

# COMMONWEALTH OF PENNSYLVANIA



DARRYL A. LAWRENCE  
Acting Consumer Advocate

OFFICE OF CONSUMER ADVOCATE  
555 Walnut Street, 5th Floor, Forum Place  
Harrisburg, Pennsylvania 17101-1923  
(717) 783-5048  
(800) 684-6560

 @pa\_oca  
 /pennoca  
FAX (717) 783-7152  
consumer@paoca.org  
www.oca.pa.gov

May 19, 2025

## Via Electronic Filing

Matthew L. Homsher, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

**RE: Peoples' Natural Gas Company, LLC Petition to Amend its Universal Service and Energy Conservation Plan, Docket Nos. M-2018-3003177, M-2020-3021343, P-2024-3052324**

## **OCA Letter in Lieu of Answer in Support of CAUSE-PA Petition for Reconsideration**

Dear Secretary Homsher,

The Office of Consumer Advocate (OCA) files this Letter in Lieu of Answer in support of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) Petition for Reconsideration, Clarification, and Modification of the Commission's April 24, 2025 Order (Petition for Reconsideration) filed on May 9, 2025 with the Pennsylvania Public Utility Commission (Commission) in the captioned docket.

On April 24, 2025, the Commission issued its Order that denied without prejudice a December 11, 2024 Petition filed by Peoples Natural Gas Company LLC's (Peoples) to amend its Universal Service and Energy Conservation Plan (USECP) (Peoples Petition). In Peoples' Petition, the Company requested the authorization to amend its USECP "to allow the Company to initiate auto-enrollment of LIHEAP recipients with significant balances into CAP, to permit auto-recertification, and to waiver income documentation requirements for CAP applicants that have received LIHEAP in the past two years" pursuant to the Company's Settlement in its 2023 base rate case at Docket No. R-2023-044549. Peoples Petition ¶ 5; *Pa. PUC v. Peoples Natural Gas Company*, Docket No. R-2023-3044549, Order at 62-63 (Sept. 12, 2024).

Specifically, Peoples requested permission to initiate the auto-enrollment of LIHEAP recipients with balances exceeding \$300 in the past two years. Peoples Petition ¶¶ 5, 7. In furtherance of this initiative, Peoples created a weekly report that provides a listing of the accounts that have received a LIHEAP grant and not currently enrolled in CAP. Peoples Petition ¶ 6. Peoples proposed to use this report to conduct direct outreach to potential CAP participants via phone and/or email in order to enroll the account into CAP. People Petition ¶ 6. Peoples proposed to utilize a two-pronged approach: (1) auto-enroll such accounts on a weekly basis using the weekly LIHEAP reports and (2) to query its system for non-CAP participants with current balances with current balances of \$300 or more but received LIHEAP in the past two years who should be auto-enrolled in CAP. Petition ¶ 7. The OCA and CAUSE-PA both filed Letters in Lieu of Answers in support of the Petition.

In its denial of the Peoples Petition, the Commission provided in its Order that:

we cannot approve Peoples' CAP auto-enrollment proposal at this time because it seeks to auto-enroll or auto-recertify customers in CAP based on possibly out-of-date or unverified income or household information and use a verbal attestation of household income to establish CAP payment amounts. The Peoples proposal also fails to explain how its CAP auto-enrollment process would address qualifying customers who contract with a natural gas supplier.

*Order* at 24. The Commission also set forth information that it believed was missing from the filing including that the Company needed to: (1) "identify whether a Hardship Fund could be used to address high balances prior to auto-enrollment in CAP"; (2) "fully explain how it will educate customers about the CAP auto-enrollment process and address any potential negative impacts," including "estimates on its impacts on annual CAP enrollments and spending;" and (3) "identify how it would evaluate the success of the CAP auto-enrollment process through tracking and reporting." *Order* at 24.

In its Petition for Reconsideration, CAUSE-PA identifies four grounds for reconsideration. First, CAUSE-PA argues that the Order "overlooks the underlying factual basis for the proposal, as well as unambiguous language contained in Peoples' Commission-approved tariff language indicating that LIHEAP recipients with significant arrears will be automatically enrolled in CAP." Petition for Reconsideration at 4. Second, CAUSE-PA claims that the Order errs as a matter of law because it relies "on official notice of unsupported and inaccurate assertions that are not on the record, without permitting the parties a meaningful opportunity to respond." Petition for Reconsideration at 4. Third, CAUSE-PA argues that the Commission Order "overlooks and/or misconstrues multiple aspects of Peoples' proposal, leading to inaccurate conclusions without engaging in critical inquiry to clarify identified issues." Petition at 4. Finally, CAUSE-PA argues that the "Commission's Order errs as a matter of law and circumvents the due process rights of CAUSE-PA by denying Peoples' uncontested Petition without investigation." Petition at 4.

For the reasons set forth in the CAUSE-PA Petition for Reconsideration, the OCA supports the CAUSE-PA Petition for Reconsideration and agrees with CAUSE-PA that the Commission should reconsider its determination to deny the Peoples Petition. As the OCA stated in its Letter in Lieu of Answer in support of the Peoples Petition, auto-enrollment of LIHEAP recipients will

ultimately provide income-eligible customers a more streamlined enrollment process into CAP. OCA Letter at 2. The proposed three-pronged approach will help to improve enrollment of income-eligible customers in CAP to receive a more affordable bill, the potential for arrearage forgiveness of balances, and a more streamlined recertification process to avoid unnecessary duplication of income documentation. OCA Letter at 2. Customers will also be provided information on how to opt-out if the customer does not wish to be enrolled. OCA Letter at 2.

Sincerely,

/s/ Christy M. Appleby  
Christy M. Appleby  
Senior Assistant Consumer Advocate  
PA Attorney I.D. # 85824

Counsel for:  
Darryl A. Lawrence  
Acting Consumer Advocate

cc: Certificate of Service  
Joseph Magee, Bureau of Consumer Services ([jmagee@pa.gov](mailto:jmagee@pa.gov))  
Louise Fink Smith, Esq., Law Bureau. ([finksmith@pa.gov](mailto:finksmith@pa.gov))  
Norma Bowman, Esq., Law Bureau ([nobowman@pa.gov](mailto:nobowman@pa.gov))  
Office of Special Assistants ([ra-osa@pa.gov](mailto:ra-osa@pa.gov))

CERTIFICATE OF SERVICE

Re: Peoples Natural Gas Company LLC :  
Universal Service and Energy Conservation : Docket No. M-2018-3003177  
Plan for 2019-2024 :  
: :  
Peoples Gas Company LLC :  
Universal Service and Energy Conservation : Docket No. M-2020-3021343  
Plan for 2019-2024 :  
: :  
Petition of Peoples Natural Gas Company LLC- : Docket No. P-2024-3052324  
to Amend 2019-2023 Universal Service and Energy :  
Conservation Plan :  
:

I hereby certify that I have this day served a true copy of the following document, the Office of Consumer Advocate’s Letter in Lieu of Answer, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 19th day of May 2025.

**SERVICE BY E-MAIL ONLY**

Allison Kaster, Director  
Bureau of Investigation & Enforcement  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
West Harrisburg, PA 17105  
akaster@pa.gov

Elizabeth R. Marx, Esquire  
PA Utility Law Project  
118 Locust Street  
Harrisburg, PA 17101  
emarxPULP@palegalaid.net

Meagan Moore, Esquire  
Peoples Natural Gas Company LLC  
375 North Shore Drive  
Pittsburgh, PA 15212  
Meagan.moore@peoples-gas.com

Steve Gray, Senior Supervising Assistant  
Office of Small Business Advocate  
P.O. Box 3625  
300 North Second Street, Suite 1102  
Harrisburg, PA 17101  
sgray@pa.gov

Joseph L. Vullo, Esquire  
1460 Wyoming Avenue  
Forty Fort, PA 18704  
jlvullo@bvrrlaw.com

/s/ Christy M. Appleby  
Christy M. Appleby  
Assistant Consumer Advocate  
PA Attorney I.D. # 85824  
CAappleby@paoca.org

Counsel for:  
Office of Consumer Advocate  
555 Walnut Street  
5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923  
Phone: (717) 783-5048  
Fax: (717) 783-7152  
Dated: May 19, 2025