

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, Pennsylvania 17120

2019 Rulemaking Regarding
Universal Service Regulations

Public Meeting held September 19, 2019
3012600-LAW
Docket No. L-2019-3012600

JOINT MOTION OF CHAIRMAN GLADYS BROWN DUTRIEUILLE AND
COMMISSIONER ANDREW G. PLACE

Today the Commission took an important step by revising our Customer Assistance Program (CAP) Policy Statement¹ to update the energy burdens to more affordable levels for Pennsylvania's lowest income citizens, those at or below 150% of the Federal Income Poverty Guidelines.² In doing so, the Commission carries out the mandate of Section 2802 of the Competition Act which provides that, "[t]he Commonwealth must, **at a minimum**, continue the protections, policies and services that now assist customers who are low-income to afford electric service."³ (Emphasis added).

Regulations will provide the Commission with another tool to enforce any necessary changes to the utilities' CAPs, energy burden levels, CAP credit limits, and customer education requirements. Therefore, with this Motion, we direct the commencement of a universal service rulemaking which will include the amendments to the CAP Policy Statement, which we just voted on at Docket No. M-2019-3012599. This new universal service rulemaking may also encompass the pending review of the Low-Income Usage Reduction Program (LIURP) rules,⁴ and any other changes to the Commission's universal service regulations necessary to ensure that the programs are reasonably structured to efficiently and effectively assist low-income ratepayers.

As we task staff with this rulemaking, we are mindful of another mandate in Section 2203 of the Competition Act that, "[t]he commission shall, ensure that universal service and energy conservation policies, activities and services are appropriately funded and available in each natural gas distribution service territory . . . Programs under this paragraph shall be subject to the administrative oversight of the commission, which shall ensure that the programs are operated in a cost-effective manner."⁵

¹ 52 Pa. Code § 69.265(2)(i)(A-C).

² Department of Health and Human Services (HHS) Poverty Guidelines for 2019. *Federal Register*, Vol. 43, No. 22, February 1, 2019, pp. 1167-1168.

³ 66 Pa. C.S. § 2802(10). The Commission shall, **at a minimum**, continue the level and nature of the consumers protections, policies and services within its jurisdiction that are in existence as of the effective date of this chapter to assist low-income retail gas customers to afford natural gas services. 66 Pa. C.S. § 2203(7). (Emphasis added).

⁴ Initiative to review and amend the Existing LIURP Regulations at 52 Pa. Code §§ 58.1 – 58.18. Docket No. L-2016-2557886. Order entered on December 16, 2016.

⁵ 66 Pa. C.S. § 2203(8).

THEREFORE, WE MOVE THAT:

1. The Bureau of Consumer Services and the Law Bureau shall prepare an order consistent with this Motion.
2. The Bureau of Consumer Services and the Law Bureau shall prepare a comprehensive universal service rulemaking order no later than the first quarter of 2020.

DATE: September 19, 2019



Gladys Brown Dutrieuille, Chairman



Andrew G. Place, Commissioner