

BURKE VULLO REILLY ROBERTS

ATTORNEYS AT LAW

1460 Wyoming Avenue
Forty Fort, PA 18704
Phone (570) 288-6441 + Fax (570) 288-4598

*Formerly Burke & Burke
Thomas F. Burke, Sr. (1932-1972)*

www.bvrrlaw.com

JOSEPH L. VULLO
jlvullo@bvrrlaw.com

April 7, 2025

via Electronic Filing

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

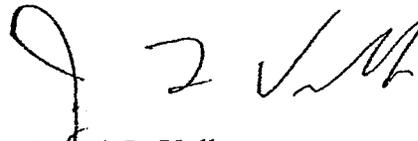
RE: Docket No. M-2025-3052826
Joint Comments of the Commission on Economic Opportunity and
Pennsylvania Weatherization Providers Task Force

Dear Secretary Chiavetta:

Please accept for filing the Joint Comments to the Phase V Tentative Implementation Order by the Commission on Economic Opportunity and Pennsylvania Weatherization Providers Task Force in the above referenced matter.

If you need anything further please advise.

Respectfully submitted,



Joseph L. Vullo

JLV/jar
encl.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Act 129 Energy Efficiency and
Conservation Program Phase V**

Docket No. M-2025-3052826

**JOINT COMMENTS TO THE PHASE V TENTATIVE IMPLEMENTATION ORDER
BY THE COMMISSION ON ECONOMIC OPPORTUNITY AND PENNSYLVANIA
WEATHERIZATION PROVIDERS TASK FORCE**

Joseph L. Vullo, Esq., ID 41279
Counsel to Commission on Economic Opportunity
and Pennsylvania Weatherization Providers Task
Force
1460 Wyoming Avenue
Forty Fort, PA 19804
Tel: 570-288-6441
jlvullo@bvrrlaw.com

I. BACKGROUND

The Commission on Economic Opportunity is a community action agency located in and serving low-income households in Luzerne County.

CEO has extensive experience in operating universal service programs and other energy assistance programs for the benefit of its low-income clients. CEO has been a subcontractor for PPL Electric's LIURP program (WRAP) since 1985. It has been a subcontractor for PPL's Customer Assistance and Hardship Funding programs since 1998. It has similarly served as the subcontractor for the same universal programs for UGI Electric and Gas, and their predecessor entities, for over the last three decades. PPL and UGI Electric and Gas are the major utility companies in the areas served by CEO.

CEO is also the Pennsylvania Department of Human Services' contracted operator of the crisis component of the Low-Income Home Energy Crisis Program (LIHEAP) in Luzerne and Wyoming Counties. It has been operating the Weatherization Assistance Program in its area for DCED and the U.S. Department of Energy since 1977.

CEO provides aid and support to low-income and vulnerable populations beyond energy assistance. Its other programs provide rental assistance, housing counseling, operates a food bank, is the local operator of the Whole Homes Repair Program and operated the Emergency Rental Assistance Program.

CEO has also been an active party in numerous rate cases and other miscellaneous proceedings, including prior Act 129 implementation proceedings. In this matter, as in those prior proceedings, CEO's interest is in addressing low-income issues.

The PA Weatherization Task Force is a network of 38 non-profit weatherization providers across the Commonwealth. These providers have delivered weatherization services to low-income residents for more than 40 years with a proven track record of weatherizing the homes of the most vulnerable residents of this Commonwealth. Over the past 30 years, this network has weatherized nearly 600,000 homes across the Commonwealth.

CEO and the Task Force firmly support the continuation and a fifth phase of Act 129 and appreciate the opportunity to comment upon the Commission's Phase V Tentative Order and will address the low-income issues as presented in the Tentative Order including the need to leverage

Act 129 services with other weatherization programs and programs beyond energy assistance programs.

II. LOW-INCOME CARVE OUT

CEO and the Task Force support the Commission's proposal to require EDC's to obtain a certain level of energy savings from programs directed just at low-income customers. We also support the Commission's proposal that savings from general residential programs that may serve low-income customers do not count towards the low-income targets.

We believe that specific programs that allow low-income customers to reduce their energy consumption are important as they allow low-income customers to reduce their energy costs. In its Tentative Order the Commission has recognized that energy costs represent a larger share of annual income for low-income households than homes that do not meet the low-income definition (T.O. p22).

The Tentative Order proposes that an overall average of 7.1% of energy savings come from the low-income sector. Although the proposed 7.1% low-income savings target represents an increase from the low-income percentage savings target in Phase IV it is a **decrease** in the overall amount of low-income savings from Phase IV. In its Phase IV Implementation Order at Table 11 the overall savings reduction from the low-income sector was 260,179 MWh. In the Phase V Tentative Order the Commission proposes a reduction of 245,980 MWh, a reduction of 5.5% from the Phase IV target. Similarly, from Phase III to Phase IV the percentage of savings from the low-income sector increased but the actual overall low-income savings decreased.

The Tentative Order also proposes that cost recovery from the residential class include low-income customers. Although CEO and the Task Force believe that cost recovery should preclude low-income ratepayers, the proposal by the Commission presents another reason to increase the overall savings for the low-income sector. The Commission has recognized that energy costs represent a larger share of a low-income household's annual income than homes that do not meet the low-income definition. If the Commission is going to require that low-income customers share in the Act 129 costs, costs that will increase here, then it should increase the actual energy savings for low-income customers otherwise it is doing little to decrease the energy burden for low-income ratepayers.

III. LOW-INCOME MEASURES

As it has done in prior Act 129 proceedings, CEO and the Task Force propose that a certain level of low-income savings be obtained from direct install measures or comprehensive measures that will produce lasting savings for low-income customers. Proposals to increase comprehensive measures for low-income will increase the level of savings for low-income ratepayers, and for a longer period, that will in turn decrease their high energy burden.

As in prior Phases, the Commission in Phase V is proposing that each Plan include at least one comprehensive measure for the low-income sector. The commenters here support the inclusion of at least one comprehensive measure but believe that more than one comprehensive measure should be required or that a certain percentage of low-income savings come from comprehensive measures. In Phase IV the Commission similarly required at least one comprehensive measure for each customer class. A similar directive was considered by the Commission in Phase III but not adopted; instead, the Commission encouraged EDCs to increase direct install measures for low-income customers.

Direct install measures allow low-income customers to reduce their energy consumption, and their bills, in a significant way and therefore create less pressure and cost on other universal service programs. Direct measures may be more costly, but they produce a greater beneficial impact over time for an EDCs' most vulnerable customers. The Commission has indicated that "an individual program does not have to be cost-effective in order to be implemented, provided the EE&C Plan as a whole is cost effective." (T.O. p25)

CEO proposes that a minimum percentage of low-income residential savings be derived from direct install, comprehensive measures. Shell measures, HVAC and efficient appliances produce larger and longer lasting savings versus home energy kits or lightbulbs. The increased savings also would lessen more fully the energy burden of low-income ratepayers.

IV. COORIDINATION

In its Tentative Order the Commission noted that "It is important that the EDCs collaborate rather than compete with other program administrators." It recognizes that the availability of other conservation funding argues in favor of 'collaboration over competition' and

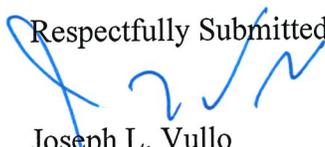
that ‘pooling funds from multiple sources can attract more prospective program participants and potentially allow the EDCs to accomplish more with the same funding.’ (T.O p54-55).

CEO proposes that the EDCs be directed to contract with the community-based organizations (CBOs) that operate LIURP and WAP for the delivery of Act 129 Phase V measures to low-income customers. CBOs have the expertise in developing and operating programs that benefit people and communities. These organizations serve thousands of low income and disadvantaged members of the community; they have direct knowledge of the barriers and impediments to self-sufficiency and continually innovate and evolve the service delivery system to better meet the needs of the population they serve.

Taking CEO as an example, it has served over hundreds of thousands of low-income household in the decades of operating various programs for low-income customers. These include both utility operated universal service programs as well as weatherization under LIHEAP and the DOE Weatherization Assistance Program. Certainly, using CBOs with this experience will provide great coordination between Act 129 services and other energy reduction services provided to low-income customers.

Contracting with CBOs in the delivery of Act 129 services would allow for greater referrals across programs and greater efficiencies. It is oftentimes difficult to reach low-income customers but CBOs with their extensive knowledge of those individuals in their respective communities would make it easier to reach those customers and allow for one service call instead of a number of different providers attempting to serve those customers. It would also allow for referrals to other non-utility assistance programs that would lessen the burden on low-income ratepayers.

Respectfully Submitted,


Joseph L. Vullo
Counsel to CEO and PA Task Force
1460 Wyoming Avenue
Forty Fort, PA 19804
Tel: 570-288-6441
jlvullo@bvrrlaw.com