

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

**Universal Service Coordination  
Working Group**

**Public Meeting held November 4, 2010  
Docket No. M-2009-2107153**

**MOTION OF VICE CHAIRMAN TYRONE J. CHRISTY**

We would like to thank the Universal Service Coordination Working Group (Working Group) for its diligent efforts in helping Pennsylvania achieve a significant level of coordination between our various utility-related assistance programs. We commend representatives from the following state agencies, utilities, and other groups who have put a great deal of time and effort into this common goal: the Office of Consumer Advocate, the Department of Community and Economic Development (DCED), the Pennsylvania Utility Law Project, Community Legal Services, the Energy Association of Pennsylvania, and Conservation Consultants, Inc., as well as the Commission's Bureau of Consumer Services and Law Bureau. With continued collaboration between these groups, Pennsylvania will realize ongoing savings in administrative expenses, which will allow for the provision of services to more of our citizens in need.

The Commission formed the Working Group on May 14, 2009 to effectively coordinate the residential universal service programs under the Commission's jurisdiction with other state and federal assistance programs.<sup>1</sup> The Working Group submitted a Report to the Commission on November 18, 2009.<sup>2</sup> Among other recommendations, the Working Group recommended that the Commission direct the creation of a Subgroup to further consider the coordination of the Low Income Usage Reduction Program (LIURP), the electric distribution companies' (EDCs') Act 129 programs, Pennsylvania's Weatherization Assistance Program (WAP), and the American Recovery & Reinvestment Act (ARRA)<sup>3</sup> WAP.<sup>4</sup> The Working Group also recommended that the Commission encourage the natural gas distribution companies (NGDCs) to provide high energy usage Low-Income Home Energy Assistance Program (LIHEAP) recipient customer lists to the Department of Public Welfare (DPW) on an annual basis for the WAP. Furthermore, the Working Group recommended that the Commission establish a Subgroup to develop a standard waiver that would allow all low-income programs to share confidential customer information with each other for the purpose of enabling program enrollment.

In response to the Working Group Report, the Commission directed the creation of a Subgroup to focus on the coordination of the weatherization services available through LIURP, the Act 129 programs, WAP, and ARRA WAP. The Commission also

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<sup>1</sup> See *Joint Motion of Vice Chairman Tyrone J. Christy and Commissioner Wayne E. Gardner; Universal Service Coordination Working Group*, Docket No. M-2009-2107153 (Order entered June 11, 2009).

<sup>2</sup> The Universal Service Coordination Working Group Report and the subsequent Subgroup Report are available on the Commission's website at Docket No. M-2009-2107153.

<sup>3</sup> American Recovery & Reinvestment Act of 2009, Pub. L. No. 111-5, 123 Stat. 115 (2009).

<sup>4</sup> Both WAP and ARRA WAP are administered by DCED.

directed the Subgroup to further consider the provision of LIHEAP lists of high energy users to DPW for use by DCED in the ARRA WAP. Moreover, the Commission requested that the Law Bureau draft a confidentiality waiver that would be subject to the review and comment of the Working Group and submitted to the Commission for final review and approval.

The Subgroup submitted its Report to the Commission on April 28, 2010. The Subgroup's accomplishments are timely, given the introduction of Act 129 funds into the EDCs' portfolio of energy efficiency measures for low-income customers and the large increase in available funding for Pennsylvania's WAP due to the three-year grant of \$252.8 million under the ARRA. The Subgroup analyzed specific situations that provide for potential Coordination Referral Opportunities (CROs) between the following programs: utility LIURP (both heating and non-heating jobs), Act 129, traditional WAP, the LIHEAP Crisis Interface Program,<sup>5</sup> and ARRA WAP. It reviewed the most common weatherization job scenarios and associated coordination efforts based on the initiating program's contact with the household receiving service. The Subgroup identified existing coordination efforts as well as situations in which coordination efforts should be facilitated or improved.

The Subgroup Report contains General Findings and Specific Findings, which are grouped by job type and discuss in detail the coordination efforts that can occur between LIURP, Act 129, traditional WAP, the LIHEAP Crisis Interface Program, and ARRA WAP. Appendix 1 contains a summary of the coordination efforts currently taking place between the five programs as well as the CROs identified during the Subgroup's meetings. In its Report, "[t]he Subgroup recommends that the low-income program service providers referenced herein review the coordination opportunities and, if applicable and where feasible, initiate mechanisms that provide low-income households with all energy conservation measures and services for which they are eligible."<sup>6</sup> We adopt the Subgroup's recommendation and encourage all programs to continue to engage in their current coordination efforts and to begin implementing the other applicable CROs in the Report. We commend the utilities under our jurisdiction for the coordination efforts they currently engage in and direct them to continue to engage in these coordination efforts and to implement any additional applicable CROs that were identified in the Subgroup Report.

As noted by the Subgroup, the CROs in the Report will serve as a framework for each service provider to follow with the goal of ensuring that low-income households have the opportunity to receive the maximum array of energy conservation measures and services for which they are eligible. The CROs will also assist the LIURP, Act 129, and WAP programs to meet their energy-saving goals.

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<sup>5</sup> The Crisis Interface Program is operated by DCED and is funded with the transfer of LIHEAP federal block grants for repair-related emergencies during the period of time that the state LIHEAP Crisis Program is open.

<sup>6</sup> Universal Service Coordination Subgroup Report at 7.

Additionally, we understand that the NGDCs have been providing high energy usage LIHEAP recipient customer lists to DPW on an annual basis for DCED's ARRA WAP as households that have received LIHEAP are considered a high priority under ARRA WAP. Given the additional funding available for weatherization services due to ARRA and the large number of jobs that the ARRA WAP agencies are targeted to complete by March 31, 2012, we believe this referral process is necessary to ensure that the maximum number of low-income households receive weatherization services. We thank the NGDCs for their efforts and direct them to continue to provide these high energy usage lists to DPW on an annual basis.

Moreover, we commend the Subgroup for its work on drafting a confidentiality waiver and ask that the Subgroup complete and submit a final draft form to the Commission no later than January 14, 2011, with the goal of having the form in place during this winter's heating season. A confidentiality waiver form is vital to ensure that the utilities and state agencies administering customer assistance programs are able to share customer information with each other for the purpose of enabling program enrollment. This process will provide a mechanism by which customers can be notified of numerous programs for which they may be eligible and will also provide necessary safeguards and restrictions regarding the use and dissemination of customer information.

Nevertheless, we would like to have an extra safeguard in place to ensure that individual customer information supplied is used only for enrollment in programs that provide energy financial assistance and energy conservation services. For this reason, we believe the utilities and the state agencies, as well as any of their contractors that may have access to customer information, should execute an agreement with one another that governs the manner in which they will share customer information and permissible uses of customer information.<sup>7</sup> As such, we ask the Law Bureau to draft an agreement that will be subject to the review and comment of the Subgroup. The Subgroup should then submit the final draft agreement to the Commission for review and approval no later than February 18, 2011.

While the Working Group has achieved a significant amount of coordination at this point, we believe that there are opportunities for Pennsylvania to achieve even broader levels of coordination going forward. In its initial Report, the Working Group recommended two coordination initiatives that we would like to see developed further in the future: (1) connecting Customer Assistance Program (CAP) eligibility with LIHEAP eligibility and (2) designing a comprehensive statewide Web-based single source of information and eligibility screening. We would like the Working Group to revisit the concept of a data exchange of customer information between the utilities and the Department of Public Welfare to help facilitate coordination among LIHEAP and the utilities' Customer Assistance Programs.

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<sup>7</sup> An example of such an agreement is the Data Release Agreement that DPW executes with its "Community Partners" who have access to the services available through the Commonwealth of Pennsylvania's Access to Social Services (COMPASS).

On a larger scale, it would be a tremendous accomplishment if Pennsylvania developed a centralized source of information for state and federal assistance programs that included eligibility screening, application instructions, and localized information for the administering agency. This would be a long-term project and likely would require high level leadership to drive the coordination, but in the end, this highly sophisticated level of coordination could save Pennsylvania and its citizens a great deal of money.

**THEREFORE, I MOVE:**

1. That the Commission adopt the following recommendation of the Subgroup: “[t]he Subgroup recommends that the low-income program service providers referenced herein review the coordination opportunities and, if applicable and where feasible, initiate mechanisms that provide low-income households with all energy conservation measures and services for which they are eligible.”
2. That the NGDCs and the EDCs continue to engage in their current coordination efforts and implement any additional applicable coordination referral opportunities that were identified in the Subgroup Report.
3. That the NGDCs continue to provide high energy usage LIHEAP recipient customer lists to DPW for use by DCED in its ARRA WAP.
4. That the Subgroup submit a final draft of the confidentiality waiver form to the Commission no later than January 14, 2011.
5. That the Subgroup submit a final draft of an Agreement between the utilities and state agencies, as well as any of their contractors that may have access to customer information, delineating how customer information will be shared and permissible uses of customer information no later than February 18, 2011.
6. That the Working Group form a Subgroup to further consider (1) connecting Customer Assistance Program (CAP) eligibility with LIHEAP eligibility and (2) designing a comprehensive statewide Web-based single source of information and eligibility screening.
7. That the Law Bureau, in conjunction with the Bureau of Consumer Services, prepare the appropriate Order consistent with this Motion.

11-4-10

DATE



TYRONE J. CHRISTY, VICE CHAIRMAN