

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN ELECTRONIC INVESTIGATION OF HOME)
ENERGY ASSISTANCE PROGRAMS OFFERED) CASE NO:
BY INVESTOR-OWNED UTILITIES PURSUANT) 2019-00366
TO KRS 278.285(4))

COMMUNITY ACTION KENTUCKY, INC.’S
MOTION TO INTERVENE

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Community Action Kentucky, Inc. (“**CAK**”) moves the Kentucky Public Service Commission (“**Commission**”) pursuant to 807 KAR 5:001 Section 4(11) to allow it to intervene in this matter on behalf of itself and its network of 23 community action agencies (each an “**Agency**” and collectively the “**Network**”) and that it be granted full intervention.

The Commission, on its own motion, initiated this proceeding to investigate home energy assistance (“**HEA**”) programs offered by investor-owned jurisdictional utilities pursuant to KRS 278.285(4). As set forth in its Order, “the Commission is concerned about the operational effectiveness, accountability, and fairness of current HEA programs”. In response to that concern, it “initiated this proceeding for the purpose of creating uniformity in HEA programs across the Commonwealth and ensuring effective and accountable HEA programs that are consistently applied, more beneficial to and easily accessed by eligible low-income customers, and result in increased benefits to all ratepayers.”

CAK, whose address is 101 Burch Court, Frankfort, Kentucky, is a 501(c)(3) non-profit corporation that represents the Network, which provides direct social services to Kentuckians with low incomes in all of Kentucky’s 120 counties. Each Agency has an established service area, and a map showing the service territory for each Agency is available on the CAK website at <https://www.capky.org/network/>.

CAK's request for permissive intervention in this matter meets both of the alternative conditions set forth in 807 KAR 5:001, Section 4(11)(a). First, CAK has specialized knowledge and experience in serving low income populations, and particularly in developing and administering HEA programs. With that knowledge and experience, CAK can present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Second, due to the specialized services and resources CAK and the Network provide to assist utility companies in carrying out HEA programs (including CAK's contracts in that regard with various utilities), CAK has a special interest not adequately represented in the case. Additionally, as required by KRS 278.040(2), CAK has an interest in the rates or service of a utility as explained below due to the assistance it provides to the utilities in providing HEA program and related services to low income individuals and the funding of some those programs through utility rates.

Specialized Knowledge and Experience. CAK and the Network have a ground-level understanding of the needs and conditions facing low income people in Kentucky. CAK and the Network serve that population operating a wide range of services designed to address those needs, including: job training and workforce development; child care and education; transportation; nutrition; housing; senior services; *and energy assistance, as well as weatherization and related services to encourage energy efficiency and conservation.*

Relevant to the Commission's investigation of HEA programs, CAK provides administrative services in connection with two types of home energy program assistance programs. First, in partnership with the Kentucky Cabinet for Health & Family Services, Department of Community Based Services ("*DCBS*"), CAK, administers the federally-funded Low Income Home Energy Assistance Program ("*LIHEAP*") in Kentucky through the Network.

Second, CAK and the Network provide HEA program administration assistance and related services to six of the seven utilities from which the Commission has requested HEA program information in this action. In this capacity, CAK and the Network perform client intake, eligibility determination and enrollment, and other administrative activities for HEA programs operated by Kentucky Power Company, Kentucky Utilities Company, Duke Energy Kentucky, Columbia Gas Company, and Delta Natural Gas Company. In addition, CAK also provides data to support the Louisville Gas and Electric Company HEA program. CAK provides software and technology support for all six of these HEA Programs.

CAK can assist the Commission in fully considering the matters set forth in its October 28, 2019 Order by providing information that is both relevant and essential to the Commission's investigation of HEA programs across the Commonwealth. CAK's information also would represent a perspective that cannot be represented by the other parties to this proceeding. The other parties are not directly involved the community action agency public service area, an area dedicated to studying and understanding how best to assist the needs and conditions faced by low income populations. Further, CAK and the Network can provide detailed information regarding the scope, operation and effect of these HEA programs. CAK expects to offer the testimony of its Executive Director Roger McCann and perhaps others associated with the Network.

CAK and its Network of community actions agencies share the Commission's desire to improve the fairness and effectiveness of the HEA programs for low-income rate payers and to optimize the operations, efficiency and consistency of the HEA programs across the Commonwealth. Allowing its intervention in this matter will assist in that effort.

CAK's Special Interest. CAK has a special interest in this proceeding not adequately represented by other parties to this proceeding due to the intimate involvement of CAK and its Network in HEA programs serving low income individuals across the Commonwealth and

particularly in the service areas of the utilities named in the Commission's October 28, 2019 Order. Significantly, as indicated above, any decisions resulting in a change to the HEA program operations could impact CAK's ability to efficiently carry out the assistance it currently provides to HEA programs thereby potentially defeating the Commission's ultimate goal to ensure effective, consistently applied energy assistance to the low income individuals served by CAK and its Network.

In sum, by granting our Motion to Intervene, CAK can contribute its knowledge and experience to the Commission's efforts to ensure effective and accountable HEA programs that are consistently applied, more beneficial to and easily accessed by eligible low-income customers, and that result in increased benefits to all ratepayers. CAK will present issues and develop facts that will be helpful to the Commission in fully hearing this matter and ensure that the interests of all affected parties are adequately considered. Participation by CAK will not unduly delay these proceedings, or unduly complicate or disrupt them.

WHEREFORE, CAK requests that the Commission look favorably upon its request to intervene and that it be a real party in interest in this matter, and hereby moves the Kentucky Public Service Commission to grant CAK full intervenor status in this action, including the right to present testimony and exhibits, present witnesses, cross-examine witnesses, and be served with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by the parties or orders of the Commission.

Dated: November 27, 2019

Respectfully submitted,



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CERTIFICATE OF SERVICE

This certifies that CAK's electronic filing is a true and accurate copy of the documents to be filed in paper medium; that the electronic filing has been transmitted to the Commission on Wednesday, November 27, 2019 (the day before the two-day Thanksgiving holiday when the Commission's office will be closed); that a paper copy of the filing will be delivered to the Commission within two business days of the electronic filing; and that there are currently no parties excused from participation by electronic means.



Counsel for CAK