

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

Public Meeting held June 18, 2026

Commissioners Present:

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

Duquesne Light Company Universal Service and Energy Conservation Plan for 2020-2025	M-2019-3008227
Petition to Amend Duquesne Light Company Universal Service and Energy Conservation Plan for 2020-2025	P-2026-3061673
Pennsylvania Public Utility Commission, <i>et al.</i> v. Duquesne Light Company	R-2024-3046523

**ORDER**

**BY THE COMMISSION:**

On March 31, 2026, Duquesne Light Company filed a Petition to Amend its 2020-2025 Universal Service and Energy Conservation Plan (2020 USECP<sup>1</sup>). Duquesne requests approval to automatically enroll Low Income Home Energy Assistance Program (LIHEAP) data sharing participants with an arrearage balance of \$250 or more into its Customer Assistance Program (CAP). The Coalition for Affordable Utility Service and Energy Efficiency in Pennsylvania (CAUSE-PA) filed an Answer to the Duquesne

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<sup>1</sup> Duquesne Light Company 2020-2025 USECP, Docket No. M-2019-3008227 (filed on June 28, 2022).

Petition on April 20, 2026, and amended its Answer to include appendices on April 22, 2026.<sup>2</sup> This Order directs Duquesne to provide supplemental information and establishes a comment and reply comment period.

## **BACKGROUND**

As part of its 2024 base rate case settlement,<sup>3</sup> Duquesne agreed to file a petition to facilitate automatic enrollments into its CAP, including a proposed process and timeframe with amended annual CAP budgets, and any other necessary modifications to Duquesne's 2020 USECP within one year after the effective date of the rates in that proceeding. The Commission approved the 2024 base rate case settlement by Order entered November 7, 2024, and Duquesne's compliance tariff was approved effective December 20, 2024. On December 19, 2025, Duquesne submitted a letter notifying the Commission that it would file its CAP auto-enrollment petition by March 31, 2026.

## **DUQUESNE PETITION**

In its Petition, Duquesne proposes to automatically enroll LIHEAP recipients with a balance of \$250 or more into CAP if they have consented to share their LIHEAP data and the income information has been received within the past 12 months. Duquesne also proposes to offer a streamlined, expedited process to enroll LIHEAP data sharing participants with a balance below \$250 (*i.e.*, expedited enrollment). Duquesne Petition at ¶8, Exhibit 1 at 6.

Duquesne proposes sending notifications to LIHEAP data sharing participants with information about CAP. This notification would include an overview of CAP,

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<sup>2</sup> References herein will be to CAUSE-PA's amended Answer.

<sup>3</sup> See *Joint Petition for Approval of Settlement*, Docket No. R-2024-3046523 (filed on August 16, 2024) at 14, ¶ 53.

including CAP benefits, responsibilities, and restrictions, as well as the customer's calculated percentage of income payment plan (PIPP) based on income data, CAP credit limits, and information on preprogram arrearage (PPA) forgiveness. Duquesne also proposes using this notification to inform auto-enrolled customers that they may opt out of CAP enrollment. If a customer has an electric generation supplier (EGS) on the account (*i.e.*, shopping customers), the notice will inform the customer that, upon enrollment in CAP, the account will be returned to default service, and the EGS will automatically be removed. Duquesne Petition at ¶9, Exhibit 1 at 1-2.

Auto-enrolled customers with an outstanding balance of \$250 or more will be informed that they can opt-out of enrollment or request a review within 30 days. Income data received from the Pennsylvania Department of Human Services (DHS) will be used unless Duquesne has more current income documentation on file. Expedited customers will not be auto-enrolled but will be informed how to provide affirmative consent within the timeframe to enroll. Duquesne will accept consent in writing, verbally, over the phone, or electronically and will maintain a record of customer consent. Duquesne Petition at ¶9, Exhibit 1 at 2-4.

Duquesne also proposes using LIHEAP data sharing to automatically recertify existing CAP customers. Duquesne will send notification to the customers that DHS data was used to recertify them and advise the customers to contact Duquesne with any changes in household size or income. Duquesne also proposes to contact customers who may be eligible for reinstatement in CAP when qualifying DHS data is received. Duquesne Petition at 3, Exhibit 1, page 4-5.

Duquesne proposes to initiate a review of a CAP customer's eligibility when DHS income data brings a customer's CAP eligibility into question. Duquesne states that, prior to removing the customer from CAP, it will make a good faith effort to contact the customer to confirm the income information reported by DHS. Customers who wish to

dispute the income from DHS will have 30 days to contact a CAP case manager or submit new income documentation online. Duquesne Petition, Exhibit 1 at 4-5.

Duquesne proposes to update household occupancy information if DHS data is different from the household information on file. Customers will be notified of the change and how to contact Duquesne to update their information. Duquesne may require updated documentation to ensure the customer is compliant with CAP eligibility requirements if it determines the DHS information is not sufficiently current. Duquesne Petition, Exhibit 1 at 5.

Duquesne proposes to implement its auto-enrollment and streamlined enrollment for LIHEAP data sharing participants whose income has been received within the preceding 12 months. If its Petition is approved, Duquesne proposes to manually enroll eligible accounts into CAP within 30 days of receipt of their LIHEAP data. Duquesne plans to transition to an automated process 180 days after the approval of the Petition. Duquesne projects that this change will increase its CAP costs by \$1,130,734 annually for 2026 and 2027. Duquesne Petition at ¶13 and ¶15, Exhibit 1 at 5-7.

Duquesne adds that it will work with its Income Eligible Advisory Group (IEAG) for feedback on customer-facing communications. Duquesne states that it has engaged its information technology team to determine the changes necessary to implement auto-recertification. Duquesne Petition at ¶10, Exhibit 1 at 7.

CAUSE-PA supports approval of the Duquesne Petition but recommends changes and questions whether certain aspects of the Petition are in the public interest. Additionally, we question some aspects of the Petition.

## ISSUES

### *Streamlined Process and Automatic Recertification*

CAUSE-PA argues that Duquesne does not need further Commission authorization to implement a “consent-based, streamlined process” for enrollment and recertification as the Commission’s LIHEAP Data Sharing Order already permits utilities to adopt these processes without amending its USECP.<sup>4</sup> CAUSE-PA Answer at 7-8, ¶ 8.

*Discussion:* As noted by CAUSE-PA, the Commission granted a temporary waiver of USECP provisions to allow utilities who choose to participate in LIHEAP data sharing to utilize a simplified/streamlined process for CAP enrollment and recertification. LIHEAP Data Sharing Order at 3. On July 31, 2024, Duquesne filed a letter<sup>5</sup> informing the Commission of its intent to participate in DHS’ LIHEAP data sharing and committing to streamline the CAP enrollment and recertification processes for LIHEAP data sharing participants. July 2024 Letter at 1. In a Secretarial Letter issued on September 9, 2024, Commission staff determined that the July 2024 Letter was substantially compliant with the LIHEAP Data Sharing Order. Duquesne was informed that no further action in regard to the terms and conditions established by the LIHEAP Data Sharing Order was required. September 2024 Secretarial Letter at 3.

*Resolution:* As noted above, Duquesne’s proposal to implement expedited CAP enrollment and automatic CAP recertification for LIHEAP data sharing participants has previously been approved by the Commission. Accordingly, no further approval is needed for these aspects of the Duquesne Petition. Duquesne may implement these provisions immediately.

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<sup>4</sup> See 2023 Review of All Jurisdictional Fixed Utilities’ Universal Service Programs, LIHEAP Data Sharing Order, Docket No. M-2023-3038944 (Order entered June 13, 2024) at 3.

<sup>5</sup> Duquesne Light Letter RE LIHEAP Data Sharing, Docket No. M-2023-3038944 (filed on July 31, 2024).

### *Opt-Out Timeframe*

CAUSE-PA recommends that Duquesne extend the opt-out timeframe for customers to a minimum of 60 days to give customers auto-enrolled in CAP a chance to see the impacts of enrollment thereby allowing customer ample opportunity to make an informed decision and remove themselves from the program should they determine that CAP does not serve their needs. CAUSE-PA Answer at 8-9.

*Discussion:* We support Duquesne's proposal to provide an opt-out timeframe for auto-enrolled customers. We find merit with CAUSE-PA's recommendation to extend the opt-out period to 60 days. A longer opt-out timeframe could be beneficial by affording auto-enrolled customers ample time to realize they are enrolled in CAP, assess its benefits, and take the necessary steps to contact Duquesne to opt out.

Previously, in a proceeding to establish CAP auto-enrollment for Peoples, the Commission requested that Peoples explain whether arrears accrued in CAP prior to opting out of the program would be eligible for a utility payment arrangement. Additionally, the Commission found merit in CAUSE-PA's recommendation to flag accounts that have opted out of CAP to prevent automatic re-enrollment in future LIHEAP seasons.<sup>6</sup>

*Clarification Required:* In its response to this Order, Duquesne is directed to comment on the feasibility of extending the opt-out period to 60 days and of flagging accounts that have opted out as part of its proposed CAP auto-enrollment process. Duquesne shall also explain whether customers will be eligible for payment arrangements on CAP arrears if they opt-out of CAP after receiving CAP benefits.

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<sup>6</sup> See *Peoples Natural Gas 2019 USECP Order*, Docket Nos. P-2024-3052324, *et al.* (Order entered on March 26, 2026), (*Peoples March 2026 Order*) at 16-17.

## *Eligibility Review*

CAUSE-PA objects to Duquesne's proposal to remove customers from CAP based on information provided through LIHEAP data sharing if the customer does not dispute it. CAUSE-PA asserts that the process violates the DHS data sharing policy and the terms of the DHS data sharing agreement by taking adverse action against a LIHEAP recipient. CAUSE-PA notes that the terms of the DHS Data Sharing Agreement indicates that shared data should be used solely for the purpose of universal service program enrollment and outreach. CAUSE-PA states that nothing in the Agreement permits the use of shared data to take adverse action against a LIHEAP recipient, such as removing a customer from CAP. CAUSE-PA recommends the Commission prohibit Duquesne from using LIHEAP data in this manner. CAUSE-PA Answer at 10-13.

*Discussion:* A public utility has a duty to uphold the provisions of its USECP as approved by the Commission. Additionally, the CAP Policy Statement recommends that failure to report changes in income or household size should result in dismissal from CAP participation.<sup>7</sup> The Commission has previously approved utility processes to initiate a review of CAP eligibility based on receipt of new information. For example, PPL notifies CAP<sup>8</sup> customers if it receives new information which conflicts with household or income information previously provided and allows them 20 days to dispute the findings before any adverse action is taken, including removal from CAP. PPL 2023-2027 USECP at 17.<sup>9</sup> PGW also conducts periodic reviews of CAP<sup>10</sup> accounts and, upon discovery of information impacting eligibility, affords the customer 30 days to dispute the findings before removal from the program. PGW 2023 USECP at 15.<sup>11</sup>

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<sup>7</sup> 52 Pa. Code § 69.265(9)(iii).

<sup>8</sup> PPL's CAP is called OnTrack.

<sup>9</sup> PPL 2023-2027 USECP, Docket No. M-2022-3031727 (filed on April 18, 2023).

<sup>10</sup> PGW's CAP is called the Customer Responsibility Program (CRP).

<sup>11</sup> PGW 2023-2027 USECP, Docket No. M-2021-3029323 (filed on July 11, 2023).

We disagree with CAUSE-PA that Duquesne’s proposed process is inconsistent with the DHS Data Sharing Agreement, which states:

The Organization shall use the data provided by DHS only to enroll or recertify its eligible LIHEAP recipients into one of its [Utility or Energy Assistance Programs], in accordance with applicable law, regulation, policy, **the Organization’s authorized Universal Service and Energy Conservation Plan (USECP)**, or the Organization’s program rules if the Organization does not have a USECP. (emphasis added)

DHS Data Sharing Agreement at 2.

To qualify for Duquesne’s CAP, a customer must have a household income at or below 150% of Federal poverty income guidelines (FPIG).<sup>12</sup> We find Duquesne’s proposal to seek clarification when new information may bring a customer’s eligibility into question is an appropriate enforcement of its USECP provisions and consistent with similar processes approved by the Commission for other public utilities. However, we do question how a LIHEAP recipient may be income ineligible for Duquesne’s CAP.

*Clarification Required:* Duquesne is directed to explain how a LIHEAP recipient might be income ineligible for its CAP. Additionally, Duquesne is directed to report the number of instances since DHS data sharing began where data have been received with information that brings the customer’s eligibility into question and what action was taken.

*Timeframe for Consenting to Expedited Enrollment*

*Discussion:* The Commission supports Duquesne’s proposal to require affirmative consent for expedited enrollments and maintain a record of customer consent. We further

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<sup>12</sup> Duquesne 2020 USECP at 3.

support Duquesne’s proposal to collaborate with its IEAG to review its customer-facing communications. Duquesne states that a customer eligible for expedited enrollment into CAP must contact Duquesne to provide affirmative consent within the timeframe that is included in the notification. However, Duquesne does not specify what that timeframe is or provide a draft copy of this proposed notice.

*Clarification Required:* Duquesne is directed to clarify the timeframe customers will be given to provide consent for expedited enrollment and to provide copies of its draft notification to LIHEAP data sharing participants as supplemental information in response to this Order.

#### *Auto-enrolling Accounts with an Alternate EGS*

*Discussion:* We have concerns about Duquesne’s proposal to remove auto-enrolled customers from their EGS contracts without their informed consent. Although Duquesne currently notifies customers on its CAP application that enrollment in CAP will result in a return to default service,<sup>13</sup> auto-enrolled customers are not provided with advance notice before their EGS contract is canceled. The Commission has never approved a CAP auto-enrollment process that removes customers from EGS contracts without their consent. UGI Electric’s CAP auto-enrollment process currently excludes eligible customers if they have an existing contract with an EGS and instead notifies these customers that they may be eligible for CAP if they return to default service.<sup>14</sup> The Commission supported Peoples’ proposal not to auto-enroll eligible customers with an existing natural gas supplier contract and to notifying them of their CAP eligibility if they return to default service.<sup>15</sup>

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<sup>13</sup> <https://duquesnelight.com/docs/default-source/pdf-library/cap-application.pdf>.

<sup>14</sup> See *UGI Joint Petition for Approval of Settlement*, Docket Nos. M-2022-3037368, et al. (Order entered September 21, 2023) at 15, ¶ 60(d).

<sup>15</sup> See *Peoples March 2026 Order* at 9.

*Clarification Required:* Duquesne is directed to clarify how it will obtain affirmative consent to move eligible customers with EGS contracts to default service prior to auto-enrolling them into CAP. Additionally, Duquesne is directed to clarify how it will inform these customers that they may incur early termination fees if they return to default service and how to contact their EGS for information on these fees and other obligations as applicable.

*CAP enrollment levels and costs recovered from ratepayers.*

*Discussion:* The Commission has determined that a CAP auto-enrollment proposal should provide program enrollment and spending estimates for at least the next three years or the duration of its current or proposed USECP, whichever is longer, as well as estimated annual savings for ratepayers through anticipated reductions in costs related to collection activity and gross residential write-offs.<sup>16</sup> While Duquesne's proposal does provide an estimate on how its CAP auto-enrollment process would impact CAP spending levels in 2026 and 2027, it does not provide estimates on the impact auto-enrollment would have on CAP participation levels.

Duquesne explains that it does not have a reliable basis to project the increase in CAP participation in 2027 and concedes that actual program costs may vary from the projected amount for 2027 if participant volume increases. Duquesne notes that it plans to include an updated budget for subsequent program years as part of its next USECP filing, which is due November 1, 2026. Duquesne Petition, Exhibit 1 at 6.

We find Duquesne's proposal incomplete as it does not provide estimates of customers eligible for CAP auto-enrollment. As Duquesne has been receiving LIHEAP data for customers over the past season and knows how many of them have balances of at

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<sup>16</sup> See *Peoples Natural Gas 2019 USECP Order*, Docket Nos. P-2024-3052324, *et al.* (Order entered on April 24, 2025), at 22-23.

least \$250, it should be able to at least provide the projected number of auto-enrolled customers for 2026 and 2027 based on these trends.

*Clarification Required:* Duquesne is directed to clarify its projected CAP enrollment levels for 2026 and 2027.

### *Tracking and Impact Evaluation*

*Discussion:* Duquesne does not propose any tracking or reporting related to its CAP auto-enrollment process. The Commission has previously stated that a CAP auto-enrollment proposal should include tracking and reporting requirements that could help the Commission and other stakeholders evaluate the impact of this initiative on low-income customers. The Commission recommended that such reporting, at a minimum, should include annual statistics on (1) the number of customers auto enrolled (broken down by FPIG level), (2) the number of customers who opt-out, and (3) impact of auto enrollment on payment behavior and debt forgiveness. The Commission also found merit in tracking the reasons auto-enrolled customers opt-out and the timing of the opt-out requests, as suggested by CAUSE-PA.<sup>17</sup>

*Clarification Required:* Duquesne is directed to identify whether it will have a process in place to track and report on auto-enrolled customers consistent with the Commission's recommendations discussed above.

## **CONCLUSION**

Duquesne Light Company may immediately implement expedited CAP enrollment and automatic CAP recertification for LIHEAP data sharing participants as previously

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<sup>17</sup> See *Peoples March 2026 Order*, Docket Nos. P-2024-3052324, *et al.* (Order entered on March 26, 2026), at 13-15.

approved by the Commission. However, for the reasons set forth above, approval of Duquesne's Petition to automatically enroll LIHEAP data sharing participants with an arrearage balance of \$250 or more into its CAP is hereby withheld pending review of the requested information and stakeholder comments, as set forth in this Order. Duquesne is directed to file and serve its responses and supplemental information discussed above within 20 days of the entry date of this Order. Comments are due within 20 days after Duquesne's response and supplemental information filing deadline, and reply comments are due 10 days thereafter; **THEREFORE,**

**IT IS ORDERED:**

1. That approval of the Duquesne Light Company March 31, 2026 Petition to implement automatic CAP enrollment is withheld pending review of the requested responses and supplemental information and stakeholder comments, as directed in this Order.


2. That Duquesne Light Company may immediately implement expedited CAP enrollment and automatic CAP recertification for LIHEAP data sharing participants as previously approved by the Commission in its Order entered on June 13, 2024 at Docket No. M-2023-3038944.

3. That Duquesne Light Company shall file and serve the responses and the supplemental information requested herein within 20 days of the entry date of this Order.

4. That comments to this Order shall be filed within 20 days after the filing deadline for the supplemental information. Reply comments shall be filed within 10 days thereafter.

5. That the contact person for this Order is Nathan Froehlich, Bureau of Consumer Services, [nfroehlich@pa.gov](mailto:nfroehlich@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: June 18, 2026

ORDER ENTERED: June 18, 2026