



June 13, 2022

To: All Parties of Record at Docket No. M-2021-3024935, NFG's Universal Service and Energy Conservation Plan for 2022-2026

**RE: Compliance Issue with National Fuel Gas Corporation's
Revised 2022-2026 USECP, Docket No. M-2021-3024935**

Overview

On May 3, 2022, the Pennsylvania Public Utility Commission (Commission) entered an Order (May 3 Order) directing National Fuel Gas Distribution Corporation (NFG) to, *inter alia*, submit a revised 2022-2026 Universal Service and Energy Conservation Plan (2022 USECP) within 30 days reflecting changes consistent with that May 3 Order. The Commission approved the 2022 USECP conditioned upon NFG incorporating the changes directed in the May 3 Order and directed NFG to file a revised 2022 USECP in compliance with the May 3 Order.¹ On June 2, 2022, NFG filed clean and redlined versions of its revised 2022 USECP (June 2 Compliance Filing).² To date, no protests or other responsive pleadings have been filed relative to the June 2 Compliance Filing.

As directed by the May 3 Order, the Commission's Bureau of Consumer Services (BCS) has reviewed the June 2 Compliance Filing. BCS has identified an area where the revised 2022 USECP is inconsistent with the May 3 Order and is now directing NFG to file and serve a further revised 2022 USECP.

LIURP Services Provided to Tenants

The following directive from the May 3 Order was not included in NFG's June 2 Compliance Filing.

¹ On May 18, 2022, NFG filed a Petition for Clarification and Reconsideration of the May 3 Order (May 2022 Petition) seeking, *inter alia*, (1) expedited approval of a temporary stay of the requirement to implement specific USECP changes that would require specific "IT" changes (§§ 11-16), and (2) clarification that the timeline for full implementation of the other modifications is six months from the date that NFG receives compliance approval of the revised 2022 USECP (§ 7). On May 25, 2022, the Commission granted the May 2022 Petition pending review of, and consideration on, the merits of the Petition. To date, the May 2022 Petition is unopposed. The June 2 Compliance Filing also reflects the proposed six-month implementation interval. June 2 Compliance Filing Cover Letter at 1; June 2 Compliance Filing at 2. The May 2022 Petition regarding, *inter alia*, the stay and the six-month interval is undergoing formal Commission review on the merits.

² Unless otherwise specified, all references to the June 2 Compliance Filing refer to the clean version of the revised 2022 USECP.

Clarify the practice of obtaining landlord approval for LIURP and services provided to tenants when landlord approval is not received. May 3 Order at 76, OP #5(1). NFG clarified that it gets landlord approval through a Landlord Approval Form and provided this form as Exhibit 7. June 2 Compliance Filing at 33, 64-65. However, NFG did not clarify what LIURP services tenants receive if landlord permission is not granted, including providing the tenant with a *Low-Cost Energy Savings Tips Flyer*. May 3 Order at 49-50.

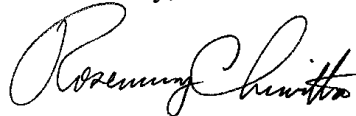
The issue noted above must be addressed in a further revised 2022 USECP.

Conclusion

Accordingly, within 20 days, NFG is directed to file and serve a further revised 2022 USECP that addresses the issues related to LIURP services provided to tenants and the timeline for implementation identified in this Secretarial Letter. NFG may submit its further revised 2022 USECP to BCS for an informal compliance review prior to filing. The determinations in this Secretarial Letter have been made by BCS staff under authority delegated by the Commission. Parties have the right to seek reconsideration of this staff action. These determinations relative to the requirement of a further revised 2022 USECP by BCS staff will be deemed to be the final action of the Commission unless reconsideration of the directives in this Secretarial Letter is sought from the Commission within 20 days after service of this Secretarial Letter. *See* 52 Pa. Code § 5.44 (relating to petitions for appeal from actions of the staff).

If you have any questions, please contact Norma Bowman in the Commission's Bureau of Consumer Services at nobowman@pa.gov.

Sincerely,



Rosemary Chiavetta
Secretary

cc: Norma Bowman, BCS, nobowman@pa.gov
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