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DOCKETING DIVISION
Public Utilities Commission of Ohio

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's)
Review of Ohio Administrative Code) Case No. 19-52-AU-ORD
Chapters 4901:1-17 and 4901:1-18.)

COMMENTS

BY

THE CITIZENS CITIZENS COALITION

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I. Background

The Citizens Coalition, its supporters, and its predecessors have been involved in PUCO cases and issues for many decades going back to 1976 and continuing to the present. It was groups from this Citizens Coalition who originally litigated for the Percentage of Income Payment Program (PIPP) going back to 1982 when the PIPP was first established.

PIPP was never meant to be a “give-away program.” Nor was it meant to overly burden the utilities companies or customers not enrolled in PIPP. Those enrolled in PIPP are expected to pay a substantial part of their actual usage each month. Customers can have their service disconnected if they do not follow the PIPP rules. For that portion of their utility bill which is temporarily “suspended,” customers must find a way to resolve any arrearages.

Furthermore, over the years various means and programs have been developed so that the arrearages can be reasonably resolved without forcing customers to lose their service—even after leaving PIPP—or be faced with such drastic alternatives as declaring a bankruptcy.

In summary, PIPP actually functions as an “insurance” program similar to Workers Compensation or Unemployment compensation programs. In those programs in effect portions of workers’ pay are used to finance these while workers are protected from injuries on the job or loss of employment not through any fault of the workers. Under PIPP, customers following the PIPP rules, can maintain their essential utility service in times of financial crisis when they cannot afford to immediately pay the entire bill for their usage. All customers, including low income families, have a small extra charge on their monthly bills through a rider which insures that the utility companies are made “whole.” The entire “utility establishment” including The PUCO and its commissioners, the utility companies, and all customers are to be

thanked and congratulated for their support of the Ohio PIPP program which—in our view—is the finest program in America to help low-income customers.

Sometimes, we hear some customers not on PIPP complain about the program as either too expensive or too burdensome for the companies and non-PIPP customers. “Why can’t we enjoy the PIPP benefit?” they may ask. We provide answers to such complaints. First, if you a customer are on PIPP, it is because your economic condition is not favorable. Upon reflection, it seems better that somebody is doing well and not be forced to resort to PIPP. Secondly, customers can find some satisfaction in “being able to sleep innocently at night,” and not have to worry that some low-income family--which often includes children--not be left without essential heat and light, particularly in dangerous periods of bad or cold weather in Ohio. Third, there are various programs available to help low-income families keep down and even reduce their usage, which lowers their actual bill and reduces the burdens of PIPP for non-PIPP customers and for the companies. First Energy itself generously has programs available through community agencies to help these PIPP customers as well as non-PIPP customers who have low-incomes. Finally, even if a customer right now does not need PIPP, just like someone now may not need the Worker Compensation Program or Unemployment Compensation, programs. Always remember, you never know when your economic condition could unexpectedly turn bad, and your family would be happy there was a PIPP to help them through tough times.

The Ohio Consumers Counsel very succinctly has spelled out the purpose of this proceeding and explained why advocacy groups, such as OCC, are participating:

The rules at issue in this proceeding protect Ohio residential consumers when the customers are most vulnerable and at risk: those instances when they are facing disconnection of gas and/or electric service, most often due to lack of income to pay their full bills. The Office of the Ohio Consumers' Counsel (“OCC”) recommends amending these rules to increase protections for consumers. Specifically, the residential credit rules in Ohio Adm.Code Chapter 4901:1-17, the residential disconnection rules in Ohio

Adm.Code Chapter 4901:1-18, and the Percentage of Income Payment Plan Plus ("PIPP") rules in Ohio Adm.Code Chapters 4901:1-18 and 122:5-3 are the subject of a mandatory five-year review.¹

As part of its five-year review of these rules, the Public Utilities Commission of Ohio ("PUCO") is seeking comments on changes to the rules proposed by the PUCO Staff and by OSDA. OCC generally supports these proposed changes to the rules. But more substantive changes are necessary and appropriate to protect Ohioans. This especially includes easing consumers' re-entry into PIPP Plus, *clarifying rules surrounding disconnections and reconnections for fairness and consistency as discussed herein*, and additional protections for customers of submeterers. The PUCO should adopt OCC's proposed changes to the rules.

The Citizens Coalition would compliment the OCC and its hard-working and dedicated attorneys and staff in the excellent Comments they have initially submitted in this proceeding. We would join in their comments and urge the Commission to adopt all they have recommended.

The Citizens Coalition has additional comments and recommendations for this proceeding.

II. REDUCE MONTHLY 6% REQUIRED PERCENTAGE TO 5%, ESPECIALLY FOR VERY LOW-INCOME CUSTOMERS

The required monthly payment percentage of 6% may initially seem reasonable, but to low income families, this percentage are still too high, especially for families with income below the 50% of poverty level. The Citizens Coalition recommends that this percentage should be reduced from 6% to 5%. While such a recommendation may also have to be advocated in other forums or even in the Ohio General Assembly, we would urge all to consider adopting this position especially for those low-income families at the bottom of the poverty levels.

¹ R.C. 111.15(B) and 106.03(A).

III. LIMITS ON AMOUNTS NEEDED TO REROLL IN PIPP.

For various reasons low-income families may lose their right to participate in PIPP. For various reasons, they may drop off. For other reasons, they may actually be expelled from PIPP.

Later they may want to or even need to return to PIPP. Current rules spell out various conditions—which can be quite harsh—under which they will be allowed to return to PIPP. The Citizens Coalition does recognize the need for PIPP to remain a credible and viable program, with proper benefits for companies and customers. PIPP customers also need to understand their obligations and maintain responsible behavior patterns, which in the long run benefit both them and the PIPP program itself.

However, the Citizens Coalition would recommend that a reasonable limit be placed on amounts that customers are required to pay to recover participation in PIPP. The Citizens Coalition would recommend that customers after all the calculations under the current rules are performed, that they only be required to pay either three months of their PIPP required payments, or One Hundred Dollars (\$100.00), whichever is less. Thus PIPP customers will pay a substantial amount to encourage them to follow all PIPP guidelines but not be so onerous as to place overwhelming obstacles in their actions to return to full PIPP participation

III. CALCULATIONS TO MAKING UP PIPP PAYMENTS NOT CURRENTLY REQUIRED FOR MEDICAL REASONS, SHOULD NOT BE USED TO LEAD TO EXPELLING THEM FROM PIPP

Under the current rules, there are provisions that PIPP customers can be used from making a monthly utility payment for medical reasons and still remain on PIPP. We have heard, however, that any missed payment could lead in some cases to a low-income family

losing their PIPP program benefit. The Citizens Coalition would urge that in any calculations about whether a low-income family has met their PIPP requirements, a "missed" payment for medical reasons should not be used in that calculation but simply added to their arrearage which can be resolved in other ways.

IV. EDUCATING CUSTOMERS ABOUT PIPP

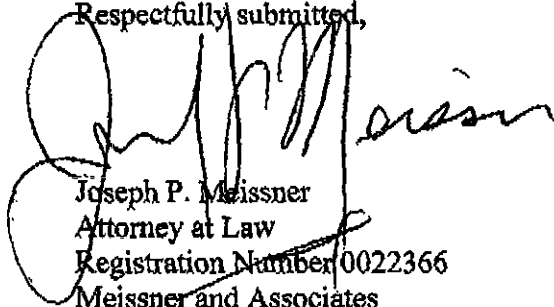
Even though the PIPP program has been around for some thirty-five years, there are still many not aware of PIPP and if and when they may need and use it. The Citizens Coalition would urge the PUCO to adopt educational activities so that all needy customers may know about PIPP. This would require that all communications with these customers and any shot-off notices should include PIPP information in very large size printing with very understandable language.

V. EDUCATING PIPP CUSTOMERS ABOUT PROGRAMS THAT CAN HELP REDUCE THEIR USAGE AND BILLS, AND THUS HELP THE PIPP PROGRAM GENERALLY.

There are various programs available to help low income families control and reduce their gas and electric usage. FirstEnergy for example has a number of such programs. Every communication with PIPP customers from the PUCO or the Companies should educate PIPP participants about these programs. Also all advocacy groups should be urged to provide such educational notices to those they assist with gas or electricity payment problems.

CONCLUSION: This completes the initial input from the Citizens Coalition. We look forward to participating in the Response activities.

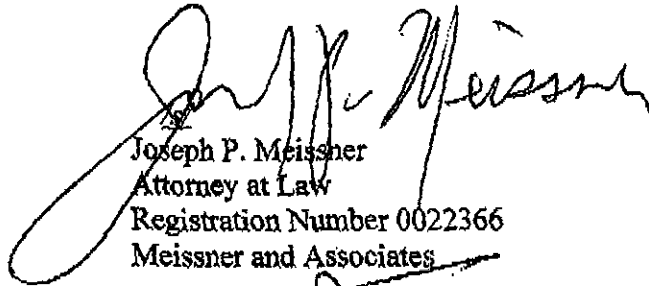
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. P. Meissner', written over the typed name and registration number.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of these Comments was served on the persons stated below via electronic transmission, this 19th day of July 2019. These Comments from the Citizens Coalition are being faxed at this time to the PUCO to comply with the July 20, 2019, schedule.



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