

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17120**

Duquesne Light Company's Universal
Service and Energy Conservation Plan
for 2017-2019 Submitted in Compliance
with 52 Pa. Code §§54.74

Public Meeting - June 14, 2017
2534323-BCS
Docket No. M-2016-2534323

MOTION OF VICE CHAIRMAN ANDREW G. PLACE

Before the Commission for consideration is Duquesne Light Company's (Duquesne or Company) Universal Service and Energy Conservation Plan (USECP) for the years 2017-2019. I agree that the plan should be approved and implemented as it is in compliance with the Commission's March 2017 Order¹ and is the result of lengthy discussions and coordination with the Company. However, consideration of the plan has raised a substantive issue with Duquesne's Senior Customer Assistance Program or Senior CAP.

In 2011 as part of its rate case settlement², Duquesne limited eligibility for its CAP program to customers with incomes at or below 150% of the Federal Poverty level, but did not extend CAP eligibility to seniors (age 62 or over) with incomes between 150% and 200% of the Federal Poverty Level. However, while no new enrollees with incomes between 150% and 200% of the Federal Poverty Level would be accepted into the program, the settlement required that Duquesne "...grandfather existing senior customers so that they will not be removed from the current benefits programs, so long as their income levels are at or below 200% of the Federal Poverty Level."³

Despite the adjusted eligibility criteria in the rate case settlement, neither the 2014-16 nor the 2017-2019 plans contained any changes concerning the Company's Senior CAP program. Duquesne, in its April 24, 2017 compliance filing (in response to the Commission's March 23, 2017 Final Order) informed the Commission that the Company proposed to remove these previously grandfathered customers. As this provision had not been previously proposed, offered for public comment or discussed with the parties of record, it was rejected by the Commission in its May 1, 2017 Secretarial Letter. However, Duquesne subsequently reported to the Commission's Bureau of Consumer Services that anywhere from 150-200 grandfathered customers had been removed from CAP in 2014, without prior notice, permission or due process.

Duquesne also indicated that it is working to identify the impacted customers, credit their accounts for retroactive benefits and re-enroll eligible senior customers into CAP. However, the affected customer base and actual impacts of this change are not currently known. It is concerning that a utility would act unilaterally in this manner. It appears that Duquesne has not abided by the provisions of a previously agreed to settlement and, without additional

¹ Duquesne Light Company's Universal Service and Energy Conservation Plan for 2017-2019, Docket No. M-2016-2534323 (Order entered March 23, 2017).

² Pa. PUC, et al., v. Duquesne Light Company, Docket No. R-2910-2179522, Settlement Agreement #46

³ Id.

Commission approval and notification to other parties, changed a program with direct financial consequences on a particularly vulnerable population- those who are both elderly and low-income. Thus, I am directing that Duquesne Light Company, within 30 days of the entry date of this Order, submit to the Commission and parties to the 2011 rate case, a corrective action plan, including a detailed impacts assessment, the number of customers/households impacted, the dollar value of the impacts, and a detailed plan for communication with, and reimbursement for, these households in an attempt to resolve this issue.

THEREFORE I MOVE THAT:

1. Duquesne Light Company's Universal Service and Energy Conservation Plan for the years 2017-2019, as filed on May 12, 2017 be approved.
2. The Commission's Bureau of Investigation and Enforcement is directed to evaluate Duquesne Light Company's removal of the grandfathered Senior CAP participants and the provisions of the 2011 settlement agreement and take whatever further action may be warranted.
3. Duquesne Light Company, within 30 days of the entry date of this Order, submit to the Commission and parties to the 2011 rate case, a proposed corrective action plan, including a detailed impacts assessment, the number of customers/households impacted, the dollar value of the impacts, and a detailed plan for communication with, and reimbursement for, these households to satisfactorily resolve this issue. The Commission will provide an opportunity for comment on Duquesne Light's proposed correction action plan.
4. The Commission's Bureau of Investigation and Enforcement provide a recommendation within 90 days of the entry date of this Order regarding Duquesne Light Company's removal of the grandfathered Senior CAP participants.
5. The Commission's Bureau of Consumer Services provide a recommendation to the Commission regarding Duquesne Light Company's proposed corrective action plan including consideration of comments received within 30 days of the close of the prescribed comment period.
6. Duquesne Light Company will complete implementation of their corrective action plan within 150 days after receiving Commission approval.
7. The Office of Special Assistants prepare an Opinion and Order consistent with this Motion.

June 14, 2017

Date


Andrew G. Place, Vice Chairman