



Fuel Switching Working Group  
Comments of Community Legal Services, Inc.  
February 16, 2010

Community Legal Services, Inc. of Philadelphia (CLS) appreciates this opportunity to submit comments to the Fuel Switching Working Group. We submit these comments on behalf of our low-income client population. CLS provides free legal services to the low-income community of Philadelphia, helping our clients preserve their gas, electric, and water service. Our work brings us into daily contact with the urgent issues of energy affordability faced by so many residents of Philadelphia.

CLS is fully supportive of the Fuel Switching Comments of the Pennsylvania Utility law Project (PULP), and incorporate them herein by reference. In summary, PULP commented on three issues: 1. Fuel switching where a customer's electric heating system is broken; 2. Repairing or replacing a broken down gas furnace/heating system; and 3. Replacing highly inefficient electric baseboard heat. CLS supports each of PULP's recommendations. Below, we elaborate further on the second issue.

The second issue is often referred to as *de facto* electric heating because, when a home's gas furnace or other non-electric heating system is broken and the household resorts to plug-in electric space heaters, the household is in fact heating with the use of electricity. The Commission has raised the issue of the need to address *de facto* space heating in the context of reviews of EDC Three-Year Universal Service Plans and in its instructions to the recently created Universal Service Coordination Working Group.

*De facto* electric heating is likely the most inefficient and most unaffordable way for a low-income household to heat its home. It is exactly the type of inefficient electric usage that should be targeted for Act 129 measures. It is not *per se* fuel switching if the existing non-electric central heating system is being repaired or replaced. Many low-income households would repair and replace the systems if they can only afford to do so. EDC's that target these low-income *de facto* electric heating households for Act 129 measures to repair or replace non-electric furnaces should be allowed to do so within any policy recommendations that result from this Working Group.

Further, especially when an EDC, such as PECO Energy, has committed to coordinating its Act 129 low-income efforts with other weatherization programs, such as those funded by stimulus/ARRA dollars, these efforts should be encouraged to maximize the benefits that can flow to vulnerable low-income households with high utility bills. Separately, Act 129 measures or stimulus/ARRA funds may not be able to cover the full cost of a *de facto* electric heating household's furnace repair or replacement. However, together, Act 129 and stimulus/ARRA funds may finally bring these households to a level of utility usage that is affordable and sustainable.

Respectfully submitted,  
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