



COMMUNITY LEGAL SERVICES
OF PHILADELPHIA

July 31, 2017

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

Re: PECO Energy Company Universal Service and Energy Conservation Plan for 2016-2018,
Docket No. M-2015-2507139

Dear Secretary:

Enclosed please find the **Comments of Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia in Response to Addendum F Compliance Filing on PECO Energy Company's Revised 2016-2018 Universal Service and Energy Conservation Plan (USECP) at Docket No. M-2015-2507139** .

Copies have been served as indicated on the attached Certificate of Service.

Respectfully submitted,

Josie Pickens
Attorney for TURN *et al.*
PA Attorney ID No. 309422

Enclosures

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

PECO Energy Company Universal Service :
And Energy Conservation Plan for 2016-2018 : Docket N. M-2015-2507139

Certificate of Service

I hereby certify that I have this day served copies of the **Comments of TURN *et al.* in Response to Addendum F Compliance Filing on PECO Energy Company's Revised 2016-2018 Universal Service and Energy Conservation Plan (USECP) at Docket No. M-2015-2507139** upon the parties of record in the above captioned proceeding in accordance with the requirements of 52 Pa. Code § 1.54 in the manner and upon the persons listed below.

VIA E-MAIL AND FIRST CLASS MAIL

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Pennsylvania Public Utility Commission
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Re: Comments of TURN *et al.* in Response to Addendum F Compliance Filing on PECO Energy Company's Revised 2016-2018 Universal Service and Energy Conservation Plan (USECP) at Docket No. M-2015-2507139

In its Final Order on PECO's Universal Service and Energy Conservation Plan for 2016-2018 ("USECP"), the Commission approved PECO's *de facto* heating pilot, which is scheduled to begin in October 2017.¹ In that same order, the Commission directed PECO to file an addendum that provides a description of finalized implementation details for the pilot, including the estimated number of jobs and yearly budget allocations.²

On June 23, 2017, PECO Energy Company ("PECO") filed an addendum to its USECP ("Addendum F"), pursuant to the Commission's Final Order. By Secretarial Letter dated July 6, 2017, the Commission provided interested parties with an opportunity to comment on Addendum F on or before July 21, 2017. On July 12, 2017 Counsel for CAUSE-PA submitted a request for extension of the comment period. The Commission granted CAUSE-PA's request on July 13, 2017 and the comment period was extended until July 31, 2017.

TURN *et al.* were parties to PECO's 2016-2018 USECP plan proceeding. TURN *et al.* support utility efforts to address *de facto* heating because *de facto* heating poses a significant threat to the health and safety of communities. In order for utility programs to successfully eliminate *de facto* heating, the programs should be broadly available, easy to access, and coordinated with other programs and resources that might allow the utility to reach more

¹ PECO Energy Company Universal Service and Energy Conservation Plan for 2016-2018, Docket No. M-2015-2507139, Final Order at 48 (August 11, 2016).

² *Id.*



customers and provide comprehensive measures to participants. TURN *et al.* have reviewed PECO's Addendum F and believe that PECO's *de facto* heating pilot is deficient because it is not broadly available and it is difficult for customers to access the pilot program. Further, PECO's pilot fails to contemplate resources in PECO's service territory that may soon be available to help households restore natural gas service that has been terminated for non-payment. TURN *et al.* submit these comments to respond to issues raised by PECO's Addendum F and urge the Commission to order PECO to modify its USECP to state that all of PECO's current and former *de facto* heating customers are eligible for the pilot.

PECO should not exclude from its *de facto* heating pilot program customers who have lost their primary heating source due to non-payment.

In Addendum F, PECO has indicated that “the only exclusion from the De-Facto Heating program will be customers who have lost their primary heating source due to non-payment of their heating source bill.”³ For these customers PECO stated that “an assessment will be conducted to determine the appropriate remedial action if any.”⁴ TURN *et al.* submit that this new exclusion proposal, which was not part of the Commission-approved pilot, is inappropriate and would impermissibly alter the approved pilot, after-the-fact. The Commission should not permit PECO to implement this exclusion.

TURN *et al.* oppose PECO's attempt to single out a group of customers for exclusion from pilot participation. PECO should target all of its *de facto* heating customers for inclusion in the pilot. PECO customers who are unable to restore their primary heating source due to non-payment are likely to be most in need of *de facto* heating remediation. Unlike customers with an inefficient or damaged heating source, these customers may have no alternative to address their home energy needs. To the extent that these customers are former PGW customers who are unable to restore service due to non-payment of PGW bills, they may be unable to rely on natural gas for any of their home energy needs, including for hot water and fuel for cooking. As a result, some of these customers may have high PECO usage because they are forced to rely on PECO to meet all of their home energy needs. PECO's pilot should include these customers.

³ PECO Energy Company Universal Service and Energy Conservation Plan for 2016-2018, Docket No. M-2015-2507139, Addendum F at 1 of 4 (June 23, 2017).

⁴ *Id.*



Further, if PECO has identified *de facto* heating customers who are without PGW service due to non-payment, PECO should communicate with PGW in each case to determine whether there are payment options or other services available to address these customers' needs. In its ongoing base rate case proceeding, PGW and the other parties to the proceeding have submitted a Joint Petition for Partial Settlement, which includes an agreement that PGW will implement a hazardous heating remediation pilot for at least two years for certain low and limited income customers who have unsafe or inoperable heating system components in their properties.⁵ PGW has agreed to spend \$250,000 per year for the first two years of the pilot.⁶ PGW has also agreed to consider flexible gas service reinstatement terms for eligible consumers whose gas service is off.⁷ These terms include, but are not limited to, enrollment in PGW's Customer Responsibility Program (CRP) if the household would otherwise be eligible for CRP enrollment.⁸ PGW has also agreed to inform PECO of its new program.⁹ Because PGW's Joint Petition for Partial Settlement of its rate case was only recently submitted to the Commission, it is likely that PECO is not yet aware of PGW's planned heating remediation pilot program. In light of this new PGW program, in addition to being inappropriately included, PECO's proposal to exclude from its *de facto* heating pilot customers who are without PGW service due to non-payment is at odds with the shared goals of PECO and PGW to resolve *de facto* heating conditions. The same customers PECO proposes, for the first time, to exclude from the program now have new options to restore service from PGW. PECO and PGW must coordinate their programs to broaden the effectiveness of both programs and to provide comprehensive measures to participants.

PECO's proposal to "conduct an assessment to determine the appropriate remedial action if any" is not specific and does not address the need for *de facto* heating measures for these vulnerable customers. TURN *et al.* recommend that PECO include customers who have lost their primary heating source due to non-payment in its pilot.

⁵ PUC v. PGW, Docket No. R-2017-2586783, Joint Petition for Partial Settlement at ¶ 26 (July 21, 2017). PGW pilot participants must have household income at or below 200% FPL and must have received a hazard tag from a PGW representative indicating a heating system component is not operating safely or at all.

⁶ Id. at ¶ 28

⁷ Id. at ¶ 26(a)

⁸ Id.

⁹ Id. at 26(b)



PECO should adopt broad eligibility standards for its *de facto* heating pilot to include customers who have not yet received LIURP services, and to accept referrals from organizations and agencies that assist PECO customers, and self-referrals from PECO customers.

PECO intends to require its *de facto* heating pilot program participants to have participated in PECO's LIURP program.¹⁰ PECO will also accept referrals from Pennsylvania Weatherization programs within PECO's service territory.¹¹ TURN *et al.* urge PECO to revise its eligibility criteria to include any PECO customer who is reliant on *de facto* heating. PECO's proposed eligibility standards may result in some customers being unable to access the program if they have not yet received LIURP services or have not been referred by an approved agency. PECO should broaden program eligibility criteria to include referrals from organizations and agencies that assist PECO customers, and self-referrals from interested customers. By broadening eligibility for the program, PECO can ensure that customers who need *de facto* heating remediation are not overlooked. Organizations and agencies that assist PECO customers should be able to contact PECO to refer customers to the pilot. Customers who have not yet received LIURP should be able to contact PECO to report that they are reliant on *de facto* heating and want to be included in the pilot.

PECO should include a welcome back component to its *de facto* heating pilot for customers who have had PECO service terminated for non-payment caused by *de facto* heating.

TURN *et al.* strongly urge PECO to allow former customers to restore PECO service if PECO determines that the customer was shut off for non-payment and the payment trouble was caused by the customer's reliance on *de facto* heating. These customers may not have experienced termination but for high electric usage stemming from *de facto* heating. TURN *et al.* suggest that PECO restore service and enroll these customers in CAP or an affordable payment arrangement. By permitting these customers to restore electric service and providing measures under its pilot and coordinating treatment with PGW, PECO will provide these customers with a fresh start, while simultaneously addressing the cause of prior bill unaffordability.

¹⁰ Addendum F at 1 of 4.

¹¹ *Id.*



The Commission should order PECO to modify its USECP for 2016-2018.

TURN *et al.* urge the Commission to order PECO to modify its *de facto* heating pilot. PECO's pilot is deficient because it is not broadly available and it is difficult for customers to access the pilot program. Further, PECO's pilot fails to contemplate resources in PECO's service territory that may soon be available to help households restore natural gas service that has been terminated for non-payment. PECO should be required to modify its USECP to state that all of PECO's current and former *de facto* heating customers are eligible for the pilot.

COMMUNITY LEGAL SERVICES, INC.

Counsel for TURN et al.

A handwritten signature in blue ink that reads "Josie B. H. Pickens". The signature is written in a cursive style with a large, looping initial 'J'.

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