

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held in the City of
Albany on November 13, 2025

COMMISSIONERS PRESENT:

Rory M. Christian, Chair
James S. Alesi
David J. Valesky
John B. Maggiore
Uchenna S. Bright
Denise M. Sheehan
Radina R. Valova

CASE 14-M-0565 - Proceeding on Motion of the Commission to
Examine Programs to Address Energy
Affordability for Low Income Utility Customers.

ORDER PAUSING CUSTOMER DISENROLLMENTS IN UTILITY ENERGY
AFFORDABILITY PROGRAMS

(Issued and Effective November 13, 2025)

BY THE COMMISSION:

INTRODUCTION

The Public Service Commission (Commission) has undertaken a series of actions to advance affordability protections for low-income consumers across New York State. On May 20, 2016, the Commission issued an order adopting an energy affordability policy that "an energy burden at or below [six percent] of household income shall be the target level for all low income customers."¹ Subsequent orders modified the resulting utility Energy Affordability Programs (EAPs) to improve benefit structures, reach more eligible customers, and expand benefits

¹ Case 14-M-0565, Order Adopting Low Income Program Modifications and Directing Utility Filings (issued May 20, 2016) (May 2016 Order) at 8.

to households up to the State or area median income depending on service territory.²

On October 31, 2025, the Utilities³ filed a petition requesting that the Commission take emergency action to temporarily pause disenrollment of residential customers in their respective EAPs and extend the period that a customer can use to demonstrate eligibility for the EAP through receipt of benefits from the Home Energy Assistance Program (HEAP) or another EAP-qualifying program.⁴ The Utilities assert that these actions by the Commission will allow the Utilities to continue providing assistance to customers experiencing benefit delays from the HEAP or other EAP-qualifying programs due to the federal government shutdown. Specifically, the Utilities propose amending their tariffs to prevent disenrollment of currently eligible EAP individuals.

² Case 14-M-0565, Order Approving Implementation Plans with Modifications (issued February 17, 2017) (Implementation Order); Case 14-M-0565, Order Adopting Energy Affordability Policy Modifications and Directing Utility Filings (issued August 12, 2021) (Energy Affordability Policy Modification Order); and Case 14-M-0565, Order Adopting Enhanced Energy Affordability Policy and Directing Utility Filings (issued July 17, 2025) (Enhanced Energy Affordability Policy Order).

³ The Utilities administering EAPs include: Central Hudson Gas & Electric Corporation (Central Hudson); Consolidated Edison Company of New York, Inc. (Con Edison); KeySpan Gas East Corporation d/b/a National Grid (KEDLI); National Fuel Gas Distribution Corporation (National Fuel); New York State Electric & Gas Corporation (NYSEG); Niagara Mohawk Power Corporation d/b/a National Grid (National Grid); Orange and Rockland Utilities, Inc (O&R); Rochester Gas and Electric Corporation (RG&E); and The Brooklyn Union Gas Company d/b/a National Grid NY (KEDNY); (collectively, the Utilities).

⁴ Case 14-M-0565, New York State Utilities' Petition for an Emergency Order to Pause Customer Unenrollment in Utility Energy Affordability Programs (filed October 31, 2025) (the Petition).

Later the same day, in an exercise of enforcement discretion, Department Staff wrote to the Utilities as well as PSEG-LI directing them not to disenroll customers from the HEAP program during the month of November.

Upon review of the Petition, the Commission directs the Utilities to re-enroll customers who were disenrolled beginning October 1, 2025, due to the expiration of their 12-month eligibility period, and to pause EAP disenrollments through November 30, 2026. Further, the Commission directs the Utilities to file tariff revisions to extend the lookback period to 18 months for the Utilities' customers to demonstrate EAP eligibility through enrollment in a qualifying program.

BACKGROUND

The May 2016 Order adopted a statewide energy affordability policy that established the framework for EAPs for major electric and gas utilities. The framework established a target energy burden at or below six percent of household income,⁵ created a standard or default methodology for calculating discount levels,⁶ required participants to enroll in each utility's levelized budget billing program,⁷ and set a low-income program budget cap for utilities at two percent of revenues.⁸ The May 2016 Order also established uniform eligibility and enrollment procedures that leveraged HEAP, which is administered by the New York State Office of Temporary and

⁵ May 2016 Order at 14.

⁶ Id. at 19.

⁷ Id. at 25.

⁸ Id. at 30.

Disability Assistance (OTDA), for automatic enrollment into the Utilities' EAPs.⁹

The Commission determined that use of HEAP as a qualifier for EAP eligibility effectively targeted households with the greatest need while also streamlining the enrollment process for customers and the Utilities. Specifically, the May 2016 Order stated that because OTDA provides the HEAP benefit, the Utilities can effectively determine the assumed level of need for that customer and automatically enroll them in the respective utility's EAP.¹⁰ Further, OTDA began providing the Utilities with lists of all HEAP recipients in their respective service territories, regardless of heating service type, enabling the Utilities to identify and enroll HEAP recipients in EAPs.¹¹ This OTDA file sharing process significantly reduced the Utilities' administrative burden of verifying household income level when determining eligibility for an EAP.

While the May 2016 Order was designed to largely streamline the enrollment process for customers and the Utilities, the Commission recognized that automatic enrollment may not capture all eligible customers. The Commission authorized manual enrollment where practicable, allowing customers to submit documentation directly to the Utilities when they met income requirements, but did not participate in HEAP or were not otherwise identified through the automatic enrollment process.¹²

In accordance with the May 2016 Order, the Utilities subsequently filed implementation plans that included, among

⁹ Id. at 15.

¹⁰ Id. at 15.

¹¹ Id.

¹² Id. at 17.

other logistical components, discussion of timing for OTDA data sharing.¹³ The Utilities' respective EAP implementation plans proposed different intervals, or lookback periods, that customers would use to demonstrate their enrollment in HEAP or another eligible program to gain or retain enrollment in an EAP.¹⁴

The Energy Affordability Policy Modification Order built upon the original energy affordability policy framework, with targeted modifications to bolster enrollment and strengthen customer outreach. The Order directed Department of Public Service (DPS) Staff to convene an EAP Working Group to develop enhancements, including a more robust automated file match process that includes other public assistance programs beyond HEAP, and to identify and enroll more eligible households.¹⁵ The Order also directed the Utilities to adhere to standardized annual reporting on the number of HEAP customers enrolled, the number of HEAP participants provided through the OTDA file match process that were not identified in the utility's system, and the count of customers who enrolled in EAP through self-certification.¹⁶ The Commission further directed the Utilities to establish a uniform statewide customer self-certification process that requires self-enrolled customers to annually verify their eligibility.¹⁷ This process requires customers to provide their utility with updated documentation to confirm their

¹³ Id. at 47.

¹⁴ Case 14-M-0565, Implementation plans filed by Central Hudson, Con Edison, KEDNY, KEDLI, National Fuel, Niagara Mohawk, NYSEG/RG&E, and O&R (filed September 15-16, 2016).

¹⁵ Energy Affordability Policy Modification Order at 18.

¹⁶ Id.

¹⁷ Id. at 52.

continuing eligibility status in a public assistance program.¹⁸ Through this framework, the Utilities have provided greater outreach to inform customers of EAP eligibility criteria, including notices reminding self-enrolled low-income customers to submit updated documentation.¹⁹ This verification process reduces the Utilities' administrative burden of tracking their self-identified EAP participants.

EAP enrollment is also the foundation for establishing eligibility and the targeting of supports for a broader set of ratepayer-funded programs that are intended to reduce customers' energy burden and increase access to clean energy solutions for income-eligible households. The Commission has identified the need for utilities to prioritize the referral of EAP recipients to the EmPower Plus program.²⁰ Administered by the New York State Energy Research and Development Authority, EmPower Plus is the primary ratepayer-funded energy efficiency and weatherization program for low- to moderate-income households and complements the EAP in that improved energy efficiency can reduce on-site energy consumption, resulting in long-term energy burden reductions for participating customers. In addition, the Statewide Solar for All (SSfA) and Renewable Energy Access and Community Help (REACH) programs, which are designed to generate electric bill credits from distributed solar projects starting

¹⁸ Self-certification can be demonstrated by enrollment in one of several public assistance programs with overlapping eligibility, such as temporary assistance, Medicaid, Lifeline, etc. The full list is available at www.dps.ny.gov/energy-affordability-program.

¹⁹ Energy Affordability Policy Modification Order at 20.

²⁰ Case 25-M-0249, 2026-2030 Low- to Moderate-Income Energy Efficiency and Building Electrification Portfolio, Order Authorizing Low- to Moderate-Income Energy Efficiency and Building Electrification Portfolio for 2026-2030 (issued May 15, 2025).

in January 2026, rely on EAP participation status to identify eligible recipients.²¹ Without the Utilities' EAPs as an indicator of eligibility, the Commission's ability to maximize the impact of ratepayer-funded programs for the most vulnerable households is compromised.

Federal Shutdown and Low-Income Home Energy Assistance Program (LIHEAP) Funding Pause

The federal government shutdown that began on October 1, 2025, has created immense uncertainty for the disbursements of LIHEAP funds for the 2025-2026 EAP program year. During a typical EAP program year, federal LIHEAP funds are released to states beginning in October each year²² and OTDA commences enrollment in the New York State HEAP program at the beginning of November.²³ In anticipation of receipt of LIHEAP funds, OTDA finalizes the State's HEAP plans and benefit structure in late summer and early fall.²⁴ Utilities subsequently use this information to establish their EAP budget and discount calculations, to be filed by November 1 each year.²⁵ After HEAP enrollments open in early November, Utilities begin receiving HEAP benefits and enrolling customers for the coming EAP program

²¹ Case 21-E-0629, Advancement of Distributed Solar, Order Approving Statewide Solar for All Program with Modifications (issued May 16, 2024) and Case 24-E-0084, New York Power Authority Renewable Energy Access and Community Help Program, Order Implementing Renewable Energy Access and Community Help Program (issued October 16, 2024).

²² LIHEAP Clearinghouse. LIHEAP Funding for States and Territories. <https://liheapch.acf.gov/Funding/funding.htm>. Accessed November 5, 2025.

²³ 2024-2025 Detailed Model Plan (LIHEAP) Revision #1 at 4. https://liheapch.acf.hhs.gov/docs/2025/state-plans/NY_Plan_2025.pdf.

²⁴ Id.

²⁵ Energy Affordability Policy Modification Order at 43.

year beginning December 1st. It generally takes a few weeks for OTDA to disburse HEAP payments to the Utilities.

This process has been interrupted by the federal government shutdown and OTDA's subsequently announced indefinite delay in HEAP enrollment. Due to the federal shutdown, the U.S. Department of Health and Human Services has failed to release LIHEAP funds, interrupting OTDA's ability to administer HEAP and impacting utility EAP customer enrollment and recertification. While OTDA previously provided DPS Staff and the Utilities with planned HEAP benefit levels for the upcoming program year, the opening of the HEAP application process has been delayed indefinitely, further impacting enrollment and utility payment processing.²⁶ With HEAP enrollment currently suspended, the primary EAP enrollment and recertification mechanism is effectively suspended as well. Without updated HEAP records, the Utilities' automatic systems cannot confirm the eligibility of many existing participants or recertify their benefits. As a result of this federal failure, otherwise income-eligible EAP participants may be disenrolled from their utility's EAP program through no fault of their own.

Manual enrollment mechanisms are also inadequate to keep otherwise income-eligible customers enrolled. Many utility customers would be similarly limited in their ability to demonstrate eligibility through this mechanism, as most of the programs that utilities accept to demonstrate EAP eligibility, such as the Supplemental Nutrition Assistance Program (SNAP), are impacted by the federal government shutdown. Further, utility call centers and other alternate enrollment mechanisms

²⁶ Federal Government Shutdown - Information and Resources. OTDA Website. <https://otda.ny.gov/shutdown-resources.asp>. Accessed November 3, 2025. The indefinite pause followed an initial two-week delay announced on October 22, 2025.

may not be positioned to handle significant increases in volume for this more time-consuming enrollment process. Without further action, customers would begin being disenrolled from utility EAPs due to the federal government shutdown in November 2025.

HEAP program delays may also cause EAP participants to receive fewer benefits than they otherwise would have been eligible for. Specifically, the Commission's energy affordability policy program design provides greater discounts to HEAP participants who also meet other eligibility criteria, known as add-on benefits.²⁷ Without current HEAP records, EAP participants will receive fewer benefits and face a greater energy burden this winter.

THE PETITION

In the Petition, the Utilities request that the Commission take emergency action to temporarily pause the disenrollment of residential customers from their respective EAPs.²⁸ The Utilities cite the federal government shutdown and ongoing uncertainty related to funding for certain benefit programs, including HEAP, as the basis for their request. To effectuate the pause, the Utilities request that the Commission authorize the Utilities to submit tariff revisions, effective November 20, 2025, to allow customers who are enrolled in or were recently removed from their respective EAPs to remain in the program despite the delay or termination of the distribution of EAP-qualifying program benefits such as HEAP.

The Utilities explain that OTDA, which administers HEAP in New York, notified them that enrollment in the program,

²⁷ May 2016 Order at 20.

²⁸ The Petition.

which was scheduled to open on November 3, 2025, had been postponed until on or after November 17, 2025, due to delays in the approval and release of funding. The Utilities state that they are uncertain whether federal benefit programs, such as HEAP, will be funded in the impending heating season. Because of this, the Utilities conclude that residential customers who rely on these programs to help pay for energy expenses may not receive the expected assistance until later this winter, if at all.

The Utilities explain that delays in, or the potential elimination of, HEAP funding will impact residential customers enrolled in the Utilities' EAPs because these customers are automatically enrolled in an EAP upon their respective utility's receipt of a HEAP grant on their behalf that is applied to their utility bills. Not all utility tariffs specify how long a customer will remain enrolled in that utility's EAP following the utility's receipt of a HEAP grant. Those utilities that do provide a time period state that their customers will remain enrolled in the utility's EAP program as long as they have received a HEAP grant within the preceding 12 months.²⁹ Accordingly, as long as a customer receives a HEAP grant each year, they will remain enrolled in their utility's EAP. However, if a utility does not timely receive HEAP benefits on behalf of their eligible customers, those customers

²⁹ See Central Hudson, PSC No. 15-Electricity, Leaf No. 163.4-163.5, PSC No. 12-Gas, Leaf No. 126; Con Edison, PSC No. 10-Electricity, Leaf No. 255, PSC No. 9-Gas, Leaf No. 130; NYSEG, PSC No. 119-Electricity, Leaf No. 150.3, PSC No. 90-Gas, Leaf No. 105.5; O&R, PSC No.3-Electricity, Leaf No. 106, PSC No. 4-Gas, Leaf Nos. 47-47.1; RG&E, PSC No. 19-Electricity, Leaf No. 86.24, PSC No. 16-Gas, Leaf No. 84.3. Note that the tariffs for all National Grid operating companies (National Grid, KEDNY, and KEDLI) do not include enrollment/disenrollment time frames for their EAPs. Similarly, National Fuel does not include enrollment/disenrollment time frames for their EAP.

may be disenrolled in that utility's EAP because the utility will not have received a HEAP benefit on their behalf in the preceding 12 months.

The Utilities note that some customers who have automatic enrollment in their EAP through receipt of a HEAP benefit may maintain their EAP enrollments by other means. HEAP recipients that are also enrolled in a qualifying government assistance program may be enrolled in the EAP through a file match with a participating social services agency. Qualifying customers may also be enrolled by self-certifying their enrollment in a qualifying government assistance program. However, these customers' EAP benefits may also temporarily lapse until the next round of file matching and the filing and processing of their self-certifications.

To prevent customers from losing their EAP eligibility due to the pause in HEAP funding, the Utilities propose extending the lookback period for EAP eligibility to a qualifying government assistance program, including HEAP, beyond 12 months, so that the Utilities can continue to provide monthly discounts to qualifying low-income customers' bills. To accomplish this, the Utilities propose to amend their respective tariffs and EAP documentation to provide that customers who are currently enrolled in their EAPs, and customers who were enrolled as of October 1, 2025, but may have since been disenrolled because of the expiration of their 12 month lookback for a HEAP grant, will continue their enrollment, or re-enroll, in the EAPs. The Utilities also intend for the proposed tariff amendments to address potential future delays in HEAP benefits that could impact EAP enrollment.

The Utilities request that the Commission authorize the Utilities to submit tariff amendments to allow customers in their EAPs, as of October 1, 2025, to remain in the programs

notwithstanding the delay in the distribution of HEAP benefits. The Utilities contend this must be done as an emergency rulemaking for the preservation of the public health, safety or general welfare pursuant to Section 202(6) of the State Administrative Procedure Act. The Utilities claim that this rule must be adopted on an emergency basis to prevent customers enrolled in utility EAPs from losing their EAP benefits because they have not received a HEAP grant in the preceding 12 months, notwithstanding their continued eligibility for HEAP benefits. The Utilities assert that because of the existing delay in HEAP funding, customers will be disenrolled from utility EAPs as soon as the beginning of November 2025. The Utilities estimate that more than 97,000 customers will be automatically disenrolled from their EAPs through December 2025 if no HEAP funding is disbursed and a pause in disenrollments is not implemented. The Utilities assert that if the Commission does not impose an emergency rule, the delay in HEAP benefits coupled with the loss of EAP bill discounts will make utility services far more expensive for qualifying customers during the winter months. The Utilities contend that the loss of EAP benefits for eligible customers when their energy needs, particularly for heat, is at its highest, would undermine the public health, safety, and general welfare.

The same day that the Utilities filed the Petition, DPS General Counsel issued a directive to the Utilities to pause disenrollment from their respective EAPs from November 1, 2025, through November 30, 2025. DPS issued this proactive directive recognizing the unique and specific facts present here, including the unanticipated circumstances, inflationary pressures, and the onset of the winter months and corresponding temperatures.

LEGAL AUTHORITY

Public Service Law (PSL) §65(1) requires the Commission to ensure the provision of safe and adequate service at just and reasonable rates. In addition, PSL §66(12), provides the Commission the legal authority to review proposals by electric and gas utilities regarding rates, and determine whether the proposal should be rejected, modified in whole or in part, or allowed to become effective as proposed. As such, the Commission has the legal authority to take the actions prescribed in this Order.

EMERGENCY ADOPTION AND PUBLIC NOTICE

In accordance with State Administrative Procedure Act (SAPA) §202(6), the action in this Order is taken as an emergency measure to protect the general welfare of the utilities' residential electric and gas customers. This Order is issued under the authority of PSL §65(1), which requires the Commission to ensure safe and adequate service at just and reasonable rates for jurisdictional electric and gas utilities, and §66(12), which allows the Commission to review proposals to make changes to the rates and/or tariffs of jurisdictional electric and gas utilities.

As required by SAPA §202(6), the Department of Public Service will provide for publication of a Notice of Proposed Rulemaking in the State Register and an opportunity for public comment after issuance of this Order and prior to confirmation of the Commission's adoption of the Order. The notice of adoption and proposed rulemaking shall constitute notice of proposed rulemaking in accordance with SAPA §202(1). This Order constitutes the full text of this rulemaking.

DISCUSSION

We address here an emergent situation where low-income ratepayers, though no fault of their own, may face disenrollment from energy assistance programs.

Pause in Disenrollments and Re-enrollment of Certain Customers

Given the confluence of unprecedented and unforeseen events due to the federal government shutdown, and the potential threats to public health, safety, and general welfare should income-eligible utility customers not receive utility bill relief as the heating season commences, by this Order, the Utilities are directed to pause EAP disenrollments through November 30, 2026. Further, the Utilities are directed to re-enroll any customers who were disenrolled from an EAP since October 1, 2025, due to a lapse in eligibility verification. While an end to the federal government shutdown in the near future could permit a shorter pause in disenrollments, disruptions to the enrollment periods and disbursement of benefits for HEAP and other programs cannot be fully quantified. There is no guarantee that an end to the shutdown in the short term will result in timely disbursements or any disbursements of benefits from HEAP and other relevant qualifying programs. Extending EAP benefits to current or recent enrollees through November 2026 would provide certainty to these households in an uncertain time.

EAP Lookbacks and Utility Flexibility

The May 2016 Order provided the Utilities with certain flexibility in how their respective EAPs were implemented, including the duration of lookback periods utility customers used to demonstrate participation in HEAP or other programs with overlapping eligibility in order to enroll or remain in an EAP.³⁰

³⁰ May 2016 Order at 47.

The Commission approved Con Edison's proposal to automatically enroll or re-enroll customers in its EAP if the customers received a regular HEAP benefit in the preceding 12 months.³¹ National Grid proposed to maintain customers' enrollment in EAP for 14 months following receipt of their last HEAP grant.³² As the Utilities' Petition describes, certain Utilities' tariffs specify the lookback period for enrollment and re-enrollment. The Commission recognizes that strict and narrow enrollment or re-enrollment timelines can create unnecessary barriers for low-income customers. In the Energy Affordability Policy Modifications Order, the Commission required the Utilities to allow self-certified customers to stay enrolled for at least one year.³³ This directive underscores the Commission's support for greater flexibility in maintaining eligibility and ensures that customers do not lose critical assistance because of administrative delays or timing gaps outside of utility customers' control.

During widespread disruptions such as the current federal government shutdown, extended EAP lookback periods would play a critical role in maintaining enrollment by reducing the risk of administrative lapses that could cause eligible customers to lose benefits when verifications are delayed. Expanding lookback periods through tariff amendments would help ensure that eligible customers remain protected against future disruptions by providing more time for the Utilities to receive documentation demonstrating customers' eligibility. This modification would strengthen program continuity and enhance customer stability across all service territories. The

³¹ Implementation Order at 11.

³² Id. at 14.

³³ Energy Affordability Policy Modification Order at 20.

Utilities are thus directed to amend their tariffs to expand lookback periods to 18 months for utility customers to demonstrate EAP eligibility through enrollment in a qualifying program.

Utilities Not Subject to the Commission's Energy Affordability Policy

The Commission also recognizes that not all New York State utilities are subject to the Commission's energy affordability policy. However, these utilities have generally adopted similar low-income discount programs. Specifically, Corning Natural Gas Corporation and Liberty Utilities (St. Lawrence Gas) Corporation have implemented low-income discount programs that also use HEAP for program enrollment procedures resulting from respective rate orders adopting terms of the Joint Proposal.³⁴ Due to the concerns surrounding the uncertainty of the HEAP program discussed herein, we extend a similar pause to the disenrollment of customers of these gas utilities from their respective low-income discount programs.

Veolia Water and Liberty Utilities follow similar processes that require customers to self-identify for participation in their assistance programs by providing verification of enrollment in another utility's EAP. While the enrollment pause does not directly apply to these water utilities, the pause indirectly supports their programs by preserving a customer's enrollment in their electric or gas utility's EAP.

³⁴ Case 24-G-0447, Corning Natural Gas Corporation - Rates, Order Adopting Terms of Joint Proposal and Establishing Rate Plan (issued June 12, 2025) and Case 21-G-0577, Liberty Utilities (St. Lawrence Gas) Corp. - Rates, Order Adopting Terms of Joint Proposal and Establishing Rate Plan (issued June 22, 2023).

Submetering

The uncertainty surrounding the HEAP program also impacts certain residents in multifamily buildings that are submetered by building owners. In these buildings, a submetered resident may also be a HEAP recipient and have to self-identify with the building owner to receive a reduced rate, similar to the Utilities' self-identification process for EAP enrollment. Specifically, the Commission requires building owners to include incumbent utility EAP bill discounts in the calculation of the submeter rate cap, as defined in 16 NYCRR §96.1(i), to ensure that submetered customers are afforded the same benefits and protections as direct-metered customers.³⁵ Therefore, we extend the same pause to disenrollments by building owners of submetered residents who have self-certified with the building owner to receive the applicable reduced submeter rate.

PSEG Long Island/LIPA

Public Authorities Law §1020-cc(1) ensures that the Long Island Power Authority (LIPA) and its service provider PSEG Long Island (PSEG LI) provide their customers the same rights and protections provided to New York's other utility customers under Article 2 of the PSL. LIPA's Tariff also contains commensurate provisions ensuring that its low-income customers on Long Island are eligible for and receive similar protections and benefits pursuant to the Commission's energy affordability

³⁵ Sixteen New York Codes, Rules and Regulations (NYCRR) §96.1(i) defines the rate cap as "[t]he maximum rate, calculated in each billing period, that may be used to compute the charges for electric service to a submetered resident. Unless a different rate cap is set pursuant to sections 96.2(a) and 96.8(b) and (c) of this Part, the rate cap shall be the rates and charges of the distribution utility for delivery and commodity in that billing period to similarly situated, direct metered residential customers. Where residents are billed for time-of-use, the maximum rate for purposes of calculating the rate cap shall be the average annual residential rate."

policy, i.e., a target energy burden goal on average at or below six percent of household income. We anticipate that LIPA and PSEG LI will adhere to the temporary pause on disenrollment of customers and that LIPA and PSEG LI will adopt similar provisions in their Tariff consistent with those directed in this proceeding.

Tariff Filings

We direct the Utilities to file tariff revisions to extend the lookback period to 18 months for the Utilities' customers to demonstrate EAP eligibility through enrollment in a qualifying program. The tariff revisions shall be filed on not less than 3 days' notice, to become effective on November 20, 2025.

The Commission grants a waiver of the requirements of newspaper publication pursuant to PSL §66(12) (b) and 16 NYCRR §720-8.1 because of the urgency of this change to low-income households and because this is not a major change as defined by PSL §66(12) (c). A targeted communication approach to those directly affected is warranted in this circumstance. To that end, the Utilities shall provide communications to inform customers about the temporary pause via website postings, social media, or bill messaging. These communications shall occur within 30 days of the issuance of this Order.

CONCLUSION

The Commission directs the Utilities to pause the disenrollment of customers from their respective energy affordability programs for 2025-2026 EAP program year, ending November 30, 2026, to safeguard EAP enrollments against concerns with HEAP funding for the determined period. The Commission finds that the current risk of disenrollments is not caused by changes in eligibility, but rather administrative delay

resulting from the federal government shutdown, which is outside of utility customers' control. Allowing disenrollments to proceed under these conditions would cause financial harm to low-income households during the winter months. A temporary pause of disenrollments, and additional flexibility to avoid or mitigate similar circumstances in subsequent enrollment periods, are appropriate and necessary to protect customers.

Accordingly, the Commission issues this Order on an emergency basis pursuant to SAPA §202(6) because it is necessary for the preservation of the public health, safety, and general welfare of customers.

The Commission orders:

1. Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., KeySpan Gas East Corporation d/b/a National Grid, National Fuel Gas Distribution Corporation, New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, Orange and Rockland Utilities, Inc., Rochester Gas and Electric Corporation, and The Brooklyn Union Gas Company d/b/a National Grid NY shall pause Energy Affordability Program EAP disenrollments through November 30, 2026.

2. Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., KeySpan Gas East Corporation d/b/a National Grid, National Fuel Gas Distribution Corporation, New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, Orange and Rockland Utilities, Inc., Rochester Gas and Electric Corporation, and The Brooklyn Union Gas Company d/b/a National Grid NY shall re-enroll Energy Affordability Program customers who were disenrolled on or after October 1, 2025, but before the date of the issuance of this Order.

3. Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., KeySpan Gas East Corporation d/b/a National Grid, National Fuel Gas Distribution Corporation, New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, Orange and Rockland Utilities, Inc., Rochester Gas and Electric Corporation, and The Brooklyn Union Gas Company d/b/a National Grid NY shall file updated Energy Affordability Program implementation plans, as discussed in the body of this Order.

4. Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., KeySpan Gas East Corporation d/b/a National Grid, National Fuel Gas Distribution Corporation, New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, Orange and Rockland Utilities, Inc., Rochester Gas and Electric Corporation, and The Brooklyn Union Gas Company d/b/a National Grid NY shall file tariff revisions to extend, or where applicable, state the lookback period for the Energy Affordability Program eligibility to 18 months, as described in the body of this Order, on not less than three days' notice, to become effective on November 20, 2025.

5. Corning Natural Gas Corporation and Liberty Utilities (St. Lawrence Gas) Corporation shall provide the same pause to disenrollment of their customers and shall file tariff revisions to extend, or where applicable, state the lookback period for their respective low-income program's eligibility to 18 months, as described in the body of this Order, on not less than three days' notice, to become effective on November 20, 2025.

6. The requirements of Public Service Law §66(12)(b) and Title 16 of the New York Codes, Rules and Regulations §720-

8.1, as to the newspaper publication of the tariff amendments listed in Ordering Clause Nos. 4 and 5, shall be waived.

7. Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., Corning Natural Gas Corporation, KeySpan Gas East Corporation d/b/a National Grid, Liberty Utilities (St. Lawrence Gas) Corporation, National Fuel Gas Distribution Corporation, New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, Orange and Rockland Utilities, Inc., Rochester Gas and Electric Corporation, and The Brooklyn Union Gas Company d/b/a National Grid NY shall inform customers of the tariff amendments via website postings, social media, or bill messaging within 30 days of the issuance of this Order and file with the Secretary of the Commission confirmation of the communication efforts within 60 days of the issuance of this Order.

8. Submeterers, as defined in Title 16 of the New York Codes, Rules and Regulations Part 96, shall pause disenrollments of residents who have self-identified as eligible for the relevant utility's Energy Affordability Program discounts, with appropriate documentation, as discussed in the body of this Order.

9. In the Secretary's sole discretion, the deadlines set forth in this Order may be extended. Any request for an extension must be in writing, must include justification for the extension, and must be filed at least three days prior to the affected deadline.

10. This proceeding is continued.

By the Commission,

(SIGNED)

MICHELLE L. PHILLIPS
Secretary