

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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January 11, 2021

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

Re: Petition of Duquesne Light Company for  
Implementation of the Percentage of Income  
Payment Plan Customer Assistance Program  
Docket Nos. M-2016-2534323  
M-2019-3008227  
P-2020-3023448

Dear Secretary Chiavetta:

Attached for electronic filing please find the Office of Consumer Advocate's Answer to the Petition of Duquesne Light Company in the above-referenced proceedings. The undersigned certifies that this filing contains no averments or denials of fact subject to verification and penalties under 52 Pa. Code Section 1.36.

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

Respectfully submitted,

/s/ Christy M. Appleby  
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Enclosures:

cc: Office of Administrative Law Judge (**email only**)  
Office of Special Assistants (**email only**: ra-OSA@pa.gov)  
Joseph Magee, Bureau of Consumer Services (**email only**)  
Louise Fink Smith, Law Bureau (**email only**)  
Certificate of Service

\*302186

CERTIFICATE OF SERVICE

Re: Petition of Duquesne Light Company for : Docket No. M-2016-2534323  
Implementation of the Percentage of Income : M-2019-3008227  
Payment Plan Customer Assistance Program : P-2020-3023448

I hereby certify that I have this day served a true copy of the following document, the Office of Consumer Advocate's Answer to the Petition of Duquesne Light Company, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 11<sup>th</sup> day of January 2021.

**SERVICE BY E-MAIL ONLY**

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Dated: January 11, 2021  
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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition for an Extension of Duquesne Light	:	Docket Nos.	M-2016-2534323
Company's Percentage of Income Payment Plan	:		M-2019-3008227
Implementation Customer Assistance Program	:		P-2020-3023448

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ANSWER  
OF THE  
OFFICE OF CONSUMER ADVOCATE

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The Office of Consumer Advocate (OCA) hereby submits this Answer in response to the December 22, 2020 Petition for an Extension of Duquesne Light Company's Percentage of Income Payment Plan Implementation for its Customer Assistance Program (Petition).

On December 22, 2020, Duquesne Light Company (Duquesne Light or Company) filed its Petition to extend the implementation for its Percentage of Income Payment Plan (PIPP) Customer Assistance Plan (CAP) until April 1, 2021. As a part of the Petition, Duquesne Light also requests to implement proposed revised energy burdens pursuant to the energy burdens identified in the Commission's CAP Policy Statement. See Petition at ¶¶ 30-45. The OCA does not oppose the Company's proposed extension for implementation of the PIPP CAP until April 1, 2021; however, the OCA does not support approval of the Company's proposed change to its energy burdens through this Petition.

The energy burdens that the Company has included in its Project Spark have not yet been approved by the Public Utility Commission for Duquesne. On January 6, 2020, Duquesne Light filed to amend the proposed revised energy burdens for its 2020-2025 USECP<sup>1</sup> to be consistent

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<sup>1</sup> The Commission extended the Plan timeframe from 2023 to 2025.

with the Final CAP Policy Statement changes, and on November 6, 2020, Duquesne Light filed its Petition for Implementation of the Percentage of Income Payment Plan Customer Assistance Program as Proposed on January 6, 2020 to implement the proposed new energy burdens at Docket No. P-2020-3022770.<sup>2</sup> See, 2019 Amendments to Policy Statement on Customer Assistance Program, 52 Pa. Code Sections 69.261-69.267 at Docket No. M-2019-3012599 (Nov. 5 CAP Policy Statement Order). In both the amended USECP and the Petition for expedited approval, Duquesne requests that the energy burdens for residential service non-electric heating customers be changed to 2% for customers at 0-50% of the Federal Poverty Level and changed to 4% for customers at 51-100% of the Federal Poverty Level and 101-150% of the Federal Poverty Level. Petition at ¶ 42. Duquesne Light proposes to reduce the energy burdens for residential electric heating customers be changed to 6% for customers at 0-50% of the Federal Poverty Level and changed to 10% for customers at 51-100% of the Federal Poverty Level and 101-150% of the Federal Poverty Level. Petition at ¶ 42. The 2020-2025 USECP is currently pending, and the Commission has not yet ruled on Duquesne's Petition at Docket No. P-2020-3022770. On December 29, 2020, the OCA filed Comments at Docket No. M-2019-3008227.

In its Petition, Duquesne Light requests that the Company be permitted a further extension to the implementation of its PIPP until April 1, 2021. Petition at ¶¶ 19-29. The Company states that the PIPP implementation is tied to the Company's implementation of its Customer Care and Billing update (Project Spark). Petition at ¶ 20. Project Spark was initially delayed until November 30, 2020 due to the impact of COVID-19 on Duquesne's business operations and did not resume full capacity until September 20, 2020. Petition at ¶ 22-23. Since the project resumed

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<sup>2</sup> The Petition was separately docketed at P-2020-3022770 and M-2019-3008227. The OCA filed its Answer in Opposition on November 16, 2020 under both dockets, but the Commission's November 20, 2020 Tentative Order did not consolidate the docket and the Commission's webpage does not include the P-2020-3022770 docket.

full capacity on September 20, 2020, Project Spark has experienced several challenges “after its first cycle of System Integration testing.” Petition at ¶¶ 22, 24. In its Petition, Duquesne Light states that “the remote environment created due to the COVID-19 pandemic resulted in significant collaboration hurdles.” Petition at ¶ 24. The Company states that it “took mitigation actions by increasing end user testers, conducting, tri-daily test checkpoints, and placing additional technology resources on Project Spark.” Petition at ¶ 25. The Company states that shortly thereafter an Original Equipment Manufacturer (OEM) defect that impacted overall system performance was identified. Petition at ¶¶ 26-27. The OEM defect caused delays to training classes and testing efforts one month prior to the anticipated go-live date of November 30, 2020. Petition at ¶ 28. Duquesne Light asserts that good cause exists for further delay of the implementation of the PIPP until April 1, 2022. The OCA does not oppose the proposed extension to implement the PIPP until the technical issues with Project Spark are resolved.

In its Petition, Duquesne Light, however, also requests that the Company be permitted to implement Project Spark at the proposed revised energy burdens included in the CAP Policy Statement. Petition at ¶¶ 30-45. Duquesne Light states that the Company is now in the midst of testing its Project Spark, and there is a “code freeze” to prevent further changes during system testing. *Id.* at ¶ 36. Duquesne Light states that changes to the energy burden levels would add an additional 6-8 weeks of testing and user training at an estimated cost of \$3 million. Petition at ¶¶ 37-38.

The OCA submits that the energy burdens identified in the CAP Policy Statement have not been approved for Duquesne and should not be implemented until the Commission rules on the Company’s pending Universal Service and Energy Conservation Plan at Docket No. M-2019-3008227 or the Petition for expedited approval at Docket No. P-2020-3022770. As the OCA

discussed in its Comments in the 2020-2025 USECP proceeding, the OCA is concerned about the financial impact of lowering the energy burdens on low-income, non-CAP customers and customers above 150% of the Federal Poverty Level during this time of the COVID-19 pandemic. In the 2020-2025 USECP proceeding, the OCA also recommended that if the Commission approves the reduced energy burdens, additional cost control measures should be implemented. The OCA submits the review of these issues has not been completed, and Duquesne Light should not be permitted to implement new energy burdens prior to receiving Commission approval.

As to the additional costs, the OCA is concerned with the additional costs if there is a delay in determining energy burdens, but these costs should be reviewed separate and apart from the considerations here. Duquesne Light's Petition identifies several issues and delays with its Project Spark that will need review at the appropriate time in the appropriate proceeding.

### III. CONCLUSION

WHEREFORE, the Office of Consumer Advocate does not oppose Duquesne Light's request to extend the implementation date for its PIPP. The OCA respectfully requests that Duquesne Light's request to implement the new energy burdens on or about April 1, 2020 be denied until a Final Order has been issued in the Company's pending USECP 2020-2025.

Respectfully Submitted,

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DATE: January 11, 2021  
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