April 22, 2015

Honorable Kathleen H. Burgess
Secretary
State of New York
Public Service Commission
Three Empire Plaza
Albany, NY 12223-1350

Dear Secretary Burgess:

The New York State Office of Temporary and Disability Assistance (OTDA) appreciates the opportunity to respond to comments/suggestions raised during the Public Service Commission Case 14-M-0565 Low Income Proceeding Collaborative Meeting which took place on March 24, 2015 to discuss the Proceeding on Motion of the Commission to Examine Programs to Address Energy Affordability for Low-Income Utility Customers.

During the March 24, 2015 meeting, the following comments/suggestions were raised by participants:

1. Comment/Suggestion – Develop a data match between OTDA and utilities to expand participation by recipients of Public Assistance (PA), Home Energy Assistance Program (HEAP) and/or Supplemental Nutritional Assistance Program (SNAP) benefits in utility company low income utility programs.

OTDA Response:

While OTDA is open to exploring additional ways in which the identification of individuals eligible for utility low income programs could be improved and/or streamlined, we note that utilities currently have a substantial amount of personally identifiable data on recipients of PA, HEAP and Social Services Law Section 131-s payments that OTDA believes could be used to expand their low income energy programs. While not comprehensive, the following listing provides the types of data that utilities currently maintain that may be used to expand their low income utility programs:

- Direct voucher payments from Social Service Districts (SSDs) are made on behalf of PA recipients to utility companies. Currently, 78% of all public assistance households have at least a portion of their grant vendor restricted, and 86% of all assistance paid goes to households with at least a partial restriction. As these restricted payments are made primarily to landlords and utility companies, utility companies already have data which identifies a portion of the PA recipient population.
• The utilities have information on individuals who have received a SSL section 131-s arrearage payment. Since utility companies have the responsibility to suspend utility arrears in accordance with SSL 131-s (6), they already have information on PA, Emergency Assistance to Adults (EAA) and Emergency Assistance to Families (EAF) recipients who are in receipt of a SSL section 131-s arrears payments.

The utilities also have records of which individuals have been offered Deferred Payment Agreements (DPAs), and could possibly use frequent DPA offers as an indicator that a low-income household is having difficulty paying their utility bills. Customers who provided income information to the utility as a result of a request for a DPA could have that data used in the determination of their eligibility for the utility's low income program.

• As certain HEAP benefits are paid directly to utilities on a customer's behalf (e.g., regular direct heating benefits, regular heat-included benefits and emergency heat-related benefits), utilities have information on customers in receipt of such payments.

2. Comment/Suggestion – Utility companies should forgive utility arrears owed by recipients of 131-s arrearage payments held in suspension by the utility companies.

OTDA Response:

OTDA supports the forgiving of arrears held in suspension by the utility companies. This allows utility customers leaving PA or Supplemental Security Income (SSI) to make a fresh start. Arrears forgiveness programs also encourage self-sufficiency by avoiding the need for further applications for emergency assistance that can result when the customer is immediately faced with often substantial arrearages which have been previously been suspended by the utility company.

Thank you for the opportunity to comment on this important proceeding. Please feel free to contact Phyllis Morris, Deputy Commissioner of the Center for Employment and Economic Supports at (518) 474-9222 if you need additional information or have questions.

Sincerely,

Sharon Devine
Executive Deputy Commissioner