

**Low Income Oversight Board
All Party Meeting
Convened by Commissioner Catherine J.K. Sandoval
Thursday, May 16, 2013
CPUC Auditorium**

A.08-05-022 et al, A.11-05-017, A.11.05-018, A.11-05-019, A.11-05-020, A.11-06-016

All Party Questions

At the upcoming LIOB meeting on May 16, Commissioner Sandoval will conduct an All-Party meeting in the afternoon pertaining to "Items 10) "CARE Categorical Enrollment-CPUC Staff" and "11) ICF International Q and A." The Joint Utilities Advice Letter 4457 CARE was denied without prejudice, and the issues raised in the application will be explored through an upcoming Assigned Commissioner's Ruling (ACR) that will solicit comments and reply comments about determination of CARE eligibility. This ACR will create a record to inform the CARE Eligibility Guidance Proposed Decision. The purpose of this All-Party is to discuss whether these are the appropriate questions to ask for the ACR to solicit comments, briefs, and to build the record. This discussion is not intended to provide substantive answers to or discussions of the questions, but to discuss whether these are the correct questions to ask in the ACR.

1) At the LIOB meeting on February 27, 2013, in response to the utility January 31, 2013 Advice Letter Filing 4457 pertaining to categorical eligibility, Commissioner Sandoval raised the following question to ICF International: "Please provide a quantitative analysis of the degree of alignment between each Categorical Eligibility Program and the income limit of 200% of the Federal Poverty Guidelines [FPG]." (Note: PUC Code 739.1 (b)(1) requires the CPUC to establish a program of assistance to low income electric and gas customers with annual household incomes that are not greater than 200% of the Federal Poverty Guidelines.)

In response to this question, ICF International filed a letter on March 29, 2013 and will do a presentation at the upcoming LIOB Meeting. What are your comments or questions about the letter and/or presentation on this issue?

2) Per CPUC decisions, the Commission has used enrollment in other programs to establish "categorical eligibility" for CARE. Should the CPUC continue to use categorical eligibility to determine CARE eligibility? Should the CPUC require income verification separate from, instead of, or in addition to, enrollment in programs used to establish categorical eligibility?

3) Is the appropriate definition of the term "household" and how "household income" is to be calculated adequately addressed in D.12-08-044 pursuant to a) PUC Code Section 739.1(b)(1) which establishes CARE eligibility for "utility customers with "annual

household incomes that are greater than 200 percent of the FPG,” and b) prior Commission orders?

4) What does it mean for the income threshold of a categorical eligibility program “to be consistent with” the income threshold for CARE and ESAP (Energy Savings and Assistance Plan). (Ref: D.12-08-044 Op 88 (b)) Is this standard clear? If definitions of terms associated with various categorical programs aren’t the same or promote different interpretations, how does one measure alignment?

5) Are the programs currently used to support categorical enrollment sufficiently aligned with the CARE enrollment criteria? What methodologies should be used to assess alignment between categorical eligibility programs and statutory and CPUC decisions regarding CARE eligibility? Should any reasonable variance be permitted if programs aren’t perfectly aligned? Should some reasonable variance be permitted as long as post enrollment verification affords adequate safeguards, etc.?

6) If one member of a household for CARE, even if the household’s total income exceeds 200% of FPG? In circumstances such as these, what steps should be taken to ensure that only households with incomes below 200% of FPG receive CARE assistance?

If one household shares a dwelling and utility bill with another household within the same residence, and only one of those households would qualify for CARE (e.g. only one household has an income at or below 200% of FPG), what discount, if any, would be appropriate for the utility bill if the bills are not sub-metered to reflect the fact that one household in a dwelling is qualified for CARE?

7) Are there additional questions the ACR should ask to solicit comments, reply comments, and an evidentiary record to determine CARE Categorical Eligibility.

At the All Party Meeting parties and interested persons who have RSVP'd by May 15 at noon Pacific Standard Time will have a set time limit, 2-3 minutes depending on the number of RSVPs, to respond to questions. In responses to questions, parties should indicate what is on the record or not. If information is on the record, please provide a citation to relevant testimony/transcript/exhibit. For the discussion of each question, parties and interested persons will speak in turn; parties will speak first, then interested persons. One representative for an organization or entity may address the question, then the floor will pass to another organization or entity, before an organization or entity that has previously spoken may have the floor again.

If parties cannot attend meeting, but wish to provide written comments in lieu of oral comments, please send to the service list in conformance with Commission’s Rules of Practice and Procedure, Rule 8.3(c)(1).

