

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Act 129 Energy Efficiency and Conservation Program Phase III :
: **Docket No. M-2014-2424864**
:

COMMENTS OF REGIONAL HOUSING LEGAL SERVICES AND THE PHILADELPHIA
WEATHERIZATION AND CONSERVATION COLLABORATIVE

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INTRODUCTION

These comments are submitted by Regional Housing Legal Services (RHLS) and the Philadelphia Weatherization and Conservation Collaborative (the “PWCC”) as interested stakeholders pursuant to the Pennsylvania Public Utility Commission’s (the “Commission”) invitation for interested parties to comment upon issues related to the Act 129 Energy Efficiency and Conservation Program Phase III.¹

RHLS is a nonprofit law firm with unique expertise in affordable, sustainable housing and its related components — community and economic development, utility matters and preservation of home ownership. RHLS provides innovative project and policy solutions that help create sustainable communities offering decent, safe and affordable housing for lower-income Pennsylvanians.

For over 40 years, RHLS has worked closely with nonprofit, community-based organizations that provide shelter for low- and moderate-income households across Pennsylvania. Our work and the work of our partners and clients helps strengthen households and increased the stability of neighborhoods across the Commonwealth.

The PWCC is a collaborative of over 25 organizations, including owners, developers, and operators of subsidized multifamily housing as well as representatives from governmental agencies and several utilities. The PWCC meets several times a year to identify opportunities to increase energy efficiency in subsidized multifamily housing and in low-income communities. RHLS was a founding member of the PWCC and serves as its coordinator.

RHLS and the PWCC thank the Commission for this opportunity to provide these comments.

¹ See Secretarial Letter Re: Act 129 Energy Efficiency and Conservation Program Phase III, Docket No. M-2014-2424864, dated October 23, 2014.

COMMENTS

RHLS and the PWCC applaud the Commission for its work to increase energy efficiency in Pennsylvania and for recent steps to encourage Electric Distribution Companies ("EDCs") to provide energy efficiency improvements to the subsidized multifamily market through Act 129. RHLS and the PWCC strongly encourage the Commission to build upon the foundation it has laid by: 1) creating goals or designated funding for subsidized multifamily properties within the Government, Educational and Non-profit Sector; 2) creating specific goals or designated funding for multifamily properties within the Low-Income Sector; 3) encouraging EDCs to maximize savings and impact by providing whole house measures and partnering with nonprofits to deliver more comprehensive services; and 4) urging the EDCs to integrate their multifamily programs for ease of consumer access--whether those programs are officially categorized under the Government, Educational and Non-profit Sector or the Low-Income Sector or elsewhere.

SPECIFIC GOALS FOR MULTIFAMILY PROPERTIES WITHIN THE GOVERNMENT, EDUCATIONAL AND NON-PROFIT SECTOR

RHLS and the PWCC remain strongly committed to the need for goals or designated funding for the multifamily housing sector. Goals or designated funding are needed secure significant EDC movement into this largely untapped sector which has significant need, significant energy savings potential, and represents millions of dollars of Pennsylvania taxpayer (which is in effect ratepayer) dollars.

RHLS and the PWCC support the inclusion of properties that have been financed under a Federal, State, and Local affordable housing program and have long-term use restrictions in place as the key criteria for this category. In Pennsylvania there are more than 90,000 affordable multifamily apartment buildings, all of which are subsidized with some combination of federal, state, or local funds. We do not support limiting the carve out only to properties owned by

nonprofits or government agencies as it unnecessarily limits the number of low-income households who can benefit from Act 129.

SPECIFIC GOALS FOR MULTIFAMILY PROPERTIES WITHIN THE LOW-INCOME SECTOR

RHLS and the PWCC strongly urge that the PUC include a savings goal or designated funding for multifamily properties in the Low-Income Sector. As with the Government, Educational, and Non-Profit Sector, we believe that a savings goals or designated funding will help ensure that the EDCs move into providing these much needed services, which has so far been relatively underutilized.

WHOLE-HOUSE MEASURES AND NONPROFIT PARTNERSHIPS

RHLS and the PWCC strongly support the inclusion of whole-house measures. Whole-house measures make a significant impact on the comfort, safety, and long-term affordability of low-income housing. The Commission should include a directive in Phase III that requires EDCs to develop at least one comprehensive measure for multifamily properties.

In addition, RHLS and the PWCC urge the Commission to encourage EDCs to partner with nonprofits where possible to increase the impact of their energy efficiency work. There are examples of collaboration among nonprofits and utilities across the Commonwealth. One member of the PWCC, Habitat for Humanity Philadelphia, has successfully partnered with PGW to increase the impact of the services they each provide.

PROGRAM COORDINATION

RHLS and the PWCC would also like to urge the Commission to require EDCs to coordinate their multifamily programs internally. Low-income advocates have found a number of challenges facing low-income residents of multifamily properties who are trying to access

energy-efficiency services under Act 129. One recurring problem is that individuals may approach an EDC looking for assistance under the low-income program, but be told that they do not qualify for that program because they live in a building that is larger than four stories tall. These individuals may not be properly referred to the appropriate government, educational and non-profit or commercial program within the EDC or there may be actual gaps in coverage in some EDCs for these residents.

CONCLUSION

In conclusion, RHLS and the PWCC thank the Commission for the opportunity to submit these comments and encourage the Commission to: 1) create a goal or designated funding for subsidized multifamily properties within the Government, Educational and Non-profit Sector; 2) create a goal or designated funding for multifamily properties within the Low-Income Sector; 3) encourage EDCs to maximize savings and impact by providing whole-house measures and partnering with nonprofits to deliver more comprehensive services; and 4) urge the EDCs to integrate their multifamily programs for ease of consumer access--whether those programs are officially categorized under the Government, Educational and Non-profit Sector, the Low-Income Sector, or elsewhere.

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Respectfully submitted,



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