



July 28, 2020

Via Efiling

Rosemary Chiavetta, Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: PECO Energy Company's 2019-2024 Universal Service and Energy Conservation Plan, Docket Nos. M-2018-300579 and P-2020-3020727

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Answer of the Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia to PECO Energy Company's 2019-2024 Universal Service and Energy Conservation Plan in the above referenced proceeding.

Due to the ongoing COVID-19 pandemic, a copy of this Answer is being served via email, as indicated on the attached Certificate of Service.

Sincerely,

Joline R. Price, Esquire
Attorney ID No. 315405

Enclosures

Cc: Certificate of Service
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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

PECO Energy Company's 2019- 2024 Universal : Docket Nos. M-2018-300579
Service and Energy Conservation Plan : P-2020-3020727

CERTIFICATE OF SERVICE

I hereby certify that I have, on this day, served copies of the **Answer of the Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia** in the above captioned matter upon the following persons and in accordance with the requirements of 52 Pa. Code § 1.54.

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Respectfully submitted,



July 28, 2020

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

PECO Energy Company's 2019- 2024 Universal : Docket Nos. M-2018-300579
Service and Energy Conservation Plan : P-2020-3020727

**ANSWER OF THE TENANT UNION REPRESENTATIVE NETWORK
AND ACTION ALLIANCE OF SENIOR CITIZENS OF GREATER
PHILADELPHIA (TURN *ET AL.*)**

Counsel for TURN et al.

July 28, 2020

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I. INTRODUCTION AND BACKGROUND

Pursuant to the provisions of the Rules of Practice and Procedure of the Pennsylvania Public Utility Commission (PUC or Commission), 52 Pa. Code §§ 5.61(e), 5.71-.76, the Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia (“TURN *et al.*”), by and through their counsel, Community Legal Services, Inc., hereby file this Answer to PECO Energy Company’s (PECO or Company) Amended Proposed 2019-2024 Universal Service and Energy Conservation Plan (Amended USECP) filed on July 8, 2020, docketed as a Petition at P-2020-3020727. TURN *et al.* strongly support a number of critical aspects within PECO’s Amended USECP, including PECO’s proposal to transition its current Customer Assistance Program (CAP) fixed credit option payment plan (FCO) to a percentage of income payment plan (PIPP). TURN *et al.* further support PECO’s proposal to reduce the applicable maximum energy burden for PECO CAP participants with income between 0-100% of the federal poverty level (FPL). At the same time, TURN *et al.* have a number of concerns with PECO’s proposals, including its failure to reduce the maximum energy burden for households at 101-150% FPL. TURN *et al.* recommend referral of PECO’s Amended USECP to the Office of Administrative Law Judge to develop a factual record associated with PECO’s proposals.

In support thereof, TURN *et al.* state as follows:

1. On November 1, 2018, PECO filed its proposed USECP for 2019-2021.

2. On June 28, 2019, PECO filed its Universal Services Program Six-Year Evaluation Report.¹ As noted in PECO's filing letter, the evaluation reviewed the Fixed Credit Option design for PECO's Customer Assistance Program (CAP) and found that additional work was necessary to accomplish the goal of affordability for PECO's CAP customers – that is, the operation of the FCO was such that it did not get customers, particularly those in the 0-50% FPL income tier, to a place where their bills were affordable as measured by the Commission's CAP Policy Statement at 52 Pa. Code §69.265 (2)(i)(A).
3. In its June 28, 2019 letter, PECO proposed several next steps, including briefings and discussions with the other signatories to the Joint Petition for Settlement that created the FCO, including TURN *et al.*² PECO further proposed that by March 31, 2020, PECO would file with the Commission a proposal to revise the FCO to improve affordability. On June 30, 2020, PECO filed a subsequent letter with the Commission, indicating that it had been working closely with stakeholders to address the structure and efficacy of the FCO in the context and intended to file its 2019-2024 USECP shortly thereafter.³
4. On October 3, 2019, the Commission issued an Order extending the USECP filing schedule from three to five years and directing each utility – including PECO – to file updated enrollment and budget projections for the additional years of their currently-effective

¹ That report was docketed at M-2019-3011281 and is available at <http://www.puc.state.pa.us/pcdocs/1626073.pdf>.

² See PECO Cover Letter to PECO Energy Universal Services Program Final Evaluation Report (June 28, 2019), Docket No. M-2019- 3011281 at 3, available at <http://www.puc.state.pa.us/pcdocs/1626073.pdf>.

³ See PECO Letter of June 30, 2020, PUC Docket No. M-2018-3005795 at 2, available at <http://www.puc.state.pa.us/pcdocs/1668316.pdf>.

USECP.⁴ As part of this Order, the Commission extended PECO's pending USECP from 2021 to 2024.⁵

5. On November 5, 2019, the Commission entered a Final Policy Statement and Order at Docket No. M-2019-3012599 (November 5th Order), which ordered a number of critical reforms to the Commission's Customer Assistance Program (CAP) Policy Statement at 52 Pa. Code §§ 69.261-.267.⁶
6. In its November 5th Order, the Commission found that, based on extensive data, analysis, and information in the underlying proceedings,⁷ the current CAP energy burden standards were excessive and did not fulfill the Commission's statutory obligation to ensure that universal service programming is appropriately funded and accessible to low income customers.⁸ Accordingly, the Commission amended its Policy Statement to reduce the energy burden standards for customers enrolled in a utility-run CAP, setting a maximum *combined* energy burden for electric and heating of 10% for households with income between 51-150% of the Federal Poverty Level (FPL) and 6% for households with income between 0-50% FPL.⁹ For electric baseload (non-heating) customers, the maximum was set at 4% for customers with income between 51-150% FPL and 2% for customers with income between 0-50% FPL.¹⁰ In

⁴ See Universal Service and Energy Conservation Plan (USECP) Filing Schedule and Independent Evaluation Filing Schedule, Docket No. M-2019-3012601, at 15-16 (order entered Oct. 3, 2019).

⁵ See *id.*

⁶ 2019 Amendments to CAP Policy Statement, Final Policy Statement and Order, Docket No. M-2019-3012599, at 27 (order entered Nov. 5, 2019) (hereinafter November 5th Order).

⁷ Energy Affordability for Low-Income Customers, Docket No. M-2017-2587711, and Review of Universal Service and Energy Conservation Programs, Docket No. M-2017-2596907.

⁸ November 5th Order at 27.

⁹ *Id.* at 32-33.

¹⁰ *Id.*

doing so, the Commission found that the existing maximum energy burden standards, “do not reflect reasonable or affordable payments for many low-income customers” - especially for those with income at or below 50% FPL.¹¹ The Commission’s CAP Policy Statement became effective when it was published in the Pennsylvania Bulletin on March 21, 2020.¹²

7. In addition to adjusting the maximum energy burden standards, the Commission made a number of additional reforms to its CAP Policy Statement to improve the accessibility and affordability of the program.¹³
8. As part of its November 5th Order, the Commission directed each utility to file and serve an addendum to their existing or proposed Universal Service and Energy Conservation Plan (USECP) within 60 days of entry date of the order to indicate whether the utility’s existing or pending USECP was consistent with the amended CAP Policy Statement and, if not, whether and how the utility would implement the policy changes specified in the amended CAP Policy Statement.¹⁴
9. On November 20, 2019, the Energy Association of Pennsylvania (EAP) and the Office of Consumer Advocate (OCA) each – on separate grounds – filed Petitions for Reconsideration and/or Clarification of the Commission’s November 5th Order. EAP also filed a Petition to Stay the Commission’s November 5 Order until resolution of its Petition for Reconsideration. This Petition for Stay was granted on November 25, 2019.¹⁵

¹¹ *Id.* at 27, 29-30.

¹² 50 Pa. B. No. 12 at 1691-1695.

¹³ *Id.* at 101-104.

¹⁴ *Id.* at 106.

¹⁵ 2019 Amendments to Policy Statement on Customer Assistance Program, 52 Pa. Code § 69.261-267, Docket No. M-2019-3012599 (order entered November 25, 2019).

10. On November 26, 2019, PECO submitted a revised USECP, extending the effective date of its pending proposed USECP from 2022 to 2024.
11. On January 16, 2020, PECO submitted an extended USECP for 2019-2024.
12. On February 6, 2020, the Commission issued an Order (February 6th Order) on the two Petitions for Reconsideration which clarified that full compliance with the Commission's amended CAP Policy Statement was voluntary under the November 5th Order. The Commission further directed each utility to file and serve a cover letter and addendum to their current Plan, consistent with the Commission's November 5th and February 6th Orders, within 15 days from the date of the Commission's Order of February 6, 2020.¹⁶ The Commission emphasized in its Order that "[i]mplementation of the amendments to the Customer Assistance Program Policy Statement is strongly encouraged on or before January 1, 2021."¹⁷
13. On July 8, 2020, PECO submitted its Amended USECP for program years 2019-2024, which was docketed with the Commission as a formal Petition at P-2020-3020727. Through its Amended USECP, PECO is seeking approval to implement a number of proposed amendments to its currently pending USECP, many (though not all) of which are consistent with the Commission's revised CAP Policy Statement. TURN *et al.* files this Answer in response thereto.

II. Standing

14. Pursuant to the requirements contained in 52 Pa. Code § 5.61(e) TURN *et al.* assert that they have standing to intervene and file an Answer in this proceeding.

¹⁶ February 6th Order at 14, para. 3.

¹⁷ *Id.*

15. The Commission's Regulations provide that intervention "may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought." 52 Pa. Code § 5.72(a).
16. The Commission's Regulations permit intervention by persons claiming "an interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding." 52 Pa. Code § 5.72(a)(2).
17. In Pennsylvania, an association may have standing as a representative of its members, provided the organization has at least one member who has or will suffer a direct, immediate, and substantial injury to an interest as a result of the challenged action.¹⁸ The Commission has previously determined that a not-for-profit organization may have standing in a representational capacity, including both associations and not-for-profit corporations.
18. The Tenant Union Representative Network ("TURN") is a not-for-profit advocacy organization composed of moderate and low income tenants, many of whom are either customers of or dependent on electric service from PECO. TURN is located at 100 South Broad Street, Suite 800, Philadelphia, PA 19120.
19. Action Alliance of Senior Citizens of Greater Philadelphia ("Action Alliance") is a not-for-profit membership organization of senior citizens, many of whom are either customers of

¹⁸ PPL Electric Utilities Corporation's Universal Service and Energy Conservation Plan for 2011-2013, Docket No. M-2010-2179796 (internal citations omitted).

PECO or dependent on electric service from PECO. Action Alliance is located at 2000 S. 58th Street, Apt. 602, Philadelphia, PA 19143.

20. TURN and Action Alliance (collectively TURN *et al.*) have a direct, immediate, substantial and distinct interest in PECO's Universal Service and Energy Conservation Plan, which sets forth the programmatic design of PECO's programs serving low income customers. TURN *et al.* additionally have a direct interest in ensuring the prompt implementation of the Commission's CAP Policy Statement reforms, which were designed to address deep and persistent levels of unaffordability within CAP. Adoption of these reforms is necessary to prevent significant harm as a result of energy insecurity.¹⁹

21. TURN *et al.* are represented in this proceeding by:

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22. Counsel for TURN *et al.* consents to the service of documents by electronic mail as provided in 52 Pa. Code § 1.54(b)(3).

III. ANSWER

¹⁹ See Diana Hernandez, Understanding "Energy Insecurity" and Why It Matters to Health, J. Social Science & Medicine 167, at 1-10 (2016).

23. TURN *et al.* are generally supportive of many aspects of PECO's Amended USECP, including its proposed transition to a percentage of income payment plan CAP design and to the extent it proposes a reduction in PECO's maximum energy burden threshold.

24. At the same time, TURN *et al.* believe that further inquiry is necessary to address a number of questions regarding PECO's Amended USECP, including its use of an unaffordable energy burden for households with income between 101 and 150% of FPL.

A. TURN *et al.* support PECO's Proposal to Transition its CAP Design from a fixed credit option to a percentage of income payment plan

25. PECO proposes to implement a new program design for its Customer Assistance Program (CAP).²⁰ Currently, PECO's CAP uses a fixed credit (Fixed Credit Option or FCO), which is intended to bring customer bills down to an affordable level. However, as noted in the PECO Energy Universal Services Program Final Evaluation Report completed by APPRISE, the FCO was not operating to bring bills down to the percentage of income considered affordable by the Commission, particularly for PECO's lowest income CAP customers.²¹

26. Following review and extensive consultation with stakeholders, PECO is proposing to implement a percentage of income payment plan (PIPP), which will provide a fixed monthly bill that is determined by applying an energy burden percentage to the customer's annual income.²²

27. TURN *et al.* support PECO's move to a PIPP, given the documented unaffordability and complexity of the FCO. PECO implemented its current FCO in 2016 after extensive litigation

²⁰ PECO Amended USECP at 3.

²¹ See PECO Energy Universal Services Program Final Evaluation Report (June 2019), Docket No. M-2019-3011281, available at <http://www.puc.state.pa.us/pcdocs/1626073.pdf>.

²² PECO Amended USECP at 4.

and mediation over persistent affordability issues inherent in PECO's former CAP design.²³ Unfortunately, an independent third party review of PECO's CAP revealed that the FCO redesign did not resolve those longstanding affordability issues – and in fact further exacerbated the unaffordability issues which led to the adoption of the FCO.²⁴ In the first two years of implementing PECO's FCO, 80% of households with income between 0-50% FPIG received an unaffordable bill, with a “depth” of unaffordability reaching an astounding \$800 per year.²⁵ A PIPP will allow PECO to more precisely target affordability for its CAP customers. Doing so will improve the affordability of PECO's CAP bills, which is critical to improving energy security for PECO's low-income customers. TURN *et al.* note their continued concerns regarding the implementation of the PIPP, including but not limited to the percentage of income PECO proposes to use for its CAP customers in the 101-150% FPL income tier and the availability of exemptions to maximum CAP credits.

B. PECO must be required to implement the Commission's energy burdens as set forth in the CAP Policy Statement for all tiers of income

28. PECO proposes to use the targeted energy burdens in the Commission's CAP Policy Statement for the 0-50% FPL and 51-100% FPL income tiers. However, for the 101-150% FPL income tier, PECO proposes to retain unaffordable energy burdens.²⁶

²³ See PECO Energy Co. Universal Service and Energy Conservation Plan for 2013-2015 Submitted in Compliance with 52 Pa. Code §§ 54.74 and 62.4, Recommended Decision, Docket No. M-2012-2290911, at 23 (June 11, 2015) (approved by the Commission by Order dated July 8, 2015).

²⁴ See PECO Energy Universal Services Program Final Evaluation Report (June 2019), Docket No. M-2019-3011281, available at <http://www.puc.state.pa.us/pcdocs/1626073.pdf>.

²⁵ *Id.* at 131-133.

²⁶ TURN *et al.* participated in stakeholder meetings with PECO, CAUSE-PA and the OCA regarding PECO's CAP program design. TURN *et al.* consistently raised concerns about PECO's proposal to keep CAP customers in the 101-150 FPL income tier at unaffordable energy burdens. Over the course of those meetings, PECO was unable to data that showed how many CAP customers would be charged an unaffordable bill (based on the current CAP Policy Statement) if PECO calculated PIPP bills at the proposed unaffordable levels.

29. In implementing the PIPP, PECO must use the Commission’s energy burdens for all income eligible CAP customers. The Commission recognized in updating its CAP Policy Statement that its previous energy burdens were not acceptable and were not truly affordable for low-income customers.²⁷

30. TURN *et al.* oppose PECO’s proposal to set maximum energy burden standards for households with income between 101-150% FPIG that exceed the levels set forth in the Commission’s CAP Policy Statement. The Commission clearly found that the energy burdens contained in the Commission’s *prior* CAP Policy Statement did not reach an acceptable level of affordability. As a result, PECO’s proposal to continue applying the Commission’s prior energy burden standards for households with income between 101-150% FPIG falls short of addressing unacceptable levels of unaffordability identified by the Commission in its extensive statewide review of CAP affordability.²⁸

31. Low income households unable to afford utility service are often forced to make dangerous choices between utility services and critical medical care, food, clothing, and other basic necessities.²⁹ Chronic levels of unaffordability in CAP have exacerbated this inherent tension,

²⁷ See Energy Affordability for Low Income Customers, Order, Docket No. M-2017-2587711 (Jan. 17, 2019) (releasing the Commission Staff Report, titled “Home Energy Affordability for Low Income Customers in Pennsylvania” which was initiated by the PUC “to ‘determine what constitutes an affordable energy burden for Pennsylvania’s low-income households’ and to identify “whether any changes in the Commission’s Customer Assistance Program (CAP) Policy Statement or other Universal Service and Energy Conservation Program guidelines are necessary to bring these programs into alignment with any affordability recommendations.”); see also 2019 Amendments to Policy Statement on Customer Assistance Program, 52 Pa. Code § 69.261-69.267 (order entered Nov. 5, 2019) (explaining the history of the Commission’s statewide investigation into the affordability of CAP for economically vulnerable consumers).

²⁸ See Energy Affordability for Low Income Customers, Order, Docket No. M-2017-2587711 (Jan. 17, 2019).

²⁹ See Review of Universal Service and Energy Conservation Programs, Joint Comments of CAUSE-PA & TURN *et al.*, at 11-12, Docket No. M-2017-2596907 (Joint Comments filed August 8, 2017); see also Energy Affordability for Low-Income Customers in Pennsylvania, Joint Comments of TURN *et al.* & CAUSE-PA, at 12, Docket No. M-2017-258-7711 (comments filed May 8, 2019); see also NEADA, 2018 National Energy Assistance Survey, at 17, 20 (Dec. 2018), <http://neada.org/wp-content/uploads/2015/03/liheapsurvey2018.pdf>.

causing more households to go without service or to make other dangerous tradeoffs which impact the health and safety of household members and the greater community.³⁰

32. Affordability within CAP has always been a critical issue, but the importance of providing an affordable bill to all CAP customers is even more important in light of the current pandemic and the devastating and widespread economic impact it has brought to low income communities. Low wage workers have been hit hardest by pandemic-related wage and income losses,³¹ while at the same time many residential households – especially those with school-age children - have faced increased usage as families have stayed at home in compliance with widespread school, work, and business closures designed to stop the spread of the virus.³²
33. It is critical that the Commission make prompt and decisive policy determinations which ensure that all low income consumers enrolled in a universal service program are able to access and maintain utility services to their home. For that reason, TURN *et al.* urge the Commission to reject PECO’s proposal to maintain its current energy burden standards for households with income between 101-150% FPL. Rather, TURN *et al.* assert that the Commission should order

³⁰ See, e.g., Diana Hernandez, Understanding “Energy Insecurity” and Why It Matters to Health, *J. Social Science & Medicine* 167, at 1-10 (2016).

³¹ See, e.g., Martina Hund-Mehjean & Marcela Escobari, Brookings, [Our Employment System has Failed Low-Wage Workers. How Can We Rebuild](https://www.brookings.edu/blog/up-front/2020/04/28/our-employment-system-is-failing-low-wage-workers-how-do-we-make-it-more-resilient/) (April 28, 2020), <https://www.brookings.edu/blog/up-front/2020/04/28/our-employment-system-is-failing-low-wage-workers-how-do-we-make-it-more-resilient/>.

[W]orkers who earn low wages and do not have employer-sponsored health care account for 22 percent or 32 million of the country’s workforce. In a crisis, these workers are least attached to their employer and thus the most likely to be laid off or have their hours reduced. And nearly 40 percent of them, 12.3 million individuals, work in the hospitality and retail sectors, the two sectors most immediately impacted by COVID-19-related layoffs.

Id.; see also Stephanie Deluca *et al.*, Johns Hopkins Univ. of Medicine, [The Unequal Cost of Social Distancing](https://coronavirus.jhu.edu/from-our-experts/the-unequal-cost-of-social-distancing), <https://coronavirus.jhu.edu/from-our-experts/the-unequal-cost-of-social-distancing>.

³² See, e.g., Electric Power Research Institute, [Impact of COVID-19 on Consumer Energy Use & Outlook](http://mydocs.epri.com/Docs/public/covid19/COVID-19_survey_report.pdf) (April 29, 2020), http://mydocs.epri.com/Docs/public/covid19/COVID-19_survey_report.pdf; see also Christoph J. Meinrenken *et al.*, Columbia University, [New Data Suggest COVID-19 is Shifting the Burden of Energy Costs to Households](https://blogs.ei.columbia.edu/2020/04/21/covid-19-energy-costs-households/) (April 21, 2020), <https://blogs.ei.columbia.edu/2020/04/21/covid-19-energy-costs-households/>.

PECO to reduce its energy burden standards for this income tier consistent with the energy burden standards in the Commission’s CAP Policy Statement.

34. Further, PECO proposes that it will implement the PIPP “no later than 8 months after Commission approval of the Company’s 2019-2024 USECP.”³³ Until such implementation, PECO will continue to operate its CAP FCO.³⁴ Addendum C to PECO’s Proposed USECP sets forth that PECO must calculate fixed credits under the FCO using the energy burdens set forth in the Commission’s CAP Policy Statement.³⁵

C. PECO’s USECP must be referred to the Office of Administrative Law Judge for a full review of PECO’s Universal Service Program Design.

35. While TURN *et al.* support prompt implementation of a PIPP and lowered energy burdens, TURN *et al.* submit that further review of PECO’s Universal Service Programs is also necessary.

36. TURN *et al.* contend that PECO’s Amended USECP must be referred to the Office of Administrative Law Judge for investigation, review, and the development of a record to be considered by the Commission in evaluating PECO’s proposal. Such review should include all elements of PECO’s Universal Service Programs, including CAP, its Low Income Usage Reduction Program (LIURP), Hardship Funds (known as the Matching Energy Assistance Fund or MEAF), and CARES.

37. A review of PECO’s Customer Assistance Program (CAP) must include analysis of:

³³ PECO Amended USECP at 3.

³⁴ *Id.*

³⁵ PECO Amended USECP at 32, fn. 3. This provision exists in PECO’s currently active USECP as well – however, to TURN *et al.*’s knowledge, PECO continues to use the old energy burdens in its FCO calculations, in violation of the Settlement creating the FCO and the terms of the current USECP. As such, it is imperative that the Commission ensure in approving PECO’s Amended USECP that PECO uses the CAP Policy Statement energy burdens for the period of time that it continues to operate the FCO under the Amended USECP.

- a. Maximum CAP Credits and exemptions thereto;
- b. How and whether customers are switched into and out of the PIPP bill based on their actual usage costs to ensure that they receive the most affordable billing option;
- c. Whether in-program arrearage forgiveness is necessary given the chronic unaffordability of the FCO;
- d. Enrollment and application processes, including but not limited to income documentation requirements, procedures for zero income consumers and enrollment pathways;
- e. Recertification processes;
- f. Reenrollment processes, including whether PECO will allow customers to pay a cure amount and when and whether arrearage forgiveness is available;
- g. Arrearage forgiveness policies, including both pre-program and in-program arrears;
- h. Policies for fraud, and theft of service, including PECO's use of credit report information;
- i. PECO's plans for CAP outreach and consumer education;
- j. Any other elements of PECO's CAP design that will impact the ability of low-income customers to access and receive affordable energy bills.

38. A review of PECO's Low Income Usage Reduction Program (LIURP) must include analysis of:

- a. PECO's needs assessment, proposed budget, and anticipated enrollment levels for LIURP;
- b. The use of LIURP funding for health and safety allowances;

- c. The use of LIURP funding to address de facto heating;
- d. The services provided by LIURP;
- e. Eligibility criteria for LIURP, and the processes by which customers access LIURP services;
- f. The ability of tenants to access LIURP services;
- g. Any other elements of PECO's LIURP design that implicate the operation of LIURP or impact the ability of PECO customers to receive LIURP services.

39. A review of PECO's Hardship Fund program, the Matching Energy Assistance Fund, must include analysis of:

- a. Funding mechanisms and budgets for MEAF;
- b. Eligibility and enrollment processes for PECO customers to obtain MEAF grants;
- c. Timing and processes for distribution of MEAF funding to MEAF Agencies;
- d. Any other elements of PECO's MEAF design that implicate the ability of low-income PECO customers to access MEAF grants.

40. A review of PECO's CARES program must include analysis of the services CARES provides, and all elements of the program that impact whether and how PECO customers are accessing CARES services.

41. Further investigation and review is also needed for other elements of PECO's Amended USECP, including:

- a. A review of PECO's Universal Services Outreach and Education Program, including its outreach to low-income customers at or below 50% FPL and its outreach for the new CAP PIPP.

- b. A review of PECO's services to Limited English Proficient customers and applicants.
- c. A review of PECO's LIHEAP programming and outreach.
- d. A review of PECO's Collection Strategy for CAP Customers, including:
 - i. Medical Certificate policies
 - ii. Security deposit policies
 - iii. Any other collection policies that implicate CAP and low-income customers.
- e. A review of PECO's cost recovery mechanisms for its Universal Services Programs.

42. **CONCLUSION**

For the forgoing reasons TURN *et al.* respectfully request that PECO's Amended USECP be referred to the Office of Administrative Law Judge (OALJ) for a full and complete evaluation of PECO's Amended USECP, consistent with the rationale discussed above.

Respectfully submitted,
COMMUNITY LEGAL SERVICES, INC.
Counsel for TURN et al.



July 28, 2020

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VERIFICATION

I, **Joline R. Price**, attorney for the Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia (“TURN *et al.*”) hereby state that the facts contained in the foregoing pleading are true and correct to the best of my knowledge, information and belief, that I am duly authorized to make this Verification, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).



Date: July 28, 2020

Joline R. Price

Counsel for TURN et al.

