PULP
PENNSYLVANIA
UTILITY LAW PROJECT

November 06, 2026

Via Email Only

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

Re: Pennsylvania Public Utility Commission v. National Fuel Gas Distribution Corporation

Docket Nos. R-2025-3059428, et al.

Dear Secretary Homsher:

Please find the attached copy of the **Petition of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania for Expedited Reconsideration and/or Clarification of the Commission's October 22, 2026 Order** in the above noted proceeding.

As indicated on the attached Certificate of Service, service on the parties was accomplished by email only.

Respectfully Submitted,

Levi A. Phillips, Esq.
Counsel for CAUSE-PA

CC: Administrative Law Judge Katrina L. Dunderdale (via email at kdunderdal@pa.gov)
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Certificate of Service

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket Nos. R-2025-3059428, et al.
	:	
National Fuel Gas Distribution Corporation	:	

Certificate of Service

I hereby certify that I have this day served copies of the **Petition of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania for Expedited Reconsideration and/or Clarification of the Commission's October 22, 2026 Order** upon the parties of record in the above captioned proceeding in accordance with the requirements of 52 Pa. Code § 1.54.

VIA EMAIL ONLY

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Dated: November 06, 2026

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission	:	
	:	Docket Nos. R-2025-3059428,
v.	:	et al.
	:	
National Fuel Gas Distribution Corporation	:	

PETITION OF THE COALITION FOR AFFORDABLE UTILITY SERVICES AND ENERGY EFFICIENCY IN PENNSYLVANIA FOR EXPEDITED RECONSIDERATION AND/OR CLARIFICATION OF THE COMMISSION'S OCTOBER 22, 2026 ORDER

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I. INTRODUCTION

Pursuant to the Rules of Practice and Procedure of the Pennsylvania Public Utility Commission (Commission), 52 Pa. Code §§ 5.41 and 5.572, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), through its counsel at the Pennsylvania Utility Law Project, hereby petitions the Commission for expedited reconsideration and/or clarification of its October 22, 2026 Opinion and Order regarding the proposed base rate increase of National Fuel Gas Distribution Corporation (NFGD or the Company).

As explained more fully below, CAUSE-PA urges the Commission to reconsider, clarify and modify its Opinion and Order on the following grounds:

- The Commission overlooked the Recommended Decision's adoption of CAUSE-PA's OPEB credit outreach proposal, creating a conflict between the Commission's analysis and Ordering Paragraph 23.

In support thereof, CAUSE-PA asserts the following:

II. BACKGROUND

1. CAUSE-PA incorporates by reference the Introduction section contained in its Main Brief, filed with the Commission on June 22, 2026, which provides a detailed explanation of the procedural progression of this proceeding.

2. In this proceeding, CAUSE-PA opposed the approval of any rate increase and advocated that, to the extent any rate increase was authorized, the Commission adopt the rate of return, revenue requirement, and capital structure recommendations put forth by the Office of Consumer Advocate (OCA).[1]

[1] CAUSE-PA MB at 15, 17.

3. In relevant part, CAUSE-PA also recommended that NFGD distribute its proposed one-time Other Post Employment Benefits (OPEB) refund credit to customers with income at or below 250% of the Federal Poverty Level (FPL) in a winter month, between December and March. In turn, CAUSE-PA recommended distribution of the credit be paired with targeted outreach to customers receiving the credit to provide information about and assistance applying for the Company's universal service programs, including its Customer Assistance Program (CAP).[2]

4. In line with CAUSE-PA's recommendation, NFGD agreed to distribute the OPEB credit in the December 2026 billing cycle.[3] NFGD did not oppose CAUSE-PA's recommendation that distribution of the credit be paired with targeted universal service outreach in either its Main or Reply Briefs.[4]

5. In support of its recommendation that distribution of the credit be paired with targeted outreach, CAUSE-PA provided substantial data and factual evidence that:

- NFGD's universal service programs are severely underenrolled, with just 10.8% of estimated low income customers or 25% of confirmed low income customers enrolled in CAP, undercutting the intent of the Natural Gas Choice and Competition Act to ensure that universal service programs are appropriately available.[5] That is, 75% of the customers NFGD knows to have low income are not enrolled in its CAP.[6]

- NFGD's confirmed low income customers that are not enrolled in CAP are more than seven times more likely to face involuntary termination than households enrolled in CAP.[7]

- NFGD's confirmed low income customers that are not enrolled in CAP are disproportionately in debt to NFG and carry disproportionately larger arrears.[8]

[2] CAUSE-PA MB at 51-52.
[3] NFGD MB at 6-7.
[4] *See* NFGD MB at 72; NFGD RB at 30. NFGD only briefly responded to CAUSE-PA's OPEB credit outreach proposal through testimony. NFGD St. No. 17-R at 38-39.
[5] CAUSE-PA MB at 52.
[6] CAUSE-PA MB at 89.
[7] RD at 40, Finding of Fact 195; CAUSE-PA MB at 88-89.
[8] CAUSE-PA MB at 20.

- Routinely and proactively connecting customers with assistance programs before payment difficulties occur helps prevent the accumulation of unmanageable arrears.[9]

- The OPEB refund credit provides a point of contact between NFGD and its low income customers that can facilitate improvement in NFGD's universal service program participation.[10]

6. On July 31, 2026, Administrative Law Judge (ALJ) Katrina L. Dunderdale issued a Recommended Decision (RD), in which she recommended in relevant part that the Commission require NFGD to implement CAUSE-PA's recommendation to pair distribution of the one-time OPEB refund credit with targeted outreach regarding the Company's universal service programs, specifically recommending in Ordering Paragraph 12 that the Company be ordered "to conduct targeted outreach, to all customers receiving the one-time refund credit, to determine eligibility for the Company's universal service programs."[11]

7. In the RD, ALJ Dunderdale discusses CAUSE-PA's recommendation that the OPEB refund credit be paired with targeted universal service program outreach.[12] The ALJ's Recommendation in the body of the RD omitted discussion of CAUSE-PA's targeted outreach proposal, but the ALJ specifically stated in Ordering Paragraph 12 that NFGD should be ordered to conduct targeted universal service program outreach to customers receiving the OPEB credit.[13] Nothing in the body of the decision conflicted with the ALJ's express recommendation in Ordering Paragraph 12 that CAUSE-PA's outreach proposal be adopted.

8. On August 17, 2026, Exceptions were filed by CAUSE-PA, NFGD, OCA, and the Bureau of Investigation and Enforcement (I&E). No party excepted to the RD's recommendation that

[9] CAUSE-PA MB at 92.
[10] CAUSE-PA MB at 52.
[11] RD at 416.
[12] RD at 262-63, 273.
[13] RD at 415-16.

NFGD be ordered to conduct targeted outreach to all customers receiving the OPEB refund credit to determine eligibility for NFGD's universal service programs.

9. In its Exception No. 12, NFGD alleged "uncertainty in the RD" and requested clarification regarding certain asserted inconsistencies in the RD.[14] NFGD did not identify any inconsistency or conflict between the ALJ's recommendation in Ordering Paragraph 12 that CAUSE-PA's targeted outreach proposal be adopted and the ALJ's Recommendation in body of the RD.[15]

10. On August 24, 2026, Reply Exceptions were filed by CAUSE-PA, OCA, I&E, and NFGD.

11. On October 22, 2026, the Commission issued its Opinion and Order. As pertinent to the current Petition for Reconsideration and Clarification, the Commission directed in Ordering Paragraph 23:

> That National Fuel Gas Distribution Corporation's proposal to distribute a one-time bill credit to refund $30 of Other Post Employment Benefits to low income customers in December 2026 is approved; and National Fuel Gas Distribution Corporation is further directed to conduct targeted outreach, to all customers receiving the one-time refund credit, to determine eligibility for the Company's universal service programs.[16]

12. In the body of the Opinion and Order, however, the Commission states that it shall decline CAUSE-PA's targeted outreach recommendation, on the grounds that "[t]he ALJ did not separately recommend adoption of those OPEB-specific requirements, and no Party filed an Exception challenging the ALJ's treatment of this issue."[17]

[14] Exceptions of NFGD at 34-35.
[15] Exceptions of NFGD at 34-35.
[16] Opinion and Order at 338.
[17] Opinion and Order at 252.

III. LEGAL STANDARD

A. Standard for Review

13. In any proceeding, to withstand an appeal, the Commission's decision must be supported by substantial evidence.[18] "Substantial evidence" is such relevant evidence that a reasonable mind might accept as adequate to support a conclusion. More is required than a mere trace of evidence or a suspicion of the existence of a fact that is sought to be established.[19]

14. The Commission articulated its standard for granting reconsideration or clarification of a Commission order in *Duick v. Pennsylvania Gas and Water Co.*:

> A petition for reconsideration, under the provisions of 66 Pa. C.S. § 703(f), may properly raise any matters designed to convince the Commission that it should exercise its discretion under this code section to rescind or amend a prior order in whole or in part. . . .What we expect to see raised in such petitions are *new and novel arguments, not previously heard, or considerations which appear to have been overlooked or not addressed by the Commission*.[20]

15. Where a party alleges an error of fact or law, a Petition for Reconsideration is properly raised and may properly be granted.[21]

16. CAUSE-PA's request for reconsideration, clarification and revision outlined in this Petition satisfies the standard expressed in *Duick*, in that the Petition raises issues which appear to have been overlooked by the Commission and identifies errors of law and fact that must be addressed.

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[18] 2 Pa. C.S. § 704.
[19] *Norfolk & W. Ry. Co. v. Pa. PUC*, 413 A.2d 1037 (Pa. 1980); *Erie Resistor Corp. v. Unemployment Comp. Bd. of Review*, 166 A.2d 96 (Pa. Super. 1961); *Pa. Dep't of Pub. Welfare, White Haven Ctr*., 480 A.2d 382 (Pa. Cmwlth. 1984).
[20] *Duick v. Pennsylvania Gas and Water Company,* 56 Pa. P.U.C. 553, 559 (1982).
[21] *Application of Cressona Trucking Company,* Petition for Reconsideration, 1989 Pa. PUC LEXIS 102 (Pa. PUC, 1989).

IV. REQUEST FOR RECONSIDERATION AND/OR CLARIFICATION

A. The Commission overlooked the Recommended Decision's adoption of CAUSE-PA's OPEB credit outreach proposal, creating a conflict between the Commission's analysis and Ordering Paragraph 23.

17. The record in this proceeding demonstrates that NFGD's universal service programs, including its CAP, are severely undersubscribed.

- NFGD has enrolled just 10.8% of its customers who are estimated to have low income and just 25% of its confirmed low income customers in its CAP.[22]
- Three out of four customers NFGD has confirmed to have low income are not enrolled in CAP.[23]

18. The record further demonstrates that NFGD's confirmed low income (CLI) customers who are not enrolled in CAP are more likely to carry arrears and face involuntary termination at disproportionate rates.

- Non-CAP CLI customers carry 52% of the dollars in residential customers debt despite comprising 9.6% of the residential customer class.[24]
- Non-CAP CLI customers with debt to NFGD carry on average $198.93 more in debt than do overall residential customers.[25]
- Non-CAP CLI customers are more than seven times more likely to have their service involuntarily terminated than are customers enrolled in CAP.[26]

19. In response to this specific data and information, and to help reduce the negative consequences to the health, safety, and economic stability of NFGD's low income customers

[22] CAUSE-PA MB at 20.
[23] *Id.*
[24] *Id.*
[25] *Id.*
[26] RD at 40, Finding of Fact 195; CAUSE-PA MB at 88-89.

driven by utility unaffordability, CAUSE-PA recommended that the Commission require NFGD to conduct targeted outreach to customers who will receive the one-time $30 OPEB refund credit to provide information regarding the Company's universal service programs, including its CAP, and provide assistance with enrollment.[27] CAUSE-PA recommended NFGD use the distribution of the OPEB refund to customers known to have low income to facilitate improvement in the Company's universal service program participation.[28]

20. In her RD, ALJ Dunderdale specifically recommended adoption of CAUSE-PA's OPEB refund outreach proposal, recommending:

> That National Fuel Gas Distribution Corporation's proposal to distribute a one-time bill credit to refund $30 of Other Post-Employment Benefits to low income customers in December 2026 is approved; and National Fuel Gas Distribution Corporation is further directed to conduct targeted outreach, to all customers receiving the one-time refund credit, to determine eligibility for the Company's universal service programs.[29]

21. In her RD, ALJ Dunderdale did not point to any evidence supporting rejection of CAUSE-PA's OPEB credit outreach proposal and did not recommend the proposal be rejected.

22. Through its Opinion and Order, the Commission agreed with the ALJ and ordered as follows:

> That National Fuel Gas Distribution Corporation's proposal to distribute a one-time bill credit to refund $30 of Other Post Employment Benefits to low income customers in December 2026 is approved; and National Fuel Gas Distribution Corporation is further directed to conduct targeted outreach, to all customers receiving the one-time refund credit, to determine eligibility for the Company's universal service programs.[30]

[27] CAUSE-PA MB at 52.
[28] *Id.*
[29] RD at 415-16, Ordering Paragraph 12.
[30] Opinion and Order at 338, Ordering Paragraph 23.

23. In its Opinion and Order, the Commission also indicated that it shall decline CAUSE-PA's proposal that NFGD be ordered to conduct targeted universal service program outreach to customers receiving the OPEB refund credit, erroneously asserting that "[t]he ALJ did not separately recommend adoption of those OPEB-specific requirements, and no Party filed an Exception challenging the ALJ's treatment of this issue."[31]

24. CAUSE-PA respectfully asserts that the Commission's Opinion and Order erred as a matter of law by overlooking the ALJ's separate, specific recommendation at RD Ordering Paragraph 12, explicitly recommending that CAUSE-PA's targeted outreach proposal be adopted as part of the OPEB refund credit approval.

25. In addition, CAUSE-PA respectfully asserts that this error produced a contradiction between the language in the Commision's analysis and disposition of CAUSE-PA's recommendation with the Commission's directive in Ordering Paragraph 23, which directs NFGD to adopt CAUSE-PA's recommendation.

26. For the reasons outlined above, CAUSE-PA submits that the Commission erred as a matter of law and overlooked the ALJ's specific recommendation that CAUSE-PA's OPEB credit outreach proposal be adopted. As such, CAUSE-PA urges the Commission to reconsider, clarify, and revise its Opinion and Order to resolve the contradiction between Ordering Paragraph 23 and the Order's analysis. In doing so, CAUSE-PA urges the Commission to preserve its directive at Ordering Paragraph 23, requiring NFGD to conduct targeted universal service program outreach to customers receiving the OPEB refund credit. CAUSE-PA respectfully requests that the Commission resolve the contradiction by revising its analysis and disposition of CAUSE-PA's

[31] Opinion and Order at 252.

recommendation based on the presence in the RD of ALJ Dunderdale's specific recommendation that CAUSE-PA's outreach proposal be adopted.

V. REQUEST FOR EXPEDITED CONSIDERATION

27. The Commission approved NFGD's request, at CAUSE-PA's recommendation, to distribute the one-time OPEB refund credit in the December 2026 billing cycle, which will occur in the next calendar month following the filing of this Petition.[32]

28. CAUSE-PA's outreach proposal at issue in this Petition pairs distribution of the credit with targeted outreach to utilize delivery of the credit as a point of contact with low income customers to facilitate improvement in universal service program participation.[33]

29. Without swift clarification from the Commission, the purpose of CAUSE-PA's proposal – to enable NFGD to maximize the effectiveness of this moment of communication and goodwill with low income customers to promote universal service program awareness and enrollment – risks being frustrated.

30. CAUSE-PA respectfully requests that the Commission expedite the resolution of this Petition and swiftly provide clarification regarding CAUSE-PA's targeted outreach proposal.

VI. CONCLUSION

WHEREFORE, for the reasons enumerated above, CAUSE-PA respectfully requests that the Commission clarify and revise its October 22, 2026 Order to affirm its directive that NFGD conduct targeted outreach to all customers receiving the one-time OPEB refund credit to determine eligibility for the Company's universal service programs.

[32] Opinion and Order at 252, 338, Ordering Paragraph 23.
[33] CAUSE-PA MB at 52.

Respectfully submitted,
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Date: November 06, 2026

VERIFICATION

I, Elizabeth R. Marx, hereby state that the facts contained in the foregoing pleading are true and correct to the best of my knowledge, information and belief, that I am duly authorized to make this Verification, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).



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Date: November 06, 2026