

Senate of Pennsylvania



House of Representatives

February 14, 2024

RCVD PUC SEC BUR
FEB 15 2024 PM 1:44

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105

RE: Reply Comments to Rulemaking to Review and Revise the Existing Low-Income Usage Reduction Program (LIURP) Regulations at 52 Pa. Code §§ 58.1-58.18 (relating to residential low-income usage reduction programs)
Docket No. L-2016-2557886

Dear Secretary Chiavetta,

The Low-Income Usage Reduction Program (LIURP) has provided critical support and services to low-income customers in the communities we serve for decades. It is vital that universal service programs like LIURP continue to receive robust funding to help our most vulnerable constituents conserve energy and better control their energy costs. According to the Bureau of Consumer Services' September 2023 Universal Service Programs and Collections Performance Report, there were 13,596 electric LIURP jobs completed and 3,646 gas LIURP jobs completed in 2022 for the benefit of 17,242 low-income ratepayers. (BCS Report pp. 54-55).

We are writing to express our concerns with the Commission's proposed change to 52 Pa. Code § 58.4 regarding the review of LIURP budgets. These reply comments support the positions on this issue taken by the Office of Consumer Advocate, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), the Commission on Economic Opportunity, Pennsylvania Weatherization Providers Task Force as well as other parties that oppose the proposed change to 52 Pa. Code § 58.4.

The proposed change to move Commission review of LIURP budget revisions from a public utility rate case proceeding to a public utility's Universal Service and Energy Conservation Program (USECP) proceeding will have a significant impact on the level of funding for the LIURP program in the years to come.

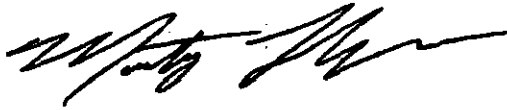
Historically addressing LIURP funding through the utility rate case process provides for a thorough public vetting of the administrative review and funding of this program as well as other universal service programs that public utilities provide to customers. The USECP review process does not provide for the same level of open public input and involvement. Additionally, addressing funding through the rate case process is the appropriate approach so that LIURP budget revisions correspond with any utility rate increases ultimately approved by the Commission. The Commission's proposed change will create unintended consequences whereby utility rates could

potentially increase a number of times over a multi-year period while LIURP funding would remain stagnant for more than five years.

Finally, this legislature, through the passage of both the Electric Competition Act of 1996 and Gas Competition Act of 1999 mandated that the Commission ensure that universal service and energy conservation programs are adequately funded and available to utility customers. These provisions in statute specifically permit utility cost recovery of these programs through rates charged to customers. This legislative mandate requires that the Commission include LIURP budget review in the rate case process.

In conclusion, the proposed revision to 52 Pa. Code Section 58.4 will significantly impact our most vulnerable communities in Northeastern Pennsylvania. We respectfully request that you reconsider the consequences of this proposed change and maintain a balanced and open process for all stakeholders.

Sincerely,



Senator Marty Flynn
22nd Senatorial District



Representative Kyle Mullins
112th Legislative District



Senate of Pennsylvania

22ND DISTRICT
MARTY FLYNN
SENATE BOX 203022
THE STATE CAPITOL
HARRISBURG, PA 17120-3022

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105

RCVD PUC SEC BUR
FEB 15 2024 PM 1:43