

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17105**

**Lisa Tucker-Phillips
vs.
Philadelphia Gas Works**

**Public Meeting: January 19, 2017
2547165-ALJ
Docket No. F-2016-2547165**

**STATEMENT OF VICE CHAIRMAN ANDREW G. PLACE
and CHAIRMAN GLADYS M. BROWN**

Before us for consideration is the Initial Decision (I.D.) of Administrative Law Judge Christopher P. Pell addressing the formal complaint filed on May 20, 2016 by Lisa Tucker-Phillips in which she requested a Commission-issued payment arrangement. Following an evidentiary hearing the ALJ denied the Complainant's requested relief as Ms. Tucker-Phillips had defaulted on four company-issued payment arrangements since 2011.

The Complainant had an approximate gross weekly income of \$570 at the time of the hearing.¹ We believe that, while employed, Ms. Tucker-Phillips demonstrated evidence of a good faith effort to pay her utility bill sufficient to sustain a one-time Commission payment arrangement. She managed to pay most of her usage from February to October 2014², only beginning to fall behind as a result of 18-months of unemployment beginning in January 2015.³ During the resulting period – in 2015 and up to April 2016 – the Complainant was not able to keep current with her monthly gas bills or pay down her arrearages.⁴ Despite falling behind, arguably due in no small measure to the significant change of circumstances during this period, Ms. Tucker-Phillips paid a total of \$1,868.67, between January 2014 and July 2016, a significant amount considering her weekly income and extended period of unemployment.

The Complainant's payment history and change in working status indicates changed circumstances sufficient to warrant the issuance of a Commission payment arrangement in accordance with the provisions of Chapter 14 of the Public Utility Code. Based on this history, we believe that the Complainant should have been granted a one-time payment arrangement by the Commission for the arrearage that was not accrued under the Customer Responsibility Program (CRP) – which represent only approximately 9 percent of the Complainant's total arrears of \$8,087.25.

Also, as the Complainant is again employed, the Company may want to consider whether she is eligible for its CRP, as well as whether she qualifies for any other programs which may assist her in paying down her arrearages.

The record in this proceeding is insufficient to determine whether the Complainant sought any additional assistance, such as Low Income Heating Energy Assistance Program

¹ Tr. at 13.

² PGW Exh. 2.

³ Tr. at 11, 13, and 18.

⁴ *Id.*

grants, Low Income Usage Reduction Program and/or weatherization measures, to manage her utility bills. Also, there is no indication whether the Complainant explored living in a less energy consumptive residence or pursued support from social services.

Additionally, the record provides little insight into whether she could afford the Company issued payment arrangements. However, comparing Ms. Tucker-Phillips' gross weekly income to the first of several company-issued monthly payment arrangements (\$233 per month) does raise the question of whether unaffordability was a substantive reason for her inability to stay current on the arranged payment plans.

In the past, I have emphasized the profound difficulties many Pennsylvanians face paying for essential utility services and noted that this struggle impacts the fundamental ability of families to stay in their homes, to work, to go to school and to participate in their communities throughout the Commonwealth.⁵ Moreover, the lack of utility service may well lead to unsafe living conditions and homelessness.

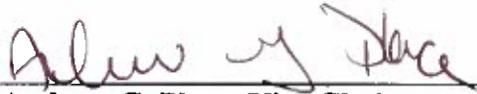
The challenges of this case notwithstanding, there is much to commend in the substantive efforts made by regulated utilities, through statutory and voluntary programs, including in this case, to provide assistance to low-income and payment troubled customers.

These all too common cases should compel all of us to further address, with prudence, the arrearage and payment challenges of utility customers and to contribute to the maintenance of essential utility services. As we have stated previously, it is likely that there are policies that would further assist in mitigating these challenges, such as reevaluating the Commission's Energy Burden guidelines, additional educational outreach and coordination efforts among all parties.

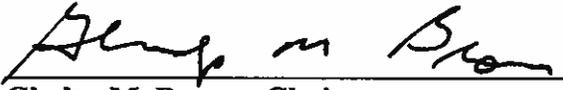
If further solutions can be crafted to more thoroughly address disconnection of essential utility services for low-income and payment troubled customers, substantive benefits accrue not only to the affected customers, but also to utilities, ratepayers, and communities throughout the Commonwealth.

Therefore, we respectfully dissent.

Date: January 19, 2017



Andrew G. Place, Vice Chairman



Gladys M. Brown, Chairman

⁵ *Billie Jo Knapp vs. Pennsylvania Electric Company*, Docket No. C-2015-2511723, Order entered October 27, 2016 (Statement of Vice Chairman Andrew G. Place).