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May 11, 2021

VIA ELECTRONIC FILING

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

Re: Working Group on Medical Certificate, Other Court Order and Privacy Guidelines Relating to the Rulemaking to Amend the Provisions of 52 Pa. Code, Chapter 56 to Comply with the Amended Provisions of 66 Pa.C.S. Chapter 14; Docket No. L-2015-2508421

Dear Secretary Chiavetta:

On February 25, 2021, the Pennsylvania Public Utility Commission (“Commission”) issued a *Tentative Order* in this proceeding directing interested parties to submit written comments thereto within 45 days of its publication within the *Pennsylvania Bulletin*, which occurred on March 27, 2021. Specifically, after considering the written comments that were previously filed in this proceeding as well as the discussion that took place during the October 29, 2019 Chapter 56 working group meeting, the Commission, through its *Tentative Order*, provided interested parties this additional opportunity to offer their advice and input on the three outstanding issues in this rulemaking proceeding. The remaining three issues pertain to: (1) medical certificate format; (2) changes to the procedures for victims of domestic violence; and (3) privacy guidelines related to electronic messaging during the service disconnection process.

Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company (collectively, the “Companies”) have commented extensively in this proceeding and participated in the Chapter 56 working group. Therefore, for purposes of brevity, rather than reprise that which has been previously stated in this proceeding by the Companies with respect to these remaining three issues, the Companies will now provide these limited, additive comments.

The Companies do not have any proposed changes related to item (2). The Companies believe Chapter 56 provides sufficient explanation regarding the protections that apply to victims of domestic violence.

The Companies would like to make the following recommendations regarding items (1) and (3). Starting with item (3), the Companies do not currently utilize electronic messaging to

customers during the service disconnection process; however, the Companies may do so in the future. As a result, the Companies suggest that utilities be allowed to use an electronic-message-preference management tool. Such a tool would enable customers to choose which messages to receive electronically without the need to initiate the reminder each year. Choices would be available for various message types, from which the customer could choose how best to customize their preferences. For instance, customers would have the option of continuing to receive some messages by traditional means—such as mail or phone call—and others electronically and would thereby be empowered with the ability to tailor their messaging medium in a manner that best suits their individual preference and need, which could be adjusted at any time.

Regarding item (1), the Companies, through their various sets of substantive written comments filed previously in this docket as well through the Companies' participation in the Chapter 56 working group, have offered several suggestions. For example, to reduce the fraudulent use of medical certificates or eliminate the ability of customers to avoid their arrearages by obtaining medical certificates, or both, the Companies recommend that medical certificate forms require the physician, nurse practitioner, or physician assistant to provide his or her license number; that medical professionals be allowed to submit medical certificate information on the letterhead of the customer's physician, nurse practitioner, or physician assistant; that medical certificate forms not be posted online; and that customers be allowed to obtain only a limited number of medical certificates while they continue to have an outstanding balance. Though these recommendations were not adopted in the Commission's *Tentative Order*, the Companies' stated objectives and recommendation that each of these elements be adopted remain. Accordingly, the Companies respectfully renew their request for the Commission to do so in its final order on this matter. The Companies have a number of high-balance accounts where customers obtain medical certificates and file informal and formal complaints to avoid service termination while making few, if any, payments on their accounts. Under Chapter 14 of the Public Utility Code, the Companies are obligated to take steps to reduce the number of accounts with balances over \$10,000.¹ In recognition of this statutory obligation, the Companies remain concerned that certain customers seek to use medical certificates to postpone service termination as the first – and only – means of addressing their arrearage. In some cases, there may not be valid underlying medical conditions. Meanwhile, for other customers, having access to these certificates with relative ease reduces the incentive for the customer to engage with their utility company to find a long-term solution to the arrearage or low-income assistance that will make the customer's situation more sustainable in the long run. Implementation of the recommendations articulated above is expected to help address both of these concerns.

¹ See, e.g., 66 Pa.C.S. § 1410.1(3).

The Companies appreciate this additional opportunity to provide feedback on these important issues.

Very truly yours,



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Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Chapter 56 Working Group

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Docket No. L-2015-2508421

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the individuals listed below.


Service by first class mail, as follows:

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Dated: May 11, 2021



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