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PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
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HARRISBURG, PENNSYLVANIA 17120

IN REPLY, PLEASE
REFER TO OUR FILES
M-2019-3014966
P-2020-3019196
M-2023-3038944

September 9, 2024

To: All Parties of Record at Docket Nos. M-2019-3014966, P-2020-3019196, and M-2023-3038944

RE: UGI Utilities, Inc. – 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, UGI Utilities, Inc. (UGI) filed a Letter (UGI Letter) at its 2020-2025 USECP (2020 USECP) dockets, Docket Nos. M-2019-3014966² and P-2020-3019196³, responding to the June 2024 Order. The UGI Letter confirms that UGI 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: UGI reports that it will engage in individualized outreach after receiving household data from DHS through email or mail, depending on whether customers have opted to receive email communications from UGI. UGI states that it will complete this outreach within 30 business days after receiving the data from DHS. UGI Letter at 1.

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.

² *UGI Utilities, Inc. – Gas Division and UGI Utilities, Inc. – Electric Division Universal Service and Energy Conservation Plan for 2020-2025.*

³ *UGI Utilities, Inc. – Gas Division and UGI Utilities, Inc. – Electric Division Petition to Amend Universal Service and Energy Conservation Plan for 2020-2025.*

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.

Response: UGI reports that it will implement a simplified/streamlined process using “current” LIHEAP household data to expedite the enrollment of customers into CAP. UGI states that the LIHEAP household data sharing will enable it to enroll LIHEAP households into CAP without requiring the customer to submit income information to Community Based Organizations. UGI 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: UGI confirms that it will discuss its plans for individualized outreach and simplified/streamlined enrollment based on LIHEAP household data on or before December 16, 2024. UGI Letter at 2.

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: UGI reports that customers currently enrolled in CAP must only recertify once every three years if LIHEAP is received annually. UGI states that it contacts CAP customers who receive LIHEAP with instructions on how to contact the public utility with updates on household income/size if that information has changed since completing the LIHEAP application and that it will continue to do so after receiving shared LIHEAP household data from DHS. UGI Letter at 2.

Provide educational materials^[4] 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: UGI reports that it will use the educational materials provided as Appendix A to the June 2024 Order. UGI states that it will provide the educational materials through

⁴ The educational language template was designed by the USWG. See USWG Final Report at 84 85.

email or mail, depending on whether customers have opted to receive email communications from UGI. UGI 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: UGI does not identify any existing sections or provisions in its 2020 USECP to waive or modify in order to incorporate the use of shared LIHEAP household data. Instead, UGI requests PUC approval to incorporate its responses above into its 2020 USECP and provides updated CAP enrollment and cost estimates. UGI Letter at 2-3.

Discussion

To date, no protests or other responsive pleadings have been filed relative to the UGI 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 UGI Letter, staff finds that UGI’s responses are generally consistent with the June 2024 Letter, with the following exceptions.

First, UGI does not address how or whether it will use the LIHEAP household data to enroll customers in non-CAP universal service programs (*e.g.*, Low Income Usage Reduction Program (LIURP), Hardship Fund). UGI is encouraged to use the LIHEAP household data to determine a household’s eligibility for all of its universal service programs, not just CAP.

Second, it is not clear what timeframe UGI will apply to use household data provided by DHS. UGI states that it will use “current” LIHEAP household data to enroll customers into CAP but does not clarify what timeframe it will use to classify data as “current.” UGI is reminded that the temporary and partial waiver of household income timeframes granted through the June 2024 Order extends to income received by DHS in the prior 12 months and/or the current or prior LIHEAP program year.

Finally, UGI also does not describe if or how it will use LIHEAP household data to recertify CAP customers. UGI only commits to continuing its current process of extending recertification timeframes – up to three years – if the customer receives LIHEAP annually and to notifying the customers to report any changes in household size or income since applying for LIHEAP. UGI is encouraged to modify its current CAP recertification procedures to allow for auto-recertification if the CAP household’s LIHEAP data is shared with the public utility. In addition, UGI should inform CAP customers recertified with LIHEAP household data if or how their monthly CAP bill will change and how to contact the utility if their information has changed since completing the LIHEAP application.

Conclusion

PUC staff finds UGI to be substantially compliant with the June 2024 Order, with the exceptions noted above. UGI should discuss its proposed USECP changes with its USAC and incorporate those changes into its proposed 2026-2030 USECP, which it must file with the PUC by April 1, 2025. No further action by UGI 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,



Rosemary Chiavetta
Secretary

cc: Stephen M DeFrank, Chairman
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