



National Fuel[®]

Dominick A. Sisinni
Senior Counsel

July 30, 2024

VIA ELECTRONIC FILING

Ms. Rosemary Chiavetta
Pennsylvania Public Utility Commission
400 North Street, Second Floor North
P.O. Box 3265
Harrisburg, PA 17120-3265

RE: National Fuel Gas Distribution Corporation's ("**National Fuel**") Election to Participate in the Pennsylvania Department of Human Services ("**DHS**") Low Income Home Energy Assistance Program ("**LIHEAP**") Data Sharing of LIHEAP Income and Household Information ("**Data Sharing**") and Corresponding Partial Waivers of Provisions of National Fuel's Approved 2022-2026 Universal Service and Energy Conservation Plan (the "**Plan**")
Docket No. M-2021-3024935

Dear Secretary Chiavetta:

Per Order entered at Docket No. M-2023-3038944 on June 13, 2024 (the "**Order**"), the Commission, *inter alia*, established terms and conditions under which public utilities may document their election to participate in DHS' LIHEAP Data Sharing under a temporary and partial waiver of provisions of their approved universal service and energy conservation plans.

In this regard, the Order specifically directed public utilities choosing to participate in the LIHEAP Data Sharing to file a letter at the dockets pertaining to its current USECP which, among other things: (a) confirms their election to so participate; (b) provide certain requested information related to same; and (c) identify those provisions of its USECP which will need to be waived or added to facilitate the Data Sharing.

This letter ("**Letter**") is filed by National Fuel in furtherance to the above-described directives outlined in the Order. The information requested per the Order follows.

A. National Fuel's Election to Participate in the DHS Data Sharing.

Per this Letter, National Fuel hereby elects to participate in the DHS Data Sharing as of as of the date after each of the following has occurred: (i) DHS begins sharing the data files with utilities; (ii) National Fuel has implemented the requisite processes and internal controls to meaningfully utilize the information received from the DHS Data Sharing; and (iii) Commission Staff files a Secretarial Letter at the instant docket confirming that the plans espoused in this

Letter are consistent with the Order (as noted in Ordering ¶ 5 of the Order) (the “**Effective Date**”).¹ More specifically,

- On the Effective Date, National Fuel will use the information received from the DHS Data Sharing solely for purposes of performing income reverifications for customers to be enrolled or recertified in its CAP (which is offered per National Fuel’s Plan). These customers will still need to provide other pertinent application materials as specified in the Plan.
- Additionally, National Fuel is reviewing the feasibility and its ability to use the DHS Data Sharing as a means to facilitate a more simplified/streamlined process for households desiring to enroll in CAP. However, National Fuel will not use the DHS Data Sharing information in this manner as of the Effective Date. Instead, if National Fuel is able to ultimately utilize the DHS Data Sharing for this purpose, National Fuel will file a letter at the instant docket advising of the implementation of same.
- National Fuel is additionally reviewing the feasibility and its ability to use the DHS Data Sharing with respect to enrollment in its LIURP and for determining eligibility to its Neighbor for Neighbor program (both offered pursuant to its Plan). National Fuel will file a letter at the instant docket advising of its ability and possible plans to use the DHS Data Sharing with respect to these programs.

B. Specific Questions from the Order.

The Order specified that public utilities participating in the DHS Data Sharing should provide clarification on certain enumerated items. These items for which clarification was sought and National Fuel’s response to same follows:

- Use the DHS Data Sharing data to conduct individualized universal service outreach as soon as possible (ideally monthly) after receiving the household’s data from DHS.

National Fuel Response: National Fuel will conduct individualized outreach to the households for which data is received via phone calls, letters, e-mails, etc. Such outreach will be completed in a timely manner after receiving the information from DHS (the specific timing of completing such outreach will be dependent upon the number of households’ whose information is forwarded by DHS).

- Use a simplified/streamlined process for households to enroll in universal service programs and recertify in CAP if the income and household data was

¹ In this regard, National Fuel notes that while participation in the DHS Data Sharing may very well bring efficiency in the long term, in the shorter term, utilizing information from the DHS Data Sharing will be a manual process and time consuming.

received by DHS in the prior 12 months and/or the current or prior LIHEAP program year, without requiring additional applications or documentation.

National Fuel Response:

- ➔ Initial CAP Enrollment. For customers whose household information is received via the DHS Data Sharing who wish to participate as new participants in CAP, National Fuel will not require these customers to provide income documentation. These customers will still need to provide other pertinent application information such that CAP eligibility (as specified per National Fuel's Plan) can be confirmed. After National Fuel confirms that these customers are eligible for CAP, National Fuel will contact such customers to obtain their consent to enroll in CAP.
- ➔ Income Reverifications for Existing CAP Customers. With respect to existing CAP customers whose household information can be obtained from the DHS Data Sharing, provided the CAP customer in question otherwise remains eligible for CAP (as specified in National Fuel's Plan), National Fuel will recertify the customer's income information using the information from the DHS Data Sharing, without any need for input/information from such customers.
- Discuss its plans for individualized outreach and simplified/streamlined enrollment with its respective Universal Service Advisory Group/Committee.

National Fuel Response: National Fuel will share information about National Fuel's plans to use the DHS Data Sharing for CAP enrollment and reverification purposes (consistent with the parameters specified in this Letter) to its Universal Service Advisory Committee ("**USAC**") at the next meeting of same, which will occur in October 2024. National Fuel will consider any input received from same.

- Send a communication to each auto-recertified CAP participant based on LIHEAP data with their updated CAP bill amount (if applicable) and instructions on how to contact the energy public utility to provide additional updates on household income/size if the household information has changed since completing the LIHEAP application.

National Fuel Response: National Fuel will notify CAP customers whose income information has been recertified using the DHS Data Sharing, advising customers to review their next bill for their current CAP billing information. At this point, such customers will have an

opportunity to provide their own updated income information (to account for situations where income information may have changed since such customers applied for LIHEAP with DHS).

- Provide educational materials to inform customers about the purpose and effect of the checkbox on the 2024-2025 LIHEAP application which will grant permission for DHS to share this information with energy public utilities. Include a timeline for when the materials will be provided to customers

National Fuel Response: On or before September 1, 2024, National Fuel will provide educational materials to customers on its website about the purpose and effect of the “checkbox” on the 2024-2025 LIHEAP application and identify the importance of “checking the box.” In preparing these educational materials, National Fuel will leverage some of the information specified in Appendix A of the Order.

C. Specific Provisions of the Plan Needing Revised.

The Order specified that utilities participating in the DHS Data Sharing should also identify provisions in its current USECP that need to be waived or added to incorporate the DHS Data Sharing described above.

In furtherance of the foregoing, on the Effective Date (as defined hereinabove), the following provisions should be deemed added to National Fuel’s Plan are as follows:

- Under the heading “Application Process” (dealing with CAP application process) on pages 33-34 of the Plan, the following information should be added:

Notwithstanding anything to the contrary contained herein (and consistent with directives of the Commission per Order entered on June 13, 2024 at Docket No. M-2023-3038944 and filing(s) made by National Fuel in response to same at Docket No. M-2021-3024395), customers whose income information is provided to National Fuel by the Pennsylvania Department of Human Services (“**DHS**”) via DHS’ Low Income Home Energy Assistance Program (“**LIHEAP**”) Data Sharing will not need to provide income information to National Fuel for purposes of determining CAP eligibility or otherwise as part of the CAP application process. National Fuel may provide for a streamlined application process for such individuals, consistent with directives of the Commission at Docket No. M-2023-3038944 (including without limitation as may be specified per Order at said docket entered on June 13, 2024) and as may be specified at National Fuel’s 2022-2026 USECP Docket at M-2021-3024935. Notwithstanding the foregoing, in connection with the CAP enrollment process, National Fuel reserves the right to request income information from such customers to the extent the information provided from DHS appears to be erroneous, incomplete, or inaccurate, based on existing company records.

- Under the heading “Reverification of CAP Accounts found on “Exhibit 3 – Additional CAP Program Elements” under the heading (pages 59-62 of the Plan), the following information should be added:

Notwithstanding anything to the contrary contained herein (and consistent with directives of the Commission per Order entered on June 13, 2024 at Docket No. M-2023-3038944 and filing(s) made by National Fuel in response to same at Docket No. M-2021-3024395), customers whose income information is provided to National Fuel by the Pennsylvania Department of Human Services (“DHS”) via DHS’ Low Income Home Energy Assistance Program (“LIHEAP”) Data Sharing will not need to provide income information to National Fuel for purposes of CAP reverification. Provided, however, that nothing contained in this paragraph shall prevent such customers from providing income information to National Fuel to account for, among other things, situations where such customers’ current income information differs from that provided to DHS. Notwithstanding the foregoing, in connection with the reverification process, National Fuel reserves the right to request income information from such customers to the extent the information provided from DHS appears to be erroneous, incomplete, or inaccurate, based on existing company records.

Should there be any questions regarding any of the information provided in the instant Letter, please do not hesitate to contact Ms. Michelle Kosko, Consumer Business Manager at (814) 871-8140 or koskom@natfuel.com.

Very truly yours,



Dominick A. Sisinni

cc: *Per Certificate of Service*

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code 1.54 (relating to service by a party)

VIA E-MAIL:

Joseph Magee
Pennsylvania Public Utility Commission
Bureau of Consumer Services
P.O. Box 3265
Harrisburg, PA 17105-3265
jmagee@pa.gov

Christine Hoover
Christy M. Appleby, Esq.
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101
choover@paoca.org
cappleby@paoca.org

Allison Kaster, Esq.
Pennsylvania Public Utility Commission
Bureau of Investigation & Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
akaster@pa.gov

Elizabeth R. Marx, Esq.
Ria M. Pereira, Esq.
Coalition for Affordable Utility Services and Energy Efficiency in
Pennsylvania
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
emarxpulp@pelegalaid.net
PULP@pautilitylawproject.org
rpereira@pautilitylawproject.org

Christina Chase-Pettis
Pennsylvania Public Utility Commission
Office of Communications
P.O. Box 3265
Harrisburg, PA 17101-3265
cchasepett@pa.gov

Sarah Dewey
Pennsylvania Public Utility Commission
Bureau of Consumer Services
P.O. Box 3265
Harrisburg, PA 17105-3265
sdewey@pa.gov

Teresa Wagner
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
tereswagne@pa.gov

Louise Fink Smith, Esq.
Pennsylvania Public Utility Commission
Law Bureau
P.O. Box 3265
Harrisburg, PA 17105-3265
finksmith@pa.gov

Norma Bowman
Pennsylvania Public Utility Commission
Bureau of Consumer Services
P.O. Box 3265
Harrisburg, PA 17105-3265
nobowman@pa.gov

Erin Tate
Pennsylvania Public Utility Commission
Law Bureau
P.O. Box 3265
Harrisburg, PA 17105-3265
etate@pa.gov

Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101
cappleby@paoca.org

Date: July 30, 2024



Dominick A. Sisinni
Pa. Supreme Court I.D.
No. 322523
National Fuel Gas
Distribution Corp.
P.O. Box 2081 Erie, PA 16512
*Attorney for National Fuel Gas
Distribution Corporation*