

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor, Forum Place
Harrisburg, Pennsylvania 17101-1923
(717) 783-5048
800-684-6560

FAX (717) 783-7152
consumer@paoca.org

September 12, 2016

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

Re: Duquesne Light Company Universal
Service and Energy Conservation Plan for
2017-2019 Submitted in Compliance with
52 Pa. Code §§ 54.74
Docket No. M-2016-2534323

Dear Secretary Chiavetta:

Attached for electronic filing please find the Office of Consumer Advocate's Reply Comments in the above-referenced proceeding.

Respectfully Submitted,

/s/ Christy M. Appleby
Christy M. Appleby
Assistant Consumer Advocate
PA Attorney I.D. # 85824

Enclosure

cc: Joseph Magee, Bureau of Consumer Services (jmagee@pa.gov, Email Only)
Sarah Dewey, Bureau of Consumer Services (sdewey@pa.gov, Email Only)
Louise Fink Smith, Law Bureau (finksmith@pa.gov, Email Only)

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Duquesne Light Company Universal	:	
Service and Energy Conservation Plan for	:	Docket No. M-2016-2534323
2017-2019 Submitted in Compliance with	:	
52 Pa. Code §§ 54.74	:	

REPLY COMMENTS
OF THE
OFFICE OF CONSUMER ADVOCATE

The Office of Consumer Advocate (OCA) files these Reply Comments in response to the Pennsylvania Public Utility Commission’s (Commission) Tentative Order issued August 11, 2016, in the above-captioned proceeding.

I. INTRODUCTION

On March 16, 2016, Duquesne Light Company (Duquesne or Company) filed the above-captioned Universal Service and Energy Conservation Plan (USECP or Plan) for the years 2017 through 2019, in accordance with the Commission’s regulations at 52 Pa. Code § 54.74(a), relating to electric universal service and energy conservation requirements. On August 11, 2016, the Commission entered its Tentative Order on the Plan which requested clarifications from the Company and comments from interested parties. On August 31, 2016, the OCA, Duquesne, and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) filed Comments. The OCA responds to the Comments of Duquesne and CAUSE-PA regarding: (1) removal from CAP based on income information from a PUC Complaint and (2) the requirement for a Social Security number.

II. COMMENTS

A. Removal from CAP Based on Income Information from a PUC Complaint

The Tentative Order identifies a concern with Duquesne's policy of using income information reported through a PUC informal complaint as proof of household income. Tentative Order at 13. The Tentative Order requests clarification regarding "how income information from a PUC complaint is used to remove households from CAP and what rights a consumer has to dispute and/or clarify this information." Tentative Order at 28. In response to the Commission's requested clarification, Duquesne states that:

income information provided by the Bureau of Consumer Service ("BCS") in response to a PUC complaint is treated in the same way as when a customer provides updated income information to the Company. Should that income information disqualify a customer from CAP, the customer will be removed from CAP.

Duquesne Comments at 4. As discussed in the OCA's Comments, the OCA does not agree that this information alone should cause a customer to be removed from CAP. See, OCA Comments at 9-10. CAUSE-PA identified a similar concern in its Comments. CAUSE-PA Comments at 17-18.

Duquesne's Comments clarify its procedures that if a CAP customer provides income information different from the income information on file and that income appears to disqualify a customer from CAP, the customer is removed from CAP. Duquesne Comments at 4. Duquesne states that the information provided to BCS should be considered truthful and that payment arrangements issued on BCS would not be based on inaccurate information. Duquesne then places the onus on the CAP customer to contact the Company to dispute or clarify the information provided to Duquesne by BCS. Duquesne Comments at 4.

The Tentative Order correctly states that the Company may request the CAP household to re-verify its income based on the information provided to BCS or other sources, but the Company may not base its determination solely on the information obtained from BCS or other “reputable sources.” Tentative Order at 14. The CAP participant should be provided the opportunity to verify their income or to clarify any discrepancy with information provided to BCS or obtained from other sources before removal from the CAP program or a change in the benefits provided under CAP. Duquesne’s policy does not provide CAP customers with this opportunity prior to the notice that CAP customers will be removed from CAP due to the income discrepancy. As discussed in the OCA’s Comments, depending upon the circumstances of the request, there could be a variety of legitimate reasons why the CAP customer’s income information provided to BCS or other sources may differ from the information provided at the time of the CAP application or recertification. OCA Comments at 9-10. The OCA continues to support the Tentative Order and recommends that Duquesne provide CAP customers with an affirmative opportunity to clarify or dispute the income information provided to Duquesne by BCS or other sources.

B. Social Security Numbers

Duquesne’s Plan requires customers to provide Social Security numbers for all household members in order to qualify for a Hardship Fund grant. Plan at 14. Duquesne does not require CAP customers to provide Social Security numbers for enrollment in the CAP program. Plan at 4. CAP customers are permitted to verify their identity with a driver’s license or other type of government issued identification. Plan at 4. The Tentative Order requests clarification regarding whether customers may provide alternate forms of identification for household members other

than a Social Security number when applying for a Hardship grant. Tentative Order at 20. In its Comments, Duquesne states:

The requirement for providing a social security number for household members is not a requirement of Duquesne Light but rather that of Dollar Energy Fund (“Dollar Energy”), which administers Duquesne’s hardship fund.

Duquesne Comments at 6. The OCA submits that this is not a sufficient reason to require CAP customers to provide Social Security numbers for the household.

The CAP Policy Statement requires the Company to maintain a Hardship Fund and a CAP program. 52 Pa. Code §54.74. As noted in the Tentative Order, Duquesne’s Proposed Plan would not require CAP customers who enroll in the CAP program to provide a Social Security number. Tentative Order at 20; Plan at 4. The OCA submits that the same rules should apply to all aspects of the Company’s USECP.

The Company’s proposal to require a Social Security number for Hardship Fund recipients is inconsistent with its proposal to change its policy regarding a requirement for Social Security numbers for CAP enrollment. See, USECP modifications, Tentative Order at 5. The Company’s proposed change regarding its CAP enrollment is consistent with the requirements for PECO and PGW’s CAP programs. PECO and PGW have also changed their policies and allow CAP customers to provide alternate forms of identification for household members in lieu of Social Security numbers. Tentative Order at 20, citing PECO 2013-2015 USECP, Docket No. M-2012-2290911, Order at 36-38 (April 4, 2013); PGW 2014-2016 USECP, Docket No. M-2013-2366301, Order at 10-11 (August 20, 2014).

The Company states that it is requiring Social Security numbers for its Hardship Fund because Dollar Energy requires the Social Security numbers. Duquesne should be directed to

work with Dollar Energy in regard to this requirement to ensure that no household is denied a grant because of the requirement.

For the reasons set forth above and in the OCA's and CAUSE-PA's Comments, the OCA supports the Commission's Tentative Order regarding the elimination of the requirement to provide a Social Security number for a Hardship Fund grant.

III. CONCLUSION

WHEREFORE, the Office of Consumer Advocate respectfully requests that Duquesne's Universal Service and Energy Conservation Plan be approved subject to the OCA's Comments and the recommendations contained herein.

Respectfully Submitted,



Christy M. Appleby
Assistant Consumer Advocate
PA Attorney I.D. # 85824
E-Mail: CAppleby@paoca.org

Counsel for:
Tanya J. McCloskey
Acting Consumer Advocate

Office of Consumer Advocate
5th Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17101-1923
Phone: (717) 783-5048
Fax: (717) 783-7152

DATE: September 12, 2016

CERTIFICATE OF SERVICE

Duquesne Light Company Universal :
Service and Energy Conservation Plan for : Docket No. M-2016-2534323
2017-2019 Submitted in Compliance with :
52 Pa. Code §§ 54.74 :

I hereby certify that I have this day served a true copy of the foregoing document, the Office of Consumer Advocate's Reply Comments, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 12th day of September 2016.

SERVICE BY E-MAIL and INTEROFFICE MAIL

Richard Kanaskie, Esquire
Bureau of Investigations and Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

SERVICE BY E-MAIL and FIRST CLASS MAIL

Anthony D. Kanagy, Esq.
Post & Schell
17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
Counsel for: *Duquesne Light Company*

John Evans, Small Business Advocate
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, PA 17101

/s/ Christy M. Appleby
Christy M. Appleby
Assistant Consumer Advocate
PA Attorney I.D. # 85824
E-Mail: CAppleby@paoca.org

Tishekia Williams, Esq.
Duquesne Light Company
411 Seventh Avenue, 16th Fl.
Pittsburgh, PA 15219

Patrick Cicero, Esquire
Elizabeth R. Marx, Esquire
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101-1414

Counsel for
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
Phone: (717) 783-5048
Fax: (717) 783-7152
225769