



October 28, 2024

To: All Parties of Record at Docket Nos.:
M-2022-3036532, M-2022-3036533, M-2022-3036534, & M-2022-3036535
FirstEnergy PA's Joint Proposed 2024-2028 USECP

**RE: Compliance Review for the FirstEnergy PA Joint Proposed 2024-2028
USECP**

Overview

On March 14, 2024, the Pennsylvania Public Utility Commission (Commission) entered an Order (March 2024 Order) requiring FirstEnergy Pennsylvania Electric Company (FirstEnergy PA) to file a Revised 2024-2028 Universal Service and Energy Conservation Plan (Revised 2024 USECP) reflecting the numerous changes approved or directed in the March 2024 Order within 30 days. March 2024 Order at 113.

On March 29, 2024, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania filed a Petition for Reconsideration and/or Clarification (CAUSE-PA Petition) seeking reconsideration and/or clarification of the Commission's March 2024 Order.

On July 11, 2024, the Commission entered an Order on Reconsideration (July 2024 Order) at the captioned dockets addressing the CAUSE-PA Petition. In the July 2024 Order, the Commission directed FirstEnergy PA to, *inter alia*, further amend its 2024 USECP by identifying (1) exemptions to subsidy credit limits; (2) that it will perform outreach to its PCAP¹ customers when they exceed 50% and 80% of their subsidy credit limits; and (3) keep customers that exceed their maximum subsidy credit limits in PCAP. July 2024 Order at 32, OP#5.

On August 30, 2024, FirstEnergy PA filed clean and redlined versions of its Revised 2024 USECP relative to the requirements in the March 2024 and July 2024 Orders (August 30 Compliance Filing). On September 17, 2024, the Commission's Bureau of Consumer Services (BCS) issued a Secretarial Letter (September 17 Secretarial Letter) identifying areas where the August 30 Compliance Filing was non-compliant or inconsistent with USECP changes approved or directed in the March 2024 and July 2024 Orders.

Specifically, BCS found FirstEnergy PA did not address in its August 30 Compliance Filing whether it will refund security deposits for customers who are determined income-eligible for PCAP. September 17 Secretarial Letter at 2. Further, the August 30 Compliance Filing included a new provision which set the WARM² incidental repair allowance at 50% of the seasonal allowance budget and providing parameters for allowable incidental repair work. This new

¹ PCAP is FirstEnergy PA's Customer Assistance Program, one of the four mandatory programs in a USECP.

² WARM is FirstEnergy PA's Low Income Usage Reduction Program (LIURP).

provision was not approved by the Commission in its March 2024 or July 2024 Orders. BCS directed FirstEnergy PA to, *inter alia*, address the above issues in a further amended 2024 USECP within 20 days. September 17 Secretarial Letter at 2.

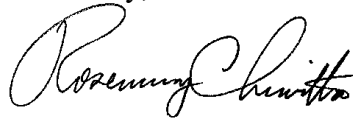
On October 7, 2024, FirstEnergy PA filed and served clean and redlined versions of its further amended 2024 USECP (October 7 Compliance Filing)³ which has addressed the issues identified in the September 17 Secretarial Letter. October 7 Compliance Filing at 19, 21, 29-30.⁴

Conclusion

Accordingly, BCS finds the October 7 Compliance Filing to be compliant with the March 2024 and July 2024 Orders and the September 17 Secretarial Letter. These staff determinations relative to the review of the October 7 Compliance Filing will be deemed to be the final action of the Commission unless reconsideration is sought from 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).

Questions may be directed to Jennifer Johnson in the Commission's Bureau of Consumer Services at jennifjohn@pa.gov.

Sincerely,



Rosemary Chiavetta
Secretary

cc: Jennifer Johnson, BCS, jennifjohn@pa.gov
Louise Fink Smith, Law Bureau, finksmith@pa.gov
Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Katherine L. Zerfuss, Commissioner
John F. Coleman, Jr., Commissioner
Ralph V. Yanora, Commissioner

³ Unless otherwise specified, all references to the October 7 Compliance Filing refer to the clean version of the further amended 2024 USECP.

⁴ FirstEnergy PA has also noted that it prematurely added language into its August 30 Compliance Filing explaining how it will apply the Department of Human Services' LIHEAP data sharing for automatic recertification into PCAP. This language was not part of the 2024 USECP the Commission approved in the March 2024 and July 2024 Orders. FirstEnergy PA has removed this language from the October 7 Compliance Filing. October 7 Compliance Filing Cover Letter at 1, October 7 Compliance Filing at 11, 17.