

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

Public Meeting held August 22, 2024

Commissioners Present:

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

2023 Review of All Jurisdictional Fixed Utilities’
Universal Service Programs

M-2023-3038944

ORDER

BY THE COMMISSION:

On March 21, 2024, the Universal Service Working Group (USWG) filed a report (USWG Report) with the Pennsylvania Public Utility Commission (PUC) at Docket No. M-2023-3038944. The USWG Report included, *inter alia*, recommendations for a common application form (CAF) which could be used by public utilities to enroll eligible customers into their assistance programs.¹ The PUC has reviewed the CAF recommendations of the USWG and encourages all jurisdictional energy and water/wastewater fixed public utilities with universal service or assistance plans or programs to take steps to modify their existing universal service and assistance

¹ As was pointed out by Pennsylvania Telephone Association, local exchange companies are subject to 66 Pa.C.S. Chapter 30. PTA Comments filed 6/7/2023. Verizon Pennsylvania LLC and Verizon North LLC pointed out that Lifeline and other discounted programs for communications services for low-income individuals are governed by Federal law and subject to “an efficient and robust process through” the Universal Service Administrative Company and the National Verifier. Verizon Comments filed June 7, 2023, at 9.

application forms consistent with the CAF recommendations in this Order. This Order also addresses recommendations for use in the interim until the final design and use of a statewide CAF has been fully vetted as an element in a universal service rulemaking.

I. BACKGROUND

On March 27, 2023, the PUC issued a Secretarial Letter (March 2023 Secretarial Letter) at Docket Number M-2023-3038944 seeking stakeholder input on how the PUC’s universal service regulations, policies, and procedures could be modified with a particular focus on, *inter alia*, increasing universal service program coordination among all utilities and streamlining the eligibility and enrollment process. The March 2023 Secretarial Letter requested comments from stakeholders on a number of issues, including (1) whether public utilities should be required to develop and use standardized Customer Assistance Program (CAP) forms and procedures; and (2) what barriers exist, if any, to establishing a CAF. March 2023 Secretarial Letter at 1, 3. Many stakeholders submitted comments in support of creating a CAF, noting benefits and efficiencies it could provide, including:

- Allowing low-income customers to apply and recertify for multiple public utility programs (*e.g.*, electric, natural gas, and water/wastewater) at the same time without duplication of efforts.
- Making the common application and other forms available in multiple languages to provide greater access.

USWG Report at 16.

On August 23, 2023, the PUC issued a Secretarial Letter (August 2023 Secretarial Letter) establishing the USWG to address issues related to, *inter alia*, “developing a [CAF] that could be used by all jurisdictional fixed public utilities statewide to facilitate

the enrollment of eligible customers into their utilities’ universal service programs.”

August 2023 Secretarial Letter at 1. The USWG developed a subgroup to develop a CAF (Common Application Subgroup). The Common Application Subgroup consisted of 66 individuals representing the following organizations:

- Broadband Communications Association of PA
- Aqua Pennsylvania Inc. (Aqua)
- Citizens’ Electric Company
- City Government of Philadelphia
- Community Legal Services of Philadelphia (CLS)
- Columbia Gas of Pennsylvania, Inc. (Columbia)
- Duquesne Light Company (Duquesne)
- Energy Association of Pennsylvania (EAP)²
- FirstEnergy PA
- Keystone Energy Efficiency Alliance (KEEA)
- MCR Performance Solutions
- National Fuel Gas Distribution Corporation (NFG)
- PA Office of Consumer Advocate (OCA)
- Oracle Energy & Water
- PA American Water Company (PAWC)
- PECO Energy Company (PECO)
- Pennsylvania Coalition of Local Energy Efficiency Contractors, Inc. (PA CLEEC)

² Electric public utility EAP members are: Citizens’ Electric Company; Duquesne; FirstEnergy; PECO; Pike County Light & Power Company; PPL; UGI Utilities, Inc.- Electric Division; Wellsboro Electric Company; and West Penn Power Company. Natural gas public utility EAP members are: Columbia; Leatherstocking Gas Company, LLC; Pike County Light & Power Company; NFG; PECO; Peoples; PGW; UGI Utilities Inc.- Gas Division; and Valley Energy Inc. EAP Comments to the March 2023 Secretarial Letter at 1, FN #1.

- Pennsylvania Utility Law Project (on behalf of Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) and Pittsburgh United)
- Peoples Natural Gas Company LLC (Peoples)
- Philadelphia Gas Works (PGW)
- Philadelphia Water Department
- Pittsburgh Water and Sewer Authority (PWSA)
- PPL Electric Utilities Corporation (PPL)
- UGI Utilities Inc (UGI)
- Valley Energy
- Wellsboro Electric

The Common Application Subgroup met four times from October 2023 through January 2024.³ The USWG Report was published at Docket Number M-2023-3038944 on March 21, 2024, and included the Common Application Subgroup’s recommendations for a universal service CAF.

II. COMMON APPLICATION SUBGROUP RECOMMENDATIONS

CAF Data Elements: Areas of Consensus

The USWG Common Application Subgroup recommended that a universal service CAF should request the following information:

- Service shut off (y/n), Shut off notice (y/n).
- Name of Applicant.
- Service Address.

³ The Common Application Subgroup met on 10/19/23, 11/9/23, 12/14/23, and 1/23/24.

- Mailing Address (if different).
- Primary and Secondary (Cell) telephone numbers.
- Email Address.
- [checkbox] Permission to receive email and text messages (Msg/data rates apply).
- (optional) Do you rent your home? (y/n).
- Total number of occupants: adults and children.
- Name, date of birth, and income amount/source(s) for each household member.
- Names of other utility companies that serve the household and permission to share the application information with them.
- Signature.
- Tag lines for language translation assistance.
- Zero-Income Form,⁴ if needed.

USWG Report at 23.

The Common Application Subgroup reviewed and revised a proposed “paper” statewide CAF reflecting the consensus⁵ data elements recommended by the Subgroup. USWG Report at 24-26. See *Appendix A* of this Order for the final version of the consensus paper CAF, including the Zero-Income Form.

⁴ In a Secretarial Letter issued on March 28, 2018, at Docket No. M-2017-2596907, the PUC initiated the 2018 USWG with a mandate that included standardizing public utility zero-income forms. Participants in the 2018 USWG included representatives from the EDCs, NGDCs, PULP, CLS, OCA, United Way, Dollar Energy Fund, KEEA, and the Office of Small Business Advocate. The 2018 USWG reached consensus on a standardized zero-income form that contains all required questions if a CAP applicant claims no income for all adults in the household. See also *2019 Amendments to Policy Statement on Customer Assistance Programs*, Appendix C, Docket No. M-2019-3012599 (entered on November 5, 2019). This Order does not make any changes to the standardized Zero-Income Form or its use. We are aware of only one public utility, PGW, using an alternative form to document zero-income for a household.

⁵ We are using the term “consensus” to reflect that these proposals were generally not objected to by participants in the Common Application Subgroup.

CAF Data Elements: Areas of Non-Consensus

The Common Application Subgroup did not agree on other questions proposed for a statewide CAF, including optionally requesting the Social Security Numbers (SSNs) for household members (*i.e.*, full or last four digits), the household's main heating source (*i.e.*, gas, electric, steam, or other), and account holder name and account number for any utility identified on a statewide CAF. USWG Report at 28-29.

Supplemental Information Provided with the CAF

The Common Application Subgroup also recommended that a statewide CAF include supplemental information to help customers complete the CAF and provide required documentation. The Subgroup recommended that the supplemental information include:

- Short descriptions of utility programs that explain available programs and their benefits.
- Program eligibility requirements that list the maximum household income limits.
- Instructions on how to complete the CAF.
- Verification and documentation - Identify what types of verification/documentation the customer must provide and how to submit it.
- A phone number for contacting the public utility for assistance with the CAF.

USWG Report at 29.

Operational Considerations

The Common Application Subgroup identified additional operational elements necessary to make a statewide CAF successful, including:

1. Allowing customers to use the CAF to apply once for all available public utility programs without having to complete additional applications and provide duplicate documentation.
2. Translating the CAF into multiple languages.
3. Allowing smaller public utilities with low-income programs to use the CAF (*i.e.*, the CAF should not be limited to public utilities mandated to provide universal service programs).
4. Establishing an implementation timeframe for all public utilities to employ the CAF, which may be dependent on system change costs.

PUC Actions/Decisions

The Common Application Subgroup also identified actions and decisions from the PUC which may be needed to implement the CAF statewide, including (1) standardizing universal service requirements and eligibility verification policies across public utilities and (2) determining how customer information should be securely shared with public utilities using the CAF as the sole application. USWG Report at 32-33.

III. DISCUSSION

We have duly considered the recommendations of the Common Application Subgroup and the advantages of using a CAF to simplify and facilitate household participation in all public utility universal service programs. We applaud the efforts that went into reaching this point where the PUC and the energy public utilities anticipate

having access to an agreed-upon statewide CAF suitable for all energy public utilities. We also applaud the efforts of the water and wastewater public utilities that participated in the USWG even though their assistance programs are not as structured as the energy assistance programs.

We find that the consensus data elements for a CAF will greatly increase universal service program coordination among all utilities and streamline the eligibility and enrollment process. The PUC supports requesting the consensus data elements recommended by the Common Application Subgroup on a CAF. At this point, the PUC anticipates vetting the final design, use, and safety protocols of a statewide CAF in a future rulemaking based on input from stakeholders.

We have also considered the appropriateness of questions that did not have consensus of the Subgroup, as detailed below.

Identifying the Household's Main Heating Source

The Common Application Subgroup did not reach consensus on whether a CAF should include a question asking for the household's main heating source (*i.e.*, electric, gas, steam, or other). Some participants supported leaving this question out of a statewide CAF because public utilities report that applicants often do not know the primary heating source and that the information could be more accurately obtained through direct contact between the public utility and the customer. Other participants proposed keeping this question on the application and making it optional. USWG Report at 28-29.

We recognize that such a question can be confusing for applicants in households where the primary heating system is not operational. As noted by some participants in the Common Application Subgroup, a household's main heating source is needed by the

public utility to classify the account as heating or non-heating, which is used to determine the household's maximum monthly CAP bill and maximum annual CAP credit limits. Further, this information can be used to identify if a water account should be covered under winter termination provisions if the household uses water for heating.⁶ USWG Report at 28-29. There will be occasions when not having a response to such a question and occasions when a questionable response will require the public utility to contact the applicant for more information.

Accordingly, the PUC supports asking for the household's main heating source on a statewide CAF (*e.g.*, What is the main heating source installed in your residence? (Electric, Gas, Steam, or Other)), but not making a response to it mandatory for completing the form. If an applicant does not answer this question, or if the public utility has reason to believe the applicant may have answered this question incorrectly, the public utility should contact the customer to obtain this information if necessary.

SSNs, Account Holder Name, and Account Number

The Common Application Subgroup did not reach consensus on whether optionally requesting SSNs (*i.e.*, full or last four digits) on a statewide CAF was necessary to confirm a household member's identity or the utility account information. It also did not reach consensus on whether a statewide CAF data elements should request the account holder name and account number for each public utility identified on the application, even as optional information. Some participants noted that having the account name and number would make it easier for public utilities to find the customer's account, as there may be issues locating an account relying only on names and street addresses. Other participants were concerned that requesting SSNs for household residents or account information for each public utility, even optionally, could (1) put the

⁶ See 66 Pa.C.S. §1406(e) (relating to termination of utility service).

customer at risk of having the customer's personal identifiable information (PII) if a statewide CAF is improperly shared or disclosed; or (2) present a barrier to enrollment if a customer incorrectly transposed an account number or simply did not have the account number on hand when filling out the application.

We understand that requesting additional information on a statewide CAF may make it easier for a public utility to verify an applicant's or household member's identity or utility account information. If the public utility cannot verify a household's account by the name and address provided, that could delay the processing of an application until further information is provided. However, the PUC agrees with concerns raised by some of the participants of the Common Application Subgroup that including PII on a statewide CAF, such as full or partial SSNs⁷ or utility account numbers, could put the customer at increased risk of unauthorized disclosure of that information if the application is shared with multiple public utilities or third-party program administrators.⁸

Accordingly, the PUC does not support asking for SSNs or for the account holder name and utility account number on a statewide CAF.

Interim recommendations for universal service and assistance applications

Consistent with the USWG recommendations and our discussion and conclusions herein, we note that there is no impediment to putting some consensus ideas into use in the interim. We encourage all energy and water/wastewater public utilities with universal

⁷ See, also, Section 69.265(8)(ii)(A) of the CAP Policy Statement (2020) which provides in pertinent part that a public utility "may request, but not require, Social Security numbers (SSNs) to verify identity." 52 Pa. Code § 69.265 (relating to CAP design elements).

⁸ Similarly, we also have concerns about the potential for improper disclosure of household information through the use of 'check boxes' to identify utility companies which serve the household, as proposed for the paper CAF. See *Appendix A*. If an applicant checks the wrong utility or utilities, the household's information would be shared with a public utility or third-party administrator that has no service relationship with that residence. This increases the risk for improper disclosure of the household's information.

service or assistance programs to take steps to amend their online and paper universal service or assistance applications consistent with the USWG proposed CAF in anticipation of the PUC establishing a statewide CAF in a future universal service rulemaking.

Specifically, we recommend limiting information requested on universal service and assistance applications to the following:

- Service shut off (y/n), Shut off notice (y/n).
- Name of Applicant.
- Service Address.
- Mailing Address (if different).
- Primary and Secondary (Cell) telephone numbers.
- Email Address.
- [checkbox] Permission to receive email and text messages (Msg/data rates apply).
- (optional) Do you rent your home? (y/n).
- (optional) Primary Heating Source (electric, natural gas, steam, or other).
- Total number of occupants: adults and children.
- Name, date of birth, and income amount/source(s) for each household member.
- Signature.
- Tag lines for language translation assistance.
- Zero-Income Form, if needed.

The application data elements listed above are generally consistent with the recommendation of the Common Application Subgroup, apart from two points:

- (1) Adding the question requesting the household's primary heating source.
- (2) Not requiring an applicant to identify which public utilities serve the household.

The purpose of asking an applicant to identify all public utilities that provide service to their household as part of a statewide CAF is to allow one application to be used to apply for all public utility programs at the same time. The PUC supports requesting this information as part of a statewide CAF. Currently, however, there is no mechanism for a public utility to securely exchange household application information through a centralized database or with other public utilities.⁹ Thus, recommending that the public utilities begin collecting this information now may be premature. Nevertheless, the PUC supports public utilities asking for this information if data sharing between local public utilities can be securely established with customer consent. At a minimum, public utilities should update their application systems to have the capability to collect the name of other utilities serving universal service program participants in anticipation of the establishment of a statewide CAF.

For applications that are not shared with other utilities, asking for the account holder name and account number on the application may not present the data privacy concerns noted herein as only the public utility's staff or designated agents should have access to this information. We are not opposed if public utilities that are presently requiring account holder name and account number continue to do so. We remind public utilities that if they are sharing applications with other utilities currently or at any time

⁹ To the PUC's knowledge, the only current mechanism for exchanging eligibility information between public utilities is when a third-party administrator serves as the CAP administrator for multiple public utilities. Peoples, for example, reports that household information previously provided to Dollar Energy Fund (DEF) to determine eligibility for another public utility's program can be used to enroll a customer into Peoples CAP, with the customer's informed consent. See Peoples 2019-2024 USECP, Docket Nos. M-2018-3003177 and M-2020-3021343 (filed on 6/13/22), at 10.

before a statewide CAF is implemented, then the account name and number should not be requested on the shared application.

Similar to how public utilities will use household data received from DHS through its LIHEAP Data Sharing,¹⁰ public utilities should use the information and verification provided through its universal service application to determine the household's eligibility for all programs offered by the public utility (*e.g.*, CAP, LIURP, CARES, and Hardship Fund) without requiring them to complete separate applications or reverify eligibility for each program. Further, public utilities should offer their applications in as many languages as possible, particularly those languages used by at least 5% of the population within its service territory. Finally, public utilities should offer supplemental information to their universal service application, as recommended by the Common Application Subgroup. This includes providing a description of each universal service program, eligibility and verification requirements, instructions on how to complete the application, and a contact number to call for assistance.

We strongly urge the public utilities to incorporate the consensus data elements identified for a statewide CAF, for both their paper and their online universal service and assistance application processes as fully and quickly as possible so that all stakeholders will have a basis for meaningful input on a statewide CAF in a future universal service rulemaking.

¹⁰ On June 13, 2024, the PUC entered an Order at PUC Docket No. M-2023-3038944, which, *inter alia*, encouraged all energy public utilities to participate in DHS' Data Sharing and established waivers to universal service and energy conservation plan requirements to allow energy public utilities to enroll or recertify eligible households into CAP, LIURP, or Hardship Fund programs without having to submit a new application or duplicative documentation.

IV. CONCLUSION

Accordingly, the PUC supports use of the USWG Common Application Subgroup's consensus statewide CAF data elements, with the modifications recommended by this Order, and encourages energy and water/wastewater public utilities to take steps to amend their online and paper universal service and assistance applications consistent with the recommendations in this Order. We direct each public utility choosing to modify its universal service or assistance application, consistent with the recommendations herein, to file and serve notice of this intention and a timeline for implementation. An electric or natural gas public utility shall file this notification at this docket and at its current and any proposed USECP dockets. A water or wastewater public utility shall file this notification at this docket and at the most recent docket that addressed its universal service or assistance programs. The public utility shall also file and serve notice of completion of the implementation at the same dockets. If the change to the universal service application would require a change to a current or proposed USECP, the energy public utility should propose the USECP change as part of the initial notification; **THEREFORE,**

IT IS ORDERED:

1. That an energy public utility choosing to use only the Common Application Form data elements, consistent with the recommendation in this Order, shall file and serve a notice of its intention and a timeline for implementation. This notification must be filed at this docket and at its most recent docket addressing its universal service or assistance plan or program. The public utility shall also file and serve notice of completion of the implementation at the same dockets.

2. That a water/wastewater fixed public utility choosing to use only the Common Application Form data elements, consistent with the recommendation in this

Order, shall file and serve a notice of its intention and a timeline for implementation. This notification must be filed at this docket and at its most recent docket addressing its universal service or assistance plan or program. The public utility shall also file and serve notice of completion of the implementation at the same dockets.

3. That each energy public utility that elects to use only the Common Application Form data elements, consistent with the recommendations in this Order, should incorporate the details of its use and its plans for future use in its next proposed universal service and energy conservation plan.

4. That the contact persons for this order are Jennifer Johnson, Bureau of Consumer Services, jennifjohn@pa.gov, and Louise Fink Smith, Esq., Law Bureau, finksmith@pa.gov.

5. That this Order be served on all jurisdictional electric and natural gas distribution companies and on all water and wastewater public utilities and other parties to Docket No. M-2023-3038944.

6. That the Commission's Secretary's Bureau will deliver this Order to the Legislative Reference Bureau to be published in the *Pennsylvania Bulletin*.

BY THE COMMISSION,

A handwritten signature in black ink, reading "Rosemary Chiavetta". The signature is written in a cursive, flowing style with a large initial "R".

Rosemary Chiavetta
Secretary

(SEAL)

ORDER ADOPTED: August 22, 2024

ORDER ENTERED: August 22, 2024

Appendix A

2024 USWG Consensus Paper Statewide CAF¹¹

Pennsylvania Utility Assistance Application Form



If one or more of your utility services are currently off, please identify which ones:

☐ Electric ☐ Water ☐ Natural Gas ☐ Wastewater

If you have a shut off notice from one or more utilities, please identify which ones:

☐ Electric ☐ Water ☐ Natural Gas ☐ Wastewater

Please contact your utility immediately if your service is off or in threat of termination - additional assistance may be available.

Name of Applicant (First Name, Middle Initial, Last Name)		Email Address
Service Address (ex. Number and Street, Apt #, City, State, Zip)		
Mailing Address – if different from Service Address		
Home Phone Number	Cell Phone Number	

☐ Check here to receive email and text alerts regarding your application (text msg and data rates may apply).

(Optional) Do you rent your home?

☐ Yes ☐ No

Total number of household occupants, including you - Adults (age 18 and over) : _____ **Children:** _____

Please provide the following information for all members of the household (adults and children), including you :

First Name, Middle Initial, Last Name	Birth Date (mm/dd/yyyy)	Before-Tax Income	Income Source(s)
First Name, Middle Initial, Last Name	Birth Date (mm/dd/yyyy)	Before-Tax Income	Income Source(s)
First Name, Middle Initial, Last Name	Birth Date (mm/dd/yyyy)	Before-Tax Income	Income Source(s)
First Name, Middle Initial, Last Name	Birth Date (mm/dd/yyyy)	Before-Tax Income	Income Source(s)
First Name, Middle Initial, Last Name	Birth Date (mm/dd/yyyy)	Before-Tax Income	Income Source(s)
First Name, Middle Initial, Last Name	Birth Date (mm/dd/yyyy)	Before-Tax Income	Income Source(s)

If there are additional members in your household, please include their information on a separate sheet of paper.
If no adults in your household have income, please complete and sign the attached zero-income statement.

¹¹ This is reproduced from the USWG Report. It is an example of how a statewide CAF could be structured in paper form. To the extent that a public utility would use a form like this in the interim, it is anticipated that the public utility would use its own name and logo in what is now shown as a blue banner.

Please select the utilities that provide your electric, water, and natural gas:

Electric	Water/Wastewater	Natural Gas
☐ Duquesne Light	☐ Aqua	☐ Columbia Gas
☐ Met-Ed	☐ PA American Water	☐ National Fuel Gas
☐ PECO-Electric	☐ Pittsburgh Water and Sewer Authority	☐ PECO-Gas
☐ Penelec	☐ Veolia	☐ Peoples Natural Gas
☐ Penn Power	☐ York Water	☐ Peoples Gas LLC
☐ PPL		☐ Philadelphia Gas Works
☐ West Penn Power		☐ UGI Gas
☐ UGI Electric		

Date: _____

18

2018 Consensus Zero-Income Form

Household Zero Income Claim:

I, _____, state that no adult member of my household is currently receiving income from any source.

Household Expenses:

Identify how you and your household meet monthly living expenses, such as those expenses for housing (mortgage or rent), food, and utilities (electric, gas, water, and/or phone bill). Check all that apply:

- ☐ I am using money from savings.
- ☐ I receive financial support from friends/family/community.
- ☐ Other. Please explain below:

Affidavit:

I certify that the information presented in this application is true and accurate to the best of my knowledge. I understand that providing false information in this application is grounds for denial and dismissal of my application. I acknowledge that I am responsible for notifying _____ if my household or income information changes.

Signature: _____ Date: _____