



September 9, 2024

To: All Parties of Record at Docket Nos. M-2019-3008227 and M-2023-3038944

RE: Duquesne Light Company – Notification of Participation in LIHEAP Data Sharing

Overview

On June 13, 2024, the Pennsylvania Public Utility Commission (Commission) entered an Order (June 2024 Order) in *2023 Review of All Jurisdictional Fixed Utilities' Universal Service Programs*, Docket No. M-2023-3038944, (*2023 Review of Universal Service Programs*), establishing terms and conditions under which an energy public utility may document its election to participate in the Department of Human Services' (DHS') Low Income Home Energy Assistance Program (LIHEAP) data sharing.¹ The terms and conditions articulated in the June 2024 Order included a temporary and partial waiver of limited provisions in approved universal service and energy conservation plans (USECPs) for energy public utilities to facilitate their use of LIHEAP household data shared with them by DHS. The PUC encouraged but did not require an energy public utility to participate in the DHS LIHEAP data sharing. The PUC required energy public utilities to file and serve a letter at its USECP docket(s) indicating its plans and timelines if it chose to participate in the DHS LIHEAP data sharing. June 2024 Order at 2, OP #3.

On July 31, 2024, Duquesne Light Company (DLC) filed a Letter (DLC Letter) at its 2020-2025 USECP (2020 USECP) docket, Docket No. M-2019-3008227, responding to the June 2024 Order. The DLC Letter confirms that DLC will participate in DHS' LIHEAP data sharing and identifies the public utility's planned compliance with the terms and conditions in the June 2024 Order, as summarized below:

Use the LIHEAP data to conduct individualized universal service outreach as soon as possible (ideally monthly) after receiving the household's data from DHS. June 2024 Order at 3.

Response: DLC confirms that it will use LIHEAP household data to conduct individualized universal service outreach to eligible households. DLC Letter at 1.

Use a simplified/streamlined process for households to enroll in universal service programs and recertify in the customer assistance program (CAP) if the income and household data was received by DHS in the prior 12 months and/or the current or prior LIHEAP program year, without requiring additional applications or documentation. June 2024 Order at 3.

¹ The Commission established these terms and conditions based on its review of the recommendations of the Universal Service Working Group (USWG). See [USWG Final Report](#), Docket No. M-2023-3038944, at 73-83.

Response: DLC confirms that it will streamline the enrollment process for its universal service programs and the recertification process for CAP households using the LIHEAP household data, consistent with the June 2024 Order. DLC Letter at 1.

Discuss its plans for individualized outreach and simplified/streamlined enrollment with its respective Universal Service Advisory Group/Committee (USAG or USAC). June 2024 Order at 3.

Response: DLC confirms that it will discuss its plans for individualized outreach and streamlined enrollment with its USAG. DLC Letter at 1.

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. June 2024 Order at 3-4.

Response: DLC confirms that households recertified for CAP using LIHEAP household data will receive notice of their new CAP payment amount (if applicable) and instructions on how to contact DLC to provide additional updates on household income/size if the information has changed since completing the LIHEAP application. DLC Letter at 1-2.

Provide educational materials^[2] 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. June 2024 Order at 4.

Response: DLC reports that it will provide educational materials in the fourth quarter of 2024 to inform customers about LIHEAP data sharing and the purpose of the checkbox on the LIHEAP application. DLC Letter at 2.

Identify any provisions in the energy public utility's current and proposed USECP that need to be waived or added to incorporate the data sharing conditions. June 2024 Order at 4.

Response: DLC's asserts that its compliance to the terms and conditions of the June 2024 Order do not require changes to its 2020 USECP. However, DLC reports it will be incorporating relevant information about its LIHEAP data sharing activities in its next USECP filing, consistent with the June 2024 Order. DLC Letter at 1-2.

² The educational language template was designed by the USWG. See USWG Final Report at 84 85.

Discussion

To date, no protests or other responsive pleadings have been filed relative to the DLC Letter. The PUC directed staff in the Bureau of Consumer Services and the Law Bureau to review the letters filed in response to the June 2024 Order. Having reviewed the DLC Letter, staff finds that DLC's responses are generally consistent with the June 2024 Order, with the following exceptions.

DLC maintains that no modifications are needed to its 2020 USECP to comply with the terms and conditions related to LIHEAP data sharing, as outlined in the June 2024 Order. However, using LIHEAP household data as a means of enrolling customers into DLC's universal service programs and recertifying CAP customers is a change to its USECP policies and procedures. The new procedures DLC will need to put in place to allow its CAP agencies and Dollar Energy Fund (DEF, which administers DLC's Hardship Fund program) to use the LIHEAP household data are unknown. DLC is encouraged to address these procedures with its USAG and file amended pages to its 2020 USECP, as needed, to reflect changes to its USECP policies and procedures as a result of the LIHEAP data sharing.

Finally, DLC reports it will begin educating customers about the purpose of the data sharing checkbox in the fourth quarter of 2024 (*i.e.*, October to December). By October 1, DLC customers who received LIHEAP last season may have already completed and submitted their 2024-2025 LIHEAP applications. In August/September, DHS sends applications to households who received LIHEAP in the previous season. These customers may submit their applications to DHS before the season start date. DHS begins processing these pre-season applications in September/October. DLC is encouraged to provide educational information about the data-sharing checkbox on the LIHEAP application as early as possible to ensure all LIHEAP-eligible households are aware of the checkbox before completing their application. DLC is also encouraged to provide this education through its website and other mediums, such as bill inserts, on-bill messaging, outreach events, and communications with CAP, DEF, and DHS agencies.

Conclusion

PUC staff finds DLC to be substantially compliant with the June 2024 Order, with the exception noted above. DLC is encouraged to discuss with its USAG whether any changes to its 2020 USECP are needed relative to its LIHEAP data sharing procedures. No further action by DLC in regard to the terms and conditions established by the June 2024 Order is required at this time.

The determinations in this Secretarial Letter have been made by PUC staff under authority delegated by the Commission. Parties have the right to seek reconsideration of this staff action. Parties may seek reconsideration of these directives by petitioning 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 BCS Energy Policy Manager Joseph Magee at jmagee@pa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is fluid and cursive, with the first name being the most prominent.

Rosemary Chiavetta
Secretary

cc: Stephen M DeFrank, Chairman
Kimberly Barrow, Vice Chair
Ralph V. Yanora, Commissioner
Kathryn L. Zerfuss, Commissioner
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