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People's Counsel

MEMORANDUM

Date: March 22, 2024

To: Troy Donte' Prestwood, President
Ward 8 Democrats



From: Sandra Mattavous-Frye, People's Counsel
Office of the People's Counsel

Subject: Ward 8 Democrats March 2024 Meeting

Q. What are the current initiatives or priorities of the People's Counsel's office regarding utility services in DC?

The utility industry in the District of Columbia has changed dramatically over the last several years. The impact of climate change, post-utility merger impacts, (Exelon/Pepeco; AltaGas/WGL) post-pandemic impacts, and advances in technology have led to higher prices, given customers choices, and challenge some of the precepts of “just and reasonable rates.”

A. The People's Counsel's priorities include:

1. Ensuring rates are affordable for all customers.
2. Ensuring that environmental injustice is not concentrated in lower-income or underserved parts of our city.
3. Educating and informing our next generation of leaders how they can help create a clean energy environment.
4. Ensuring that consumers have an active voice as utility officials and policymakers decide on how to advance the District's clean air goals.
5. Ensuring the utilities comply with all PSC (Public Service Commissions) rules regarding safety, reliability, and interconnection.

B.

1. Established an Environmental and Climate Change Section in 2019.
2. Convened two Climate Change conferences.
 - a. Virtual Climate Conversation, October 2021.
 - b. Youth Summit held at Catholic University, April 2023.
 - c. Establishing a Mentorship Program on Climate Change with students at Anacostia High School for the 2024-2025 school term.

- d. Conducted staff training on environmental issues, including a four-hour community engagement course, and toured the Smithsonian Anacostia Community Museum, which included a panel discussion led by the museum's environmental justice staff.

Q. How does the People's Counsel advocate for residents to ensure fair and affordable utility rates?

OPC's Litigation Services Division (LSD) is the legal arm of the Office. The Division is headed by the Deputy People's Counsel and the Director of Litigation, with five attorneys. The attorneys handle electric, gas, water, environmental, and climate change issues.

- a. OPC (Office of the People's Counsel) appears before the DC Public Service Commission (PSC), the DC Court of Appeals, the Federal Energy Regulatory Commission, and other federal agencies.
- b. OPC thoroughly examines every rate increase request filed by the utilities. The rate cases are the only opportunity the office and other parties (DC Government, Apartment and Office Building Association, GSA, and other intervenors) will have to analyze whether the utility has justified its need for additional revenue. OPC's advocacy has saved ratepayers multi-millions of dollars over the years.
- c. OPC also formally petitioned the PSC to investigate utility operations based on OPC's independent investigation, outside of a rate case.
 - i. OPC recently filed a petition requesting the PSC to investigate Pepco's Interconnection practices for the Community Renewable Energy Facilities ("CREF" or Community Solar). The PSC granted OPC's petition and imposed penalties on Pepco for violating a number of the PSC rules.
 - ii. OPC filed a second petition in response to complaints it received from individual solar rooftop customers. The PSC has not ruled on the second petition.

Q. Can you provide insights into recent regulatory changes or proposed utility rate adjustments affecting DC residents?

- i. Pepco's multiyear rate plan (Formal Case 1176) would allow Pepco to increase rates on an annual basis with less scrutiny. OPC's position is that the multiyear rate plan should not be approved because the company has failed to provide data the PSC requested when they approved the pilot multiyear rate plan.

A. Washington Gas Rate Case

- i. \$53 million rate case and two climate change plans which would have cost ratepayers additional money without advancing the District's climate change goals. OPC opposed WGL's request and urged the PSC to grant WGL no more than \$10 million in rate relief. On December 15, 2023, the PSC

approved a \$24.6 million rate increase for WGL. However, the Commission, as OPC recommended, rejected WGL's costly climate change proposals.

Q. Are there any current rebates for homeowners?

A. Yes. The DC Sustainable Energy Utility (DCSEU) has energy efficiency rebate programs and administers the "Solar for All" (free solar program). Find information at www.dcseu.com.

Q. Who is fixing a blown transformer in an apartment complex/unit?

A. We need more information to follow-up, however, Pepco would fix the transformer on any property because the transformer is Pepco's property. If a transformer is being repaired in an apartment building Pepco will have information on the repairs being made.

Q. What is happening with the Natural Gas projects?

There are two natural gas cases/projects that both focus on improving the natural gas infrastructure. The first case is Projectpipes and the second is the petition for investigation into WGL's natural gas infrastructure.

Projectpipes

Projectpipes is WGL's multi-year plan to repair or replace portions of its aging gas infrastructure by replacing or repairing leaking pipes. It is a multi-billion-dollar plan that has been in existence for ten years and, unless amended, will extend for the next two decades. OPC has actively participated in this case and repeatedly raised concerns about cost and safety. Earlier this year, OPC filed a petition requesting the Commission to pause Projectpipes to 1) ensure it is consistent with the city's climate goals, 2) to ensure Washington Gas Light Company (WGL) is using the proper modeling software to identify leaks, and 3) to scale back many of the proposed projects to make it less expensive.

In February of this year, the DC Council submitted a letter to the Public Service Commission stating that Projectpipes is not consistent with the city's climate future and is too expensive.

The Commission extended Projectpipes for one year to ensure the riskiest pipes are repaired while the Commission and other stakeholders determine whether to move forward with Projectpipes.

Petition for Investigation into WGL's infrastructure

In April of 2021 and 2022, OPC filed a petition for investigation requesting the PSC to take a comprehensive look at WGL's infrastructure considering the company's failure to reduce Grade 2 leaks, as required by the order approving the merger of WGL and AltaGas. Both of these requests are broader than an examination of Projectpipes. The PSC denied both requests.

On February 14, 2024, the Office filed a third petition for investigation based on two reasons. One, the DC Council stated that Projectpipes is not consistent with the city's climate future. Two, a review of leak data showed that the number of Grade 1 leaks, the most dangerous leaks, were increasing. Both are compelling reasons to investigate WGL's entire infrastructure to ensure it is designed to be safe and consistent with the city's evolving climate needs.

Q. Residents of Marbury Plaza want to meet with someone from the Office of the People's Counsel, what is the procedure?

A. OPC will meet with Marbury Plaza residents. OPC shared at the last presentation that residents do not pay gas or electric. Information was also disseminated on the Verizon landline discount program, Economy 11.

Q. When was the OPC Water Services Division Established?

A. In 2018, the DC Council expanded OPC's authority to represent the interests of DC Water consumers. To date, OPC's Water Services Division has addressed 3,025 water service consumer complaints. The Office also successfully negotiated rule changes that enhanced consumer rights, including the rules including giving consumers the right to dispute billing irregularities and increasing the timeline for a consumer to file a complaint from 10 days to 20 days.

OPC Consumer Complaint Management

Q. How does OPC handle consumer complaints?

A. Consumer complaints are managed by the Consumer and Water Services Divisions.

B. How many consumer complaints and what type of consumer complaints do you receive?

i. For FY'23 through the first quarter of FY'24, OPC's consumer services divisions received 4,918 complaints: 3,501 energy and telecom complaints and 1,417 water complaints. The type of complaints varies. They include: disconnections notices, high bill debt, 3rd party suppliers unlawful tactics, 3rd party billing errors and financial assistance requests.

Ward 8 complaints

How many customers has OPC served in Ward 8 from January 2023 to March 2024.

- WGL Customers - 238
- Pepco Customers - 662
- DC Water Customers - 290
- Telephone Customers- 4
- Third-party supplier (TPS) Customers- 40

Q. How many of those served had all three utility issues?

A. 89 consumers

Q. How many of these customers had third-party suppliers?

A. 103 TPS complaints

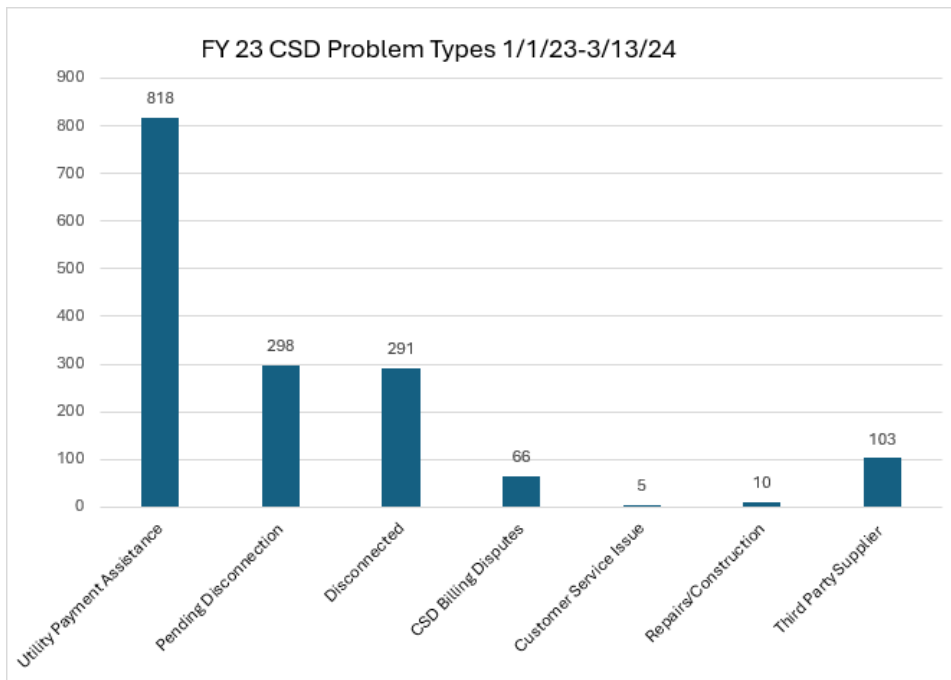
Q. How many disconnections from Ward 8?

A. 291 cases handled by OPC's Consumer Services Division, 107 cases handled by Water Services Division

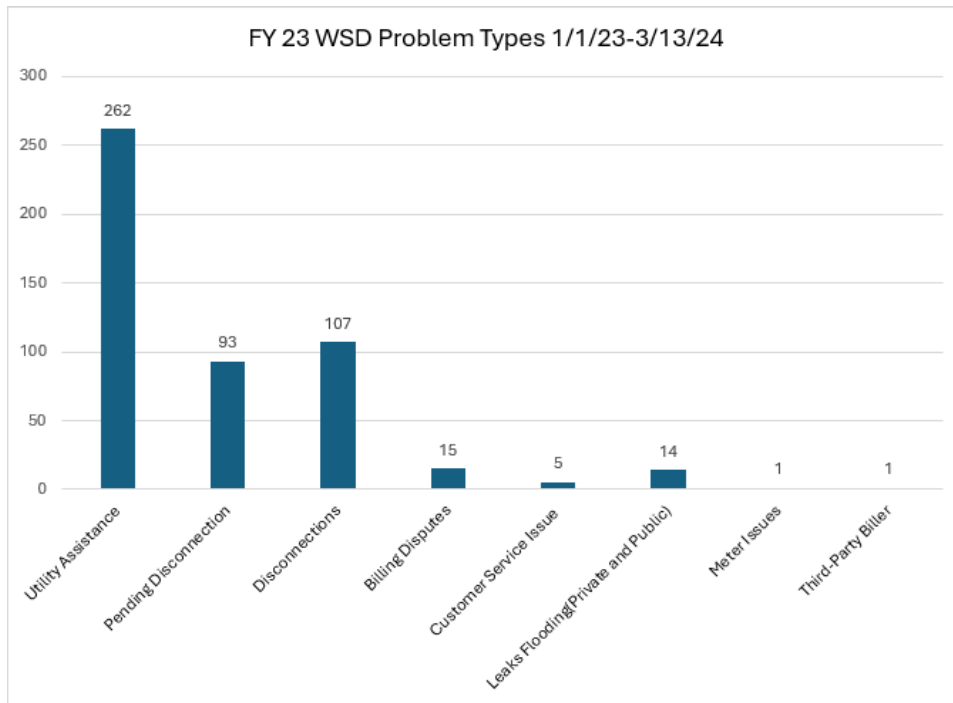
Q. How many pending disconnections from Ward 8?

A. 298 cases handled by Consumer Services Division, 93 cases handled by Water Services Division.

How many of WSD's customers in Ward 8 had third-party billing? See above response.



1,417 Water complaints (42% increase over FY '22)



Q. Can you speak to the utility help program?

A. Does the People's Counsel provide rental assistance?

OPC does not provide financial aid to utility consumers or tenants. We educate and direct consumers who need financial help to agencies and organizations that provide financial assistance, including assistance from the utilities.

OPC's authority does not extend to rental units or apartments. The Office of the Tenant Advocate (OTA) is an agency that represents tenants. You may contact OTA [here](#).

ii. Financial Assistance for utility customers includes federal programs such as LIHEAP and DC Utility Discount programs (UDP). Many of these programs have the resources to provide substantial financial assistance to reduce high arrearages and help them avoid disconnection. Unfortunately, the programs are underused. Significant numbers of eligible DC residents simply don't apply for the programs. Many nonprofit organizations also have utility financial assistance programs. OPC has hosted a Social Services Network meeting since 2010 to bring government agencies and nonprofits together to highlight the assistance and services they provide for residents in Ward 8 in other Wards.

See details of some of the financial assistance programs listed below:

Lifeline Discount Program

This program from Verizon, also known as Economy II, offers landline local telephone service assistance to qualified customers under age 65 of age for \$3 per month; seniors aged 65 or over pay just \$1 per month. Lifeline participants can place unlimited calls in the Washington metropolitan area. Lifeline service is a non-transferable benefit and only one Lifeline service discount is available per household, not per person.

According to data from the Federal Communications Commission, the number of Lifeline subscribers in the District as of December 2023 is 21,194. The number of Lifeline eligible households is 91,988.

The Department of Energy and Environment (DOEE), provides the Low-Income Heating and Energy Program (LIHEAP) and Utility Discount Program (UDP) for residents of the District.

The information is listed on the DOEE website: [Receive Assistance With Your Utility Bills \(LIHEAP\) | doee \(dc.gov\)](#)

Eligible customers could receive discounts of:

- Up to \$475 per year on your electric bills (\$300 per year if a customer is not using electric heat).
- Up to \$276 during the winter season on your gas bills.
- Over \$962 annually on your water and sewer bills.

Low Income Home Energy Assistance Program (LIHEAP)

- Federally funded program that helps low-income households with their home energy bills.
- Eligible households may receive energy bill assistance between \$250 and \$1,800 as a one-time regular energy assistance benefit. This benefit is based on household size, total household income, heating source, and type of dwelling. Apply online doee.dc.gov.

The Utility Discount Programs (UDP)

Assists low-income District residents reduce utility costs.

- \$159,150 for 8-person household
- Up to \$475 per year on your electric bills (\$300 per year if you don't have electric heat). Up to \$276 during the winter season on your gas bills. Over \$962 annually on your water and sewer bills.

Clean Rivers Impervious Area Charge

CRIAC Clean Rivers Impervious Area Charge (CRIAC) Relief Programs provide financial relief to eligible nonprofits, renters, and homeowners, significantly reducing their CRIAC costs.

Customer Assistance Program (CAP1)

Provides a discount on the first 400 cubic feet (3,000 gallons) of water and sewer services used each month. Eligible households will receive a 75 percent reduction in the monthly CRIAC fee and a Water Service Replacement Fee waiver. The monthly discount is approximately \$85 a month.

Customer Assistance Program II (CAP2)

Provides a discount on the first 300 cubic feet (2,250 gallons) of water and sewer services used each month (except PILOT and ROW fees) and a 50 percent reduction in the monthly CRIAC fee. The monthly discount is approximately \$56 a month.

Customer Assistance Program III (CAP3)

Provides a discount of 75 percent from the monthly CRIAC. The monthly discount is approximately \$14 a month.

FY24 Water Bill Relief Income Limits (October 1, 2023 – September 30, 2024)

How do I apply? Online:

- Email your application and documentation to waterassistance@dc.gov
- Mail your application to DOEE, Attn: CRIAC Residential Relief Program
- 1200 First Street NE, 5th Floor, Washington DC 2000

The Weatherization Assistance Program

The Weatherization Assistance Program (WAP) uses U.S. Department of Energy and Department of Health and Human Services funds to provide low-income District residents with technical and financial assistance to help reduce their energy bills by making their homes more energy efficient.

- WAP performs energy audits and installs audit-recommended energy efficiency measures and water conservation measures to help families maintain energy-efficient, safe, and healthy homes. WAP is administered through selected community-based organizations and non-profits that hire local contractors to install the measures recommended by the energy audit.
- Typical weatherization measures may include insulation, duct sealing, heating, and cooling systems repairs or replacement, air infiltration mitigation, roof repair, mold remediation, and installing ENERGY STAR lighting and appliances.