

Natural Gas
Universal Service Task Force
Annual Report

December 2001

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I. UNIVERSAL SERVICE EXECUTIVE SUMMARY – 2001

The Natural Gas Universal Service Task Force submits this Third Annual Natural Gas Universal Service Task Force Report in accordance with the legislative mandate contained in the Natural Gas Choice and Competition Act. 66 Pa.C.S. §§2201, et seq. (the Natural Gas Choice Act). Section 2203 (10) of the Natural Gas Choice Act provides for the Task Force to review Universal Service Programs and their funding and issue a report to the Pennsylvania Public Utility Commission and the General Assembly by December 31st of each year.

As a result of the Act and the restructuring proceedings, the Natural Gas Distribution Companies (NGDCs) have expanded their universal service programs. As of September 30, 2001, the NGDCs have enrolled 94,419 customers in Customer Assistance Programs (CAPs) alone. This represents a substantial increase in the number of customers benefiting from CAPs. The programs will continue to grow as a result of restructuring settlements. However, despite these efforts, the financial burden on low-income customers in Pennsylvania remains heavy and continues to grow. As you are aware, natural gas prices increased at a dramatic pace in 2001. The effect of this increase on a customer's total bill, including delivery charges, was 30 percent or more. This dramatic increase in natural gas costs significantly increased the burden on low-income households.

- ❑ For a low-income household of two whose income is at 100 percent of the federal poverty level, this increase in natural gas costs resulted in the household paying 11 percent of their income just to heat their home. If a family with a household income of \$45,000 had such a burden, they would be paying \$4,950 annually to heat their home. In actuality, a consumer making \$45,000 will pay on the average 2.6 percent of their income this winter.
- ❑ Pennsylvania has 800,000 families living at or below 135 percent of poverty (\$23,000 for a family of four), but the federally funded Low Income Home Energy Assistance Program assists just over 40 percent (350,000) of these families.
- ❑ Overdue utility amounts for natural gas customers have increased by 72 percent from 2000 to 2001. Overdue amounts for customers of electric utilities have increased as well over this same period of time.
- ❑ Residential terminations and write-offs are increasing for regulated gas and electric companies. Shut-offs for non-payments are up 20 percent and 12 percent, respectively, for the gas and electric industries. Combined write-offs for both industries are up nearly 20 percent in 2001 to \$164 million.
- ❑ The number of residential households without either gas or electric service this winter has increased dramatically. As of December 17, 2001, 12,124 households were without regulated utility service as compared to 5,835 households in December 2000.

Even though wholesale natural gas prices have recently moderated somewhat, rates are unlikely to return to pre-2001 levels, which for the low-income were already unaffordable. As a result of the dramatic increase in natural gas prices in 2001, customers have fallen further behind and now face even larger overdue amounts and greater numbers of terminations.

The need is critical and compelling. However, Pennsylvania provides no state funding for energy assistance programs.

In light of the dramatic increases in natural gas costs, overdue amounts and terminations during this year, the Task Force looked at best practices to identify the most cost-effective means to provide assistance to low-income customers so that funding provided by ratepayers can be maximized. In addition, recognizing that additional funds, other than from the NGDCs and their ratepayers, may be necessary, the Task Force reviewed Universal Service Programs in other states.

The Legislative Office for Research Liaison (LORL) greatly assisted the Task Force in this endeavor. Preliminarily, the LORL found that across the states, there are a number of different types of funding including state and local funds, ratepayer funds, private funds, non-regulated bulk fuel vendor contributions, and other miscellaneous resources. The states often use a combination of these funding types. These methods included using a combination of general state revenues, escheat funds, lottery or gambling revenue, increased tax revenue as a result of energy cost increases, or another designated source of revenue to be used to supplement existing ratepayer funding in order to achieve the universal goals of each state. The Task Force believes that a number of the methods employed by other states may be appropriate for use in Pennsylvania.

In light of the income burdens on low-income customers and the research completed to date, the Task Force has identified a key recommendation this year regarding the need for additional funding to address the energy burden on low-income households in Pennsylvania. The Task Force recommends that the General Assembly undertakes action to provide stable and permanent funds to supplement LIHEAP and the existing Universal Service Programs. This action will be a first step to ensure that all Pennsylvania residents with incomes at or below 150 percent of the Federal Poverty Level will receive some assistance to meet their energy needs.

This independent report is the work product of the Natural Gas Universal Service Task Force, which has been achieved by consensus of its members representing both industry and consumers. The Task Force wishes to acknowledge the outstanding contribution of Wayne Williams and Janice Hummel of the Bureau of Consumer Services for convening the task force meetings, providing technical advice and assistance, and for their work as facilitators.

II. Introduction

A. Statutory Authority

The report of the Natural Gas Universal Service Task Force is issued in furtherance of the legislative mandate contained in the Natural Gas Choice and Competition Act. Section 2203 (10) provides that "... the Commission shall convene a task force to review universal service programs and their funding. The task force shall issue a report to the Commission by December 31, 1999, and annually thereafter...."

B. First Meeting

On September 21, 1999, the PUC's Bureau of Consumer Services (BCS) issued a letter to natural gas stakeholders and interested parties to participate in the initial meeting of the task force, which was held on October 13, 1999. The taskforce was established and work began on preparing the initial report.

Since 1999, composition of the task force has been comprised of the following stakeholders and interested parties.

\$1 Energy Fund	Energy Association of Pennsylvania
Columbia Energy Services	Pennsylvania Utility Law Project
Columbia Gas of Pennsylvania	PA Weatherization and CAP Providers
Commission on Economic Opportunity	PG Energy Company
Community Action Assoc. of PA	Philadelphia Gas Works
Community Legal Services, Inc.	PPL Electric Utilities
Duke Energy Company	PUC Law Bureau
Energy Coordinating Agency of Phila.	PUC Office of Trial Staff
Equitable Gas Company	T.W. Phillips Gas and Oil Company
Industrial Energy Consumers of PA	The McFarren Group
National Fuel Gas Company	Dominion Peoples
Office of Consumer Advocate	UGI Utilities Inc.
PECO Energy Company	Westmoreland Cty. Weatherization Prog.

While the BCS staff does not participate as members of the Task Force, upon request, they agreed to facilitate the meetings. The Task Force elected two co-chairs – one representing industry and one representing consumers. The co-chairs for the 2000-2001 period are Stephen Shull, UGI Utilities and Edward McCool, Community Legal Services.

C. Meeting Schedule for 2001

The task force met on the following dates in order to prepare the report. During the intervals between meetings, various subgroups met as necessary.

- January 25, 2001
- February 26, 2001
- April 23, 2001
- June 1, 2001
- August 9, 2001
- September 12, 2001
- October 9, 2001
- November 1, 2001
- December 4, 2001

III. Task Force Recommendation

Recommendation

A Supplemental State Appropriation Is Crucial If Pennsylvania Is To Meet the Goals of Universal Service.

The paramount objectives of Universal Service are to provide available, safe, reliable and affordable electric and natural gas service to Pennsylvania's most vulnerable residents. These include service customers who find themselves and their families attempting to survive on extremely limited incomes due to temporary set-backs brought on by illness, or employment layoffs or more chronic and continuing economic circumstances.

These goals are significant. **Pennsylvania ratepayers already bear a significant portion of the cost of meeting these goals through their payment of existing rates. Last year (YR2000), ratepayers provided over \$113.4 million to the various regulated gas and electric utilities to operate their respective Universal Service Programs as approved by the Public Utility Commission.¹**

The federal Low Income Home Energy Assistance Program (LIHEAP) and the Weatherization Assistance Program and numerous non-profit and charitable endeavors also attempt to meet the increasing need. **In fact, Pennsylvania is a national leader in leveraging federal LIHEAP monies with dollars from electric and gas utilities and from non-profit and charitable organizations.²** Nevertheless, as this report's Statement of Need highlights, **all of these collective efforts do not meet** the goals of Universal Service.

Therefore, the Task Force has concluded that for Pennsylvania to successfully meet the objectives of Universal Service as stated in law the Commonwealth must provide meaningful funding through supplemental state appropriations.

Statement of Need

Pennsylvania has relied exclusively on Federal LIHEAP funds to provide energy payment relief to its low-income families. In so doing, the State has set 135% of poverty as the maximum eligible income and has struggled to provide cash grants averaging only \$250 to between 200,000 and 300,000 households, depending on the size of the Federal appropriation available.

¹ Source: Universal Service Spending and Enrollment Year 2000-Bureau of Consumer Services. Spending figures for 2001 were not available at the time this report was prepared.

² Pennsylvania has averaged \$2.4 million in leveraged non-LIHEAP funds over the past two years. Total LIHEAP budget for Pennsylvania in FY 01-02 is \$104.1 million, a decrease of \$66 million over last year.

The Reality

- ❑ In Pennsylvania, **there are close to 800,000 households living at or below 135 percent of poverty, (for a family of four-just over \$23,000 per year).**³
- ❑ **Pennsylvania**, by relying solely on Federal funds, **does not to provide any energy relief to 60 to 75 percent of its most needy families as identified by its own limited LIHEAP state income eligibility.**⁴ Further, an additional 550,000 households cannot receive LIHEAP assistance due to setting the income eligibility at 135 percent or \$23,000 for a family of four. This is in contrast to the allowable maximum under the federal guidelines for Pennsylvania, which would set income eligibility at 60 percent of the state median income, which calculates, to \$35, 728 for a Pennsylvania family of four.⁵
- ❑ **Existing universal service programs administered by the state's electric and gas utilities increased their enrollments by 26,470 customers over last year, with the Natural Gas Distribution Companies (NGDCs) accounting for 83 percent of that increase. The NGDCs programs will continue to grow as a result of restructuring settlements. Currently universal service enrollments for electric and gas utilities account for 23 percent or 207,970 of the state's 900,000 plus eligible households living with incomes at or below 149 percent of federal poverty guidelines (the generally accepted standard for income eligibility in universal service programs).**⁶
- ❑ **The financial burden** created by energy costs to low-income customers in Pennsylvania continues to grow. For a low-income household of two, whose income is at 100 percent of the federal poverty level, past increases in natural gas costs result in that household now paying 11 percent of their income just to heat their home. If a family with a household income of \$45,000 had such a burden proportionately it would be paying \$4,950 annually to heat their home. In actuality, a consumer making \$45,000 by comparison pays an average of only 2.6 percent of their income this winter.

³ Source: Pennsylvania State Data Center as reported by the Pennsylvania Department of Public Welfare (DPW) in an analysis done for LIHEAP Advisory Committee.

⁴ Actual households receiving LIHEAP in FY 99-00 were 254,665; in FY 00-01 were 356,745. Households for FY01-02 expected to be 328,533. Source Pennsylvania Department of Public Welfare LIHEAP reports.

⁵ Using this federally accepted standard, the number of eligible LIHEAP recipients in Pennsylvania grows to more than 1.3 million. A total of 70 percent of whom are households with one or more vulnerable members, i.e., household member with a disability 271,099 (20 percent); children younger than 6 years old, 208,091 (15 percent); or an adult(s) older than 60 years, 615,240 (45 percent). Source: Low Income Home Energy Assistance Information Memorandum Transmittal No. 1, LIHEAP-IM-2002-3, November 28, 2001 -- Targeting LIHEAP Benefits To Eligible High Energy Burdened Households and Vulnerable Households.

⁶ Source: Bureau of Consumer Services -- Universal Service Enrollment as of September 31, 2001. Population figures -- Pennsylvania State Data Center as reported by DPW.

- ❑ **Overdue Utility Payments Are Increasing** -- Many families are still feeling the economic effects of last years 30 percent increase in the cost of natural gas, even though gas prices have come down substantially since that time. Residential gas customer accounts overdue more than 30 days as of October 31st are up by \$57.2 million, a 72 percent increase over the same time last year. The total 30-day late amount equals \$136.5 million compared with \$79.2 for the same time last year. (These figures do not include the Philadelphia Gas Works.)⁷

Residential electric customer accounts 30 days overdue as of October 31, 2001 rose \$18.4 million over the same period last year (\$278,000,208 in 2001 compared with \$259,542,123 in 2000.)⁸

As of December 17, 2001, the number of residential households entering this current winter without essential natural gas or electric service rose to 12,124, a 107 percent increase over this time last year. Eighty-three percent (4,347) of these households are without essential gas service and 17 percent (1,488) are without electric service. These figures represent an increase of 131 percent for gas customers and 37 percent for electric customers over last year.

The number of households with incomes at or below 150 percent of poverty currently without gas or electric service increased by 98 percent (1,398) over last year and represents at least 23 percent of the total.⁹

- ❑ **Utility Industry Uncollectible Write-offs Are Increasing**

Experts in the regulated utility industry in Pennsylvania report that electric and gas industry write-offs as of October 31, 2001 are up 19.4 percent or \$26.6 million over this same time last year. (Total estimated write-offs \$164 million as of October 31, 2001).¹⁰

Conclusion

In the face of the significant nature of energy costs, rising layoffs and payment troubled utility customers, Pennsylvania can ill afford to sit on the sidelines. At least 80% of the state's financially neediest households face the economic burden of keeping the lights on and the house warm all by themselves. **The unmet need is critical. The Natural Gas Universal Services Task Force calls for a meaningful appropriation of state funds as an essential first step toward the long term objective of protecting the utility service of our most vulnerable citizens.**

⁷ Source: Bureau of Consumer Services.

⁸ Ibid.

⁹ Source: Pennsylvania Public Utility Commission, Bureau of Consumer Services, Press Release December 20, 2001-[PUC Urges Customers to Call Utilities to Get Reconnected.](#)

¹⁰ Source: Energy Association of Pennsylvania.. Preliminary estimate survey provided to Task Force.

IV. Universal Service Task Force Background

A. Goals

The general goal of natural gas universal service and energy conservation programs is to assist residential, low-income customers and others who are experiencing temporary emergencies to afford and maintain natural gas supply and distribution service as defined by the statute.

The objectives of these policies, practices, and services are as follows:

- Protect low-income customers' health and safety by ensuring that natural gas service is obtained and/or maintained in accordance with the Pennsylvania Public Utility Code and Commission regulations;
- Help low-income customers to obtain and/or maintain service;
- Make available payment assistance programs to low-income customers to make natural gas service affordable;
- Assist low-income customers to conserve energy and reduce their residential natural gas bill; and
- Establish effective universal service and energy conservation programs that are operated in an efficient manner.

B. Mission

The mission of the Universal Service Task Force is to:

- Review natural gas universal service programs and funding; and
- Review and consider recommendations for the General Assembly on the use of general state revenues and other nontraditional resources for universal service.

C. Objectives

The objectives of the Universal Service Task Force are to review and consider recommendations on the use of general state revenues and other resources as follows:

1. To review universal service programs:
 - a) Provide an opportunity to exchange and advance best practices of universal service programs.
 - b) Review current status of Public Utility Commission reports or statutes on universal service programs (includes participation, funding, design types, and eligibility).

- c) Explore other states' models or programs.
2. To review universal service funding:
 - a) Review funding mechanisms (existing and other states' models).
 - b) Review existing funding levels (existing and other states' models).
 - c) Review other states' funding initiatives or attempts to fund universal service.
 3. To review and consider possible recommendations regarding the use of general state revenues and other resources to the General Assembly as follows:
 - a) Determine demographics of participants and non-participants.
 - b) Determine level of need and if level of need is being served.
 - c) Prepare a general recommendation.
 - d) Develop a recommendation with a detailed plan.
 - e) Identify the process to receive recommendation.
 - f) Develop need and benefit analysis to support recommendation.
 - g) Explore how the Low Income Home Energy Assistance Program (LIHEAP), Weatherization Assistance Program, Department of Community and Economic Development, hardship fund programs or other appropriate agencies or programs integrate with universal service.

D. Description of Universal Service Programs

Customer Assistance Programs (CAPs)

CAPs provide an alternative to traditional collection methods for low-income, payment-troubled utility customers. Generally, customers enrolled in a CAP agree to make monthly payments to the utility based on household size and gross income. Customers make regular monthly payments, which may be for an amount that is less than the current bill for utility service, in exchange for continued provision of the service. Besides regular monthly payments, customers need to comply with certain responsibilities and restrictions to remain eligible for continued participation. For all utilities, customers must be at or below 150 percent of the federal poverty guidelines. There are no restrictions for customers living in subsidized housing. The following table shows the number of gas customers enrolled in CAP.

2000	Enrollment as of December 2000
Total for PA Natural Gas Distribution Companies	72,245

Customer Assistance Programs follow the guidelines of the Policy Statement on Customer Assistance Programs at 52 Pa. Code Chapter 69, Sections 69.261 through 69.267 (Appendix A, Exhibit 1).

Customer Assistance and Referral Evaluation Services (CARES)

The purpose of CARES is to provide a cost-effective service that helps selected, payment-troubled customers maximize their ability to pay utility bills. A utility CARES representative works with program participants on a personal basis to help them secure energy assistance funds and other assistance. By securing these funds, customers with special needs can maintain safe and adequate utility service. Besides directly providing assistance to needy customers, CARES representatives also perform the task of strengthening and maintaining a network of community organizations and government agencies that can provide services to the program clients. The table below shows the number of CARES participants and short-term assistance recipients.

2000	# of Cares Participants	Short Term Assistance Recipients
Total for PA Natural Gas Distribution Companies	1,176	12,899

Each utility identifies their CARES customers differently. Generally, short-term assistance customers refer to customers that need and receive limited intervention, such as a referral to energy assistance or another community resource. "CARES participants" are customers that receive on-going assistance from the company usually for a period between six months to two years.

A PA Public Utility Commission Secretarial Letter provides the basis of utility company CARES programs (Appendix A, Exhibit 2).

CARES Case Study

An elderly woman was on the 10-month budget (\$193 per month) that started in September. In December, she requested to be removed from the budget program because she did not want to pay more than the balance of her bill. In January, this customer received a 10-day notice for \$103. The customer called and was very confused about this notice. At the time of this call, the collections representative realized the customer was elderly, confused and made a referral to the CARES program.

The CARES representative immediately enrolled the customer in the company's Customer Assistance Program at a monthly payment of \$131. The customer mailed her payment on January 23, 2001. In late February, the customer started to receive warning letters since her CAP payment was past due. On March 6, the CARES representative called the customer to make an appointment to help the customer fill out a LIHEAP application. A man answered the phone and helped the customer with

the phone call. He explained that he was a college student and that his college professor arranged for him to help this customer pay her bills. However, the student explained how he switched schools in January and now the customer has no one to help her. He just happened to be there that day because he was on spring break and stopped by to check on her. While on the phone, our CARES representative made arrangements to complete a home visit on March 12 to fill out a LIHEAP application.

Both a CARES and CAP representative made a home visit and completed the LIHEAP application; however, the customer did not want the application mailed until she spoke with her son in California. The customer also wrote out a check for two CAP payments, which made her current with this program. Our representatives asked for her son's name and phone number as a contact for this account. On March 15, the customer's son called PG Energy's Outreach Services Department. Our CAP representative explained the purpose of the visit and nature of his mother's account. The customer's son was most appreciative of this program and our visit. He further explained that his sister in Maryland has power of attorney for their mother, but since she has not been paying her bills, he will take some action. To date, this customer's situation has greatly improved. Her CAP payments are made monthly, her son serves as third-party notification for the account, and while on the CARES program, she receives assistance in filling out the LIHEAP application. All and all the CARES and CAP programs greatly benefited this customer.

Low Income Usage Reduction Program (LIURP)

The Pennsylvania Low Income Usage Reduction Program (LIURP) is a statewide, utility-sponsored, residential usage reduction program mandated by Pennsylvania Public Utility Commission regulations. While the initial regulations mandated the program from 1988 to 1992, revised regulations extended LIURP for an additional five years through January 1998. The regulations were revised again on January 31, 1998 and extended without a sunset provision.

The primary goals of LIURP are to assist low-income residential customers to conserve energy and reduce their energy bills. If these goals are met, LIURP should serve as an effective means to improve the LIURP recipients' ability to pay their energy bills. LIURP is targeted toward customers with annual incomes at or below 150 percent of the federal poverty level. Beginning in 1998, the regulations permit companies to spend up to 20 percent of their annual LIURP budgets on customers with incomes between 150 and 200 percent of the federal poverty level. LIURP places priority on the highest energy users, which offer the greatest opportunities for bill reductions. When feasible, the program targets customers with payment problems (arrearages). The program is available to both homeowners and renters. LIURP services all housing types, including single family homes, mobile homes, and small and large multi-family residences.

Weatherization measures used to reduce consumption vary by company. These include, but are not limited to:

- Customer education
- Furnace clean and tune

- Set back thermostats
- Plastic windows
- Side-wall and attic insulation
- Caulking and weather-stripping
- Sealing of infiltration areas

The following table shows LIURP expenditures and gas customers assisted in 2000.

2000	LIURP Spending Levels	LIURP Production Levels
Total for PA Natural Gas Distribution Companies	\$6,447,468	4,753

All LIURP programs follow the regulations at Pa. Code 52, Chapter 58 (Appendix A, Exhibit 3).

Utility Hardship Funds

Utility company hardship funds provide cash assistance to utility customers who “fall through the cracks” of other financial programs or to those who still have a critical need for assistance after other resources have been exhausted. The funds make payments directly to companies on behalf of eligible customers.

Contributions from shareholders, utility employees and customers are the primary sources of funding for these programs. Moneys from formal complaint settlements, overcharge settlements, off-system sales, special solicitations of business corporations and natural gas purchase arrangements with Citizens Energy Corporation expand the funding for these assistance programs.

Each fall, the PUC’s Bureau of Consumer Services surveys the companies with hardship funds to obtain information about their programs. The information in this section (see tables below) is from the data that the companies supplied about their hardship funds.

Ratepayer/Employee and Shareholder Contributions to Hardship Funds				
2000	Ratepayer/ Employee Contributions	Avg. Ratepayer/ Employee Contribution Per Customer	Shareholder Contributions	Contribution/ Residential Revenues
Total for PA Natural Gas Distribution Companies	\$1,010,456	\$0.50	\$953,290	\$0.071

Utility Hardship Fund Grant Distribution			
2000	Ratepayers Receiving Grants	Average Grant	Total Benefits Disbursed
Total for PA Natural Gas Distribution Companies	8,340	\$269	\$2,247,470

In 1985, the Commission issued a Secretarial Letter to all major utilities urging them to develop and support a utility company hardship fund. The Commission issued another Secretarial Letter in November 1992 that recommended specific guidelines for the funds. These Secretarial Letters provide the basis of utility hardship funds (Appendix A, Exhibit 4).

V. Universal Service Task Force Activities - 2001

Task Force activities and accomplishments for 2001 are shown below. This summary reflects the key initiatives addressed by the group.

1. Elected two new co-chairs: Edward McCool, Community Legal Services and Stephen Shull, UGI Utilities.
2. Discussed and approved five goals for 2001: Best Practices, LORL Report Review, Governor's Energy Task Force, State Energy Assistance Funding, and Task Force Report for 2001 to be completed by November 15, 2001.
3. Sent copies of the 2000 Universal Service Report to the majority and minority chairs of the Pennsylvania General Assembly and letters to balance of legislators notifying them of the report's existence.
4. Reviewed pending bills regarding State Energy Assistance initiatives: HB158, HB568, HB769, SB758, and HB1433.
5. Provided comments on the recommendations for the Pennsylvania Energy Policy Committee.
6. Reviewed issues involving coordination of LIHEAP administration during 2000-2001 heating season.
7. Reviewed LORL report and began researching specific areas in more depth, including funding and administrative structures of universal service programs in 18 other states. They included CA, CO, DE, IL, ME, MA, NH, OH, OK, RI, TX, MD, NY, WI, NJ, AZ, NM, and VE.
8. Discussed best practices of Pennsylvania utilities regarding outreach and enrollment processes, alternatives to CAP removals, payment counseling, and payment rates/levels.
9. Completed and submitted the Annual Report to the Public Utility Commission and General Assembly.