

COMMONWEALTH OF PENNSYLVANIA



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November 10, 2025

Via Electronic Filing

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: UGI Utilities, Inc. Universal Service
and Energy Conservation Plan for
2026-2030
Docket Nos. M-2025-3054362,
M-2025-3054366, P-2025-3054381

Dear Secretary Homsher:

Enclosed for electronic filing in this proceeding, please find the Reply Comments of the Office of Consumer Advocate in the above-referenced proceeding.

Copies have been served on the parties as indicated on the enclosed Certificate of Service.

Respectfully submitted,

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CERTIFICATE OF SERVICE

UGI Utilities, Inc. Universal Service and
Energy Conservation Plan for 2026-2030

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Docket Nos. M-2025-3054362,
M-2025-3054366, P-2025-3054381

I hereby certify that I have this day filed electronically on the Commission’s electronic filing system and served a true copy of the following document, the Office of Consumer Advocate’s Reply Comments, 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 10th day of November 2025.

SERVICE BY E-MAIL ONLY

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

UGI Utilities, Inc. – Gas Division :
Universal Service and Energy :
Conservation Plan for 2026-2030 : Docket No. M-2025-3054362

UGI Utilities, Inc. – Electric Division :
Universal Service and Energy :
Conservation Plan for 2026-2030 : Docket No. M-2025-305-4366

UGI Utilities, Inc. – Gas Division :
Petition for Limited Waiver of 52 Pa. :
Code : Docket No. P-2025-3054381

REPLY COMMENTS
OF THE
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I. INTRODUCTION

The Office of Consumer Advocate (OCA) files these Reply Comments¹ pursuant to the directive in the Commission's *Order Directing Supplemental Information and Establishing Comment Period (July 24 Order)*² entered July 24, 2025.

A. Background

On April 1, 2025, UGI Utilities, Inc. - Gas Division (UGI) and UGI Utilities, Inc.- Electric Division (collectively UGI or Company) jointly filed their proposed 2026-2030 Universal Service and Energy Conservation Plan (USECP or Plan) in compliance with 52 Pa. Code Sections 54.74 and 62.4, relating to electric and natural gas universal service and energy conservation reporting requirements.

On October 6, 2025, the OCA and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) filed Comments. On October 28, 2025, CAUSE-PA served Corrected Comments in red-line and clean forms.

UGI subsequently requested an extension for parties to file Reply Comments. By Secretarial Letter, the Commission extended the deadline for the filing of Reply Comments until November 10, 2025.

In its Reply Comments, the OCA has identified one clarification to its October 6, 2025 Comments. The OCA also responds to CAUSE-PA's Comments regarding: (1) maximum CAP credits and (2) outreach to specific vulnerable populations.

¹ As with its Comments in this proceeding, the OCA was assisted in the preparation of these Reply Comments by its consultant, Roger D. Colton, and its regulatory analyst, LeeAnn Wise.

² *UGI Utilities, Inc-Gas Division Universal Service and Energy Conservation Plan for 2026-2030, et al.*, Docket Nos. M-2025-3054362, et al., Order Directing Supplemental Information and Establishing Comment Period (Order Entered July 24, 2025). (July 24 Order). As the Commission has done in its Order, the OCA addresses the dockets collectively unless otherwise indicated in the text.

II. REPLY COMMENTS

A. Clarification of OCA Comments

The OCA would like to clarify its Comments regarding the status of the final amendments to the Low Income Usage Reduction Program (LIURP) regulations. In the OCA's Comments, the OCA recommended that UGI incorporate into its Plan the final LIURP regulations. OCA Comments at 47-48. The OCA notes that while the Commission has issued final LIURP regulations³ and the IRRC have approved those regulations, the regulations are still pending final approval by the Pennsylvania Office of Attorney General and will not be applicable until such time as that approval is received. This clarification does not impact the OCA's underlying recommendation.

Despite this correction, the OCA's underlying recommendation remains the same that the Company take swift action to incorporate the final version of the Commission's LIURP regulations and that a timeline be set for implementation of the regulations. As noted in the OCA's Comments, several issues raised in the Commission's *July 24, 2025 Order* may be impacted by the revised LIURP regulations and the USECP should reflect these changes. These issues include the timeframe under which LIURP may re-weatherize a home, request for waivers, the treatment of inoperable gas furnaces, payback periods, and incidental repairs and health and safety measures. *See July 24, 2025 Order* at 45, 56-57; 52 Pa. Code §§ 58.18 (request for waivers); 58.1 (definitions of full weatherization, residential space heating and de facto heating), 58.11(a)(payback periods); 58.12 (incidental repairs and health and safety measures).⁴

³ *Initiative to Review and Revise the Existing Low-Income Usage Reduction Program (LIURP) Regulations at 52 Pa. Code §§ 58.1-58.18*, Docket No. L-2016-2557886, Final Form Rulemaking Order (March 13, 2025).

⁴ The list of regulation sections is intended to identify examples and is not comprehensive for regulations impacted by these issues.

The OCA continues to recommend that the Company complete an issue-by-issue review of whether the UGI LIURP USECP is in compliance with the new LIURP regulations. The OCA continues to recommend upon finalization of the LIURP regulations that the Commission direct the Company to undertake such a compliance review, present that compliance review to the Commission, and for parties to have the opportunity to comment on whether the LIURP portion of the Plan is consistent with the new LIURP regulations.

B. Maximum CAP Credits

In its Comments, CAUSE-PA objects to the re-imposition of a ceiling on CAP credits. CAUSE-PA Comments at 60-67. In particular, CAUSE-PA refers to such ceilings as “arbitrary” and argues that imposing such ceilings would have the greatest adverse impacts on customers with the lowest incomes. *Id.* at 60.

Historically, the OCA has agreed that, should ceilings be imposed, those ceilings need to vary based on the Poverty Level which represents the household income. Assume, for example, that there are two UGI customers both of which have a household size of two persons, and both of which have identical UGI bills of \$2,500. Customer A has income equal to 40% of FPL (annual income of \$8,460), while Customer B has income equal to 60% of FPL (annual income of \$12,690). Under the Commission’s affordability guidelines, Customer A would have a maximum bill of \$169 ($\$8,460 \times 2\%$), while Customer B would have a maximum bill of \$507 ($\$21,150 \times 4\%$). Given their identical UGI bills of \$2,500, Customer A would receive a CAP credit of \$2,331 ($\$2,500 - \169), while Customer B would receive a CAP credit of \$1,992 ($\$2,500 - 507$). As is evident, Customer A would be more likely to reach the maximum CAP credit ceiling, not because the customer has different usage—in the illustration, bills are identical—but rather because of the

very fact that they have lower incomes. Those with the lowest incomes, in other words, would be those most likely to have additional assistance denied to them.

The OCA believes, however, that in many ways, the CAUSE-PA comments miss a broader point. The OCA again asserts that no single response is necessarily appropriate in all circumstances in response to high CAP credits. In particular, the Commission should not adopt a structural response to circumstances which may not be permanent. Consider, for example, both UGI Electric and UGI Gas bills over the past several years (2019 through 2024). The average annual residential bills for UGI-Electric and UGI-Gas are set forth in the Table below.

Average UGI-Gas and UGI-Electric Bills (2019 – present)					
	Natural Gas ⁵			Electricity ⁶	
	Average Bill	Avg Price	CAP Credit ⁷	Average Bill	Avg Price
2019	\$908	\$10.70	NA ⁸	\$1,097	\$0.10648
2020	\$846	\$11.10	\$275	\$1,127	\$0.10964
2021	\$911	\$11.70	\$288	\$1,188	\$0.11364
2022	\$1,204	\$14.60	\$530	\$1,779	\$0.17144
2023	\$1,214	\$16.80	\$721	\$1,828	\$0.18684
2024	\$1,010	\$14.00	NA ⁹	\$1,895	\$0.18929

Even UGI Gas and UGI Electric bills demonstrate the point the OCA seeks to make. While relatively steady from 2019 through 2021, the residential bills to UGI Gas customers spiked in 2022 and 2023. Prices increased by more than \$5/mcf from 2021 (\$11.70) to 2023 (\$16.80), before moderating in 2024 (back down to \$14). As natural gas prices spiraled, so, too, did the average CAP credit per CAP participant increase. When UGI Gas bills increased from \$846 (2020) to \$1,214 (2023) (an increase of \$368), CAP credits increased by a nearly equal amount (from \$288

⁵ UGI-Gas annual report to PA PUC.

⁶ EIA Annual Form 861 (Monthly Form 861M for 2025).

⁷ BCS Annual Report on Universal Service Programs and Credit and Collections. UGI Electric data is not reported by BCS in its annual report.

⁸ “UGI North” and “UGI South” were separately reported in 2019 and before. Data in this table is thus limited to 2020 and later.

⁹ The 2024 BCS report has not yet been published.

to \$721) (an increase of \$438). With gas prices now somewhat moderating, it can be expected that CAP credits will moderate as well.

In contrast, UGI Electric bills spiked, as well, from 2021 through 2023, with increases continuing at a more moderate level into 2024. Unfortunately, BCS does not report UGI Electric data in its annual report on universal service programs so the information regarding the impact on the customers' CAP credits cannot be presented.

It is not the OCA's position that universal service programs be funded no matter what the cost might be (although both the electric and the natural gas statutes do *require* that universal service programs be "adequately funded"). As expressed in its initial comments, the OCA instead asserts that different causes of increasing CAP costs might call for different responses. The first response, however, is to carefully, continuously, monitor CAP costs. The second response is to determine, in the event that cost increases might exceed a level that would give rise to concern, the cause of the increase in costs. Only then, can the Commission (and stakeholders such as the Company, the Commission, and low-income advocates) determine what response might be reasonable.

In acknowledging that *some* cost control response may be found to be appropriate, the OCA in no way disputes any of the arguments advanced by CAUSE-PA about the impacts of such cost controls on CAP participants. In acknowledging those arguments, however, the OCA seeks to acknowledge the quandary that increasing CAP costs creates. As CAUSE-PA notes, CAP serves a small minority of income-eligible customers.¹⁰ CAUSE-PA Comments at 24. Virtually everyone seeks to increase those participation rates. Nonetheless, at the current time, there are income-

¹⁰ In its Comments, CAUSE-PA notes, "[a]s of January 2025, UGI reports that 24,392 customers were enrolled in its CAP.60 As of that same month, based on data provided in the 2025 UGI Gas base rate case, UGI had 87,964 confirmed low income customers – which are known to UGI to be income eligible for CAP." CAUSE-PA Comments at 24 (footnotes omitted).

eligible customers who do *not* participate in CAP whose interests also cannot be ignored. And the interests of income-eligible participants, and income-eligible nonparticipants, may be in conflict with each other. It is for that reason that the OCA strongly asserts that any response to high CAP costs must be specifically tailored to address the cause of those high costs (to the extent they exist) in as narrow and effective way as possible.

1. Weighing the Costs and Benefits of Maximum CAP Credits

CAUSE-PA asserts in further response to the potential adoption of maximum CAP credit ceilings that, prior to adopting a ceiling on CAP credits, if at all, the Commission should weigh the costs and benefits of adopting such a ceiling. CAUSE-Comments at 63-67. The OCA agrees with that argument, albeit in a somewhat different context. Again, acknowledging that the OCA does not oppose a ceiling on CAP credits as a cost control mechanism in all circumstances, the OCA would assert that, before adopting such a ceiling, the Commission should carefully consider what offsetting costs adopting such a ceiling would create. In potentially helping to control CAP costs, the adoption of a ceiling on CAP credits would unquestionably *create* different costs. In the discussion above, OCA observed the spiral in natural gas prices from 2019 through 2023.¹¹

¹¹ This discussion will focus on natural gas prices given that the BCS annual report does not include UGI Electric data.

Confirmed Low-Income Collections vs. CAP Payment Percentages			
	Average Confirmed Low-Income Arrears	Confirmed Low-Income Disconnection Rate	CAP Payment Percent
2019 ¹²	\$340.29 (UGI South)	2.9% (UGI South)	87.6% (UGI South)
	\$444.94 (UGI North)	4.2% (UGI North)	86.9% (UGI North)
2020	\$708.63	NA	NA
2021	\$906.88	4.5%	89.6%
2022	\$896.65	5.7%	92.0%
2023	\$884.22	6.2%	79.7%

The Table shows that at the same time that UGI Gas bills were substantially increasing, the payment difficulties of “Confirmed Low-Income” customers were increasing as well. The average arrears of UGI Gas Confirmed Low-Income customers was roughly double in 2022 what they were in 2019, while the rate at which UGI disconnected Confirmed Low-Income customers increased by between 50% and 100%. In contrast, with the unexplained exception of 2023, low-income customers participating in CAP were paying 90% or more of their bills in full.¹³ To the extent that imposing a ceiling on CAP credits moves CAP participants off the CAP program (which it effectively does by making bills to CAP participants equal to their full bill at standard residential rates), in other words, it can be expected that the low-income payment patterns will revert toward their pre-CAP participation levels. Even if UGI were to “control” its CAP costs, in other words, it would be creating new costs in other aspects of its operations.

¹² The top line in 2019 is for UGI South. The bottom line in 2019 is for UGI North.

¹³ According to BCS, the “payment rate” is calculated by dividing the total dollars of payments by the total dollars of bills.

C. Outreach to Specific Vulnerable Populations

CAUSE-PA was largely supportive of UGI’s “CEOP [Customer Education and Outreach Plan] Initiatives” and stated specifically that it is “not opposed to UGI’s CEOP.” CAUSE-PA Comments at 72-75. CAUSE-PA’s Comments focused, however, on the events which UGI proposes to pursue through the Company’s CEOP. *Id.* at 73 – 74. The additional recommendations advanced by CAUSE-PA were primarily limited to integration of UGI Gas 2025 base rate settlement provisions and additional targeted outreach to landlords and tenants. *Id.* at 74-75.

While the OCA supports CAUSE-PA’s recommendation for additional targeted outreach to landlords and tenants and integration of the 2025 base rate settlement commitments, the OCA does not believe that these are the only areas of the CEOP that require improvement. *See* OCA Comments at 33-38. As the OCA discussed in its Comments, the CEOP misses a key opportunity to address outreach towards Confirmed Low-Income customers who seek to enter into deferred payment arrangements. OCA Comments at 33-35. UGI should enter into a payment arrangement with a Confirmed Low-Income customer only with the informed consent of the customer that the customer knows that enrolling in CAP would gain the customer complete *forgiveness* of their arrears.

Data presented by OCA in the 2025 UGI Gas base rate case shows that UGI Gas enrolls significant numbers of Confirmed Low-Income customers in deferred payment arrangements through which customers agree to retire arrearages over an extended period of time. The data provided by UGI Gas shows that the Company had an average of 22,615 payment arrangements with Confirmed Low-Income customers in 2022, 24,581 payment arrangements with Confirmed Low-Income customers in 2023, and 22,494 payment arrangements with Confirmed Low-Income customers in 2024. In contrast, however, the data further shows that UGI Gas had an average of 17,137 payment-troubled Confirmed Low-Income customers in 2022, 19,270 payment-troubled

Confirmed Low-Income customers in 2023, and 18,002 payment-troubled Confirmed Low-Income customers in 2024.

According to BCS, “A payment troubled customer is a customer who has failed to maintain one or more payment arrangements in a 1-year period.”¹⁴ Over the past three years, in other words, for every 100 Confirmed Low-Income customers who entered into a payment arrangement with UGI Gas, the Company had nearly 80 Confirmed Low-Income customers who defaulted on one or more payment arrangement. UGI Gas cannot assert that it is providing deferred payment arrangements to its Confirmed Low-Income customers as an opportunity for those customers to successfully retire their arrears.

Confirmed Low-Income Customers: Active Deferred Payment Arrangements (DPAs) Compared to Payment-Troubled Customers			
	2022	2023	2024
Average monthly DPAs ¹⁵	22,615	24,581	22,494
Average monthly payment-troubled customers ¹⁶	17,137	19,270	18,002
Ratio: Payment-troubled to active DPAs	0.76	0.78	0.80

The notion of obtaining the “informed consent” of a customer as part of particular customer decision-making has been adopted by the Commission in recent years. In the April 4, 2024 decision regarding the Universal Service and Energy Conservation Plan (USECP) of Columbia Gas, the Commission considered whether Columbia Gas could apply an existing deposit against a low-income customer’s outstanding arrears before refunding the difference pursuant to statute and regulation. The Commission held that the Company could *not* do so, stating:

Commission regulations also state that a public utility must “refund a deposit, along with any applicable interest, within 60 days upon determining that the customer or applicant from whom a deposit was collected is not subject to a deposit....” *See* 52

¹⁴ BCS 2022 Report, at page 11, citing 52 Pa. Code § 54.72 or § 62.2 .

¹⁵ OCA-IV-17(b).

¹⁶ CAUSE-PA-I-22(c).

Pa. Code § 56.53(f). The regulations do not permit the public utility to apply a deposit to a delinquent account balance if it is determined the customer was not responsible for paying the deposit prior to accruing the balance.

Accordingly, we direct Columbia to refund security deposits, with applicable interest, collected from customers who are income-eligible for CAP. Columbia may apply the security deposit to the account balance only with the customer's informed consent. As part of obtaining this informed consent, Columbia must explain to the customer how applying the security deposit to the account balance would impact the customer's monthly bill.¹⁷

While that decision related to Columbia Gas, the application of the legal principles would be the same with respect to UGI entering a Confirmed Low-Income customer into a payment arrangement rather than enrolling that customer into CAP along with CAP's arrearage forgiveness provisions.

The recommendation advanced here and in the OCA's Comments is, as applied to deferred payment arrangements, exactly what the Commission has required with respect to the refund of cash security deposits. OCA Comments at 33-35. Before entering into a deferred payment arrangement calling for the payment of an unpaid arrearage which, if the customer is income-qualified, would be subject to forgiveness, the utility should obtain the informed consent that the customer would prefer to enter into a payment arrangement to pay those arrears over time rather than apply for CAP and to have those arrears forgiven over time. As the Commission has previously ordered with respect to the refund of deposits, "as part of obtaining this informed consent, [the utility] must explain to the customer how applying the security deposit to the account balance would impact the customer's monthly bill."¹⁸ That is what has been recommended for

¹⁷ *Columbia Gas of Pennsylvania, Inc. Universal Service and Energy Conservation Plan for 2024 - 2028 Submitted in Compliance with 52 Pa. Code § 62.4, Docket M-2023-3039487, Order, at 31 (April 4, 2024).* (hereafter *2024 Columbia USECP Order*). See also, *Philadelphia Gas Works Universal Service and Energy Conservation Plan for 2023-2027 Submitted in Compliance with 52 Pa. Code § 62.4, Docket M-2021-3029323, Order on Reconsideration at 17 – 18 (March 16, 2023)* (also appropriate to refund deposits directly to customer without seeking customer consent on whether to refund or to credit deposit toward bill).

¹⁸ *Columbia USECP Order* at 31.

Deferred Payment Arrangements (DPAs) for UGI, that as part of obtaining this informed consent, UGI must explain to the customer how applying the DPA installments, or entering into the arrearage forgiveness program, will impact the customer's bill.

There would appear to be a statutory basis for requiring UGI to pursue this process of obtaining the "informed consent" of Confirmed Low-Income customers prior to entering into a payment arrangement. Pennsylvania statutes provide that:

No public utility shall, directly or indirectly, by any device whatsoever, or in anywise, demand or receive from any person, corporation, or municipal corporation a greater or less rate for any service rendered or to be rendered by such public utility than that specified in the tariffs of such public utility applicable thereto. The rates specified in such tariffs shall be the lawful rates of such public utility until changed, as provided in this part. **Any public utility, having more than one rate applicable to service rendered to a patron, shall, after notice of service conditions, compute bills under the rate most advantageous to the patron.**¹⁹

UGI should not, in other words, require a customer to pay off arrears through a payment arrangement which arrears would be subject to forgiveness under the UGI CAP. In the 2025 Columbia Gas base rate case, the Office of Consumer Advocate proposed notice provisions similar to the ones advanced herein. While that case has not proceeded to a final order by the Commission, the October 3, 2025, Recommended Decision approved those proposals. The Recommended Decision found and held, "Improved screening and referrals could help ensure households are receiving the most advantageous available rate **and is a statutory requirement.**"²⁰

¹⁹ 66 Pa.C.S. § 1303 (emphasis added).

²⁰ *Pa. PUC v. Columbia Gas Company of Pennsylvania*, Docket R-2025-3053499, Recommended Decision, at 549 – 550 (October 3, 2025) (emphasis added).

III. CONCLUSION

The OCA appreciates the opportunity to Comment on UGI's Universal Service & Energy Conservation Plan, as well as the *Supplemental Information* provided by UGI in response to the Commission's *July 24, 2025 Order*. The OCA respectfully submits that its Comments, Reply Comments, and recommendations contained therein should be adopted.

Respectfully submitted,

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