gas distribution company (“NDGC”) members¹ subject to the Universal Service and Energy Conservation Plan (“USECP”) filings required by 52 Pa. Code §54.74 and § 62.4, respectively² petitions the Pennsylvania Public Utility Commission (“PUC” or “Commission”) pursuant to Section 703(g) of the Public Utility Code, 66 Pa. C.S. § 703(g) and Section 5.572 of PUC regulations, 52 Pa. Code § 5.572 for reconsideration and clarification of the Final Policy Statement and Order Re: *2019 Amendments to Policy Statement on Customer Assistance Program* entered at Docket No. M-2019-3012599 (“Final Policy Statement Order”) on November 5, 2019.

¹ Electric Distribution Company Members: Duquesne Light Co., Metropolitan Edison Co., PECO Energy Co., Pennsylvania Electric Co., Pennsylvania Power Co., PPL Electric Utilities Inc., and West Penn Power Co. Natural Gas Distribution Company Members: Columbia Gas of Pennsylvania, PECO Energy Co., National Fuel Gas Distribution Corp., Peoples Natural Gas Co., Philadelphia Gas Works, and UGI Utilities, Inc.

² Utility USECP plans include Customer Assistance Programs. The Commission’s CAP Policy Statement at 52 Pa. Code §§ 69.261 – 69.267 applies to Class A EDCs and NGDCs with gross intrastate annual operating revenue in excess of \$40 million.

I. INTRODUCTION

Through the instant Petition, EAP is challenging the process directed in Ordering Paragraphs six (6), seven (7), and eight (8) of the Final Policy Statement Order to initiate a hasty implementation of the amended CAP Policy Statement; it is not addressing the substance of those policies. EAP and its member utilities participated throughout the Commission's investigations³ into utility-led low-income programs and energy burdens. EAP notes that a number of the amendments adopted in the revised CAP Policy Statement are already a part of the current USECPs of specific EDCs and NGDCs. A number of the amendments are not necessarily novel or untested and certain of them have been implemented via utility-specific proceedings to update and approve individual utility USECPs. As described below, EAP requests the Commission allow for the implementation of its amended CAP Policy Statement on a case-by-case basis through routine, utility-initiated filings to revise their individual USECPs. Reconsideration and clarification of portions of the Final Policy Statement Order is warranted and appropriate for a number of reasons.

Initially, the Commission concluded its *Energy Affordability* and *Review* proceedings⁴ by finalizing amendments to its existing Policy Statement on Customer Assistance Programs at 52 Pa. Code §§ 69.261 – 69.267.⁵ In so doing, the Commission provided insight and notice to the public of changes to its existing policy that it intends to follow in the future. Policy statements, as distinguished from regulations and adjudications, do not establish binding norms and do not have the force of law. The Pennsylvania Supreme Court has likened a policy statement to a press release

³ See: *Energy Affordability for Low-Income Customers*, Docket No. M-2017-2587711; *Review of Universal Service and Energy Conservation Programs*, Docket No. M-2017-2596907.

⁴ See, Final Policy Statement Order at p. 1 and fn. 1.

⁵ On the same day that the Commission adopted its 2019 Amendments to Policy Statement on Customer Assistance Program, it also adopted a Joint Motion at Docket No. L-2019-3012600 to commence a universal service rulemaking which will include, *inter alia*, the 2019 Amendments to Policy Statement on Customer Assistance Program. See also, Final Policy Statement Order at p. 2.

which announces the course an agency intends to take in the future.⁶ Ordinarily, EDCs and NGDCs could anticipate that the Commission would consider these policy amendments in future proceedings to approve updates to their respective USECPs.

Instead, the Commission sought a more immediate means to effectuate its new policy and thus accompanied its amended policy statement with an order that mandates each utility to file an addendum to its current or proposed USECP, at the respective docket, reflecting how that utility intends “to implement the policy changes specified in the amended CAP Policy Statement...by or before January 1, 2021.” Final Policy Statement Order at Ordering Paragraph six (6). *Id.* at p. 100. The Commission has attempted to create a general compliance obligation in its order finalizing amendments to the CAP Policy Statement applicable to all EDCs and NGDCs that file USECPs. Creating a compliance obligation in this manner, i.e., via a policy statement, is contrary to Pennsylvania law which allows agencies to adopt binding norms in two ways, either by rulemaking or adjudication.⁷

Additionally, the requirement to file an addendum as set forth in the Final Policy Statement Order (“Addendum Requirement”) is not only mandatory, it clearly initiates a process by the utility in the near term which will result in amendments to its existing USECP.⁸ EAP contends that the Addendum Requirement outlined in the Final Policy Statement Order is unlawful in that it forces the utility into a compliance proceeding established by a policy statement. *See infra.* at paragraph

⁶ *Pa. Human Relations Commission v. Norristown Area School District*, 374 A.2d 671 (Pa. 1977).

⁷ *Id.* at 678-80. *See also, Nw. Youth Servs., Inc. v. Commw. Dep’t of Pub. Welfare*, 66 A.3d 301, 316-17 (Pa. 2013) and *Trans. Servs., Inc. v. Underground Storage Tank Indemnification Bd.*, 67 A. 3d 142, 155-56 (Pa. Commw. Ct. 2013) in which the respective appellate court struck down agency decisions based upon documents that created binding norms outside of a rulemaking proceeding or adjudication.

⁸ EAP believes that the process initiated by the filing of the addendum unnecessarily creates procedural complexity and is distinct from the current regulatory requirement that EDCs and NGDCs periodically submit updated USECPs to the Commission for approval. 52 Pa. Code § 54.74 and § 62.4 respectively. *Contra., Order Re: Universal Service and Energy Conservation Plan (USECP) Filing Schedule and Independent Evaluation Filing Schedule*, Docket No. M-2019-3012601 (“Revised Filing Schedule Order”), initiating a pilot which supersedes the existing filing schedule and extends the duration of USECPs from three to five years.

seven (7). EAP further contends that the creation of a deadline of January 1, 2021 for implementation of “the first 16 CAP Policy Statement amendments” pursuant to Ordering Paragraph six (6) is not only unlawful in the context of finalizing a policy statement but, for a number of the EDCs and NGDCs, will be impossible from a practical perspective.

EAP urges the Commission to reconsider and/or clarify the Addendum Requirement modifying the Final Policy Statement Order such that the utility submission is: voluntary and informational; details how their current USECP already meets the amended CAP Policy Statement; provides information on whether and how the utility plans to meet those amendments which are not part of the current USECP (including whether any of these amendments can be “operational by or before January 1, 2021”) and; further provides the information required at Ordering Paragraph three (3) of the Revised Filing Schedule Order⁹. EAP also requests that the Commission reconsider its order to require implementation of “the policy changes specified in the amended CAP Policy Statement, ..., by or before January 1, 2021.” See Final Policy Statement Order at Ordering Paragraph six (6).

II. PROCEDURAL BACKGROUND

EAP seeks only reconsideration and/or clarification of language in the Final Policy Statement Order that has compliance implications for EDCs and NGDCs and appears to require those utilities to petition the Commission to amend existing USECPs within sixty (60) days via the filing of an addendum. As discussed below, EAP requests that the Commission affirmatively waive the directive of Ordering Paragraphs six (6), seven (7) and eight (8) of the Final Policy

⁹ Ordering Paragraph three (3) of the Revised Scheduling Order provides that EDCs and NGDCs obligated to file USECPs “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 scheduled in Ordering Paragraph No. 1...[of the Revised Filing Schedule Order].”

Statement Order which directs the filing of addendums to their approved USECPs and replace those directives with a request to the utilities to voluntarily provide the information sought in the addendum. EAP believes that its suggested changes would provide the Commission with the data it seeks in order to evaluate whether to implement the specific 16 amendments to the CAP Policy Statement in future utility-specific proceedings that focus on updating the design of USCEPs. *Accord, Pennsylvania Human Relations Commission v. Norristown Area School District*, 374 A.2d 671 (Pa. 1977).

More specifically, the Final Policy Statement Order contains the following ordering paragraphs:

6. That the Electric Distribution Companies and Natural Gas Distribution Companies listed in Ordering Paragraph No. 5 shall file and serve addendums to their existing or proposed (if applicable) Universal Service and Energy Conservation Plans, at their respective dockets, in response to this Order, within 60 days of entry date of this Order. The addendums are to indicate how the Electric Distribution Companies and Natural Gas Distribution Companies intend to implement the policy changes specified in the amended CAP Policy Statement, numbered as in the discussion herein, by or before January 1, 2021. The Electric Distribution Companies and Natural Gas Distribution Companies should indicate in the cover letter to their addendums any provisions with which they are already compliant.
7. That the addendums to the universal service and energy conservation plans shall be filed in both clean and redline copies and served on the parties at the utilities' respective existing or pending USECP dockets.
8. That the addendums to the universal service and energy conservation plans shall be provided electronically in Word[®]-compatible format to Joseph Magee, Bureau of Consumer Services, jmagee@pa.gov; Jennifer Johnson, Bureau of Consumer Services, jennifjohn@pa.gov; Christina Chase-Pettis, Office of Communications, cchasepett@pa.gov; Shari A. Williams, Office of Communications, shariwilli@pa.gov; and Louise Fink Smith, Law Bureau, finksmith@pa.gov.¹⁰

These ordering paragraphs appear to direct EDCs and NGDCs to petition to reopen and amend

¹⁰ Final Policy Statement Order at p. 106.

their Commission-approved USECP filings via “addendums” which would set forth how each utility intends to implement sixteen (16) specific amendments to the CAP Policy Statement on or before January 1, 2021. *See*, Final Policy Statement Order at p. 100.

The language of these ordering paragraphs contradicts earlier language in the body of the Final Policy Statement Order that implies these requested addendums are to be voluntary:

“We strongly urge the EDCs and NGDCs to incorporate the CAP policy amendments in their USCEPs as fully and as quickly as possible...”¹¹

“Utilities will have the opportunity to implement these CAP policy changes through voluntary compliance with the amended CAP Policy Statement or to address the matters in utility-specific proceedings and/or as promulgated regulations. Any matters that cannot be resolved by voluntary compliance with Commission policy will be addressed in utility-specific proceedings.”¹²

The contrast between the language in the body of the Final Policy Statement Order which suggests “voluntary compliance,” a concept more aptly aligned with the legal effect of a policy statement, and ordering paragraphs which mandate the filing of an “addendum” to amend an approved USECP outside of the prescribed regulatory process¹³ is legally significant. The ordering paragraphs create a compliance obligation and mandate the initiation of USECP proceedings that would implement specific changes by a date certain with little consideration for practical

¹¹ *Id.* at p. 2. *See also* similar language at p. 100.

¹² *Id.* at p.13.

¹³ 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. The utilities file and serve their proposed USECPs approximately one year before a new USECP is slated for implementation. These plans detail, *inter alia*, descriptions of the utility’s universal service program, eligibility criteria, a needs assessment, and projected budget/enrollment over the next three years. Proposed USECPs are now routinely served on the Office of Consumer Advocate, the Commission’s Bureau of Investigation and Enforcement, and the non-statutory low-income advocates, as well as other known stakeholders. The Law Bureau is also involved in many of the USECP review and implementation processes. USECPs are typically further considered in utility rate proceedings where recovery of USECP costs is addressed, litigated, and ultimately approved by the Commission.

ramifications or the resources of interested parties and stakeholders.¹⁴ The effect is to create binding policy outside a rulemaking¹⁵ or adjudication which is contrary to Pennsylvania law.

EAP respectfully asks the Commission to reconsider this approach and revise the ordering paragraphs to affirm both that (1) the filing of the “addendum” and (2) any individual utility action to adhere to any of the specific design changes in the amended CAP Policy Statement prior to the filing of its next USECP are truly voluntary.

III. ARGUMENT

In support of this petition, EAP states the following:

1. The standard for granting reconsideration following final orders is set forth in *Duick v.*

Pennsylvania Gas and Water Co., 56 Pa. P.U.C. 553, 559 (1982):

A petition for reconsideration, under the provisions of 66 Pa.C.S. § 703(g), may properly raise any matters designed to convince the Commission that it should exercise its discretion under this code section to rescind or amend a prior order in whole or in part. In this regard we agree with the Court in the Pennsylvania Railroad Company case, wherein it was said that “[p]arties ..., cannot be permitted by a second motion to review and reconsider, to raise the same questions which were specifically considered and decided against them...” What we expect to see raised in such petitions are new and novel arguments, not previously heard, or

¹⁴ A number of practical considerations also support reconsideration, including the timeframe dictated by an addendum requirement which would result in amended USECPs. As it now stands, the addendums, due in early January 2020, appear to initiate a process involving BCS and parties that have previously participated at that USECP docket. The nature of such a process and its resolution is unclear. EAP opines that if the process follows the current practice for approving updates to USECPs it would be protracted and unlikely to be finalized by the Commission in sufficient time for changes to be operational on or before January 1, 2021. Such a circumstance would likely give rise to additional proceedings, including requests for waivers. In addition to being unlawful, EAP believes that the addendum requirement, as currently configured, creates unnecessary procedural complexity, is needlessly adversarial, and is an inefficient use of Commission, utility and stakeholder time and resources.

¹⁵ At page 2 of the Final Policy Statement Order, the Commission notes that it will address universal service regulations and whether to promulgate any of the CAP policy changes as regulations under a rulemaking docket. The initiation of a separate rulemaking acknowledges the need for the policy changes to be vetted via a regulatory review process prior to have the force and effect of law. *See, supra* fn.5. By directing utilities to file USECP changes to implement a non-binding policy statement, this mandate effectively neutralizes the regulatory review process, and/or could result in EDCs and NGDCs making changes to their programs that may ultimately be modified or rejected before the Independent Regulatory Review Commission.

considerations which appear to have been overlooked or not addressed by the Commission.

2. The Commission has cautioned that the operative language of the *Duick* standard focuses on the deliberations of the Commission, not the arguments of the parties. *See, Pa. PUC v PPL Electric Utilities Corporation*, Docket No. R-2012-2290597 (Opinion and Order entered May 22, 2014).

3. Thus, under the *Duick* standard, factors that support reconsideration include whether there are new and novel arguments or other considerations which appear to have been overlooked by the Commission.

4. In considering a petition for clarification, the Commission applies the same standard used for a petition for reconsideration. *See, e.g. Application of PPL Electric Utilities Corporation*, Docket Nos. A-2009-2082652 *et al.*, entered on April 23, 2010 and *Duick v. Pennsylvania Gas and Water Co.*, 56 Pa. P.U.C. 553 (1982).

5. First, reconsideration is warranted because the language of the Final Policy Statement Order in Ordering Paragraphs six (6), seven (7), and eight (8) create directives and compliance obligations contrary to Pennsylvania law. A Final Policy Statement with compliance implications is a misapplication of Pennsylvania court decisions, holding that agencies have discretion to establish binding policy by means of either a rulemaking or an adjudication. *Pennsylvania Human Relations Commission v. Norristown Area School District*, 374 A.2d 671 (Pa. 1977).

6. The term “statement of policy” is defined in the Commonwealth Documents Law as any document “except an adjudication or regulation” which sets forth substantive or procedural rights and includes “any document interpreting or implementing” a statute.¹⁶ Policy statements and similar documents are distinguishable from regulations and adjudications in that they do not

¹⁶ 45 Pa. Stat. and Cons. Stat. Ann. § 1102.

established binding policies that have the force of law. Courts have likened them to a press release which announce the course an agency intends to take in the future.¹⁷ Appellate courts in Pennsylvania have struck down agency decisions that rested upon documents that created binding norms outside of a rulemaking or adjudication.¹⁸ These decisions have relied upon the distinction between regulations, which are binding, and statements of policy, which are not enforceable.

7. Second, reconsideration and/or clarification is warranted inasmuch as the Addendum Requirement appears to initiate a process with complex procedural and practical implications not addressed or anticipated in the Final Policy Statement Order.

8. The filing of the addendum itself initiates a compliance proceeding. The Commission invites EDCs and NGDCs “to submit their USECP addendums to BCS [Bureau of Consumer Services] and the Office of Communications for a compliance review prior to filing.” Final Policy Statement Order at p. 100. (Emphasis added). The addendum is to be filed at the current USECP docket for each utility and served on the parties participating in those dockets. *Id.* at Ordering Paragraphs six (6) and seven (7). Copies of the addendums “shall be provided electronically in Word® -compatible format” to BCS, the Office of Communications and to the Law Bureau. *Id.* at Ordering Paragraph 8. Each of these requirements echo the compliance process that occurs when utilities periodically submit an updated USECP to the Commission for approval pursuant to the Commission’s regulations.

9. The Final Policy Statement Order also does not consider or anticipate how the Addendum Requirement might impact the new timeline set forth in its Revised Filing Schedule Order entered on October 3, 2019 at Docket No. M-2019-3012601. Part of the reason for the revised filing

¹⁷ See, *Pa. Human Relations Commission v. Norristown Area School District*, 374 A.2d 671 (Pa. 1977).

¹⁸ See, e.g., *Nw. Youth Svcs., Inc. v. Commw. Dep’t of Pub. Welfare*, 66 A.3d 301, 316-17 (Pa. 2013); *Trans. Svcs., Inc. v. Underground Storage Tank Indemnification Bd.*, 67 A.3d 142, 155-56 (Pa. Commw. Ct. 2013).

timeline was that “evaluations of EDC and NGDC USECPs have become much more comprehensive”¹⁹ over time and “backlogs in USECP reviews are not uncommon”²⁰ due to the complexity of the issues being raised, requests for additional information, requests for extensions of time to provide supplemental information, challenges to compliance filings, petitions for reconsideration and even appeals to Commonwealth Court. The Addendum Requirement which is, in effect, a petition to reopen and revise a utility existing or pending USECP, would be subject to the same procedural and timing concerns.²¹

10. BCS and other Commission staff would have a dozen USECP “addendums” to review before any changes could be approved by the Commission. Likewise, other participants, including the statutory advocates and low-income advocates, would undoubtedly dedicate time and resources in connection with the Addendum Requirement. And, as with any proposed change to a utility USECP, the utility operates under its last-approved plan until a final order approving the new plan has been issued. Utilities would not initiate potentially costly revisions to approved USECPs unless and until such “addendums” are approved by the Commission.

11. Moreover, the Addendum Requirement may not expedite implementation of the design revisions to the amended CAP Policy Statement as anticipated by the Commission in its order. Based upon past experience, EAP is concerned whether Commission staff will have time to adequately review and obtain approval of twelve utility USECP addendums in the year between the addendum’s suggested due date of January 6, 2020 and the suggested operational date of

¹⁹ Order, *Universal Service and Energy Conservation Plan (USECP) Filing Schedule and Independent Evaluation Filing Schedule*, Docket No. M-2019-3012601, p. 7.

²⁰ *Id.*, p. 9.

²¹ The Commission may have also overlooked the impact of disagreements (with BCS, the Office of Communications or other stakeholders) that could develop based upon the filing of an addendum by the utility as currently set forth in the Final Policy Statement Order. Resolving any disagreement whether it relates to whether or how one of the sixteen CAP Policy Statement amendments is to be incorporated in a utility’s current USECP will undoubtedly prolong the process and decrease the likelihood that these design amendments are in place on or before January 1, 2021.

January 1, 2021. In fact, utilities would have to know well in advance of January 1, 2021 that revisions have been approved in order to begin the internal process needed to implement operational changes, including I.T. and employee training on updated USECPs AND to implement the Consumer Education and Outreach Plans recommended in the amended CAP Policy Statement. The compressed timeframe and multiple, simultaneous utility processes created by the Addendum Requirement increases the likelihood of costly revisions and customer confusion. EAP believes the Commission overlooked the complexity inherent in suggesting EDCs and NGDCs incorporate the CAP Policy Statement amendments in their USECPs “as fully and quickly as possible....”. See Final Policy Statement Order at p. 100.

12. EAP urges the Commission to consider the procedural and practical impacts that flow from the Addendum Requirement created by Ordering Paragraphs six (6), seven (7) and eight (8) and to revise and/or clarify the Final Policy Statement Order such that any utility submission is voluntary and does not initiate a compliance proceeding.

13. A more reasonable, measured approach to implement the significant changes to the amended CAP Policy Statement would be for the Commission to address them as it has historically addressed updates to utility CAPs – on a case-by-case review and approval of individual USECP filings. The Commission could revise the Final Policy Statement Order to allow for the filing of voluntary submissions by the EDCs and NGDCs providing the information and data that it seeks via the Addendum Requirement. Following the established practice of staggered utility filings allows for orderly implementation, as well as ample opportunity for the Commission and other stakeholders to assess the impact on both program participants and ratepayers for each service territory. Further, utilizing the established method for revising USECPS would allow for an adequate amount of time for review and stakeholder input in each plan pursuant to the timeline

recently established in the Revised Schedule Filing Order.²² And, just as importantly, it would ameliorate the legal issues created by the instant Final Policy Statement Order, i.e. the unlawful establishment of a binding policy by an agency through the issuance of a policy statement.

IV. CONCLUSION

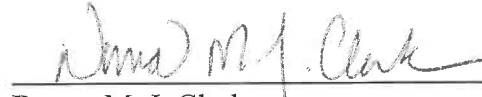
WHEREFORE, the Energy Association of Pennsylvania, on behalf of its EDC and NDGC members, for the reasons set forth above, respectfully requests the Commission grant this petition for reconsideration and clarification by the issuance of an order:

- (a) Rescinding Ordering Paragraphs six (6), seven (7) and eight (8) from the Final Policy Statement Order;
- (b) Providing for a voluntary, informational submission by each EDC and NGDC to the instant docket detailing the ways in which their existing, approved USECPs already adhere to the amended CAP Policy Statement, their intentions for future changes to meet those amendments which are not already a part of their current, approved USECP (including whether any of the amendments can be operational by or before January 1, 2021), and the information required at Ordering Paragraph three (3) of the Revised Filing Schedule Order; and

²² Order, *Universal Service and Energy Conservation Plan (USECP) Filing Schedule and Independent Evaluation Filing Schedule*, Docket No. M-2019-3012601.

(c) Providing for such other relief as the Commission deems necessary and proper under the circumstances laid out herein.


Terrance J. Fitzpatrick
President & CEO
tfitzpatrick@energypa.org
Atty. ID # 35287


Donna M. J. Clark
Vice President & General Counsel
dclark@energypa.org
Atty. ID # 39866

Energy Association of Pennsylvania
800 North Third Street, Suite 205
Harrisburg, PA 17102

Date: November 20, 2019

Certificate of Service

I hereby certify that I am this day serving, via email, a true copy of the foregoing document upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant).

Richard A. Kanaski, Esq.
Bureau of Investigation & Enforcement
PA Public Utility Commisison
400 North Street
Harrisburg, PA 17120
rkanaski@pa.gov

Jodi Williams
Deputy Executive Director
Blair County Community Action Agency
2100 Sixth Avenue, Suite 102
Altoona, Pennsylvania 16602
Jodi.williams@blaircap.org

Ana Gargia, Office Manager
Commission on Economic Opportunity of
Hazleton
100 W. Broad Street, Suites 11-13
Hazleton, PA 18201
ceonortheastpa@gmail.com

Joseph L. Vullo
Commission on Economic Opportunity of
Luzerne County
Burke Vullo Reilly Roberts
1460 Wyoming Ave.
Forty Fort, PA 18704
jlvullo@bvrrlaw.com

Donna Kletsko, Office Manager
Commission on Economic Opportunity of
Wyoming County
PO Box 74
Tunkhannock, PA 18657
ceonortheastpa@gmail.com

Elizabeth R. Marx, Esq.
Patrick M. Cicero, Esq.
Joline Price, Esq.
Pennsylvania Utility Law Project
On Behalf of CAUSE-PA
118 Locust Street
Harrisburg, PA 17101
pulp@palegalaid.net

Robert Ballenger, Esq.
Josie B.H. Pickens, Esq.
Community Legal Services
On Behalf of TURN and Action Alliance
1424 Chestnut Street
Philadelphia, PA 19102-2505
rballenger@clsphila.org
jpickens@clsphila.org

Amy E. Hirakis, Esq.
Columbia Gas of Pennsylvania
800 N 3rd Street, Suite 204
Harrisburg, PA 17102
ahirakis@nisource.com

Lindsay Baxter
Audrey Waldock
Duquesne Light Company
411 Seventh Avenue, Mail Drop 15-7
Pittsburgh, PA 15219
lbaxter@duqlight.com
awaldock@duqlight.com

John Oravitz, Weatherization Coordinator
Housing Authority of the County of Beaver
300 State Avenue
Beaver, PA 15009
hacbwz@comcast.net

Michelle Faught, Executive Director
Indiana County Community Action Program
827 Water Street
Indiana, PA 15701
mfaught@iccap.net

David Hunter
Housing Alliance of Pennsylvania
309 Florence Avenue, 914N
Jenkintown, PA 19046
David@housingalliancepa.org

Eric Miller, Esq.
Keystone Energy Efficiency Alliance
1501 Cherry Street
Philadelphia, PA 19102
emiller@keealliance.org

Ruth Ann Norton
Green & Healthy Homes Initiative
2714 Hudson Street
Baltimore, MD 21224
ranorton@ghhi.org

Charles Harak
National Consumer Law Center
7 Winthrop Sq.
Boston, MA 02110
charak@nclc.org

Todd Nedwick
National Housing Trust
1101 30th Street, NW Suite 100A
Washington DC 20007
tnedwick@nhtinc.org

Deron Lovaas
Natural Resources Defense Council
1152 15th Street NW, Suite 300
Washington, D.C. 20005
dlovaas@nrdc.org

Matthew L. Garber, Esq.
Pamela C. Polacek, Esq.
On Behalf of Industrial Customers
McNees Wallace & Nurick LLC
100 Pine Street
PO Box 166
Harrisburg, PA 17108-1166
mgarber@mcneeslaw.com
ppolacek@mcneeslaw.com

Teresa K. Harrold, Esq.
FirstEnergy
2800 Pottsville Pike
PO Box 16001
Reading, PA 19612-6001
tharrold@firstenergycorp.com

Nathaniel J. Ehrman, Esq.
National Fuel Gas Distribution Corp.
1100 State Street
Erie, PA 16512
ehrmann@natfuel.com

Christy M. Appleby, Esq.
Office of Consumer Advocate
5th Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17101-1923
CAappleby@paoca.org

Sharon E. Webb, Esq.
Office of Small Business Advocate
555 Walnut Street, 1st Fl.
Harrisburg, PA 17101
Ra-sba@pa.gov

Jennedy S. Johnson, Esq.
PECO
2301 Market Street, S 23-1
Philadelphia, PA 19103
Jennedy.johnson@exeloncorp.com

Kevin Sunday, Director, Govt Affairs
Pa Chamber of Business and Industry
417 Walnut Street
Harrisburg, PA 17101
ksunday@pachamber.org

Robert Torres, Secretary
Pennsylvania Department of Aging
555 Walnut Street, 5th Floor
Harrisburg, PA 17101
secretaryofaging@pa.gov

Dennis M. Davin, Secretary
Pennsylvania Department of Community
and Economic Development
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120-0225
DCEDSecretary@pa.gov

Patrick McDonnell, Secretary
Pennsylvania Dept of Environmental
Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101
RA-EPDEPSecretary@pa.gov

Teresa D. Miller, Secretary
Pennsylvania Dept of Human Services
Health and Welfare Building
625 Forster St
Harrisburg, PA 17120
RA-secretaryoffice@pa.gov

Rachel Levine, Secretary
Pennsylvania Department of Health
Health and Welfare Building
8th Floor West
625 Forster Street
Harrisburg, PA 17120
ra-dhsecofhealth@pa.gov

Frank Caliva, Esq.
On behalf of PA Energy Marketers Coalition
(PEMC)
P.R. Quinan Associates Inc.
1012 14th Street NW, Suite 903
Washington, DC 20005
frankcaliva@prquinlan.com

Joline Price, Esq
On behalf of the Pennsylvania Service
Providers
Community Legal Services
1424 Chestnut St.
Philadelphia, PA 19102
jprice@clsphila.org

Thomas J. Sniscak, Esq.
Whitney E. Snyder, Esq.
On behalf of The Pennsylvania State Univ.
Hawke McKeon & Sniscak LLP
100 North Tenth Street
Harrisburg, PA 17101
tjsniscak@hmslegal.com
[wesnvder@hmslegal.com](mailto:wesnvd@hmslegal.com)

Gene Brady, Chairman
PA Weatherization Providers Task Force
P.O. Box 991
Wilkes-Barre, PA 18703
hebegebe@sunlink.net

Barbara Rupert
Gene Brady
Housing Development Corp. of NEPA
163 Amber Lane
Wilkes-Barre, PA 18702
hebegebe@sunlink.net

Jennifer L. Petrisek, Esq.
Peoples
375 North Shore Drive
Pittsburgh, PA 15212
Jennifer.petrisek@peoples-gas.com

Cynthia Figueroa, Commissioner
Philadelphia Department of Human Services
1515 Arch Street,
Philadelphia, PA 19102
dhscommunications@phila.gov

Denise Adamucci, Esq.
Graciela Christlieb, Esq.
Philadelphia Gas Works
800 West Montgomery Ave.
Philadelphia, PA 19122
Denise.Adamucci@pgworks.com
Graciela.christlieb@pgworks.com

Kimberly A. Klock, Esq.
Michael J. Shafer, Esq.
PPL Electric Utilities
2 N 9th Street
Allentown, PA 18101
kklock@pplweb.com
mjshafer@pplweb.com

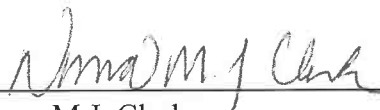
Rachel Blake, WCC Coordinator
Associate Director
Regional Housing Legal Services
2 S Easton Road
Glenside, PA 19038
rblake@rhls.org

Sam Ceccacci, Executive Director
Scranton-Lackawanna Human Development
Agency
321 Spruce Street 1st Floor
Scranton, PA 18503
SFontana@slhda.org

DATE: November 20, 2019

Danielle Jouenne, Esq.
UGI Corporation
460 North Gulph Road
King of Prussia, PA 19406
JouenneD@ugicorp.com

Kristen Rotz, President
United Way of Pennsylvania
909 Green Street
Harrisburg, PA 17102
krotz@uwp.org


Donna M.J. Clark
Vice President & General Counsel
Energy Association of Pennsylvania
Atty. ID # 39866