

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held January 15, 2026.

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Kathryn L. Zerfuss
John F. Coleman, Jr.
Ralph V. Yanora

PECO Energy Company Universal Service and
Energy Conservation Plan for 2019-2028

M-2018-3005795

ORDER

BY THE COMMISSION

Before us for disposition is the Petition of PECO Energy Company (PECO Electric and PECO Gas, collectively PECO) to amend its 2019-2028 Universal Service and Energy Conservation Plan (2019 USECP), filed on September 17, 2025, at Docket No. M-2018-3005795 (PECO Petition).¹ PECO is proposing to modify its 2019 USECP with amendments related to the Pennsylvania Department of Human Services' (DHS') Low Income Home Energy Assistance Program (LIHEAP) data sharing, PECO's 2024 Rate Case, and other proceedings that impacted its universal service programs. With this Order, the Public Utility Commission (Commission) rejects some of the proposed amendments and directs PECO to file another amended 2019 USECP within 60 days, consistent with this Order.

¹ PECO filed a proposed revised 2019 USECP on September 17, 2025. For the sake of clarity, we have deemed this filing to be a petition to amend PECO's existing 2019 USECP.

BACKGROUND

LIHEAP Data Sharing

DHS added language to its 2024-2025 LIHEAP application to obtain customer consent to share their income and household with the public utility receiving their LIHEAP grant. Specifically, with LIHEAP data sharing, LIHEAP applicants may give DHS permission to share their income and household information with their public utility to facilitate enrollment in a utility assistance program, such as the Customer Assistance Program (CAP). DHS sends weekly data sharing reports to participating public utilities via SeGOV, where public utilities can access information about customers who have opted to share their data. DHS worked collaboratively with PECO and other public utilities, among other parties, to establish the LIHEAP data sharing process and determine what customer information was necessary to share in order to assess their eligibility for universal service programs. The following is the final list of data points that are included in DHS' weekly reports:

- Name of the public utility account holder.
- Name of all household members, regardless of the household member's eligibility for LIHEAP.
- Income (annual or monthly) for each household member.
- Source of income for each household member.
- The date income was verified.
- Service address.
- Account number (or other unique identifier) for head of household.
- Age or date of birth of each household member.
- Telephone number.
- Email address.

On June 13, 2024 (June 2024 Order), the Commission issued an Order encouraging all public utilities to participate in LIHEAP data sharing and providing guidance on how they should participate. The Commission also directed public utilities participating in LIHEAP data sharing to file a letter in response to the Commission's recommendations. In particular, the June 2024 Order recommended that public utilities:

Use a simplified/streamlined process for households to enroll in universal service programs and recertify in 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.

On July 31, 2024, PECO filed a letter (PECO 2024 Letter) and a proposed revised USECP (Exhibit A) at Docket No. M-2018-3005795 in response to the June 2024 Order confirming that it would participate in LIHEAP data sharing and that it would, *inter alia*, implement the following:

Use a simplified/streamlined process for households to enroll in universal service programs and recertify in PECO's [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.

PECO 2024 Letter at 1.

However, the proposed revised USECP still required all applicants to complete a CAP application, whether or not they had already provided their income and household information through LIHEAP data sharing. PECO proposed to accept the information

from LIHEAP data sharing in lieu of documented proof of income for all adult household members. PECO 2024 Letter, Exhibit A at 5.

On September 9, 2024, the Commission's Bureau of Consumer Services (BCS) issued a Secretarial Letter (2024 Sec Letter) at Docket Nos. M-2018-3005795 and M-2023-3038944 finding the PECO 2024 Letter to be substantially compliant with the Commission's June 2024 Order. However, BCS encouraged PECO, *inter alia*, to remove the CAP application requirement for households whose data is shared by DHS and allow them to enroll in CAP with informed consent without the need for a separate application or additional documentation. BCS also encouraged PECO to discuss its proposed USECP changes with its universal service advisory committee (USAC). 2024 Sec Letter at 4-5.

PECO Electric Base Rate Case, Docket No. R-2024-3046931 & PECO Gas Base Rate Case, Docket No. R-2024-3046932

On March 28, 2024, PECO Electric and PECO Gas separately filed for a general rate increase at Docket Nos. R-2024-3046931 and R-2024-3046932, respectively. On August 30, 2024, a Joint Petition for Non-Unanimous Settlement² (2024 Electric Rate Case Settlement) was filed for PECO Electric, while a Joint Petition for Non-Unanimous Partial Settlement³ (2024 Gas Rate Case Settlement) was filed for PECO Gas. These

² Parties to this proceeding include PECO Energy Company – Electric Division, the Commission's Bureau of Investigation and Enforcement (I&E), the Office of Consumer Advocate (OCA), the Office of Small Business Advocate (OSBA), the National Railroad Passenger Corporation (Amtrak), Electrify America, LLC (EA), EVgo Services LLC (EVgo), the Philadelphia Area Industrial Energy Users Group (PAIEUG), the Southeastern Pennsylvania Transportation Authority (SEPTA), the Tenant Union Representative Network and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (TURN/CAUSE-PA), the City of Philadelphia and Philadelphia Energy Authority (City/PEA), and Walmart Inc.

³ Parties to this proceeding include PECO Energy Company – Gas Division, I&E, OCA, OSBA, CAUSE-PA, PAIEUG, SEPTA, and Walmart, Inc.

Joint Petitions included, *inter alia*, provisions impacting PECO's universal service programs and low-income customers.

On October 15, 2024, Administrative Law Judges (ALJs) Darlene Heep and Marta Guhl issued Recommended Decisions recommending approval of the 2024 Electric Rate Case Settlement and the 2024 Gas Rate Case Settlement. By Orders entered on December 12, 2024, the Commission approved, *inter alia*, the universal service and low-income provisions of the 2024 Electric Rate Case Settlement and the 2024 Gas Rate Case Settlement without modification. December 2024 Order at 75 OP #3; December 2024 Order at 102 OP #3.

Provisions in the 2024 Base Rate Case Settlements impacting PECO's universal service programs and low-income customers included:

- Adding health usage rider exemption language to the maximum CAP credit letters, which sets forth the procedure a customer can use to request the health usage exemption, and information about how to file either an internal dispute or a complaint with the Commission if the customer disagrees with PECO's denial of the health usage exemption. 2024 Electric Rate Case Settlement at 10, ¶27.
- Increasing the PECO Gas Low Income Usage Reduction Program (LIURP) budget by an additional \$500,000 annually starting in 2025, increasing the annual program budget to \$3.65 million. 2024 Gas Rate Case Settlement at 10, ¶27.
- Increasing the PECO Electric LIURP budget by an additional \$1 million annually starting in 2025, increasing the annual program budget to \$7.6 million. 2024 Electric Rate Case Settlement at 10, ¶28.

- Increasing the maximum Matching Energy Assistance Fund (MEAF) grant to \$1,250 per account. 2024 Electric Rate Case Settlement at 11, ¶32 & 2024 Gas Rate Case Settlement at 10-11, ¶28.
- Requiring the MEAF grant amount to eliminate the total amount due on PECO’s termination notice(s) or as otherwise agreed to by PECO for service to be maintained or restored, excluding pre-program arrearage. If the grant amount does not bring the termination amount due to zero, the customer will be required to make a payment and/or solicit other grants to satisfy the remaining total amount due before receiving the MEAF grant. 2024 Electric Rate Case Settlement at 11, ¶32 & 2024 Gas Rate Case Settlement at 10-11, ¶28.
- Increasing its annual electric outreach budget by \$300,000 to build upon existing outreach efforts and increase virtual enrollment opportunities for a range of residential customer offerings available to low-to-moderate income (LMI) customers. 2024 Electric Rate Case Settlement at 14, ¶40.

Other Proceedings Impacting PECO’s Universal Service Programs

- On October 27, 2022, the Commission entered an Order at Docket No. R-2022-3031113 (October 27 Order) approving a rate increase for PECO Gas. Pursuant to Paragraph 4 of the October 27 Order, PECO filed Tariff Gas Pa. P.U.C. No. 5 on November 16, 2022, with an effective date of January 1, 2023. The November 16, 2022 tariff filing stated that “...up to \$900,000 of LIURP expenditures [are] above the \$2.25 million threshold included in base rates.” Tariff Gas Pa. P.U.C. No. 5 at 42. On December 30, 2022, the Commission’s Bureau of Technical Utility Services (TUS) issued a Secretarial Letter approving the November 16, 2022 tariff.

- On June 11, 2025, PECO Electric filed Tariff Electric Pa. P.U.C. No. 8, and PECO Gas filed Tariff Gas Pa. P.U.C. No. 6 at Docket Nos. R-2025-3055691 and R-2025-3055692, respectively, with proposed effective dates of September 1, 2025. These tariff filings indicated PECO's intention to permanently close its Customer Solution Center (CSC) located at 2301 Market Street in Philadelphia after August 29, 2025. June 11, 2025 Tariff Electric Pa. P.U.C. No. 8 at 2; Tariff Gas Pa. P.U.C. No. 6 at 2. On August 28, 2025, the Commission entered separate Orders at these dockets (August 2025 Orders) approving PECO's proposed tariffs. August 2025 Orders at 3, ¶1.

PECO Petition

On September 17, 2025, PECO filed its Petition with a proposed amended 2019 USECP (Proposed Amended 2019 USECP) with proposed changes based on the Commission's LIHEAP data sharing recommendations, its 2024 electric and gas base rate cases, and other clarifying updates. On September 29, 2025, the Tenant Union Representative Network (TURN) and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) filed a joint answer (TURN/CAUSE-PA Answer) opposing one proposed update related to LIHEAP data sharing. TURN/CAUSE-PA Answer at 1. On October 28, 2025, the Commission issued a Secretarial Letter (October 2025 Sec Letter) inviting parties to respond to TURN/CAUSE-PA's Letter. October 2025 Sec Letter at 2. On November 4, 2025, the Office of Consumer Advocate (OCA) filed a letter (OCA Letter) in place of answers, in support of the TURN/CAUSE-PA Answer. OCA Letter at 2. On November 7, 2025, PECO filed a response (PECO Response) to the TURN/CAUSE-PA Letter.

DISCUSSION

We shall discuss and address each of PECO's proposed USECP changes separately below.

A. Proposed USECP Changes Related to LIHEAP Data Sharing

1. PECO Petition

PECO requests approval of the following modifications to its 2019 USECP in response to the LIHEAP data sharing recommendations in the June 2024 Order and 2024 Sec Letter:

- Update the references to income for adults to say “age 18 and older” in the USECP and in the CAP application. PECO Petition at 2, Proposed Amended 2019 USECP at 5-6.
- Update income guidelines regarding the receipt of DHS income data from “within the prior two LIHEAP program years” to “within the prior 12 months and/or the current or prior LIHEAP program year.” PECO Petition at 2, Proposed Amended 2019 USECP at 5.
- Update the CAP application to incorporate DHS data sharing. PECO Petition at 2, Proposed Amended 2019 USECP at 68-70.
- Clarify that CAP customers who participate in DHS data sharing and are up for recertification must still meet PECO's CAP income eligibility requirements. PECO Petition at 2, Proposed Amended 2019 USECP at 7.

- Replace MEAF agencies with PECO to conduct outreach to customers identified through DHS data sharing who have received a shutoff notice or termination notice. PECO Petition at 2, Proposed Amended 2019 USECP at 28.
- Clarify that PECO’s data sharing outreach plan was to be completed by October 2024 for the 2024-2025 LIHEAP cycle, not annually. PECO Petition at 2, Proposed Amended 2019 USECP at 28.
- Clarify that PECO will update its CAP and LIHEAP webpages and CAP application with information and instructions on DHS data sharing for CAP enrollment and recertification. PECO Petition at 2, Proposed Amended 2019 USECP at 28.

2. Stakeholder Comments

TURN/CAUSE-PA note that the summary of USECP changes listed in the PECO Petition did not include the following proposed change included in PECO’s Proposed Amended 2019 USECP:

In order to place a customer in the CAP program, **a customer must complete a CAP application, and** PECO must have information on the customer’s actual income, not merely a range of incomes, and the customer’s household size. **(emphasis added to proposed language)**

TURN/CAUSE-PA Answer at 2-3, *citing* the Proposed Amended 2019 USECP at 7.

TURN/CAUSE-PA oppose this change. They argue that this additional language alters the data sharing process outlined in the Commission’s June 2024 Order, which PECO’s 2024 Letter agreed to follow. TURN/CAUSE-PA Letter at 3.

TURN/CAUSE-PA agree with the Commission's guidance in the June 2024 Order, which encouraged public utilities to utilize a simplified application for LIHEAP data sharing participants.

TURN/CAUSE-PA request that the Commission direct PECO to eliminate this change from its Proposed Amended 2019 USECP, which mandates customers who participate in LIHEAP data sharing to submit a CAP application. TURN/CAUSE-PA Letter at 2. OCA agrees with TURN/CAUSE-PA's request. OCA Letter at 2.

3. PECO Response

PECO maintains that the change to its Proposed Amended 2019 USECP is unwarranted. PECO notes that while the Commission encouraged eliminating the CAP application for LIHEAP data sharing participants, it also emphasized that a customer must provide informed consent to be enrolled in CAP. PECO asserts that the CAP application serves as its mechanism for obtaining informed consent. Therefore, PECO requests that the Commission approve its Proposed Amended 2019 USECP. PECO Response at 2.

4. Resolution

The purpose of LIHEAP data sharing is to eliminate duplicative documentation and streamline enrollment for eligible customers into utility programs. We agree with TURN and CAUSE-PA that requiring a customer to complete a CAP application when the same income and household information has already been provided through LIHEAP data sharing is unreasonable.

We do not agree with PECO that completing a CAP application is necessary to obtain informed consent from LIHEAP data sharing participants before enrolling them in CAP. Other public utilities have developed less burdensome processes to obtain informed consent from these customers. For example, Philadelphia Gas Works (PGW)

obtains informed consent from LIHEAP data sharing participants to enroll in CAP without requiring them to complete a new application. If a PGW customer shares their LIHEAP income and household information, PGW sends a letter informing the household of how it can use the LIHEAP data to enroll them in CAP, the benefits of the program, the estimated payment amount, and requesting the customer respond sign and mail back a form consenting to enroll. *See* PGW Data Sharing Letter at 2-3, filed at Docket Nos. M-2021-3029323 and M-2023-3038944, on July 30, 2024. Public utilities could also accept consent through other mediums, such as by text, telephone, or email.

Accordingly, this aspect of PECO's Petition to amend its 2019 USECP is denied. PECO is directed to consult with its USAC to develop a new procedure for obtaining informed consent for CAP enrollment through LIHEAP data sharing that does not require completing a new CAP application. PECO must file a further revised USECP within 60 days from the entry date of this Order that outlines the new process to obtain informed consent for LIHEAP data sharing participants who want to enroll in CAP.

B. Proposed USECP Changes Related to PECO's Electric and Gas Base Rate Cases

1. PECO Petition

Consistent with its approved 2024 Electric and Gas Rate Case Settlements, PECO proposes the following modifications to its 2019 USECP:

- Add a description of its health usage rider exemption from the CAP annual maximum credit limit. PECO Petition at 2, Proposed Amended 2019 USECP at 5.
- Increase the CAP annual maximum credit amounts to reflect PECO's 2025 electric base rate increase. PECO Petition at 2, Proposed Amended 2019 USECP at 5.

- Increase the annual LIURP budgets for electric (\$1 million increase) and gas (\$500,000 increase) beginning in January 2025. PECO Petition at 2, Proposed Amended 2019 USECP at 16.
- Increase the maximum MEAF grants to \$1,250 per account. PECO Petition at 2, Proposed Amended 2019 USECP at 21.
- Update the MEAF grant criteria to note that the grant amount must eliminate the total termination amount, excluding the pre-program arrearages, or as otherwise agreed to by PECO. PECO Petition at 2, Proposed Amended 2019 USECP at 21.
- Include a statement of approval to spend an additional \$300,000 per year on electric outreach and education. PECO Petition at 2, Proposed Amended 2019 USECP at 24.

2. Stakeholder Comments

Stakeholders did not comment on these proposed changes.

3. Resolution

We find these proposed changes consistent with the approved 2024 Electric and Gas Rate Case Settlements at Docket Nos. R-2024-3046931 and R-2024-3046932, respectively. Accordingly, we approve these USECP amendments.

C. Other Proposed USECP Updates

1. PECO Petition

For clarification purposes, PECO requests approval of the following modifications to its 2019 USECP:

- Add existing language from the CAP section to the LIURP section stating that if a landlord refuses a LIURP audit, a tenant will not be removed from CAP. Proposed Amended 2019 USECP at 16.
- Add historical information that beginning in 2023, PECO increased its annual LIURP gas budget by \$900,000. Proposed Amended 2019 USECP at 17.
- Remove references to the permanently closed CSC. Proposed Amended 2019 USECP at 3 and 6.

2. Stakeholder Comments

Stakeholders did not comment on these proposed changes.

3. Resolution

We shall address each of these proposed USECP updates separately:

Adding language to the LIURP section stating that if a landlord refuses a LIURP audit, a tenant will not be removed from CAP.

We find this proposed change consistent with PECO's current Commission-approved USECP. Accordingly, we approve this USECP amendment.

Clarifying that PECO increased its annual LIURP gas budget by \$900,000 beginning in 2023.

We find this proposed change consistent with PECO's Electric and Gas tariffs filed on June 11, 2025, and approved by the Commission on August 28, 2025, at Docket

Nos. R-2025-3055691 and R-2025-3055692, respectively. Accordingly, we approve this USECP amendment.

Remove references to the permanently closed CSC.

We find this proposed change consistent with PECO's Electric and Gas tariffs filed on June 11, 2025, and approved by the Commission on August 28, 2025, at Docket Nos. R-2025-3055691 and R-2025-3055692, respectively. Accordingly, we approve this USECP amendment.

CONCLUSION

For the reasons set forth above, PECO's Petition to amend its 2019 USECP filed on September 17, 2025, is denied. PECO shall file a further revised USECP within 60 days of the entry date of this Order; **THEREFORE,**

IT IS ORDERED:

1. That the Petition filed by PECO Energy Company on September 15, 2025, to amend its 2019-2028 Universal Service Energy Conservation Plan is denied, consistent with this Order.

2. That PECO Energy Company shall consult with its Universal Services Advisory Committee to develop a new procedure to obtain informed consent for Low Income Home Energy Assistance Program data sharing participants who want to enroll in PECO's Customer Assistance Program that does not require completing a new Customer Assistance Program application.

3. That PECO Energy Company shall file a further revised Universal Service Energy Conservation Plan at this docket within 60 days that outlines the new process to obtain informed consent for Low Income Home Energy Assistance Program data sharing participants who want to enroll in PECO's Customer Assistance Program.

4. That the contact persons for this proceeding are Joseph Magee, Bureau of Consumer Services, jmagee@pa.gov; and Stephanie Wilson, Law Bureau, stepwilson@pa.gov.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Matthew L. Homsher". The signature is written in a cursive style with a large initial "M".

Matthew L. Homsher
Secretary

(SEAL)

ORDER ADOPTED: January 15, 2026

ORDER ENTERED: January 15, 2026