

Low-Income Energy Advisory Board Meeting
Wednesday, April 2, 2014
HRA/Human Resources Agency
180 Clinton Street
New Britain, CT

Members/Designees/Others In Attendance: Alyson Ayotte, PURA, Frank Augeri, PURA, Kate Quigley, 211, Nora Duncan, AARP, Wendy Wanchak, CT Legal Services, Rhonda Evans, CAFCA, Veronica Gomez, Laura Gonzalez, UIL,NU, David Frascarelli, DSS, Chris Herb, CEMA, Joanne Balaschak, New Opportunities, Pat Wrice, Operation Fuel, Taren O'Connor, OCC, Gail Lucchina, PURA, Kelly Sinko. OPM, Cecil Thomas, Greater Hartford Legal Aid

Welcome: The meeting was convened at 1:38 p.m. Nora Duncan started the meeting and it was turned over to Pat Wrice upon her arrival.

Approval of minutes of Jan 8 meeting: Wendy Wanchak moved approval and Rhonda Evans seconded.

LIHEAP Update: David Frascarelli presented the report. David reported that the numbers are 11% ahead of last year due to the colder weather. He also advised that the total appropriation coming into Connecticut is \$77 million. It was stated that the DSS SNAP program has chosen to go to \$20.01 pursuant to the Farm Bill. Not all states have bought into this idea. David told the group that any questions could be brought back to Chuck and Charlene if needed.

Utility Matching Payment Program Update: Laura Gonzalez presented the information for UI, CNG and SCG. UI had a total of 3,085 customers for matches. CNG had a total of 18,668 and SCG's totaled 19, 226. Matches will be done at the end of May and into June. Laura stated that there are supplier issues with customers getting very high bills. She stated that right now customers are on a budget but they will be impacted if they come off in May and have not made payments. The budgets could also go up next year due to the fact that their bills were higher. Veronica Gomez advised that Eddie Swift is away and he will email the handouts.

Frank Augeri said that there has been a spike in prices for alternative third party suppliers. Some customers saw huge increase when their initial promotional rates rolled over to much higher rates. Frank said there were four days of hearing on the issue.

Nora and Wendy spoke about SB2 being a shell bill. The Governor's Office issued the Electric Customer's Bill of Rights. There was an April 1, 2014, press conference to

speaking about it. Right now there are conceptual ideas but nothing yet in proposed legislation.

Operation Fuel update: Pat Wrice reports that they have made decision to not provide benefits to people that used the safety net. Op Fuel gave \$410 to those households that are eligible for CHAP. They used money in reserve and they have said they will remain open to the end of May. Pat noted that some of the Fuel Banks are already closed. In total, 18 have closed including big cities such as Waterbury and Bridgeport. Pat informed the group that Op Fuel could not go the federal LIHEAP hearings because flights were canceled due to weather conditions. Pat also explained that even with the \$2 million from the settlement they are behind in funding. Pat said that Op Fuel became the safety net for the Safety Net. For every \$1 million lost in funding, there are 3,000 households that can no longer be served. Pat said the clients now have exhausted all benefits available and they are at Op Fuel because they have nowhere to go. Pat noted that many states such as Mississippi, Alabama and Georgia supplement the LIHEAP grant but Connecticut does not. If it is a hot summer this year, Op Fuel will not have enough money. It was reported that Op Fuel has decided not to do oil deliveries after last Friday. It was a difficult decision, particularly in light of the recent snow event. Pat advised members to visit the Op Fuel website to access the Energy Affordability Gap Study. Pat noted that there has been a 70% increase in the elderly asking for Op Fuel help in the last year and she finds this alarming.

Utility Submetering: Cecil Thomas of Greater Hartford Legal Aid was a guest speaker at the meeting. He is a landlord/tenant attorney. He noted that in 2013 the law was changed. It used to pertain to only campgrounds and marinas but now broadly includes multi-tenant buildings. Prior to this, you had a separate meter or a master meter and there were specific rules and practices. He distributed copies of the report put together by the working group in Docket No. 13-01-26. Cecil warns that the landlord will become the utility. He wonders how this will be balanced out so tenants are protected when there are now complexities and the landlord can evict you if you don't pay your utility bill. What about payment arrangements? What if a landlord refuses to enter into a payment arrangement with tenants? Cecil says that evictions can be accomplished in 18 days so tenants may not have adequate time to rectify a situation. There are additional questions such as who will conduct meter testing and who will regulate issues regarding comingling of services? In submetered situations there would not be an obligation for an EDC to check for comingling for example.

Cecil stated that it is imperative to meaningfully transfer the consumer protections when there is submetering. The issue of Energy Assistance was also raised. Will landlords have to comply with Energy Assistance rules? Not sure how it will all play out. Submetering has been common on the commercial side but it is attractive for landlords because it is much cheaper than retrofitting a building. Frank mentioned that submetering is not supposed to result in the landlord making a profit. Cecil reported that going forward the working group is trying to ensure the consumer protections are maintained such as arrearage forgiveness and winter moratoriums.

It was asked what the landlord's advantage is to submetering. The response was that it sends price signals to tenants for conservation but there are things tenants have no control over such as old windows or a 20 year old refrigerator. Problems arise when the tenant is no longer the customer of record and the tenant cannot take serious conservation measures. There is a proposed grandfathering of master metered buildings but now new buildings may have this right. Legal Aid focus is for existing master metered building where a landlord may keep the rent the same which formerly included electricity but now there will be another charge for electricity.

Nora and Frank discussed that the CES did not contemplate the problems when it said submetering was a good idea. Pat asked who the customer of record is in these situations and she was told it was the landlord.

David stated that management companies can do a vendor document so the tenants can get Energy Assistance. The association has to sign this document.

In response to a question, Frank stated that it is cheaper to use submeters than to upgrade to code for regular meters in older buildings. Frank also advised that the EDC will not shut off the service to a building if a landlord doesn't pay the bill. The property typically goes into receivership in those situations.

Wendy asked if submetering will be highly constricted by the law. Frank and Taren responded that each landlord is supposed to come to PURA and apply. It is not known at this point if buildings that are separately metered would be allowed to go to submetering. Frank stated that there were three or four locations that were told to cease and desist and they appealed and the cases are in court. It was recommended that the group look at pages 7-12 of the report to learn the opinions of stakeholders. There will be public hearings.

MISCELLANEOUS: Pat explained that Op Fuel was given \$2.5 million from the merger settlement, however, the Appropriations Committee moved to use these funds in place of the dollars originally appropriated to Op Fuel. Pat stated that there is very little money for summer programs.

Kate distributed the copies of the drafted recommendations for next year. She stated that she and Joy would like everyone to review the document and provide comment at the May LIEAB meeting.

Next Meeting: June 4, 2014