PULP
PENNSYLVANIA
UTILITY LAW PROJECT

July 28, 2026

VIA E-MAIL

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

Re: Petition of Duquesne Light Company for the Implementation of Automatic Enrollment for LIHEAP Recipients in Customer Assistance Program

Docket Nos. P-2026-3061673, M-2019-3008227, R-2024-3046523

Dear Secretary Homsher:

Attached for filing, please find the **Comments of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA)** in the above noted proceeding**.**

As indicated by the attached Certificate of Service, service on the parties of record in the underlying dockets was by email only.

Respectfully submitted,

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Duquesne Light Company Universal Service and	:		
Energy Conservation Plan for 2020-2025	:	Docket No.	P-2026-3061673
Petition to Amend Duquesne Light Company	:		M-2019-3008227
Universal Service and Energy Conservation Plan	:		R-2024-3046523
for 2020-2025	:		

Certificate of Service

I hereby certify that I have, on this day, served copies of the **Comments of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania** in the above captioned matter upon the following persons and in accordance with 52 Pa. Code § 1.54.

VIA EMAIL

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Date: July 28, 2026

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Duquesne Light Company Universal Service and Energy Conservation Plan for 2020-2025	:	Docket No.	P-2026-3061673
Petition to Amend Duquesne Light Company Universal Service and Energy Conservation Plan for 2020-2025	:		M-2019-3008227 R-2024-3046523

COMMENTS OF THE COALITION FOR AFFORDABLE UTILITY SERVICES AND ENERGY EFFICIENCY IN PENNSYLVANIA

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July 28, 2026

I. INTRODUCTION

The Coalition for Affordable Utility Service and Energy Efficiency in Pennsylvania (CAUSE-PA), through its legal counsel at the Pennsylvania Utility Law Project (PULP), files the foregoing Comments in response the Order of the Pennsylvania Public Utility Commission (PUC or Commission), issued June 18, 2026, and the Supplemental Information filed by Duquesne Light Company (DLC or the Company) on July 8, 2026.

As explained below, and as detailed in its previously filed Answer in this proceeding, CAUSE-PA continues to support DLC's proposal to automate Customer Assistance Program (CAP) enrollment for eligible LIHEAP recipients with substantial remaining arrears if the recipient is participating in the Department of Human Services' LIHEAP data sharing program. DLC's rates for distribution and generation services have increased dramatically over the last 18 months,[1] and its corresponding rates of involuntary termination have also increased. As of June 2026, DLC's involuntary termination rates are up 155% year-over-year – from just over 5,000 in 2025 to over 13,000 in 2026.[2] As rates continue to rise, more must be done to prevent involuntary terminations – especially for DLC's economically vulnerable groups, who are increasingly priced out of the market for basic, life-essential home energy services. CAP has proven effective at substantially reducing rates of involuntary termination. In 2023, termination rates for low income customers was 42.38%, compared to 11.26% for low income CAP participants.[3] Yet thousands of households *known to be eligible* for CAP based on receipt of a LIHEAP grant are not enrolled.

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[1] DLC's average residential distribution rates increase 4% in December 2024, and its residential default service rates increased 30% from December 2024 to June 2026. Pa. PUC v. DLC, Order, Docket No. R-2024-3046523 (order entered Nov. 7, 2024); see also DLC, Residential Rates, https://duquesnelight.com/service-reliability/service-map/rates/residential-rates.

[2] Pa. PUC, Terminations and Reconnections: Year-to-Date June 2025 vs. Year-to-Date June 2026, https://www.puc.pa.gov/media/3989/terminations-reconnectionsytd-june25vs26.pdf.

[3] Answer at 3 (citing Pa PUC v. DLC, Docket No. R-2024-3046523, CAUSE-PA Statement 1 at 62).

For the sake of brevity and unless required for context, CAUSE-PA will not reiterate the facts and recommendations detailed in its formal Answer to DLC's Petition, though it stands firmly by its previously stated positions, which it incorporates by reference herein. The Commission should approve this critical program advancement without further delay to help address chronic under-enrollment in CAP and rising termination rates, bringing needed relief to low income households that are known to be eligible for and in need of rate assistance and arrearage management through DLC's CAP.

II. BACKGROUND

On November 7, 2024, the Commission issued an Order approving a comprehensive settlement in DLC's 2024 base rate proceeding.[4] On March 31, 2026, pursuant to the explicit terms of that settlement, DLC filed the instant Petition seeking Commission approval to institute an automated CAP enrollment process for eligible LIHEAP recipients with substantial remaining arrears who have opted to participate in the DHS LIHEAP data sharing program for the express purpose of enrolling in their utility's energy assistance program. On April 20, 2026, CAUSE-PA filed a formal Answer in support of DLC's Petition. As explained therein, the data in DLC's underlying 2024 base rate proceeding revealed that its CAP is woefully undersubscribed despite the demonstrated success of DLC's CAP at reducing rates of involuntary termination for DLC's low income households.[5]

The Commission's June 18 Order requested supplemental information about DLC's proposal and established a brief 20-day comment period in response thereto.[6] In tandem with the Commission's Order, Chairman Stephen M. DeFrank issued a Statement seeking clarification of

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[4] Pa. PUC v. DLC, Order, Docket No. R-2024-3046523 (order entered Nov. 7, 2024), herein Rate Case Order.
[5] CAUSE-PA Answer at 3.
[6] June 18 Order at 12.

(1) how DLC intends to notify customers eligible for auto-enrollment about the impact of CAP enrollment on the availability of a Commission-issued payment arrangement, and (2) how DLC intends to treat eligible households that are actively shopping for electricity with an electric generation supplier (EGS).[7]

III. COMMENTS

A. Opt-Out Timeframe

In its Petition, DLC proposed a 30-day opt out period for auto-enrolled customers, stating in part: "If the customer does not opt out within the 30-day period, enrollment will proceed and applicable CAP benefits including frozen arrearages and billing credits (where applicable), will be applied to the account."[8]

In its Answer, CAUSE-PA suggested adoption of a 60-day opt-out grace period, allowing auto-enrolled CAP participants an opportunity to see the billing and arrearage impacts of their enrollment and make an informed decision about continued enrollment without risking loss of CAP benefits, precluding future enrollment in CAP, or complicating issuance of a future Commission-issued payment arrangement.[9]

In its June 18 Order, the Commission found CAUSE-PA's proposal for a 60-day opt-out grace period had merit and requested that DLC include in its supplemental information the feasibility of extending the opt-out timeframe to 60 days.[10]

In its Supplemental Information, DLC stated that it has no objection to extending the opt-out window to 60 days to allow customers additional time to review program materials and make

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[7] Statement of Stephen M. DeFrank at 1-2.
[8] Petition, Exhibit 1 at 2-3.
[9] CAUSE-PA Answer at 8.
[10] June 18 Order at 6.

an informed decision.[11] However, DLC clarified that it did not intend to actually enroll the customer until the conclusion of the opt-out period.[12]

CAUSE-PA's proposal to implement a 60-day opt-out grace period was intended to allow the customer to see the impact of CAP on their bill so they can make a more fully informed decision about whether they would like to remain in the program – allowing households to weigh the relative benefits in real time. CAUSE-PA is concerned about DLC's clarified intent to delay enrollment until the conclusion of the opt-out period, as it would further compound existing debt – increasing the amount of debt that is ultimately deferred (and, in turn, the cost of the program) when the household is later enrolled in the program. As proposed, low income customers will only be eligible for auto-enrollment if they are carrying over $250 in arrears ***after*** application of LIHEAP assistance. These households have demonstrated an inability to pay full tariff rates, and their timely enrollment in CAP offers a critical tool to help stabilize bills at an affordable rate, reduce previously accrued debt, and prevent involuntary termination of service.

CAUSE-PA stands by its initial recommendation that DLC implement a 60-day opt-out grace period. However, to the extent the Commission approves DLC to delay CAP enrollment until the end of the opt-out period, CAUSE-PA withdraws its proposal to extend the period from 30 to 60 days. When a low income customer falls into arrears, timely enrollment in CAP is critical to effectively reduce involuntary termination, manage debt, and control costs. Thus, as an alternative, CAUSE-PA would support implementation of a 30-day initial opt-out period, followed by a 60-day grace period that would permit auto-enrolled participants to later withdraw without penalty if they decide to opt-out following receipt and review of at least one CAP bill.

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[11] DLC Supplemental Information at 3.
[12] Id.

B. Eligibility Review

In its initial proposal, DLC sought Commission approval to implement a default removal process – allowing DLC to initiate CAP removal if data received from DHS indicates that the household is over-income for CAP.[13] The Company explained that it would make good faith efforts to contact the customer prior to removal to confirm whether the DHS-reported income accurately reflects current household circumstances, such as outreach via phone, text message, or written communication.[14] The Company did not specify in its Petition what actions it would take if it is not able to independently verify the household's income.

In its formal Answer, CAUSE-PA raised concerns that this default review process may violate the DHS data sharing policy and the terms of the DHS data sharing vendor agreement by taking adverse action against a LIHEAP recipient based on LIHEAP data provided.[15]

In its Supplemental Information, the Company clarified that, based on DHS-provided data, DLC contacted one LIHEAP recipient, independently verified that the customer was over-

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[13] Petition, Exhibit 1 at 4.
[14] Id.
[15] Answer at 10; see Appendix A: DHS Data Sharing Agreement. Paragraph 4 provides: "The Department will provide the Organization [e.g., the utility] with information as described in Rider 1, Data Sharing Summary, which is attached to and made part of this agreement. The Organization may not use information disclosed by the Department for any purpose other than those set forth in this agreement." Rider 1, Data Sharing Summary in turn provides: "The Organization shall use the data provided by DHS only to enroll or recertify its eligible LIHEAP recipients into one of its UEAPs, 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. Provided the household recipient is not currently barred from participation in a UEAP pursuant to applicable law, regulation, policy, or USECP, the Organization will make a good faith attempt to enroll or recertify the LIHEAP household without seeking an application or income documentation for the UEAP from the LIHEAP household." See Appendix A, Rider 1, para. 5.

The terms of the DHS Data Sharing Agreement are in furtherance of the consensus data sharing framework developed through the LIHEAP Advisory Committee. See Appendix B, Proposed LAC Data Sharing Framework (dated May 4, 2022):

How Data is Used:

> Members of the subcommittee reached general consensus that LIHEAP participant data shared by DHS should be used for the singular purpose of streamlining enrollment of and facilitating outreach to LIHEAP recipients regarding the utility's low income assistance programs – and should not be used by utilities for any other purpose. This provision can be included in the vendor agreement to ensure participating utilities explicitly agree to comply with the limited use of this data.

income for CAP, and removed them from the program.[16] The Company further explained that it suspended this practice based on concerns raised by counsel for CAUSE-PA, though it noted that – based solely on the DHS data – 614 (nearly 5%) of LIHEAP recipients appear to be over income for CAP, despite the fact that the program uses the same income eligibility threshold.[17]

In its Order, the Commission disagrees with CAUSE-PA's interpretation of the terms of DHS's Vendor agreement. The Commission explained: "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."[18]

CAUSE-PA remains deeply concerned about DLC's proposal to use DHS-provided data to prompt CAP removal. DLC's supplemental explanation does not resolve or alleviate this concern, as it appears the primary source of information precipitating CAP removal in at least one case, and potentially several hundred additional cases, was DHS data – not independent information about the household's eligibility.

As a practical matter, the DHS LIHEAP data was designed to share the total gross household income with utilities, not the final gross income used to determine LIHEAP eligibility. While these figures generally match, there are a few exceptions. For example, total gross income for self-employed individuals (including gig workers) would not include any deductions for business-related expenses, so they may appear in the shared data to be over-income for CAP.[19]

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[16] Supplemental Information at 4.
[17] Supplemental Information at 4.
[18] June 18 Order at 8.
[19] 55 Pa. Code § 601.82(2); LIHEAP State Plan § 601.82(2); LIHEAP Handbook 650.21; available here: http://services.dpw.state.pa.us/oimpolicymanuals/liheap/index.htm#t=650_Income%2F650.2_Countable_Earned_Income.htm%23650.213_Income_from_Self-Employment_Other_than_Renting_Rooms%2C_Providing_Board_or_Renting_an_Apartment_in_the_Applicant%25E2%2580%2599s_Resident_Property&rhsearch=self-employment%20income

There are a few other instances where a LIHEAP recipient's total gross income and final determined gross income may not match because limited income exclusions reduced the household's determined gross income.[20] Indeed, LIHEAP recognizes very few income exclusions that would otherwise cause variation to occur – and that are not otherwise recognized exclusions for the purposes of CAP enrollment.[21] For instance, LIHEAP removes child support payments and child income, student financial aid, Earned Income Tax credits, foster care support, Agent Orange Settlement payments, and restitution for victims of Nazi persecution from calculation of gross household income.[22] To the extent these are not already recognized income exclusions for purposes of determining CAP eligibility, they certainly should be.

It defies logic to remove households from CAP that were determined by the state to be income-eligible for federal LIHEAP assistance. LIHEAP income eligibility rules have been refined over decades of careful policy debate, and eligibility determinations are subject to rigorous scrutiny by the state and verified against multiple other state and federal data sources.

To end this policy boondoggle, the Commission should determine that anyone who receives a LIHEAP grant is categorically eligible for CAP. The income guidelines for both CAP and LIHEAP are gross household income of 150% FPL or below. LIHEAP has been implementing its well-developed and consistent income rules and verification processes for decades, and CAP should follow suit – bringing needed efficiency to what has become an administrative morass.

Given the dramatic increase in DLC's rates and the overwhelming unmet need for rate assistance and arrearage management to prevent involuntary termination of basic service,

[20] LIHEAP State Plan § 601.84 (Income exclusions).
[21] LIHEAP State Plan § 601.84 (Income exclusions).
[22] LIHEAP State Plan § 601.84 (Income exclusions).

CAUSE-PA submits that it is a poor use of ratepayer resources for utilities to expend time and energy *removing* participants from CAP following receipt of a LIHEAP grant. The purpose of the LIHEAP data sharing policy was not to introduce an additional vetting stage, it was to eliminate administrative duplication and unnecessary costs. A customer who receives a LIHEAP grant is income-eligible for CAP and should be enrolled in the program to help manage costs and prevent involuntary termination. Full stop. As such, the Commission should adopt rules to ensure all households determined by the state to be eligible for LIHEAP are also eligible for CAP, eliminating the impetus of DLC's proposed default process.

C. Timeframe for Consenting to Expedited Enrollment

As noted in its Answer, CAUSE-PA continues to maintain that DLC does not need further Commission authorization to implement its proposed "consent-based, streamlined process" for *expedited* enrollment (as opposed to auto-enrollment).[23] In its June 13, 2024 Order, the Commission set forth a number of temporary and partial waivers designed to "relieve an energy public utility from the obligation to file and serve a petition to amend its existing USECP" to implement various procedures utilizing LIHEAP data to streamline enrollment and recertification."[24]

In its Supplemental Information, DLC "clarifies that customers who are eligible for expedited enrollment will be provided 60 days to opt-in to CAP."[25]

CAUSE-PA questions why any opt-out window is necessary for customers processed through a streamlined enrollment process.[26] In turn, CAUSE-PA is concerned that DLC has not

[23] Answer at 7.
[24] 2023 Review of All Jurisdictional Fixed Utilities' Universal Service Programs, Order, Docket No. M-2023-3038944 (June 13, 2024).
[25] Supplemental Information at 5.
[26] Supplemental Information at 5.

yet implemented any streamlined enrollment process, as it is still referencing streamlined enrollment in the future tense.

As plainly stated in the Commission's LIHEAP Data Sharing Order, utilities participating in the DHS data sharing program are already required to utilize the data to streamline enrollment for households that received a LIHEAP grant within the prior 12 months of current/prior LIHEAP season:

> If an energy public utility chooses to participate in DHS' LIHEAP data sharing, the energy public utility shall file and serve a letter at its current and pending USECP dockets no later than July 31, 2024, indicating it is participating in DHS data sharing and include clarification that the energy public utility will…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. [27]

There is no basis for the Company's future intention to narrowly implement a streamlined application process for only 60 days after receipt of a LIHEAP grant.

Consistent with its Answer, CAUSE-PA maintains that DLC should have already implemented a streamlined enrollment procedure that does not require additional applications or documentation for all customers who received a LIHEAP grant and opted to share their date within the current or prior LIHEAP season consistent with the Commission's Order.

While some limited additional time may be warranted for DLC to implement a streamlined enrollment process, the Commission should nevertheless establish a date certain for compliance. CAUSE-PA commits to continuing discussion with the Company and other stakeholders through DLC's Income Eligible Advisory Group to refine customer notices and information.

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[27] 2023 Review of All Jurisdictional Fixed Utilities' Universal Service Programs, Order, Docket No. M-2023-3038944, at 3 (June 13, 2024) (emphasis added).

D. Auto-Enrolling Accounts with an EGS

In its Petition, DLC proposes to auto-enroll customers with an EGS under the same process as eligible customers on default service.[28] In its Order, the Commission stated that it has concerns about DLC's proposal to remove auto-enrolled customers from their EGS contracts without their informed consent.[29]

Competitive market data has continually shown that low income shopping customers pay substantially more than the default service price and have a correspondingly higher risk of involuntary termination.[30] In DLC's most recent Default Service Plan proceeding, confirmed low income shopping customers who were not enrolled in CAP – a subset of DLC's most vulnerable customers – were charged substantially higher charges for electricity each and every year, totaling over $1.8 million in excess of the default service price since 2017. On a per customer basis since 2017, DLC's confirmed low income customers were charged, on average, $1,350.32 more than the default service price for their electricity.[31]

In its Supplemental Information, DLC provided even more specific data. Of the 4,182 CAP eligible LIHEAP recipient data received between July 14, 2025 – June 29, 2026, 340 are EGS customers.[32] These 340 economically vulnerable households overpaid for electricity by approximately $89,751, *averaging* ***$263.98 per person per year*** *compared to the default service rate*.[33] These excessive energy charges are having a direct impact on the rate of payment troubled accounts and involuntary termination rates, which in turn increases residential write-offs and

[28] Petition, Exhibit 1 at 2.
[29] June 18 Order at 9.
[30] *See* Answer at 9.
[31] Petition of Duquesne Light Company for Approval of a Default Service Program for the Period of June 1, 2025 through May 31, 2029, Docket No. P-2024-3048592 (hereinafter DSP X), CAUSE-PA Statement No. 1 at 7 and 10 (filed July 12, 2024).
[32] Supplemental Information at 6.
[33] Id.

ultimately impacts the price that all of DLC's residential customers are paying for service.

We agree with DLC that economically vulnerable customers should not continue to face excessive charges for electricity when there is an easy, automatic method to enroll customers in CAP.[34] Through its most recent DSP, DLC agreed to amend its CAP rules and supplier tariff to prohibit suppliers from charging termination or cancellation fee(s) to CAP applicants who return to default service upon entry into CAP.[35] DLC also agreed to modify its CAP application to clearly indicate that CAP customers must be enrolled in default service and that, by applying for CAP, the applicant is affirmatively electing to return to default service if they are shopping with an EGS. As such, DLC is required to return CAP applicants to default service upon enrollment in the program, without further action required by the CAP applicant and without imposition of fees or charges by the supplier.[36]

In addition to the clear financial cost to all residential customers, the proliferation of slamming, high-pressure sales tactics, excessive charges, and misrepresentation of contract terms within the supplier market, raises more significant issues of informed consent than does enrolling customers, who have already affirmatively consented to sharing their LIHEAP data for the express purpose of enrolling in a utility-run energy assistance program.

We strongly support DLC's intention to auto-enroll otherwise eligible shopping customers into CAP. CAUSE-PA commits to continue to work with DLC to ensure that customer communications clearly explain all benefits and obligations associated with CAP, including return to default service, so that consumers are able to make a fully informed decision about whether they would like to opt out of CAP.

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[34] Supplemental Information at 7.
[35] DSP X, Joint Petition for Approval of Settlement at ¶ 29 (Filed October 1, 2024), (Opinion and Order approving Joint Petition issued January 14, 2025).
[36] Id. at ¶ 30.

E. CAP Enrollment Levels and Costs Recovered from Ratepayers

CAUSE-PA has no additional comments regarding DLC's CAP enrollment levels and costs, and believes the projections are reasonable.

F. Tracking and Impact Evaluation

The Commission notes in its June 18 Order that DLC did not propose any tracking or reporting related to its CAP auto-enrollment process[37] and 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.[38]

In our Answer, CAUSE-PA recommended additional tracking to assist with evaluation of DLC's auto-enrollment program, including tracking the reason for opt-out and whether customers opted out before or after the opt-out period.[39]

In its Supplemental Information, DLC agreed that it would track the number of CAP auto-enrolled customers by FPIG income tier and the number of customers who opted out of auto-enrollment within the opt-out period. However, the Company stated that it does not propose to implement additional tracking related to:

(1) the impact of auto-enrollment on customer payment behavior and debt forgiveness outcomes;

(2) the reasons customers elect to opt out of auto-enrollment; or

(3) the timing of customer opt-out requests.[40]

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[37] June 18 Order at 11.
[38] Id.
[39] Answer at 9.
[40] Supplemental Information at 8.

The Company explained that the tracking of (1), above, would not yield data that could be directly attributable to *how* the customer got enrolled in CAP because payment behavior and debt forgiveness metrics are affected by multiple factors.[41] Regarding (2) and (3) above, the Company states that tracking these metrics would require the development of new processes and systems that are not necessary for administration of the CAP auto-enrollment program.[42]

CAUSE continues to assert that additional data would provide DLC, the Commission, and stakeholders with valuable data and information regarding an auto-enroll program and encourages the Company to consider including the ability to track this information with any upcoming system upgrades.

G. Alternative Recommendation

In its Supplemental Information, DLC offers an "alternative recommendation" to its auto enrollment proposal, suggesting that it could instead offer expedited enrollment to LIHEAP recipients participating in the DHS data sharing program. DLC notes that it is offering this alternative in response to Chairman DeFrank's "concerns with the lack of affirmative consent in the automatic enrollment process."[43]

As discussed above and at greater length in CAUSE-PA's Answer, participants in the DHS data sharing program have already provided affirmative, informed consent indicating a express desire to enroll in their utility's energy assistance program. The opt-out and grace period, discussed above, would provide ample assurance that consumers are fully informed of the benefits and obligations of CAP and choose to remain enrolled in the program. CAP undeniably provides the most beneficial rates available for income eligible households that are carrying

[41] Supplemental Information at 9.
[42] Id.
[43] Supplemental Information at 8-9.

substantial debt after application of LIHEAP assistance, and streamlined enrollment through the proposed opt-out process would help to prevent needless termination of economically vulnerable households.

DLC's alternative recommendation that all customers identified as income-eligible via the DHS data be offered expedited enrollment, is not a comparable "alternative" – and, in fact, should already be implemented.[44] The Company does not need further Commission approval to implement a streamlined enrollment process, as exactly this type of process was already approved by the Commission in its June 13, 2024 Order. DLC should act without further delay to enroll and recertify eligible customers through a streamlined process, leveraging data received through DHS LIHEAP data sharing.

IV. CONCLUSION

CAUSE-PA urges the Commission to approve DLC's CAP auto-enrollment process for LIHEAP recipients with significant arrears who consent to sharing their data with DLC for that express purpose, consistent with the arguments advanced in its Answer and above Comments. In turn, the Commission should expressly prohibit DLC from utilizing LIHEAP data to take adverse action against a LIHEAP recipient consistent with the stated intent of DHS's LIHEAP Vendor Agreement.

[44] Supplemental Information at 9.

Respectfully Submitted,

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