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May 3, 2024

Via Electronic Filing

Rosemary Chiavetta, Secretary
PA Public Utility Commission
400 North Street
Harrisburg, PA 17120

RE: Philadelphia Gas Works Universal Service and Energy Conservation Plan for 2023-2027
Submitted in Compliance with 52 Pa. Code § 62.4, Docket No. M-2021-3029323

Petition for Emergency or Expedited Order Approving Temporary Modifications to the
Universal Service and Energy Conservation Plan for 2023-2027
Docket No. P-2024-XXXXXXX

Dear Secretary Chiavetta:

Enclosed for electronic filing please find Philadelphia Gas Works' ("PGW") Petition for
Emergency or Expedited Order, with regard to the above-referenced matter. **Please note that
PGW is seeking the issuance of an order by the Public Meeting date of May 9, 2024.**

The Office of Consumer Advocate, the Coalition for Affordable Utility Service and Energy
Efficiency in Pennsylvania, and the Tenant Union Representative Network and Action Alliance
of Senior Citizens of Greater Philadelphia have indicated that they do not oppose the Petition.
The Office of Small Business Advocate has stated that it takes no position on the Petition.

Copies to be served in accordance with the attached Certificate of Service.

Sincerely,

/s/ Karen O. Moury

Karen O. Moury

Enclosure

cc: Certificate of Service w/enc.

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of PGW's Petition upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

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Dated: May 3, 2024

/s/ Karen O. Moury

Karen O. Moury, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Philadelphia Gas Works Universal Service :
and Energy Conservation Plan for 2023-2027 : Docket No. M-2021-3029323
Submitted in Compliance with 52 Pa. Code :
§ 62.4 :

Petition for Emergency Order or Expedited Order : Docket No. P-2024-_____

**PETITION OF PHILADELPHIA GAS WORKS
FOR EMERGENCY OR EXPEDITED ORDER APPROVING TEMPORARY
MODIFICATIONS TO HARDSHIP FUNDS PROGRAM IN
UNIVERSAL SERVICE AND ENERGY CONSERVATION PLAN FOR 2023-2027**

I. INTRODUCTION

Pursuant to Section 3.2 of the regulations of the Pennsylvania Public Utility Commission (“Commission” or “PUC”),¹ Philadelphia Gas Works (“PGW” or “Company”) respectfully requests that the Commission issue an *ex parte* Emergency Order approving temporary modifications to PGW’s Universal Service and Energy Conservation Plan (“USECP”) for 2023-2027 filed on July 11, 2023 regarding the administration of Hardship Funds to qualifying customers. In the alternative, pursuant to Section 5.41 of the Commission’s regulations,² PGW requests that the PUC issue an Expedited Order, following a significantly shortened response period for interested parties, approving the temporary modifications described herein.

PGW’s USECP provides that Hardship Funds are to be distributed to qualifying customers with income at or below 175% FPL through grants paid by the Utility Emergency Service Fund (“UESF”), with matching funds provided by PGW. However, PGW has become

¹ 52 Pa. Code § 3.2.

² 52 Pa. Code § 5.41.

aware that UESF has not awarded Hardship Funds in the amount of ~\$142,000 to 344 customers that it determined were eligible for grants in 2023, meaning that likewise, PGW has not distributed matching bill credits (i.e. write-offs) to these customers. Further, PGW has discovered that UESF is no longer accepting Hardship Grant applications from PGW customers. Because UESF is not distributing grants that were promised to certain customers and is no longer accepting applications, qualifying customers currently do not have access to Hardship Grant funds that are available under PGW's USECP to assist them in avoiding termination or having service restored.

To address this situation, PGW proposes to file the attached Appendix O to PGW's USECP, which adds Temporary Additions to address specific portions of pages 29-34 in its USECP, on an interim basis, to: (i) allow a non-UESF administrator of PGW's Hardship' Funds Program; (ii) replace UESF as the entity paying Hardship Grants to customers whose service is terminated or in danger of being terminated; (iii) designate PGW (or its assignee) as the interim administrator and payor of the Hardship Funds Program, effective immediately; (iv) redeploy unpaid matching grants to customers whose Hardship Grants were already approved by USEF in 2023, such that both the amounts promised by USEF and PGW's matching bill credits are provided to these customers; and (vi) modify the total program budget to remove UESF grant amounts. These interim proposed amendments are in the public interest as they will allow PGW customers to continue receiving Hardship Funds as intended under the USECP.

PGW has discussed this proposal with the parties in the above-captioned matter, including sharing a draft of this Petition. The Office of Consumer Advocate ("OCA"), the Coalition for Affordable Utility Service and Energy Efficiency in Pennsylvania ("CAUSE-PA"), and the Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater

Philadelphia (“TURN”) have indicated that they do not oppose the Petition. The Office of Small Business Advocate (“OSBA”) has stated that it is taking no position on the Petition.

Expedited approval of PGW’s proposed amendments would make Hardship Funds available to customers as quickly as possible. This is particularly significant given that the objective of the Hardship Funds is to assist eligible customers in avoiding termination or getting service restored as quickly as possible.³

For all these reasons, as explained more fully below, PGW respectfully requests that the Commission grant this Petition and approve the temporary proposed amendments to PGW’s USECP via issuance of an *ex parte* Emergency Order. Alternatively, PGW asks for expedited treatment of this Petition so that responses are due on May 7, 2024 and any changes to the USECP are approved at the Public Meeting of May 9, 2024.

II. BACKGROUND

1. On October 29, 2021, PGW filed its proposed 2023-2027 USECP. After receiving additional information and stakeholder comments, the Commission entered an Order adjudicating the USECP on January 12, 2023 (“*January 12 Order*”).

2. On January 27, 2023, PGW filed a Petition for Reconsideration of the *January 12 Order*.

3. On March 16, 2023, the Commission entered its Order on Reconsideration, in which PGW’s Petition for Reconsideration was granted in part and denied in part (“*March 16 Order*”).

³ USECP at 30.

4. On July 11, 2023, PGW filed its Further Revised USECP for 2023-2027 which incorporated the required changes pursuant to the *January 12 Order* and the *March 16 Order*.

5. Specifically regarding Hardship Funds, PGW’s USECP provides that:

PGW provides Hardship Funds by matching grants paid by the Utility Emergency Service Fund (“UESF”) to customers whose service is terminated or in danger of being terminated. PGW funds are provided in the form of a matching bill credit of up to approximately \$750. Also, PGW receives customer contributions to UESF through the Dollar Plus program throughout the year; PGW expects to do outreach to customers for contributions to Dollar Plus. Contributions received are forwarded to UESF so that it can provide additional grants.⁴

6. The 2023 Budget to Actual Spend is as follows:⁵

Budgeted Description	Budgeted Amount	Amount Spent	Unspent Budget
UESF Operating Budget	\$260,149	\$0	\$260,149
PGW Contribution	\$695,500	\$191,441	\$504,059**
Pilot Program*	\$100,000	\$100,000	\$0
Total Calendar Year 2023 Budget	\$1,055,649	\$191,441	\$764,208

*Pilot program funds are to be used in the subsequent calendar year. PGW is estimating that it will use all \$100,000 available to it for the Pilot program.

** Proposed budget line item to be used for 344 customers USEF did not pay.

7. As explained in the USECP, since “hardship funds are matching bill credits, the actual number of grants and the amount of credits provided will depend upon the number of grants and level of funding provided by UESF.”⁶

III. REASONS FOR TEMPORARY ADDITIONS TO USECP

8. Section 3.2 of the Commission’s regulations requires a petition for emergency order to establish the existence of an emergency, including facts to support the following: (i) the

⁴ PGW’s 2023-2027 USECP at 29.

⁵ *Id.* at 30-33; Tables 8 and 10.

⁶ *Id.*

petitioner’s right to relief is clear; (ii) the need for relief is immediate; (iii) the injury would be irreparable if relief is not granted; and (iv) the relief requested is not injurious to the public interest.⁷ An emergency is defined as “[a] situation which presents a clear and present danger to life or property or which is uncontested and requires action prior the next scheduled public meeting.”⁸

9. PGW discovered that although UESF approved 344 customers for Hardship Funds in the amount of \$142,199.01 during calendar year 2023, UESF has not paid these grants to customers. As a result, the matching grants that would have been distributed by PGW have likewise not been paid to customers. PGW has placed a blocker on each of these accounts to ensure they are not terminated. Moreover, recently the Company has become aware that UESF is no longer accepting grant applications from potentially eligible PGW customers.

10. PGW asserts that the situation leading to the filing of this Petition meets the requirements of the PUC’s regulations given the importance of ensuring that qualifying customers have access to available Hardship Funds to either avoid termination of service or to have service restored. Given the close proximity of the next scheduled Public Meeting of May 9, 2024, PGW presents the alternative of permitting interested parties to respond to this Petition in a significantly shortened time period to enable the issuance of an Expedited Order at that Public Meeting in lieu of issuing an *ex parte* Emergency Order.

11. PGW had previously anticipated a resolution of this issue with UESF, which has not occurred. With no current expectation of having this situation resolved, PGW determined to

⁷ 52 Pa. Code § 3.2.

⁸ 52 Pa. Code § 3.1.

submit this request for the PUC to approve interim amendments that will make funds promptly available to eligible low-income customers who are either facing termination of service (particularly relevant in the active, ongoing collection season) or have been terminated for non-payment. Couching the modifications as temporary or interim, PGW is keeping open the option for UESF to resume its administrator and grant payor role in the future.

12. As noted in the table above in Paragraph 6, sufficient funds are available from the 2023 approved budget to enable PGW to redeploy bill credit funds to replace grants that have already been approved by and promised by UESF, thereby fulfilling the UESF commitments that were made to qualifying low-income customers, and also to match those amounts, up to a total of \$1,500 per customer.

IV. PROPOSED TEMPORARY ADDITIONS

13. Given that UESF has failed to distribute grants approved for issuance to eligible customers and is no longer accepting applications from PGW customers as outlined in the Company's USECP, PGW proposes to make temporary modifications to the USECP in order to ensure that qualifying customers will be able to apply for and receive Hardship Funds going forward if and until UESF resumes paying grants to customers. PGW believes this is particularly important given that Hardship Funds are intended to provide financial assistance to customers in significant need, whose income is at or below 175% of the Federal Poverty Level ("FPL") and whose service has been terminated or is in danger of being terminated.⁹ PGW's proposed amendments will allow qualifying customers to once again have access to these grants to help maintain or restore service.

⁹ See PGW's USECP for 2023-2027 at 29-31.

14. Specifically, PGW proposes to include Temporary Additions to the USECP to as follows:

- a. Allow for a non-UESF administrator of PGW’s Hardship Funds Program.
- b. Replace UESF as the entity paying Hardship Grants (as bill credits) to customers whose service is terminated or in danger of being terminated.
- c. Designate PGW (or its assignee) as an interim administrator and payor of the Hardship Funds Program, effective immediately.
- d. Redeploy unpaid matching bill credits for customers for whom Hardship Grants were already approved by UESF in 2023.
- e. Modify the total program budget to remove UESF grant amounts.

15. Under the 2024 Budget, as shown below, PGW would resume the issuance of matching bill credits, up to \$750 per customer.

Budgeted Description	Budgeted Amount
Administrator Operating Budget	\$260,149
PGW Contribution	\$695,500
Pilot Program	\$100,000
Customer/employee contributions (PGW)	\$2,000
Total Calendar Year 2024 Budget	\$1,057,649
Average annual participation***	725

***Annual participation was calculated by taking the previous expected customer count of 1,184 and dividing by half as the total grant is now \$750, and then adding in the expected 133 customers for the Pilot program.

16. A temporary assumption of this administrator role will require administrative resources, which also need to be available for payment to a successor administrator. Therefore, this Petition does not propose to alter that line item in the budget.

17. Upon approval by the Commission, PGW will file Appendix O to its USECP that incorporates the Temporary Additions discussed herein. At such time as the Temporary

Additions are no longer needed, PGW plans to notify the Commission and resume operation under the previously approved USECP, modified if necessary.

18. For the reasons discussed above, PGW submits that granting this Petition is in the public interest as it will restore access to Hardship Funds and provide the benefits intended by the current USECP. As noted, OCA, CAUSE-PA and TURN do not oppose this Petition and OSBA takes no position on the Petition.

V. CONCLUSION

For the foregoing reasons, PGW respectfully requests that the Commission grant this Petition and approve the proposed temporary amendments to PGW's USECP for 2023-2027.

Respectfully Submitted,

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Dated: May 3, 2024

Counsel for Philadelphia Gas Works

Further Revised Universal Service and Energy Conservation Plan 2023-2027
Philadelphia Gas Works
 Effective: May 9, 2024

Appendix O: Temporary Additions to Hardship Funds Program (pages 29-34)

1. A non-UESF administrator may administer PGW’s Hardship Funds Program.
2. UESF is currently not paying Hardship Grants to customers whose service is terminated or in danger of being terminated.
3. PGW (or its assignee) shall be the interim administrator and payor (via write-off bill credits) of the Hardship Funds Program, effective immediately.
4. Unpaid matching bill credits will be redeployed for customers for whom Hardship Grants were already approved by UESF in 2023 in the amount of \$142,199.10, resulting in the following budget:

Budgeted Description	Budgeted Amount	Amount Spent	Unspent Budget
UESF Operating Budget	\$260,149	\$0	\$260,149
PGW Contribution	\$695,500	\$191,441	\$504,059**
Pilot Program*	\$100,000	\$100,000	\$0
Total Calendar Year 2023 Budget	\$1,055,649	\$191,441	\$764,208

*Pilot program funds are to be used in the subsequent calendar year. PGW is estimating that it will use all \$100,000 available to it for the Pilot program in 2024.

** Proposed budget line item to be used for 344 customers USEF did not pay.

5. The total program budget for 2024 is modified to remove UESF grant amounts:

Budgeted Description	Budgeted Amount
Administrator Operating Budget	\$260,149
PGW Contribution	\$695,500
Pilot Program	\$100,000
Customer/employee contributions (PGW)	\$2,000
Total Calendar Year 2024 Budget	\$1,057,649
Average annual participation***	725

***Annual participation was calculated by taking the previous expected customer count of 1,184 and dividing by half as the total grant is now \$750, and then adding in the expected 133 customers for the Pilot program.

VERIFICATION

I, Denise Adamucci, hereby state that: (1) I am the Senior Vice President for Customer Service & Regulatory Affairs for Philadelphia Gas Works (“PGW”); (2) I have reviewed the statements set forth in the foregoing Petition as to their accuracy; and (3) the facts set forth therein are true and correct to the best of my knowledge, information and belief. I understand that statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: May 3, 2024

/s/ Denise Adamucci

Denise Adamucci
Senior Vice President for Customer & Regulatory
Affairs Philadelphia Gas Works