

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, Pennsylvania 17120

Kimberly Able
vs.
West Penn Power Company

Public Meeting of January 18, 2024
3040239-ALJ
Docket No. C-2023-3040239

STATEMENT OF VICE CHAIR KIMBERLY BARROW

I would like to take the opportunity to talk about the extremely high arrearage that accrued on Ms. Able's account, and the delicate balance between making sure consumers can turn on their lights and have the ability to heat their homes versus ensuring that arrearage balances do not become excessive.

On April 24, 2023, Ms. Able filed a Formal Complaint stating that her utility was threatening to terminate service. Specifically, Ms. Able requested a payment arrangement that was not going to change monthly and noted that her husband is on oxygen.

An evidentiary hearing convened on August 17, 2023. However, Ms. Able did not attend. At the date of the evidentiary hearing, the balance on Ms. Able's account was \$23,633.90. The Initial Decision made multiple Findings of Fact which really demonstrate the unfortunate situations some low-income or fixed-income customers face after falling behind on paying their utility bill. In this matter, West Penn Power presented evidence indicating the following:


- Ms. Able established service with West Penn Power on October 27, 2009.
- Ms. Able successfully presented a medical certificate on November 13, 2012, with an account balance of \$7,157.08.
- Ms. Able successfully presented a medical certificate on October 2, 2013, with an account balance of \$7,043.09.
- Ms. Able presented three (3) other medical certificates which were denied by West Penn Power.
- Ms. Able was enrolled in West Penn Power's customer assistance program on October 25, 2016, with an account balance of \$14,587.09. She was subsequently removed from the program on November 2, 2018, with an account balance of \$8,509.09 when she failed to recertify her eligibility.
- Ms. Able received a West Penn Power payment arrangement on July 5, 2019, with an account balance of \$12,384.34. Ms. Able's reported monthly income was \$788.00. The payment arrangement was budget bill (\$114) plus \$1,032 plus EGS charges. Ms. Able defaulted on the payment arrangement.
- In accordance with the Commission's Covid-19 Emergency Order, Ms. Able received a second West Penn Power payment arrangement on May 5, 2021, with an account balance of \$19,585.45. Ms. Able's reported monthly income was \$362.03. The payment arrangement was budget bill (\$114) plus \$326 plus EGS charges. Ms. Able defaulted on the payment arrangement.

- Ms. Able was awarded a Commission payment arrangement by the Commission's Bureau of Consumer Services on April 18, 2022, with an account balance of \$19,649.29. Ms. Able's reported monthly income was \$1,444.00. The payment arrangement was for budget bill (\$114) plus \$328 plus EGS charges.

The Commission's mission includes balancing the needs of consumers and utilities and ensuring safe and reliable utility service at reasonable rates. The facts of this case demonstrate how the current payment arrangement rules and regulations set consumers up for failure. The one payment arrangement awarded to Ms. Able included a budget bill (\$114) plus \$1,032 for arrearages plus EGS charges. While the EGS charge is unknown and would undoubtedly increase the overall cost per month, the known costs were \$1,146 per month. The average person would not be able to afford to pay \$1,146 per month just for electric service, let alone someone on fixed-income or below federal poverty rates.¹ Ms. Able was forced into a process which by design sets customers up to fail.

There is a fine line between asking a utility to apply flexibility for consumers in unfortunate circumstances so that payment is being received, and asking the utility to terminate service before the arrearage becomes completely unmanageable. There is also the complexity of each individual's case which needs to be taken into consideration when bills begin stacking. This fine line is shown in this matter where Ms. Able did make payments, as clearly shown above, including eight (8) substantial payments in 2021, but the account balance was unyielding, and she had already exhausted the remedies available to her.

January 18, 2024
Date


Kimberly Barrow, Vice Chair

¹ This payment arrangement was offered in 2019. The Federal Poverty Guidelines in 2019 provided that a two-person household at the 150% level would have an income of \$25,365.00 and at the 200% level would have an income of \$33,820.00. This breaks down do a monthly income of \$2,114.00 and \$2,818.00, respectively. The record in this matter showed that Ms. Able's reported monthly income in 2019 was \$788.00.