

**The Low-Income Home Energy  
Assistance Program (LIHEAP)**

**Pennsylvania Advocates Manual**  
**2012-2013 Edition**

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**LIHEAP: PA Advocates Manual**  
**2012-2013 Edition**  
**Prepared by the Pennsylvania Utility Law Project**

**Preface**

We are pleased to provide you with the 2012-2013 electronic edition of *The Low-Income Home Energy Assistance Program (LIHEAP) Pennsylvania Advocates Manual*. It has been developed and produced by the Pennsylvania Utility Law Project (PULP) for use by members of the Pennsylvania Legal Aid Network and others who assist low-income individuals. We hope that you find it to be of value to you and the members of your staff. Please feel free to copy it as needed, to circulate it to those most likely to make use of it and to maintain a copy in your reference library.

**The 2012-2013 Manual has been updated and is different from earlier editions circulated in prior years. Please replace any older version.** This year's edition has been edited to contain program changes, current forms, references, website links, additional issues and advocacy suggestions. Citations are provided in the footnotes. Contact lists and forms are provided in the Appendices.

Although an essential program, the different aspects and components of LIHEAP change from year to year and are therefore not always well understood by advocates and by applicants. Many eligible consumers do not apply, and those who do often receive less than their full potential benefits. This Manual is intended to be a working reference to aid in providing understanding of and access to the benefits provided by Pennsylvania's LIHEAP. We value and request your input regarding the success of the Manual in meeting your needs and welcome any suggestions for modification.

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**Summary of Updates and Changes for the 2012-2013 LIHEAP Program Year<sup>1</sup>**

- **Program Dates:**
  - Cash opens Nov. 1, 2012 and is scheduled to close March 29, 2013.
  - Crisis Exception Payments opens Nov. 1, 2012 and closes Jan. 1, 2013.
  - Crisis will open Jan. 2, 2012 and is scheduled to close March 29, 2012.
  - Crisis Interface/Weatherization Assistance Program opens Nov. 1, 2012 and is scheduled to close March 29, 2013.
  - DPW may extend or shorten program dates depending on availability of funds.

- **Eligibility:** Eligibility is set at 150% of the Federal Poverty Income Guidelines:

Household Size	Household Income
1	\$16,755
2	\$22,695
3	\$28,635
4	\$34,575
Each additional person	\$5,940

- **Grant Amounts:**
  - Minimum Cash grant will be \$100.
  - Maximum Cash grant will be \$1,000.
  - Minimum Crisis grant will be \$25.
  - Maximum Crisis grant will be \$400.

**New, Clarified or Modified Aspects of LIHEAP in 2012-2013**

**Crediting of LIHEAP Cash Grants to Customer Assistance Program (CAP) participant accounts is Addressed in the State Plan**

- **Appendix B. §601.45. Application of Benefits** modifies the manner in which public utilities may apply LIHEAP Cash grants to the accounts of Customer Assistance Program (“CAP”) customers. The policy differs depending upon whether the utility operates a percentage of income CAP program or a Rate Discount CAP program. **Note however**, that the change is not “final” in that it is at DPW’s discretion to implement based upon whether DPW receives approval from HHS to ensure this section meets LIHEAP

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<sup>1</sup> These changes are accurate as November 13, 2012 based upon the “Final” State Plan which has been filed but not yet approved by HHS. There may be modifications in the Final Plan requested by HHS and additional modifications made during the 2012-2013 LIHEAP program year. Please be alert for any additional modifications.

statutes and regulations. **As of now, the only application of benefits policy in effect is that the Cash grant has to be applied to the asked to pay amount.** A fuller discussion of this issue is found at pages 14-15 of this Manual.

### **Changes to the Vendor Agreement regarding deliverable fuels**

- **This year, DPW is permitting deliverable** fuel vendors to charge **either** the cash price normally charged for energy delivered **or** the same amount a non-LIHEAP household would be billed for an identical delivery, whichever is more beneficial for the client. A fuller discussion of this issue is found at page 19 of this Manual.

### **The State Plan Has The Following Additional Policy Clarifications or Changes:**

- If an overpayment occurs that was not caused by fraud, error or misrepresentation, by the client or the vendor, the overpayment will be considered an administrative error. No restitution is required by the client or the vendor and no referral will be made to the Office of Inspector General.
- The applicant may choose whether the time period to be used in determining gross annual income shall be for the 12 months or the calendar month prior to the month of application. The 12 month income test will be calculated manually; a spreadsheet will be provided that will assist in determining the household income.
- Allowing all students, not just undergraduate students, to exclude educational assistance from scholarships, grants and loans as income unless it is solely for basic living needs such as housing and food.
- A person who has unearned income may get a deduction for expenses that he or she has to pay to get that income, such as attorney fees, court costs and transportation costs.
- For actual child support received, whether court-ordered support or voluntary support from a legally responsible relative, up to the first \$100 will be excluded in determining household income if there is one child under age 18 in the household. If there are two or more children under age 18 in the household, up to \$200 will be excluded. Also, up to the first \$50 of actual spousal support received in a given month will be excluded. If a household receives both child support and spousal support, only the amount which is the greatest will be excluded for that month; the household will not receive both a child support and spousal support deduction in the same month. All support refunded by DPW during the month is excluded.
- Funds withdrawn from Individual Retirement Accounts, Certificates of Deposit and proceeds from the sale of stock certificates are to be counted as unearned income.

- If it has been brought to the attention of DPW that there has been a change in the material information on the application, workers must act on known changes that occur after the application is received, but before it is processed, and use the new information in determining eligibility for LIHEAP.

**The 2012-2013 LIHEAP Application Form ( PWEA 1 ) Has Been Modified:**

- Item #1 requests the phone number for the household.
- Item #10 has been revised to make it clear that if the box is checked the referral will be to a free Weatherization service.
- The instructions in the income section and on the final page have been revised to request only income from the month prior to the month of application.
- Item #1 and Item # 8, the sections that request demographic information for each individual, was changed to now also include a question about marital status.
- In the Certification section on page 3, the Energy Assistance Affidavit has been revised. The change of language may create confusion. **Please note that the policy has not changed- if someone does not have a social security number the Energy Affidavit should be used and, if the household is otherwise eligible, use of the affidavit will not negatively affect receipt of benefits.**
- A reminder was added to the “Did you remember to...” section on the final page that informs clients that starting November 1, 2012, if they are without heat or in danger of being without heat they are to contact their CAO.
- The following questions, which were previously asked only on the household level, are **now asked of each individual on the application:**
  1. Are you currently receiving Cash, Medical Assistance or SNAP benefits?
  2. If yes, may we use the income you have on file for this application?

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## Introduction

The Low-Income Home Energy Assistance Program (LIHEAP) Pennsylvania Advocates Manual is produced by the Pennsylvania Utility Law Project (PULP) for members of the Pennsylvania Legal Aid Network and others who assist low-income individuals. It is not intended to be a substitute for direct legal advice in individual cases, but it is intended to be used as a general reference guide. Citations are provided in the footnotes. References and a sampling of forms are provided in the Appendices. Website references can be found throughout. The authors welcome receiving your questions, as well as your comments.

## LIHEAP in Brief

The Low-Income Home Energy Assistance Program (LIHEAP) provides low-income households with assistance to help pay the costs of home energy consumption. In Pennsylvania, LIHEAP supplements are intended primarily to assist with paying the cost of heating a residence during the cold weather months.<sup>2</sup>

LIHEAP is funded by the Federal government but administered by the states. In Pennsylvania, the Department of Public Welfare (DPW) is charged with administering the LIHEAP program through local County Assistance Offices and other agencies.

In 2012-2013 LIHEAP assistance may take four different forms. A particular household may be entitled to receive one or more of the different forms of assistance. It is therefore essential to review and analyze each household situation:

- **Cash Component:** a single grant,<sup>3</sup> available one time each year, to assist a household in meeting heating costs. It is paid directly to either a heating fuel vendor/utility company or to an individual. The amount of the LIHEAP Cash grant provided to each household may differ. The grant amount is based on a set formula discussed below. This year, a household may apply for the LIHEAP Cash component from November 1, 2012-March 29, 2013. The grant amount will range from \$100 to a maximum of \$1000.
- **Crisis Exception:** beginning November 1, 2012 and continuing through January 1, 2013, any LIHEAP eligible household without heat may apply for Crisis Exception assistance. If the amount of the household's Cash grant alone will be sufficient to restore heat, DPW will provide the grant in an expedited manner. However, if the amount of the household's Cash grant alone is insufficient to restore heat, DPW will then provide a Crisis payment, even though the Crisis program is not yet open. Crisis Exception assistance will only be provided if the payment, combined with the Cash grant and other available resources, will result in the restoration of heating services.
- **Crisis Component:** up to \$400 is available to help qualified households resolve a home heating crisis caused by an actual or imminent lack of fuel or utility termination, a problem with a heating system (i.e., furnace), or a weather-related event. Any household requiring less than \$25 to resolve a home heating emergency will not be eligible to receive a Crisis grant.

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<sup>2</sup> At times, it has been extended to assist with summer cooling needs.

<sup>3</sup> Note, however, that at times, supplemental payments to the Cash grant have been issued by DPW. This usually occurs if additional funding is received after the program has begun.



- **Crisis Interface/Weatherization Assistance Component:**<sup>4</sup> repair or replacement of the heating system or furnace is provided to those with a heating system breakdown. Traditional weatherization and conservation services may supplement the repairs.

The same application form may be used to apply for each of the LIHEAP components.

An individual may be able to designate a different vendor to receive different types of grant payments; for example, a Cash grant may be designated to an oil vendor and a Crisis grant to the electricity provider.

An individual may receive more than one Crisis benefit during the 2012-2013 program year, subject to the minimum and maximum amounts allowed and the amount of available Federal funding.

LIHEAP is available to both renters and homeowners. However, renters who pay for heat for their residence indirectly as an undesignated part of rent will receive only 50% of the Cash benefit for which they would otherwise be eligible. Eligible households may reapply for and receive Cash and Crisis assistance each year. LIHEAP is not a public assistance program. There will be no lien attached to a home as a result of receiving any LIHEAP assistance.

DPW maintains a Heating Assistance/LIHEAP website. It is located at:

[http://www.dpw.state.pa.us/foradults/heatingassistanceliheap/S\\_000960](http://www.dpw.state.pa.us/foradults/heatingassistanceliheap/S_000960)

DPW is charged with publishing annually a LIHEAP State Plan with program guidelines and parameters, such as program opening and closing dates, funding levels, and eligibility criteria. A Proposed State Plan is published during the summer months and is subject to public comments and public hearings in which anyone may participate. After comments are received and reviewed, DPW publishes a Final State Plan that governs the LIHEAP operation for that program year. The LIHEAP rules for that year are found in Appendix B of the Final Plan. Information regarding Crisis Interface and the Weatherization Assistance Program may be found in Appendix C of the Final Plan. The current Final Plan is available online at:

[http://www.dpw.state.pa.us/ucmprd/groups/webcontent/documents/plan/p\\_019147.pdf](http://www.dpw.state.pa.us/ucmprd/groups/webcontent/documents/plan/p_019147.pdf)

DPW also provides a LIHEAP Policy Handbook for its caseworkers. The Handbook includes Operations Memoranda which are issued periodically and which indicate the most recent LIHEAP procedures and policies. The most recent publicly available Handbook is found online at:

<http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/index.htm>.

The 2012-2013 Cash grant benefit tables, which indicate the amount of the Cash grant to which each household is entitled, may be found online at:

<http://www.dpw.state.pa.us/foradults/heatingassistanceliheap/liheapbenefitamounttable/index.htm>.

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<sup>4</sup> This component is the only component not administered completely within DPW. DPW makes the Crisis eligibility determination, but the Department of Community and Economic Development administers the repair and replacement segment.

A LIHEAP application may be completed online through the COMPASS program at <https://www.humanservices.state.pa.us/compass.web/CMHOM.aspx>, or a paper application may be mailed or hand delivered to the local County Assistance Office.

The English version paper application may be downloaded from the DPW website at: [http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/pwea\\_1\\_final.pdf](http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/pwea_1_final.pdf)

The Spanish version may be downloaded at:

[http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/pwea\\_1-s.pdf](http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/pwea_1-s.pdf)

The addresses of local County Assistance Offices may be accessed online at:

<http://www.dpw.state.pa.us/findfacilsandlocs/countyassistanceofficecontactinformation/index.htm>

## Legal Authority

LIHEAP is a Federal block grant program. It is authorized by the Low-Income Home Energy Assistance Act (Pub. L. 97- 35, 42 U.S.C.A. §§8621-8629) as amended by the Human Services Reauthorization Act (Pub. L. 98-558, 98 Stat. 2878), the Human Services Reauthorization Act of 1986 (Pub. L. 99-425, 100 Stat. 966), the Augustus F. Hawkins Human Services Reauthorization Act of 1990 (Pub. L. 101-501), the National Institutes of Health Revitalization Act of 1993 (Pub. L. 103-43), the Low-Income Home Energy Assistance Amendments of 1994 (Pub. L. 103-252), the Coats Human Services Reauthorization Act of 1998 (Pub. L. 105-285), and the Energy Policy Act of 2005 (Pub. L. 109-58).<sup>5</sup>

While Federal law forms the legislative basis for the LIHEAP program, the annual Final State Plan (hereinafter, “the Plan”) contains the policies that govern implementation of the program each year. The Plan is broken into several subsections: an introductory section, an assurances section, and three appendices.

“Appendix B – Determination of Eligibility for LIHEAP Cash and Crisis Benefits” is the key section of the Plan to which the advocate should turn because it provides guidelines for the Cash and Crisis components, which are the components most usually accessed.

“Appendix C- Weatherization Assistance Program” contains information concerning both the Crisis Interface Program as well as the Department of Community and Economic Development (DCED) administered weatherization programs.

## Administration

DPW administers LIHEAP in Pennsylvania. DPW uses the County Assistance Offices (CAOs) as the administering agency for the Cash grant.<sup>6</sup> In some cases, DPW will coordinate the activities of several counties and LIHEAP applications are processed by the CAO in another county. DPW uses several different agencies to assist in the delivery of the Crisis program. These agencies include CAOs, community action agencies, the Department of Community and Economic Development, and other local organizations. The Crisis Interface/Weatherization

<sup>5</sup> Low-Income Home Energy Assistance Program 2012 Final State Plan at § 601.1.

<sup>6</sup> Id. at § 601.5.

Assistance component is administered jointly by DPW and the Department of Community and Economic Development (DCED). DPW makes the Crisis eligibility determination, and DCED administers the heating system repairs and any appropriate weatherization treatments.<sup>7</sup>

County staff members who deal with the administration of LIHEAP may not always be fully aware of the details of the current year's program because: LIHEAP is only one of many programs implemented through the CAOs; it is available only part of the year; and its operations and guidelines are often modified within the course of a single year. In addition, many of the CAOs hire temporary energy assistance workers to staff the LIHEAP program, and these workers may just be becoming familiar with program guidelines as the first applicants enter the system.

The final federal 2012-2013 LIHEAP budget appropriation is unknown at the time LIHEAP opens on November 1, 2012 and is not expected to be known until sometime in 2013. Pennsylvania anticipates federal LIHEAP funding to be limited and uncertain.. Therefore advocates should encourage individuals to apply for Cash grants early, since there are often delays in processing Cash grant applications, and there is the danger of funds running out later in the program year.

An appeal process is available for individuals who are aggrieved. A Fair Hearing can be requested through the local LIHEAP office. Individuals have 30 days to file an appeal with their local welfare office in a process that is further detailed in the "Appeals" section of this manual.

### Timetable

LIHEAP generally opens in November and closes toward the end of March. However, since exact opening and closing dates change between program years, it is important for the advocate to check the annual Final State Plan to know the timetable for that year.<sup>8</sup> In addition, because the length of the program is dependent on the availability of funds as the program year progresses, it is possible for DPW to shorten or extend the closing date.<sup>9</sup> In recent years, including 2012, DPW has announced in March that it will be extending the program closing date into April.

In 2012-2013, the Cash component is scheduled to open on November 1, 2012, the Crisis component is scheduled to open January 2, 2013 and both are scheduled to close on March 29, 2012. Crisis Exception Payments will be available November 1, 2012 through January 1, 2013.<sup>10</sup> The Crisis Interface program is scheduled to be open from November 1, 2012 until March 29, 2013.

## **General Eligibility**

In order to qualify for and receive Cash or Crisis benefits, an individual must meet several eligibility requirements relating to household income, home heating responsibility, residency,

<sup>7</sup> Id. at pg. xiii; also see Appendix C of the Final State Plan.

<sup>8</sup> 2013 Final State Plan at § 601.6(a).

<sup>9</sup> Id. at § 601.6(b).

<sup>10</sup> Id. at pg. ii.

and non-citizen status. Crisis Exception and Crisis eligibility also require that there be an actual or imminent home heating emergency that will be resolved through receipt of those grants. (For details regarding the specific eligibility requirements for Crisis Exception and Crisis grants, see the “Crisis Exception Payments” and “Crisis Component” sections of this manual.)

### Household Income

Federal law allows states to set the income eligibility level for LIHEAP participation at no more than 60% of the state median income and no less than 110% of the Federal Poverty Income Guidelines.<sup>11</sup> For 2012-2013, Pennsylvania has set the income eligibility level for both Cash and Crisis at 150% of the Federal Poverty Income Guidelines.<sup>12</sup>

### Income Calculation

To determine income eligibility levels for the 2012-2013 LIHEAP program year, advocates are referred to Appendix A of this Manual or to DPW eligibility charts which may be found online at:

<http://www.dpw.state.pa.us/foradults/heatingassistanceliheap/homeheatingassistanceliheapeligibility/index.htm>.

The **applicant** is given the discretion to decide how gross annual income is calculated.<sup>13</sup> **Applicants may choose to use their income from the 12 months or the calendar month immediately prior to the filing of the application.** These amounts are converted to a yearly figure – gross annual income - and used to determine both a household’s eligibility and the Cash grant amount.<sup>14</sup> Advocates should therefore help the applicant determine which of the time frames (12 months or past calendar month) yields the income level most advantageous for the household. In some cases, the selection of the time frame to be used, as well as the timing of the Cash grant application, may help lead to a determination of eligibility and may lead to significantly different benefit amounts. Income for household members who receive SNAP, Cash, or Medical benefits from DPW will be annualized based on the gross amount on DPW’s Client Information System.<sup>15</sup>

To determine the income level for an applicant household, the administering agency includes the gross annual income from **all** of the following people:

- all household members, regardless of relationship,
- a roomer related by blood, marriage, or adoption to a household member,
- a person living with the applicant who, as a member of another household, has already received a LIHEAP Cash or Crisis grant during the present program year.<sup>16</sup>

Gross income is defined as the total earned and unearned income of the household, including:

- employee earnings,

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<sup>11</sup> 2012 Final State Plan at § 601.31(1).

<sup>12</sup> Id. at pg. iv.

<sup>13</sup> Id. at § 601.83(a).

<sup>14</sup> Id.

<sup>15</sup> Id.

<sup>16</sup> Id. at § 601.81.

- profit from self-employment,
- income from roomers, boarders or apartment renters, and
- unearned income.<sup>17</sup>
- Each of these categories of earnings has multiple subcategories; see, for example, unearned income at Section 601.82(4) (i)-(xi). In 2012-2013, DPW has specifically stated that funds withdrawn from Individual Retirement Accounts, Certificates of Deposit and proceeds from the sale of stock certificates are to be counted as unearned income.<sup>18</sup>

Many income sources, such as educational assistance, food stamps, and cash or in-kind heating assistance from public or private agencies, are **excluded** from the calculation of household income for the purposes of establishing eligibility for LIHEAP.<sup>19</sup> In 2012-2013, DPW has clarified that *all* students, not just undergraduate students, are able to exclude educational assistance from scholarships, grants and loans as income.

### Home Heating Responsibility

**Applicants must have a home heating responsibility** to receive LIHEAP. Persons deemed to have home heating responsibility include:

- Homeowners or renters (including subsidized housing tenants) who pay for home heating fuel or utility service directly to a vendor. (If the bill is paid by someone outside the household because the household has zero/minimal income, the household is still considered to have a heating responsibility and therefore eligible to receive LIHEAP.)<sup>20</sup>
- Renters who pay for heat indirectly for their residence as an undesignated part of their rent.<sup>21</sup>
- Roomers<sup>22</sup> who pay for their lodging in either a commercial establishment or in a private home which is their permanent and primary home.<sup>23</sup>

To establish home heating responsibility for a Cash grant, the household must show responsibility for paying for the main source of heat either directly to a vendor or to a landlord as an undesignated part of rent.<sup>24</sup> Note, however, that the household can choose to have the cash grant issued to a secondary heating source in instances where the secondary fuel is needed to run the main heating source or when the main heating source is inoperable.<sup>25</sup>

<sup>17</sup> Id. at § 601.82.

<sup>18</sup> Ibid.

<sup>19</sup> 2012 Final State Plan at § 601.84(1)-(22).

<sup>20</sup> Id. at § 601.31(2)(i)(A).

<sup>21</sup> Id. at § 601.31(2)(i)(B).

<sup>22</sup> A roomer is defined as “an individual whose payment for lodging in a room includes heat and may include a private bathroom or one of the following: (i) Board. (ii) Kitchen or bathroom privileges on a shared basis. (iii) Light housekeeping facilities.” 2012 Final State Plan at § 601.3.

<sup>23</sup> Id. at § 601.31(2)(i)(C).

<sup>24</sup> Id. at § 601.31(2).

<sup>25</sup> Id. at § 601.41(4)

To establish home heating responsibility for Crisis, the household must establish the responsibility of paying for either its main *or* secondary source of heat either directly to a vendor or indirectly to a landlord as an undesignated part of rent.<sup>26</sup> For an important discussion of main vs. secondary fuel types, please see the Special Issues section of this manual.

DPW does not consider the following housing situations to represent a home heating responsibility, and they are, therefore, not a basis to receive LIHEAP:

- Renters are ineligible if their rental charge includes an undesignated amount for heat AND is based on a fixed percentage of their income or on their source of income. This would apply to subsidized-housing tenants.<sup>27</sup>
- A roomer is ineligible if the charge for room/room & board includes an undesignated amount for the main fuel AND is based on a fixed percentage of their income or on their source of income.<sup>28</sup>
- A household is ineligible if some other person or agency is *always* responsible for the heating bill (for example, people in subsidized housing who have the bill paid by the housing agency; students).<sup>29</sup> However if the bill is paid by someone outside the household because the household has zero/minimal income, the household is still considered to have a heating responsibility and therefore eligible to receive LIHEAP.<sup>30</sup>

### Residency

Household members must permanently reside in Pennsylvania.<sup>31</sup>

### Temporary Living Arrangements

Individuals in a temporary living arrangement, such as a visit, vacation or education generally do not qualify for eligibility. However, individuals who have temporarily left their permanent residence as a result of a home heating crisis *are* eligible for a grant for their permanent residence.<sup>32</sup> People living in institutions, dormitories, fraternity or sorority houses, or boarding homes are ineligible.<sup>33</sup> Still, college students can nonetheless apply and must not be denied LIHEAP eligibility solely on the basis of the temporary living arrangement section of the LIHEAP State Plan.<sup>34</sup> College students with year-round leases are considered permanent residents of the county where they go to school and can qualify for LIHEAP. College students with leases for the school year only also can qualify for LIHEAP in the county where they go to school. A rule of thumb is that a temporary living

<sup>26</sup> Id.

<sup>27</sup> Id. at § 601.31(2)(i)(B).

<sup>28</sup> 2012 Final State Plan at § 601.31(2)(i)(C).

<sup>29</sup> Id. at § 601.31(2)(i)(A).

<sup>30</sup> Id. at § 601.31(2)(i)(A).

<sup>31</sup> Id. at § 601.31(3).

<sup>32</sup> Id. at § 601.105.

<sup>33</sup> Id. at § 601.31(2)(ii).

<sup>34</sup> Id.

arrangement is intended to last only for a few days or weeks, while a permanent living arrangement may last months or years.<sup>35</sup>

### Recreational Vehicles

Persons living in recreational vehicles (Campers and RVs) are ineligible for LIHEAP unless they provide verification that they reside in a campground or other licensed facility year-round and are responsible for heating costs.<sup>36</sup> However, in specific situations, DPW has found individuals who are living in Campers and RVs that are permanently affixed to the property to be eligible.

### Operators of a Licensed Business

Persons operating a licensed business out of the LIHEAP household's residence are ineligible for LIHEAP if they use the home's utilities as a deduction on their business' tax return.<sup>37</sup> However, although not in the State Plan, DPW has issued a policy clarification that it will apply this exclusion only if more than 50% of the home is attributed to the business use. DPW will use line 30 of Schedule C of IRS Form 1040 (Profit or Loss From Business) and block 7 of IRS Form 8829 (Expenses for Business Use of Your Home) to determine LIHEAP eligibility for household business owners.

See Policy Clarification PLA15989605 dated 11/7/11 online at:

<http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/index.htm> .

### Fleeing Felon

Persons who are currently incarcerated or fleeing to avoid prosecution, custody or confinement after a felony conviction (or high misdemeanor in New Jersey) are ineligible for LIHEAP.<sup>38</sup> There is an open question as to whether it is DPW's burden to demonstrate that the person is actually "fleeing." Advocates should carefully scrutinize the facts and, if the situation merits it, file an appeal if the individual in question, while having an outstanding warrant, was not fleeing to avoid prosecution.

### Operation of Heating Appliance

A household is ineligible for LIHEAP if the heating appliance isn't installed and operating based on the manufacturer's specifications or current code requirements, whichever<sup>39</sup> is more stringent, and isn't following all applicable building and fire codes.

### Non-Citizen Status

Lawfully admitted non-citizens are eligible to receive LIHEAP no matter when they arrived in the United States so long as they meet LIHEAP eligibility requirements.<sup>40</sup> The Plan lists eight categories of non-citizens "qualified" for LIHEAP.<sup>41</sup>

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<sup>35</sup> Id.

<sup>36</sup> Id. at §601.31(2) (iii).

<sup>37</sup> Id. at §601.31(2)(iv).

<sup>38</sup> 2012 Final State Plan at §601.31(2)(v).

<sup>39</sup> Id. at §601.31(2)(vi).

<sup>40</sup> Id. at § 601.31(4).

<sup>41</sup> Id. at § 601.31(4)(i-viii).

### Social Security Numbers

- One does not need a Social Security number to be eligible for LIHEAP. However, if a Social Security number is not provided, an energy assistance affidavit, printed on the LIHEAP application in the Certification section must be completed for each member of the household who is one year of age or older. An energy assistance affidavit is not required for children under the age of one. Advocates should be aware that in the Certification section on page 3 of the 2012-2013 LIHEAP application, the Energy Assistance Affidavit language has been revised. Although this was done with the intent to make it easier to understand, the actual language may add significant confusion. Please note that the policy has not changed from prior years. If a member of the household who is one year of age or older does not have a social security number the Energy Affidavit should be used in order to apply for LIHEAP benefits.

## **Applications**

In order to qualify for receipt of LIHEAP, an individual must first complete and submit an application. All households that received a LIHEAP grant in 2012-2013 should have had an application mailed to their home in October. As of November 1, 2012 applications are available upon request from different sources in the community, such as CAOs, a LIHEAP administering agency, utility companies, or online at DPW's website.<sup>42</sup> An individual also may apply online at DPW's COMPASS website.<sup>43</sup> This year, DPW is strongly encouraging applicants to apply online through COMPASS.

The same form may be used to apply for each of the LIHEAP components.

An individual may need assistance to complete the application. Homebound individuals have the right to request that LIHEAP staff mail an application to them at their home and may also request help in filling out the form.<sup>44</sup>

LIHEAP regulations require that a household that received a grant last year be mailed an application for this year. However, because the income eligibility requirements for LIHEAP may differ from year to year and because a household may have experienced changes (such as in income level or size), receipt of an application does not imply current eligibility.

### Timing of Application and DPW Response

The date of application is the date the administering agency receives the application.<sup>45</sup>

Where an individual is assisted by a utility, community group, or another party in filling out and forwarding an application, the formal date of application is only when the local CAO (the administering agency) receives the application.

<sup>42</sup> See [http://www.dpw.state.pa.us/ucmprd/groups/webcontent/documents/form/p\\_011811.pdf](http://www.dpw.state.pa.us/ucmprd/groups/webcontent/documents/form/p_011811.pdf).

<sup>43</sup> See <https://www.humanservices.state.pa.us/compass/CMHOM.aspx>.

<sup>44</sup> 2012 Final State Plan at § 601.24.

<sup>45</sup> Id. at § 601.21(3).

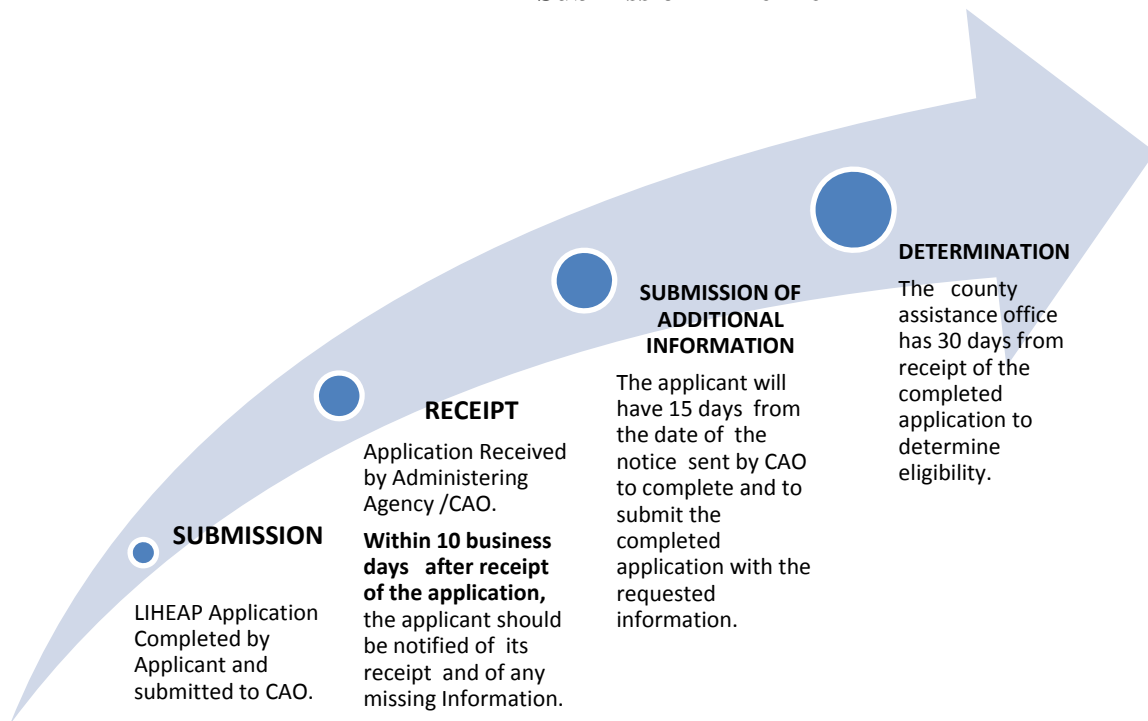


DPW has indicated that all households submitting a LIHEAP Cash application in 2012-2013 will receive a system generated notice informing them that their application has been received. This notice will be triggered once the application has been data entered.

The CAO must provide the applicant with a written determination within 30 days of receiving a complete application for a Cash grant.<sup>46</sup> If the Cash grant application is deemed incomplete, the administering agency must send the applicant a notice indicating what information is missing within 10 *working days* of receipt.<sup>47</sup> The applicant will then have 15 *days* from the date of that notice to return the missing information in order to avoid rejection of the application.<sup>48</sup>

It is important to stress that, although significant Cash grant processing delays have occurred in recent years, the obligation to provide a determination of eligibility within 30 days of receiving a completed application continues to exist. If county offices are routinely failing to comply with this deadline, please alert PULP so that we can bring it to the attention of DPW.

### LIHEAP Submission Timeline



### Documentation vs. Verification

DPW uses two different classifications for information submitted in association with LIHEAP: “verification” and “documentation.” “Verification” is defined to include “any form of convincing information, including oral statements or documentation.”<sup>49</sup>

“Documentation” is defined to include “written or printed evidence, such as fuel bills, rent

<sup>46</sup> Id. at § 601.22.

<sup>47</sup> Id. at § 601.23.

<sup>48</sup> Id.

<sup>49</sup> Id. at § 601.101(1).

receipts, or pay stubs, which is needed to determine LIHEAP eligibility and the type and amount of the LIHEAP benefit.”<sup>50</sup>

### Documenting Income

Applicants are required to **document** the amount and source of the income for household members and also for anyone in the household who received LIHEAP benefits during the program year as a member of another household.<sup>51</sup>

If an applicant claims little or no income for the household, the applicant will be required to provide **evidence** explaining how the household is meeting its financial obligations.<sup>52</sup> While the Plan does not specify the form of this evidence, the 2012-2013 Application for LIHEAP does require applicants who have had no income for the past month or have income that is less than the cost of monthly basic living needs (food, shelter, personal items, etc.) to tell DPW in writing how they are paying for such needs; DPW generally employs a high level of scrutiny to applications of individuals who assert that they have no income at all.

### Documenting Heating Responsibility

Cash grant applicants must **document** their responsibility for the main type of fuel for the household.<sup>53</sup> For a household that pays a vendor directly, this responsibility may be satisfied through submission of a fuel bill or receipt issued within the two months prior to the date of the LIHEAP application.<sup>54</sup> In addition, submission of receipts from vendors for fuel purchased since January, 2012, will also be acceptable. If a household chooses to have a benefit paid to the vendor of a secondary fuel type, then the household must document its responsibility for both the primary and secondary fuel types.<sup>55</sup>

An applicant for a Crisis grant must prove payment responsibility for either the primary or secondary source of heat.<sup>56</sup> If, as a result of a prior service termination, the individual does not have a recent bill or, the intended vendor must supply documentation that indicates service will be activated upon a determination of LIHEAP eligibility.<sup>57</sup>

For households that pay for heat indirectly as an undesignated part of their rent, verification or documentation from the landlord or rental agent will establish home heating responsibility.<sup>58</sup> Oral verification by the landlord is sufficient to meet this burden.

In certain situations, proof of home heating responsibility by an applicant for either a Cash or Crisis benefit may be demonstrated, even though the billing payment responsibility is in a name other than the applicant's.<sup>59</sup> When situations arise, such as those involving the death of

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<sup>50</sup> Id. at § 601.101(2).

<sup>51</sup> 2012 Final State Plan at § 601.102(a).

<sup>52</sup> Id. at § 601.103.

<sup>53</sup> Id. at § 601.104(a).

<sup>54</sup> Id.

<sup>55</sup> Id.

<sup>56</sup> Id at § 601.104(b).

<sup>57</sup> Id.

<sup>58</sup> Id at § 601.104(c).

<sup>59</sup> Id. at § 601.104(d).

the person billed or domestic violence safety concerns, the applicant must then provide written or printed information that he/she lives at the residence address. For example, if the LIHEAP applicant continues to have the utility bill in the name of her deceased spouse, she may then provide a driver's license documenting that she resides at the residence.<sup>60</sup>

### Documenting Proof of Residence

An applicant temporarily living away from his or her actual residence can still apply for LIHEAP by providing some documentation of the emergency or extenuating circumstances that gave rise to the need to live elsewhere.<sup>61</sup> The CAO is required, upon request, to assist in providing appropriate documentation for applicants in these situations.<sup>62</sup>

### Documenting a Crisis

It is the applicant's responsibility to prove that there is a home heating crisis.<sup>63</sup> Acceptable forms of proof include:

- A utility termination notice or verification of a scheduled termination,
- Verification that utility service has already been terminated, or
- A statement from the applicant that the household's deliverable fuel supply is depleted or will last less than 15 days.

The determination of whether a crisis exists is specific to the particular fact situation. For example:

- A termination notice is generally sufficient proof to document a crisis for receipt of a Crisis grant.<sup>64</sup> *However*, because regulated utility companies cannot terminate service to LIHEAP income-eligible households during the Winter Moratorium (December 1 through March 31), a termination notice issued by a regulated utility company intended to be effective during the Winter Moratorium is not, by itself, accepted by DPW as proof of a home heating emergency.<sup>65</sup> *However*, if funding is available, DPW has made the determination that shut-off notices dated February 1 or later that are issued by regulated utilities will be honored as proof of a crisis.
- Subsidized housing tenants are ineligible for a Crisis grant if their rental charge includes an undesignated amount for heat AND is based on a fixed percentage of their income. *However*, should the household become responsible for any payments directly to a vendor, the household is then potentially eligible once they document their heating responsibility.<sup>66</sup>

### Miscellaneous Documentation

There are a number of miscellaneous situations an advocate may be required to address:

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<sup>60</sup> Id.

<sup>61</sup> 2012 Final State Plan at § 601.105.

<sup>62</sup> Id.

<sup>63</sup> Id. at § 601.108.

<sup>64</sup> Id. at § 601.62(2)(ii); 66 Pa.C.S. § 1406(g).

<sup>65</sup> Id. at § 601.108.

<sup>66</sup> Id. at § 601.31(2)(i)(B).

- Although a Social Security number is not required for eligibility, it is often requested by regulated vendors in order to match the grant to the appropriate account. An applicant who does not have a Social Security number or refuses to disclose it may complete an energy assistance affidavit.<sup>67</sup> The energy assistance affidavit is printed on the application.
- Official documentation from the U.S. Citizenship and Immigration Services is generally sufficient to establish lawfully admitted non-citizen status.<sup>68</sup> A chart of acceptable documents for proving eligible non-citizen status is provided in the Plan.<sup>69</sup>

## Cash Component

**The Cash grant component is available to all eligible individuals with a home heating responsibility.** An individual may be a renter or an owner and may use *any* type of fuel to provide heat to the residence: gas, oil, electric, wood, propane, etc. The purpose of the Cash grant is to assist low-income households with their financial home heating burden. Therefore, to receive a Cash grant an individual:

- Need **not** be threatened with termination of service;
- Need **not** have an outstanding bill or be in debt to a utility or energy vendor; and
- Need **not** have a direct relationship with a utility or energy vendor.

Grants are calculated based upon a number of household characteristics that impact affordability<sup>70</sup>:

- Household size,
- Household income,
- Heating Region, and
- Primary (or main) Fuel Type.

Based upon these household characteristics, Cash grants for 2012-2013 will be issued in amounts ranging from \$100 to \$1,000 per household. To consult the Benefit Amount Table and determine the size of the Cash grant a household may be awarded, advocates can refer to DPW's website at: <http://www.dpw.state.pa.us/foradults/heatingassistanceliheap/liheapbenefitamounttable/index.htm>

Please note: The Benefit Amount Table only includes income levels up through \$22,999. However, households with incomes above \$22,999 may still be eligible, depending on household size. See Appendix A of this Manual for 2012-2013 PA LIHEAP Income Guidelines.

Although each household is eligible for only one Cash grant per program year,<sup>71</sup> it is possible that when funding is available, DPW will issue one or more supplemental Cash payments to households without the need for those households to file another application. Therefore, even

<sup>67</sup> Id. at § 601.106.

<sup>68</sup> 2012 Final State Plan at § 601.109.

<sup>69</sup> Id. at pg. B-24.

<sup>70</sup> Id. at § 601.41(a)(1-4).

<sup>71</sup> Id. at § 601.43.

households initially eligible for the minimum Cash grant of \$100 may receive benefits in far greater amounts as a result of these supplemental payments.

If the household pays for fuel directly, then DPW will pay grants to the fuel vendor/utility on behalf of the household.<sup>72</sup> If the household pays for heat as an undesignated part of the rent, or if the fuel vendor/utility does not participate as a LIHEAP vendor, then DPW pays the grant directly to the applicant.<sup>73</sup>

Entities such as landlords, rental agents, housing authorities, or hotel or rooming house managers are not eligible to receive a direct vendor payment.<sup>74</sup> Thus, an unscrupulous landlord is not able to intercept or coerce a LIHEAP grant from a tenant.

With the advent of competition in electric and natural gas utility service, some households may be purchasing their energy generation from an entity other than their local regulated distribution company. These competitive gas, electric suppliers, or marketers are currently not eligible to be registered LIHEAP vendors and are therefore ineligible to receive a direct vendor payment.<sup>75</sup>

## **The Crediting of a Cash Grant to a CAP Customer's Account**

### **Background**

The purpose of LIHEAP is to help low-income households meet their home heating needs. The LIHEAP Federal statute, regulations and Pennsylvania's approved state Plan require that LIHEAP funds be applied in full to the account of those households determined LIHEAP eligible. The Department of Welfare administers LIHEAP. In addition, each large regulated electric and natural gas distribution company in Pennsylvania is required to provide a Customer Assistance Program (CAP) for the low-income population within its service territory.<sup>76</sup> CAPs generally serve utility payment troubled individuals with household incomes similar to those of LIHEAP eligible households, 150% of the poverty level and below. These programs are administered by individual companies under the oversight of the Pennsylvania Public Utility Commission. One of their purposes is to protect consumers' health and safety by helping low-income customers maintain affordable utility service.<sup>77</sup> In CAP, monthly utility bills are generally significantly lower. This is accomplished by providing a reduced rate through either a Percentage of Income Payment Program (PIPP), a rate discount, or some other PUC approved model. Entry into CAP will also generally freeze any collection activity of pre-program arrears and enable their eventual forgiveness.

Generally, companies provide unique names for their CAP program, and each is administered somewhat differently. Some examples of this diversity may be found in comparing PPL's

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<sup>72</sup> Id. at § 601.44(a).

<sup>73</sup> 2012 Final State Plan at § 601.44(a) and (b).

<sup>74</sup> Id. at § 601.44(c).

<sup>75</sup> Note, however, that almost all competitive electric suppliers sell their receivables to the utility company and have that utility company bill the customer for the supply charges. In this case, applicants who direct their LIHEAP grant to the utility will indirectly pay for the competitive supply. This is because the utility retains the ability to terminate service for nonpayment of the energy costs that it purchases from the competitive supplier. It is only in those cases where a supplier separately bills the customer that the customer cannot direct the LIHEAP grant to the supplier.

<sup>76</sup> 66 Pa.C.S.A. § 2803 (electric) and § 2203 (gas).

<sup>77</sup> 52 Pa Code § 54.73 (electric) and § 62.3 (natural gas).

OnTrack, PGW’s Customer Responsibility Program (CRP), NFG’s Low-Income Rate Assistance (LIRA), and PECO’s CAP Rate programs.

The requirements of LIHEAP and CAP programs often intersect. For example, CAP participants must apply for and designate one LIHEAP grant to the utility administering the CAP; LIHEAP Crisis recipients must be offered entrance into the CAP of the utility company designated to receive that Crisis grant; and utility companies accepting Crisis grants are required to enter into payment arrangements for any remaining outstanding balance due.

There are also points of intersection between CAP and LIHEAP which have created complications and led to confusion and conflict. For example, LIHEAP policy and statute requires the crediting a LIHEAP Cash grant to a CAP customer’s account. However, PUC policy, which governs utility accounting practices, permitted a CAP participant’s LIHEAP Cash grant not to be credited specifically to the benefit of that individual customer’s current bill. Instead, the grant was permitted to be applied to cover the general costs of the Customer Assistance Program or to frozen pre-program arrears or to the difference between the CAP “Asked to Pay” amount and the amount that the customer actually consumed. To address this questionable application by utilities of the CAP payment, DPW has formulated a policy as to how public utilities that operate customer assistance programs must apply the LIHEAP Cash grant benefits to a CAP customer’s account. This policy is specifically incorporated into the Final State Plan at Appendix B §601.45. Application of Benefits. The vendor copy of the Vendor Agreement for the 2013 program year also states that utility companies that operate a CAP will apply the LIHEAP cash component benefit to the customer’s account in full to resolve any past due CAP payments, then to the current CAP payment, and finally, if any funds remain, they are to be credited to future CAP payments.

This program year, 2012-2013, §601.45 has been amended to potentially permit two different LIHEAP Cash grant crediting processes depending upon whether a particular company’s CAP program is a PIPP or a rate discount. However, the implementation of this modification is subject to approval from HHS to ensure this section meets LIHEAP statutes and regulations and remains at DPW’s discretion to implement even with HHS approval. As of the date of writing of this manual, DPW has **not** received approval from HHS and therefore the only application of benefits policy in effect is that the Cash grant has to be applied to the asked to pay amount.

In addition, because the amendment to § 601.45 represents a significant change of policy and because individual Universal Service Plans and accounting systems may not be capable of adapting to this policy change immediately, it is unlikely, even should DPW receive HHS approval, that utilities will be able to implement changes to the manner in which LIHEAP Cash grants are credited to CAP customers accounts this year. Advocates will however, need to continue to remain vigilant and carefully review each customer’s account to be certain that the LIHEAP Cash grant has, in fact, been credited properly; i.e. to the “Asked to Pay” amount. The review process may be daunting since it is often difficult to trace how utilities are applying the LIHEAP payments. The Commission has recently directed a number of distribution companies to work with Commission staff to make their billing and crediting processes more understandable.<sup>78</sup> Advocates may need to request that the billing and crediting processes employed by other utilities also be made clearer.

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<sup>78</sup>Herbert Dickson v. National Fuel Gas Distribution, C-2009-2132947, Public Meeting, November 4, 2010.

Also, in reaction to this policy change, many utilities have sought novel means to recover the value of the LIHEAP grants which formerly covered general costs of the Customer Assistance Program. One method that has been applied, called “CAP-Plus” adds a flat fee to each customer’s account based on the total value of LIHEAP grants obtained the previous program year. The legality of this process has been challenged<sup>79</sup> and remains unsettled. However, two utilities, Columbia Gas of Pennsylvania and PPL Electric Company are presently enabled by the PUC to implement CAP-Plus programs. Advocates should be aware that LIHEAP clients participating on these two company’s CAPs may be required to pay this additional charge pending resolution of this issue.

## Crisis Exception Payments

The Crisis Exception payment is a recent addition to Pennsylvania’s LIHEAP. It is extremely valuable in that **it is intended to expeditiously assist households without heat prior to the opening of the Crisis component.** To be considered for a Crisis Exception, the household’s main heating source or its secondary heating source must be completely shut off or depleted. However, DPW has clarified that it will accept applications for a Crisis Exception payment when a household is within fifteen days of having its deliverable fuel fully depleted. To receive a Crisis Exception payment, a household must specifically indicate that it is without heat and that a Crisis Exception Payment is needed. The Department will determine if the Cash grant amount will alleviate the crisis. If the Cash grant is sufficient, the Department will provide that grant on an expedited schedule. If the Cash grant amount is insufficient, DPW will provide additional funds from the Crisis grant. The Cash and Crisis Exception grants must be sufficient to result in reconnection or both will be denied at that time. A household that does not receive a Cash grant through the Crisis Exception process will still be eligible to receive a Cash grant through the normal Cash grant application process; and will be eligible to apply for a Crisis grant when the Crisis program opens on January 2, 2013. A household receiving a Crisis Exception payment may be entitled to receive more than one Crisis benefit during the 2012- 2013 program year, subject to the minimum and maximum amounts allowed and the amount of available federal funding.

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<sup>79</sup> Pennsylvania Public Utility Commission v. Columbia Gas of Pennsylvania, Inc., Docket No: R-2010-2215623. Appeal pending, Commonwealth Court, Pennsylvania Communities Organizing for Change, Inc., d/b/a ACTION United, Carol Collington, and Nettie Pelton v. Pennsylvania Public Utility Commission; Case No.635 C.D. 2012.

## Crisis Component

The Crisis component exists to aid households in a home heating related emergency, such as: loss of heat due to a heating system failure; actual or scheduled service shut-off; or lack of or imminent depletion of fuel. Crisis grants may be applied to either the main or secondary heat source.<sup>80</sup>

If a crisis arises, then an individual may apply for a Crisis grant as well as for a Cash grant. In recent years, DPW has first looked to the Cash grant amount to resolve the crisis; if that amount is not enough, DPW has then approved the Crisis grant only to the extent necessary to resolve the crisis.

Cash grants, Crisis grants and the Crisis Interface program may be used individually or jointly to resolve the crisis. Types of assistance can include:

- Pipe thawing,
- Gas/fuel lines repair,
- Purchase of a new furnace/heating system,
- Furnace repair,
- Water-heating system repair,
- Broken window repair, or
- Payment of utility bills or for fuel delivery.<sup>81</sup>

Although the Plan notes these particular examples, other heat related emergencies may be addressed. The advocate is encouraged to be creative in combining and leveraging these grants for the purpose of resolving the crisis.

### Expedited Processing

Crisis grants must receive expedited processing. An individual who qualifies for a Crisis grant must receive assistance within 48 hours of the application.<sup>82</sup> In life-threatening situations, assistance must be provided within 18 hours of the application.<sup>83</sup>

CAOs and administering agencies often fall behind on the processing of applications because of the number submitted within a limited time period. If the 48 hour/18 hour Crisis deadlines (as well as the 30 day Cash deadline) are not respected, the CAO may be contacted. Each CAO has a LIHEAP administrator who can troubleshoot missed Crisis deadlines. Have your CAO identify that individual, and contact them immediately if a 48 hour/18 hour deadline is missed.

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<sup>80</sup> 2012 Final State Plan at § 601.61.

<sup>81</sup> Id. at § 601.62.

<sup>82</sup> Id. at § 601.4(2).

<sup>83</sup> Id. at § 601.4(2).



### Crisis Eligibility

Crisis applicants must meet distinct eligibility criteria to receive a grant:

- The household must meet all of the general eligibility requirements regarding income, home heating responsibility, residency, and citizen status.<sup>84</sup>
- The household must be without heat or in imminent danger of being without heat due to a weather-related event, a home heating system breakdown, a utility shut-off or an energy supply shortage.<sup>85</sup> **DPW has clarified that a household that heats with a deliverable fuel will be considered to be in a home heating emergency if their heating fuel supply will last less than 15 calendar days.**
- The Crisis benefit must alone, or in conjunction with other resources, resolve the home heating emergency.<sup>86</sup>
- The household must provide proof of the home heating emergency.<sup>87</sup>

### Grant Features

The amount of a Crisis grant is equivalent to the amount needed to resolve the crisis subject to the minimum allowable Crisis grant of \$25 and the maximum allowable Crisis grant of \$400.<sup>88</sup> The amount of the Crisis grant cannot exceed whatever amount is needed to resolve the crisis.

Crisis grants are paid directly to the approved LIHEAP vendor or utility.<sup>89</sup> Exceptions, in which Crisis grants are paid directly to the applicant, are rare but may arise in master meter situations (one meter which measures overall usage for the entire premises) or when the vendor is not on the DPW approved vendor list.

Crisis funds can pay reconnection fees, re-start fees, and reasonable delivery charges.<sup>90</sup> **They may not be used to pay security deposits or late fees.**<sup>91</sup>

### Heating System Repairs

Weather-related heating emergencies may require a range of actions including heating system repairs or heating system replacements. A Crisis grant may be used to pay for the repairs; or a household may be deemed eligible for the Crisis Interface/Weatherization Assistance Program, which will make the necessary repairs or system replacements free of charge for the low-income applicant.

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<sup>84</sup> 2012 Final State Plan at § 601.32(1).

<sup>85</sup> Id. at § 601.32(2).

<sup>86</sup> Id. at § 601.32(3).

<sup>87</sup> Id. at § 601.32(4).

<sup>88</sup> Id. at § 601.61.

<sup>89</sup> Id. at § 601.64.

<sup>90</sup> Id. at § 601.62(2)(i) and (ii).

<sup>91</sup> Id. at § 601.45; 2011 Final State Plan Assurances at pg. 12.

### Deliverable Fuels

Special rules apply when the payment of a Crisis grant comes as the result of a shortage of deliverable fuels (e.g., oil, propane, kerosene, wood). A household that heats with a deliverable fuel will be considered to be in a home heating emergency if its heating fuel supply will last less than 15 calendar days. An applicant’s statement that their fuel supply will last less than 15 days is acceptable proof of an energy crisis.<sup>92</sup>

Also, in cases where the vendor delivers the fuel, a delivery, up to the \$400 maximum payment, is provided. However, if the fuel is not delivered by the vendor, the amount needed to resolve the crisis or the maximum amount of fuel that can be transported by the household in one trip will be authorized; again subject to the \$400 maximum Crisis payment.<sup>93</sup> A prior statement from the vendor is required to verify the cost of the non-vendor pick-up.<sup>94</sup>

This year, DPW is permitting deliverable fuel vendors to charge **either** the cash price normally charged for energy delivered **or** the same amount a non-LIHEAP household would be billed for an identical delivery, whichever is more beneficial for the client. (See Vendor Agreement ¶ 3.a.)

The previous vendor agreement specifically instructed vendors that they were required to only charge the cash price. However, some vendors charged the credit price and waived the minimum delivery fee. These vendors contended that this practice was more beneficial because the household received more oil than it would have had the vendor charged the cash price and assessed the minimum delivery fee. This may be true in some cases. However, LIHEAP recipients who pay cash, in addition to the LIHEAP grant, in order to bring the delivery amount above the minimum, will not benefit by having a fee “waived” that would have never been assessed.

The issue remains as to who determines what is more beneficial to the client. What happens if a client pays cash to bring the delivery above the minimum delivery amount? It is our position that that this new standard should not be left to the determination of the vendor, but requires a fact-specific case by case determination by the LIHEAP case worker to determine which approach results in the most fuel being delivered to the particular household.

Because this is a new policy, advocates are advised to actively monitor this situation and review the facts with clients to determine if they were charged more than the cash price for delivery of their fuel paid for with a LIHEAP grant. We are particularly interested in learning the effect on LIHEAP recipients resulting from this new policy.

### Crisis Resolution

Households are **ineligible** for a Crisis grant if the grant, alone or combined with other resources available to the household, will not resolve the crisis.<sup>95</sup> Given the fragile economic condition of LIHEAP Crisis applicants and the rising cost of energy, it is possible that a \$400 Crisis grant alone will be insufficient to resolve the crisis. Advocates may need to work with

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<sup>92</sup> 2012 Final State Plan at §601.108.

<sup>93</sup> Id. at § 601.61.

<sup>94</sup> Id.

<sup>95</sup> Id.

applicants, reach out to community organizations, and negotiate with utilities in order to generate the additional resources that will complement the Crisis grant in resolving the home heating crisis.

If a household requires less than \$25 to resolve a home heating emergency, then it will not be eligible to receive a Crisis grant.

If a regulated electric or natural gas vendor accepts a Crisis payment based on a termination notice or based on the reconnection of service to the household, then that vendor must maintain ongoing service to that household for at least 30 calendar days following the resolution of the crisis.<sup>96</sup>

If a household receives a Crisis grant payment that was approved up to 30 days before, or during the Winter Moratorium period, then service may not be terminated until either 30 days after the Crisis is resolved, or May 1, whichever is later.<sup>97</sup> Furthermore, if a utility accepts a Crisis grant, then that utility *must offer* that individual the opportunity to enroll in that utility's Customer Assistance Program (CAP) or into a budget billing plan.<sup>98</sup>

### LIHEAP Crisis Grants and the Winter Moratorium

There are conflicting legal principles at work during the Winter Moratorium. In general, customers of regulated electric and natural gas utilities with a household income at or below 250% of the Federal poverty level are protected from service termination from December 1 through March 31 of each year, unless the utility is specifically given permission to terminate by the PUC.<sup>99</sup> Customers of PGW have separate guidelines.<sup>100</sup>

On one hand, Chapter 14 specifically states that a notice of termination is sufficient proof of a crisis to enable a low-income household to qualify for a Crisis grant.<sup>101</sup> This would seem to imply that an individual with a termination notice will receive a Crisis grant. However, since the basis for receiving a Crisis grant rests with the household demonstrating the existence of an imminent or actual crisis, DPW does not generally consider a low-income household protected by the Winter Moratorium to be in an imminent crisis and will not authorize a Crisis grant to such a household.

As a result, some confusing scenarios arise for advocates and applicants:

- **Scenario #1:** A regulated utility issues a termination notice to someone scheduled to take effect during the Winter Moratorium period. Before the utility may act on that termination notice, it must petition the PUC for permission to do so.<sup>102</sup> In the extraordinarily rare case that the PUC grants permission to act on the notice and terminate the household, then a crisis exists and a Crisis grant may be issued. DPW

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<sup>96</sup> Id.

<sup>97</sup> Id.

<sup>98</sup> 2012 Final State Plan at § 601.61.

<sup>99</sup> 66 Pa. C.S. § 1406(e)(1).

<sup>100</sup> Id. at § 1406(e)(2).

<sup>101</sup> 66 Pa. C.S. at § 1406(g).

<sup>102</sup> Id. at § 1406(e)(1).

does not consider the household to be in crisis until the PUC has given permission for the utility to act.<sup>103</sup>

- **Scenario #2:** A utility issues a termination notice to a household with income at or below 250% of the Federal poverty level that is scheduled to take effect during the Moratorium period. The utility either does not seek PUC permission to act on the notice or seeks PUC permission and is denied. In either case, the applicant is not in an actual crisis, but Chapter 14 would appear to authorize the grant anyway.

DPW treats this situation as a quasi-crisis. In past years, applicants in this situation did not receive an absolute denial, but the processing of the grant was delayed until a later date, pending DPW's determination that there was sufficient funding.

Advocates should be aware of the confusion this will cause for LIHEAP Crisis applicants. The applicant may receive a notice from DPW informing her that she is not presently eligible for a Crisis grant because there is no imminent or immediate crisis, but that she may receive a grant if, towards the end of the program year, she remains in a crisis situation and there is sufficient funding available.

- **Scenario #3:** A utility issues a termination notice in February to a household with income at or below 250% of the Federal poverty level. Because the notice has a sixty day lifespan, it still will be in effect on April 1, after the close of the Winter Moratorium.

A notice issued on or after January 31 may be acted upon because it still will be effective as a termination notice on April 1, the first day after the end of the Moratorium on which the utility can terminate service without PUC permission. Whether DPW will provide a Crisis grant may depend on a number of factors, such as the availability of funds, the actual closing date of the Crisis component, or other policy determinations.

A notice sent prior to January 31 will expire before the end of the Moratorium. It is ineffective, absent permission from the PUC, for the utility to commence the termination. DPW will treat this situation as a non-imminent crisis as in Scenario #2.

Vendors not regulated by the PUC are neither subject to Chapter 14 nor to the Winter Moratorium. Therefore, DPW will treat the customers of those vendors on a case by case basis. For example, some Rural Electric Cooperatives or municipal utilities preclude termination during certain winter months while some others do not.

## Crisis Interface/Weatherization Assistance Program Component

The Crisis Interface/Weatherization Assistance Program component is designed to help low-income households who are in a crisis situation due to a heating system or furnace breakdown. The program enables a household to receive necessary repairs to a furnace or to replace the furnace outright. The program is open from November 1, 2012 until March 29, 2013.

<sup>103</sup> 2012 Final State Plan at § 601.62(2)(ii)(A).

Because situations like the loss of a heat source represent crises, action must be taken within an appropriate time frame of 48, or 18 hours. Initially, a non-permanent action, such as the provision of space heaters may temporarily help to ameliorate the situation. However, a more permanent solution should follow the temporary measure within a reasonable amount of time. Unlike the Cash and Crisis components, the Crisis Interface program component provides services rather than grants. It is administered jointly by DPW and DCED in the following manner:

- The applicant must be determined eligible for a Crisis Interface referral by the DPW administrative agency;
- The DPW administrative agency refers the applicant to the appropriate local weatherization agency;
- The weatherization agency conducts a home visit to assess the heating system situation, proceeds to take appropriate action to resolve the crisis, and if appropriate, initiate additional weatherization measures.

Special rules apply to eligibility for renters:

- In all cases, prior written permission must be granted by the landlord for the agency to enter the premises to provide Crisis or Weatherization Services; and
- In these situations, an agreement is signed between the landlord and the tenant and witnessed by the agency whereby the tenant will not be evicted or suffer a rent increase for a reasonable time (not less than 18 months), unless the eviction or increase is shown to be related to matters other than the weatherization work performed.<sup>104</sup>

## Appeals

An individual who has been aggrieved-- such as by being improperly denied LIHEAP benefits; by having benefits unjustly delayed; by being approved for less than the correct amount; or by being assessed for an overpayment -- may appeal the decision in question and request a fair hearing.<sup>105</sup> This may be accomplished by completing and signing the appeal section of any notice, sending a written or faxed request to the CAO or telling the CAO. In the latter situation there must be a written follow-up within 3 days. Note, however, that because LIHEAP is not considered an entitlement, no appeal will be accepted if the individual applied for LIHEAP after the program closed, or where there is a lack of funds.<sup>106</sup>

Detailed procedures for the appeal process are found in Chapter 870 of DPW's Supplemental Handbook, posted online at DPW's website.<sup>107</sup>

Key time frames for the advocate to keep in mind include:

- An appeal must be taken within 30 days of the date of the written notice from the CAO.<sup>108</sup>

<sup>104</sup> 2012 Final State Plan at pg. C-7.

<sup>105</sup> 2012 Final State Plan at § 601.123(a).

<sup>106</sup> Id.

<sup>107</sup> See <http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/Su/Table%20of%20Contents.htm>.

- An appeal must be taken within 60 days of the CAO’s failure to act on a request or an application.<sup>109</sup>
- An appeal must be taken within 6 months of the date of the CAO’s failure to send a required written notice or where there is administrative error.<sup>110</sup>

Note: As long as the program is open, failure to adhere to these time frames as well as other appealable issues often may be resolved by an individual simply filing a new application.

## Special Issues

Familiarity with the following issues will enable the advocate to be more effective.

### Primary vs. Secondary Heating Fuel Types

LIHEAP designates two fuel types: main and secondary. Main Fuel Type is defined as “the source of energy for the central heating system of the residence used by the household or, if the residence is not centrally heated or the central heating system is inoperable, the source of energy used most by the household.”<sup>111</sup>

“Secondary Fuel Type” is defined as “the source of energy that is necessary to operate the main heating source.”<sup>112</sup>

The definition of secondary fuel type can be used to a household’s advantage. For example, if a household’s oil or gas furnace heating system needs electricity in order to operate, the loss of electric service to the residence may result in the shut-down of the furnace. In this instance, advocates may want to apply for a LIHEAP grant citing electric as a “secondary fuel type” under Section 601.3. Note: according to its Operations Memorandum 09-10-01, October 7, 2009, DPW is no longer considering water as a secondary heating source.

### Restrictions

LIHEAP benefits may be used to pay reconnection fees, but may **not** be used for security deposits or for late fees.<sup>113</sup> When attempting to reconnect a household’s utility service, advocates may need to look to other resources or to the utility itself to help generate funds for security deposits or late fees. In many cases, a utility will waive security deposits or late fees for CAP customers. In other situations, a request to a utility to waive security deposits or late fees, particularly when the utility stands to receive a Crisis or Cash grant in exchange for the waiver, may receive a positive response. Additionally, each regulated utility and some other energy vendors have Hardship Funds that will assist struggling utility customers with their bills. Contact the household’s local vendor to inquire about additional company-sponsored customer assistance mechanisms.

<sup>108</sup> 55 Pa Code § 275.3(b)(1); [DPW Supplemental Handbook § 870.12](#).

<sup>109</sup> 55 Pa Code § 275.3(b)(2); [DPW Supplemental Handbook § 870.12](#).

<sup>110</sup> 55 Pa Code § 275.3(b)(3); [DPW Supplemental Handbook § 870.12](#).

<sup>111</sup> 2012 Final State Plan at § 601.3.

<sup>112</sup> Id.

<sup>113</sup> 2012 Final State Plan at § 601.45; 2012 Final State Plan Assurances at pg. 12.

### Transfer of Service

For customers whose service has been disconnected at their previous address and who need services to be connected at their new address, a regulated utility may request 50% of the customer's back balance from the previous address plus a reconnection fee in order to restore service. If a LIHEAP Cash grant is more than this amount, the regulated utility must apply the remainder of the Cash grant to the household's future bills. Utilities must also agree to keep service on through the moratorium and enroll the client in a CAP or budget program if eligible.<sup>114</sup>

### Earned Income Treatment

An individual with earned income is eligible to receive a larger Cash grant than an individual with unearned income. When determining a household's total income for *eligibility* for a Cash grant, all income is included. However, once a household is deemed eligible to receive a Cash grant, the administering agency will reduce by 20% the amount of income earned from employment in order to determine the *grant amount*.<sup>115</sup> The effect is to increase the level of the grant and reward those households that have earned income from employment.

### The Effect of a Regularly Recurring Annual Receipt of Funds on LIHEAP Income

Occasionally, a problem arises when a household receives its annual pension or annuity in one larger payment once per year, rather than through smaller payments recurring monthly. The LIHEAP State Plan clearly gives the applicant the option to choose the most favorable time period to use in determining the income to be calculated for LIHEAP eligibility – the past 90 days or 12 months.<sup>116</sup> However, DPW generally counts the annual payment as part of the household income, regardless of when that payment is received. This may result in either an eligible household inappropriately being deemed ineligible and denied a LIHEAP grant or, if found eligible, in that household receiving a lower Cash grant. Advocates should be aware of this practice and be prepared to challenge it.

### Refunds and Second Payments

Vendors receiving a LIHEAP grant must apply that grant to a customer's account within two program years. The two-year period is limited to end no later than June 30 of the year *following* the year in which the grant was awarded.<sup>117</sup> Any funds not used in that time period must be refunded to DPW.<sup>118</sup> Also, if an applicant is awarded a grant and then subsequently dies, changes vendor, or moves from the vendor's service area, then the vendor must refund to DPW any unexpended grant amounts.<sup>119</sup>

A second payment of these refunded amounts may be issued to a grantee within the two-year period where the grantee's whereabouts are known, the grantee continues to reside in the

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<sup>114</sup> Id. at §601.31(2)(vii).

<sup>115</sup> Id. at § 601.41(a)(2).

<sup>116</sup> 2012 Final State Plan at § 601.83.

<sup>117</sup> Id. at § 601.46; § 601.65(1).

<sup>118</sup> Id.

<sup>119</sup> Id. at § 601.46(1); § 601.65(1).

Commonwealth, and where the grantee retains heating responsibility<sup>120</sup> or where the crisis for which benefits were authorized continues to exist.”<sup>121</sup>

In situations where a vendor receives an overpayment and the overpayment was not the result of fraud, error, or misrepresentation by the applicant, then the error is considered an administrative error for which the applicant is not held responsible.<sup>122</sup>

### Master Metering Issues

Special challenges may arise for the advocate when confronted with a tenant who receives utility service via a master metering arrangement. Master metering occurs when a landlord or mobile home park owner receives utility service in his/her own name for a property in which multiple tenants live. When the premises are not sub-metered, the landlord may pass along the utility costs to the tenants through a formula or calculation that assesses an energy use or heating charge to each tenant.

There are two aspects of this situation that may make it appear that a tenant is ineligible for LIHEAP:

- First, the utility charge is not an undesignated portion of the rent as it is generally understood for purposes of LIHEAP (i.e., where utilities are “included in the rent”). Thus, one may suppose that these tenants do not have a home heating responsibility pursuant to Section 601.31(2)(i)(B).
- Second, the utility payment by the tenant is not paid to an approved vendor, as defined by the Plan, but to the landlord, management agent, or subcontractor. The Plan specifically excludes landlords from the definition of vendors and precludes landlords from receiving a vendor payment at Section 601.44.

In these circumstances, advocates will need to present facts that demonstrate the applicant does have a home heating responsibility and that failure to make the required payments will leave the tenant without heat. In these situations, DPW may then provide Crisis grants directly to the tenants or mobile home park residents based upon a case by case review. See Section 601.64.

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<sup>120</sup> Id. at 601.46(2).

<sup>121</sup> Id. at § 601.65(2).

<sup>122</sup> Id. at § 601.144(c).



## **APPENDICES**

**See these Appendices on pages which follow:**

Appendix A: 2012 - 2013 Pennsylvania LIHEAP Income Guidelines

Appendix B: Online Resources and Forms

Appendix C: CAO LIHEAP Coordinator Telephone Numbers and E-mails

Appendix D: Glossary of Common Terms and Abbreviations

## Appendix A: 2012 - 2013 -Pennsylvania LIHEAP Income Guidelines

Household Size	Household Income
1	\$16,755
2	\$22,695
3	\$28,635
4	\$34,575
5	\$40,515
6	\$46,455
7	\$52,395
8	\$58,335
9	\$64,275
10	\$70,215
Each additional person add	\$5,940

\* Eligibility information from

<http://www.dpw.state.pa.us/foradults/heatingassistanceliheap/homeheatingassistanceliheapeligibility/index.htm>

## Appendix B: Online Resources and Forms

### Online Resources:

DPW's Heating Assistance Web Page	PA Department of Public Welfare	<a href="http://www.dpw.state.pa.us/foradults/heatingassistanceliheap/S_000960">http://www.dpw.state.pa.us/foradults/heatingassistanceliheap/S_000960</a>
2013 Final State Plan for PA LIHEAP	PA Department of Public Welfare	<a href="http://www.dpw.state.pa.us/ucmprd/groups/webcontent/documents/plan/p_019147.pdf">http://www.dpw.state.pa.us/ucmprd/groups/webcontent/documents/plan/p_019147.pdf</a>
COMPASS	PA Department of Public Welfare	<a href="https://www.humanservices.state.pa.us/compass.web/CMHOM.aspx">https://www.humanservices.state.pa.us/compass.web/CMHOM.aspx</a>
LIHEAP Cash Benefit Table for PA	PA Department of Public Welfare	<a href="http://www.dpw.state.pa.us/foradults/heatingassistanceliheap/liheapbenefitamounttable/index.htm">http://www.dpw.state.pa.us/foradults/heatingassistanceliheap/liheapbenefitamounttable/index.htm</a>
LIHEAP Clearinghouse	U.S. Dept. of Health & Human Services Admin. For Children & Families	<a href="http://www.liheap.ncat.org/">http://www.liheap.ncat.org/</a>
HHS LIHEAP Homepage	U.S. Dept. of Health & Human Services Admin. For Children & Families	<a href="http://www.acf.hhs.gov/programs/ocs/programs/low-income-home-energy-assistance-program">http://www.acf.hhs.gov/programs/ocs/programs/low-income-home-energy-assistance-program</a>
NEADA	Nat. Energy Assistance Directors Association	<a href="http://neada.org/">http://neada.org/</a>
PA PUC Homepage	Pa Public Utility Commission	<a href="http://www.puc.state.pa.us/">http://www.puc.state.pa.us/</a>
DPW LIHEAP Handbook	PA Department of Public Welfare	<a href="http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/index.htm">http://services.dpw.state.pa.us/oimpolicymanuals/manuals/manuals/bop/le/index.htm</a>
<b>PULP</b>	<b>Pennsylvania Utility Law Project</b>	<a href="http://rhls.org/pa-utility-law-project/">http://rhls.org/pa-utility-law-project/</a>

### DPW Online Forms:\*

PWEA 1 - LIHEAP Application Form (English)	<a href="http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/pwea_1_final.pdf">http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/pwea_1_final.pdf</a>
PWEA 1-S - LIHEAP Application Form (Spanish)	<a href="http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/pwea_1-s.pdf">http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/pwea_1-s.pdf</a>
PWEA 18 – LIHEAP Brochure	<a href="http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/PWEA_18.pdf">http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/PWEA_18.pdf</a>
PWEA 32 – LIHEAP Request for Additional Information	<a href="http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/PWEA32.pdf">http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/PWEA32.pdf</a>
PWEA 32-S –LIHEAP Request for Additional Information (Spanish)	<a href="http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/PWEA32-S.pdf">http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/PWEA32-S.pdf</a>
PWEA 34 – LIHEAP Vendor Agreement	<a href="http://www.dpw.state.pa.us/ucmprd/groups/public/documents/form/s_001818.pdf">http://www.dpw.state.pa.us/ucmprd/groups/public/documents/form/s_001818.pdf</a>
PWEA 36 – LIHEAP Landlord Statement	<a href="http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/PWEA36.pdf">http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/PWEA36.pdf</a>
PWEA 36-S –LIHEAP Landlord Statement (Spanish)	<a href="http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/PWEA36_S.pdf">http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/PWEA36_S.pdf</a>
PWEA 37 – LIHEAP Program Refund Form	<a href="http://www.dpw.state.pa.us/ucmprd/groups/public/documents/form/s_001821.pdf">http://www.dpw.state.pa.us/ucmprd/groups/public/documents/form/s_001821.pdf</a>
PWEA 40 – LIHEAP DCED/DPW Crisis Interface Referral	<a href="http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/PWEA40.pdf">http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/le/PWEA40.pdf</a>

\*These are the forms available and online as of November 13, 2012.

Appendix C: LIHEAP Coordinator Contact Information

**Note:**  
**All Email**  
**addresses are**  
**@pa.gov**

**LIHEAP**

County	LIHEAP Coordinator	Telephone Number	Email Address pa.gov	Alternate Coordinator	Telephone Number	Email Address pa.gov
Adams	Wilhemina Heckman	717-338-2308	<a href="mailto:wheckman@pa.gov">wheckman@</a>	Ryan Minnich	717-338-2309	<a href="mailto:ryminnich@pa.gov">ryminnich@</a>
Allegheny	Karen Randolph	412-565-2219	<a href="mailto:krandolph@pa.gov">krandolph@</a>	Richard Cunningham	412-565-7572	<a href="mailto:ricunnungh@pa.gov">ricunnungh@</a>
Armstrong	Douglas Fink	724-548-0221	<a href="mailto:dofink@pa.gov">dofink@</a>	Kimbel Kovatch	724-548-0238	<a href="mailto:kkovatch@pa.gov">kkovatch@</a>
Beaver	Jennifer Farmerie	724-773-7848	<a href="mailto:jfarmerie@pa.gov">jfarmerie@</a>	Sherri Graeser	724-773-7581	<a href="mailto:sgraessera@pa.gov">sgraessera@</a>
Bedford	Janice Leppert	814-624-4002	<a href="mailto:jleppert@pa.gov">jleppert@</a>	Linda Brouse	814-624-4008	<a href="mailto:lbrouse@pa.gov">lbrouse@</a>
Berks	Ramirez, Marilyn	610-736-4251	<a href="mailto:mramirez@pa.gov">mramirez@</a>	Salvatore, Mark	610-136-4252	<a href="mailto:msalvatore@pa.gov">msalvatore@</a>
Blair	Stephen Zupon	814-946-7168	<a href="mailto:szupon@pa.gov">szupon@</a>	Thomas Bucher	814-946-7142	<a href="mailto:tbucher@pa.gov">tbucher@</a>
Bradford	Patrick Gerrity	570-268-2613	<a href="mailto:pgerrity@pa.gov">pgerrity@</a>	Frank Richart	570-946-1034	<a href="mailto:frichart@pa.gov">frichart@</a>
Bucks	Doree Munetz	215-781-3385	<a href="mailto:dmunetz@pa.gov">dmunetz@</a>	Cheryl Cole	215-787-3337	<a href="mailto:chcole@pa.gov">chcole@</a>
Butler	Valerie Hopkins	724-284-8842	<a href="mailto:vhopkins@pa.gov">vhopkins@</a>	Shirley Michelotti	724-284-8877	<a href="mailto:smichelott@pa.gov">smichelott@</a>
Cambria	Holly Burkhart	814-533-2309	<a href="mailto:hburkhart@pa.gov">hburkhart@</a>	Tanya Shaffer	814-533-2281	<a href="mailto:tashaffer@pa.gov">tashaffer@</a>
Cameron	Judy Armanini	814-486-3757	<a href="mailto:jarmanini@pa.gov">jarmanini@</a>	Pamela Freeburg	814-776-0340	<a href="mailto:pfreeburg@pa.gov">pfreeburg@</a>

Carbon	Gail Solomon	610-577-9034	<a href="mailto:gsolomon@">gsolomon@</a>	Michael Bucher	570-271-3621	<a href="mailto:mibucher@">mibucher@</a>
Centre	Shelly Bowman	814-861-1949	<a href="mailto:sbowman@">sbowman@</a>	Jodi Bitner	814-861-1912	<a href="mailto:jbitner@">jbitner@</a>
Chester	Erica Dixon	610-466-1036	<a href="mailto:erdixon@">erdixon@</a>	Eileen Haviland	610-466-1022	<a href="mailto:ehaviland@">ehaviland@</a>
Clarion	Amy Ortiz	814-226-1795	<a href="mailto:aortz@">aortz@</a>			
Clearfield	Pamela Mohney	814-205-1101	<a href="mailto:pmohney@">pmohney@</a>	Jennifer Holt	814-205-1086	<a href="mailto:jeholt@">jeholt@</a>
Clinton	Tara Hough	570-893-4503 or 570-748- 2971	<a href="mailto:tahough@">tahough@</a>	Sullens Hans	570-893-4506 or 570-748- 2971	<a href="mailto:suhans@">suhans@</a>
Clinton				Jeanine Stevenson	570-893-4504 or 570-748- 2971	<a href="mailto:istevenson@">istevenson@</a>
Columbia	Pamela D'Orazio	570-912-1130	<a href="mailto:pdorazio@">pdorazio@</a>	Roxanne Yurkiewicz	570-271-3602	<a href="mailto:ryurkewic@">ryurkewic@</a>
Crawford	Terri Baker	814-333-3442	<a href="mailto:tebaker@">tebaker@</a>	Terry Schlosser	814-333-3435	<a href="mailto:tschlosser@">tschlosser@</a>
Cumberland	William Zeiders	717-240-2771	<a href="mailto:wizeiders@">wizeiders@</a>	Sarah Bjorkman	717-240-2708	<a href="mailto:sbjorkman@">sbjorkman@</a>
Dauphin	Norma Torres	717-787-1028	<a href="mailto:ntorres@">ntorres@</a>	Babette Counterman	717-787-6027	<a href="mailto:bcounterma@">bcounterma@</a>
Delaware	Makeda Hudson	610-447-5586	<a href="mailto:mahudson@">mahudson@</a>	Patricia Weldon	610-447-5393	<a href="mailto:paweldon@">paweldon@</a>
	Jane Richards	610-461-3812	<a href="mailto:jarichards@">jarichards@</a>			
	Carolyn Hartey	610-461-3890	<a href="mailto:chartey@">chartey@</a>	Constance Ballard	610-461-3910	<a href="mailto:coballard@">coballard@</a>
Elk	Pamela Freeburg	814-776-0340	<a href="mailto:pfreeburg@">pfreeburg@</a>	Janice Eberly	814-776-0303	<a href="mailto:jaeberly@">jaeberly@</a>
Erie	Aaron Jones	814-461-2339	<a href="mailto:aaiones@">aaiones@</a>	Laurie Kubaney	814-461-2114	<a href="mailto:lkubaney@">lkubaney@</a>
Fayette	Andrea Myers	724-439-7115	<a href="mailto:anmyers@">anmyers@</a>	Monica Duda	724-439-7202	<a href="mailto:moduda@">moduda@</a>
Forest	Randolph Teska	814-755-2105	<a href="mailto:rteska@">rteska@</a>	Barb Benedict	814-755-2111	<a href="mailto:bbenedict@">bbenedict@</a>
Franklin	Tom Walsh	717-262-6570	<a href="mailto:thowalsh@">thowalsh@</a>	Lisa Hunt	717-262-6539	<a href="mailto:lhunt@">lhunt@</a>

Fulton	Nina Souders	717-325-1212	<a href="mailto:nsouders@">nsouders@</a>	Tom Walsh	717-262-6570	<a href="mailto:thowalsh@">thowalsh@</a>
Greene	Mary Yoders	724-627-2808	<a href="mailto:myoders@">myoders@</a>	Dave Johnson	724-627-2821	<a href="mailto:davijohnso@">davijohnso@</a>
Huntingdon	David Miller	814-641-6447	<a href="mailto:davidmille@">davidmille@</a>	Sharon Mason	814-641-6424	<a href="mailto:smason@">smason@</a>
Indiana	Christine Cresson	724-357-2908	<a href="mailto:ccresson@">ccresson@</a>	Alfred Boden	724-357-2924	<a href="mailto:aboden@">aboden@</a>
Jefferson	Sandra Paulina	814-938-1339	<a href="mailto:spaulina@">spaulina@</a>	Rebecca Mitchell	814-938-1302	<a href="mailto:rspader@">rspader@</a>
Juniata	Lance Musser	717-320-1074	<a href="mailto:lmusser@">lmusser@</a>			-
Lackawanna	Karen Trently	570-963-4023	<a href="mailto:ktrently@">ktrently@</a>	Frank Muraca	570-963-4453	<a href="mailto:fmuraca">fmuraca</a>
Lancaster	Farah Hynes	717-606-0163	<a href="mailto:fhynes@">fhynes@</a>	Yvette Diaz	717-299-7501	<a href="mailto:ydziaz@">ydziaz@</a>
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Lebanon	Carol Maya	717-270-3672	<a href="mailto:cmaya@">cmaya@</a>	Mario Luciotti	717-270-3677	<a href="mailto:mluciotti@">mluciotti@</a>
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## Appendix D: Glossary of Common Terms and Abbreviations

CAO – County Assistance Office are local offices where Pennsylvanians can access a range of services for themselves and their families from professionally trained staff members.

CAP – Customer Assistance Programs assists eligible customers who are having difficulty paying their utility bills through a special rate administered by the utility.

Cash Grant (Component) – A onetime annual grant to assist eligible households with their regular heating costs.

COMPASS - COMPASS is the name of the website where individuals can apply for LIHEAP, the SNAP program, and many other services that may benefit low-income households.

Crisis Exception – Assists individuals with imminent or actual loss of heating services prior to the opening of the Crisis Component.

Crisis Grant (Component) – Provides a grant to resolve heating-related emergencies, including utility shutoffs, malfunctioning heat sources, depleted fuel, and other concerns.

DCED – Department of Community and Economic Development administers the Crisis Interface/Weatherization Assistance Program Component.

DPW – Department of Public Welfare administers the LIHEAP program and other programs in Pennsylvania, designed to assist low-income households.

FPG (FPL) – Federal Poverty Guidelines (Level) – A representation of the federal poverty measure, based upon household income, issued each year by the U.S. Department of Health and Human Services to assist agencies determine eligibility for certain benefits and programs.

LIHEAP – Federally funded program designed to assist low-income households afford the costs of energy, specifically residential heating, in the cold weather months.

Primary Fuel – The Primary or Main Fuel Type is the source of energy for either a residence's central heating system or the source of energy most used by the household.

PUC – The Pennsylvania Public Utility Commission provides oversight for a number of programs and policies implemented by utility companies operating within Pennsylvania, including CAP programs, and the approval of service termination.

PULP – The Pennsylvania Utility Law Project provides information, assistance, and advice about residential utility and energy matters affecting low-income consumers.

Secondary Fuel – The source of energy that is necessary to operate the primary or main heating source.

SNAP – Supplemental Nutrition Assistance Program, formerly known as “food stamps” is a program administered by the Department of Public Welfare, participants of which, if not already approved for LIHEAP, receive at least a \$1.00 heating assistance benefit to maximize SUA.

SUA – Standard Utility Allowance refers to the fixed dollar amount for a household’s heating and utility expenses used in the calculation of shelter expenses for SNAP benefits.

Vendor Agreement – The Department of Public Welfare requires any fuel source vendor that wishes to participate in the LIHEAP program to complete and sign a contract known as a vendor agreement.

Weatherization Assistance Component (Crisis/Interface) – This component addresses crises caused by heating source malfunction, breakdown, or failure through repair or replacement.

Winter Moratorium – Provides a period from December 1, through March 31, that prohibits utilities from terminating residential service unless granted specific permission by the Public Utility Commission.