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# Office of Consumer Services

UTAH DEPARTMENT OF COMMERCE

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To: The Public Service Commission of Utah  
From: The Office of Consumer Services  
Michele Beck, Director  
Alex Ware, Utility Analyst

Date: October 4, 2023  
Subject: Docket 23-057-T04

**In the Matter of:** Application of Dominion Energy Utah for Approval to Modify Tariff Section 8.03, Low Income Assistance/Energy Assistance Rate

## INTRODUCTION

On September 19, 2023, Dominion Energy Utah (DEU or Company) filed with the Public Service Commission of Utah (PSC) an application to modify tariff terms for the Low Income Assistance / Energy Assistance Rate. On September 20, 2023, the PSC issued a Notice of Filing and Comment Period establishing that interested parties may submit comments on DEU's filing on or before October 4, 2023. The Office of Consumer Services (OCS) provides the following comments pursuant to that schedule.

## BACKGROUND

In its filing, DEU states that the proposed tariff changes are intended to address a participant count issue the Company has identified with the Low Income Assistance program. Specifically, DEU receives two different lists of qualifying participant counts from the Department of Workforce Services (DWS) for the low income assistance program.<sup>1</sup> While the count methodologies of the two lists are different, they generally have produced similar outcomes. However DEU states in the filing that during the 2022/2023 program year, it identified that the list more applicable to the gas utility (the Energy Assistance Fund or EA list) had almost 9,000 fewer participants (or 40 percent fewer) than the other list (Home Energy Assistance Target or HEAT program).

DEU states it has contacted DWS about the large discrepancy between the eligibility counts of the two methodologies but DWS has so far been unable to determine why the EA list count is so much lower than the HEAT list count. Therefore, since DEU has

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<sup>1</sup> DWS administers the eligibility determinations for low income assistance utility programs.

generally utilized the EA list in its administration of the low income assistance program, the Company now requests to update tariff terms that the HEAT list will be prioritized until the EA list is corrected. At this time, DEU staff consider the HEAT list to be more complete and there is significant risk of underserving qualified program participants if the EA list continues to be used. If the EA list is ever fixed, DEU will then determine if there is cause to return back to the EA list and would make another filing.

## **OCS REVIEW AND COMMENTS**

We reviewed DEU's filing and held a phone call with Company staff to discuss the proposal and budget of the Low Income Assistance program. The OCS believes the request to utilize the HEAT list to estimate program participation is reasonable and we do not oppose the request. We believe it is vital to administer the low income assistance program in a way that everyone that is approved to participate is tracked and actually receives the assistance. We encourage DEU to continue working with DWS to correct participation counts and get accurate and reliable results going forward.

The OCS would like to note that during discussion with DEU staff during this docket, we learned that the full donation of low income assistance funds to the low income weatherization program (as approved in the October 31, 2022 order of Docket No. 22-035-13) was held back when the Company discovered the low EA list count. DEU donated only \$250,000 to the low income weatherization program instead of the planned about \$750,000. The OCS supports this action taken by DEU as the donation to the weatherization program was meant to occur only after all qualified low income assistance customers have received assistance.

DEU stated during our phone discussion that it anticipates filing its low income assistance program budget for the next programmatic year soon, updating participation numbers to the current HEAT list which in turn will update the proposed disbursement amount per participant. While the OCS reviewed a draft low income assistance program budget for the 2023/2024 year, we will wait to make full comments when the Company files it with the PSC for approval.

## **RECOMMENDATION**

The OCS does not oppose DEU's proposal in this docket to update the tariff terms of the low income assistance program to specify that the HEAT list will be used going forward to estimate program participation.

cc:

Kelly Mendenhall, Dominion Energy Utah

Jordan Stephenson, Dominion Energy Utah

Chris Parker, Division of Public Utilities