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NEWSLETTER ABSTRACTS
SEPTEMBER 2000 – DECEMBER 2025

November/December 2025 Newsletter
One Wisconsin electric utility recently proposed a substantial increase to the fee it sought to charge when customers pay a bill with a check returned for insufficient funds. According to the utility, the level of the fee was attributed primarily to having it be sufficiently large to serve as a "deterrent" to such customer behavior. This issue explains the basis for opposing the fee, and the reasonableness of the Wisconsin Commission's decision to rejected the utility proposal.

September/October 2025 Newsletter
In 2022, Eversource Energy, the primary electric utility serving of New Hampshire, adopted an Arrearage Management Program (AMP). Called "New Start," the Eversource program was designed to address the fact that low-income customers have a higher rate of inability-to-pay than do non-low-income customers. This issue reviews an in-depth assessment of the impacts of New Start on the payment patterns of low-income participants.

July/August 2025 Newsletter
In 2025, the ability of low-income households to access federal fuel assistance to help pay unaffordable home energy bills faces considerable uncertainty. As utilities and advocates seek to come to grips with that uncertainty, a promotion of time-of-use rates has emerged as one way to continue to deliver at least some bill reductions to income-eligible households in Wisconsin. This issue addresses that Wisconsin initiative.

May/June 2025 Newsletter
Many public utilities today are seeking to minimize the risks they face through the adoption of various automatic adjustment clauses. Through such adjustment clauses, the utilities are allowed to change rates without subjecting those changes to a rate case proceeding. One such rate adjustment mechanism commonly sought by utilities is called a Weather Normalization Adjustment (WNA). This issues uses the WNA proposed by Columbia Gas of Pennsylvania (CGPA) in its 2025 rate case as an illustration of how and why such proposals should be resisted.

March/April 2025 Newsletter
Many public utilities today continue to rely on mailing written monthly bills, as well as mailing written notices or a pending nonpayment service disconnection (hereafter collectively referred to as "written notices"). Problems arise, however, when those written notices are not received by the customer but, for whatever reason, are instead returned to the utility "Undeliverable as Addressed." This issues addresses the reasonable remedies which exist for public utilities to adopt.

January/February 2025 Newsletter
In advancing its claim that water rates charged by the American Water Company's (AWC) various state operating companies are not only generally affordable, but have become even more affordable over time, AWC introduces a concept which it calls "Basic Water Service." This issue explains the fallacies in that concept and why the concept should not be used to assess water affordability.

November/December 2024 Newsletter
The American Water Company (AWC), in rate cases throughout the nation for its operating companies (e.g., Pennsylvania American Water Co., Illinois American Water Co., Missouri American Water Co.) has in the past year routinely advanced the claim that the rates for its water service are not only affordable, but that they have become more affordable over time. In support of this claim, AWC has compared its bills to the Median Household Income for Homeowners (MHI-HO) over time. This issue explains why the AWC argument does not support its conclusion, but rather simply indicates that in serving primarily homeowners, as housing becomes increasingly unaffordable, the utility is serving an increasingly wealthier customer base.

September/October 2024 Newsletter
Akin to testimony filed in Wisconsin, 2024 testimony filed with the Pennsylvania Public Utility Commission found that PECO (electric), the utility providing electric service to residents of Philadelphia, is an excellent example of an electric utility whose credit and collection practices have a disparate adverse impact on households of color. This issue explains that while PECO asserted that its collection practices are racially neutral, a review of PECO's internal policies and procedures, as well as the data, indicated to the contrary. This issue further explains that, unlike in Milwaukee, PECO agreed to pursue a racial assessment, along with engaging in conversations with relevant stakeholders "to ensure that Environmental Justice communities are not inadvertently disproportionately impacted. . ."

July/August 2024 Newsletter
In April 2021, the Sierra Club released Energy Burden in Milwaukee: Study Reveals Major Disparities & Links to Redlined Areas. The 2021 report identified that Black and Latinx neighborhoods in the metro Milwaukee area experienced disproportionately high energy burden rates compared to majority white census tract neighborhoods. The Sierra Club updated that report in 2024. This issue explains how testimony presented on behalf of a Milwaukee-based nonprofit, Walnut Way Conservation Corp., found significant racial disparities not only in the local utility's energy burdens, but also in its collection responses to nonpayment. The testimony offered recommendations, which the utility opposed, that the utility meet with local African-American leadership and report the results of its discussions to local and state civil rights agencies. It explains why the testimony concluded that "utilities remain largely indifferent to the racial disparities which their pricing and collection practices have on communities of color."

May/June 2024 Newsletter
One concern that has become more prevalent in recent years is not merely the impact of failing to address the need to promote a clean energy future, but also the exclusionary impacts of electric utilities taking aggressive steps to support and promote such a future. It is not the existence of clean energy programs such as subsidies for residential solar interconnections, unto themselves, that is of concern. The concern is whether, and if so to what extent, there are customers being left behind. Those who will be left behind are those customers who are least able to pay. At the same time, they are least able to pay the increase in fixed system charges that are spread over a smaller and smaller usage base. This issue explains how to measure the exclusionary impacts and what remedies might exist.

March/April 2024 Newsletter
Public Utility Commission (PUC) decisions regarding a host of issues presented in utility rate cases fundamentally involve policy decisions on how to weigh the interests of competing stakeholders. Those stakeholder interests generally involve the interests of utility investors on the one hand versus utility ratepayers on the other hand. This issues explains how in engaging in this balancing, use of the relatively new ALICE Threshold (Asset-Limited, Income-Constrained, Employed) is an important tool to consider.

January/February 2024 Newsletter
In recent rate cases, public utilities have increasingly cited spiraling inflation not only as a reason for seeking higher rates generally, but also as a reason to seek higher equity returns in particular. This issue explains how, and why, inflation disproportionately harms low-income ratepayers. If a public utility commission thus does its job correctly, in balancing ratepayer and investor interests, the high rate of inflation should actually be reason to mitigate the harms of increased rates through adoption of a lower equity return.

November/December 2023 Newsletter
Utility rate affordability programs adopted across the nation have increasingly been designed to account for varying ability-to-pay at different income levels. Despite this progress in recognizing the nuances in ability-to-pay, these programs have not generally accounted for non-income-based attributes of a household. This issue explains how high cost of living, or expenses associated with particular demographics (e.g., health care and seniors) can be considered through the incorporation of income disregards in determining income eligibility.

September/October 2023 Newsletter
The forgiveness of arrears by public utilities raises the issue of the extent to which, if at all, that foregone debt is taxable by the Federal government. If it is, not only would there be an obligation on the part of customers receiving the forgiveness to pay the tax, but there would also be an obligation on the part of the utilities to provide year-end forms both to the customer and to the Internal Revenue Service reporting such income. This issue explains why arrearage forgiveness is not to be considered taxable income.

July/August 2023 Newsletter
A University of Wisconsin business professor has published a critique of the administrative complexity of the Philadelphia Water Department's (PWD) Tiered Assistance Program (TAP). The plethora of mistakes about, and mischaracterizations of, the program, and confusion of TAP with other programs operated by PWD, lead to the conclusion that this critique presents an unreliable basis for assessing TAP.

May/June 2023 Newsletter
In July 2017, the Philadelphia Water Department (PWD) implemented its Percentage of Income Program (PIP), called the Tiered Assistance Program (TAP). With six years of operation, data now exists to draw conclusions about the success of TAP in improving the payment patterns of low-income PWD customers.

March/April 2023 Newsletter
The Federal Inflation Reduction Act (IRA) offers tax credits to offset the costs of installing home energy efficiency measures. While the IRA represents sound clean energy policy, this issue examines why the IRA tax credits are not available to assist low-income customers improve their bill affordability through the installation of usage reduction measures.

January/February 2023 Newsletter
Different utility programs seek to address different needs experienced by low-income customers. Defining the "needs" of low-income customers, however, frequently differs based on the level of income at which someone has been defined to be "low-income." This issue takes different programs, and examines how and why different maximum income eligibility guidelines would be appropriate based on what the program is seeking to accomplish.

November/December 2022 Newsletter
Every state in the nation has been hard hit by the novel Coronavirus (COVID-19) health pandemic in recent years. In assessing the impacts of any public program on the ability of income-challenged utility customers to make utility bill payments, one must first acknowledge the ongoing impacts which COVID-19 might be having on ability-to-pay.

September/October 2022 Newsletter
An increasing number of energy utilities are offering specific energy efficiency programs directed specifically to multi-family housing. When programs are also focused toward low-income housing, a programmatic issue presented is how to characterize a multi-family development as "low-income." This issue identifies a number of federal programs delivering assistance to geographic areas in need, which programs could be used to target low-income multi-family efficiency investments.

July/August 2022 Newsletter
In the Spring of 2022, Evergy (KS) proposed to implement a low-income energy efficiency program in Kansas, which included a set of targeted assistance to multi-family housing in geographic areas found to be in need. Next month's issue of FSC's Law & Economic Insight will examine FSC's recommended alternative mechanism for identifying geographic areas in need specifically for multi-family housing. This issue, however, assesses the underlying value of considering the geo-targeting of low-income energy efficiency investments generally. The discussion begins with FSC's discussion in Kansas and then moves to its discussion of geo-targeting in Wisconsin.

May/June 2022 Newsletter
The delivery of appropriately designed, targeted, and funded investments in low-income energy efficiency measures not only yields affordability benefits to participating customers, but also delivers a broad range of improvements in a utility's ability-to-collect. This issue review recent FSC testimony filed in an Evergy (KS) energy efficiency proceeding discussing why low-income energy efficiency investments should be pursued as an important business tool in controlling system-wide utility costs associated with non-payment.

March/April 2022 Newsletter
Toledo water and sewer bills have escalated substantially in the years since 2010. The rate of increase for each service can be traced through the City's Annual Information Statement (AIS). This issue tracks the increase in water and sewer bills, relates those increases to increases in income, and discusses the impact of the disparity on low-income collections.

January/February 2022 Newsletter
One of the more perplexing problems facing water utilities who seek to provide low-income assistance is the question of how to deliver assistance to tenants of multi-family housing. This issue reviews models of water assistance programs for multi-family tenants from around the nation and explains the model that FSC recommended for adoption in Toledo (OH).

November/December 2021 Newsletter
When local water bills increasingly exceed the ability-to-pay of local water customers, those bills also exceed the ability-to-collect by the local water service provider. In this sense, the unaffordability of water is not simply a social problem from the perspective of the community; it is also a business problem from the perspective of the water provider. This issue explains the results from one utility studied: Pennsylvania American Water Company.

September/October 2021 Newsletter
A variety of consultants argue for and on behalf of the water industry that "low-income" should be defined as the Upper Limit of the First Quintile (Q1) of Income in a geographic area. This issue summarizes a set of comments presented to the U.S. Environmental Protection Agency (EPA), based on a review of 21 counties nationwide, documenting how use of the Q1 income artificially overstates income and understates unaffordability for water customers.

July/August 2021 Newsletter
An increasing number of water utilities today are offering inverted block rates, with claims that such rates provide important affordability assistance to low-income customers. Inverted block rates have been around for years, however, in the electric industry. This issue presents a review of a report prepared by Fisher, Sheehan & Colton for Hydro-Quebec which documents when inverted rates are, and are not, an effective affordability tool.

May/June 2021 Newsletter
In order to adequately assess the affordability of Toledo water service, two initial steps should be taken by the City of Toledo. First, the City should designate at what level of income a household will be considered to be "low-income" for purposes of the analysis. Second, the City should designate how it will assess what billing level will be considered to be "affordable." This issue addresses the second of these questions.

March/April 2021 Newsletter
In order to adequately assess the affordability of Toledo water service, two initial steps should be taken by the City of Toledo. First, the City should designate at what level of income a household will be considered to be "low-income" for purposes of the analysis. Second, the City should designate how it will assess what billing level will be considered to be "affordable." This issue addresses the first of these questions.

January/February 2021 Newsletter
The Philadelphia Water Department's (PWD) Tiered Assistance Program (TAP) has been in operation sufficiently long that payment outcomes for program participants can be quantified. This issue explains how the TAP program has been shown to improve both the completeness of payments and the timeliness of payments by program participants.

November/December 2020 Newsletter
Any increase in natural gas or electric costs from payment of universal service costs by non-residential customer classes would reasonably be expected to be offset by increases in employee productivity, recent testimony by Fisher, Sheehan & Colton reported. Financial stress at home generates poor health among workers, making them less reliable and raising the cost of employing them. Paying a small increase in costs to help generate these offsetting employee productivity benefits is a reasonable investment for a business to make.

September/October 2020 Newsletter
Ample evidence documents that offering well-designed affordability programs are an effective method to generate revenue. Aside from the multiple third-party evaluations from Pennsylvania utilities discussed in the July-August 2020 issue, this conclusion has repeatedly been reached by other program evaluators. This issue review three of those evaluations, one of New Jersey's statewide program and two of pilot New York programs.

July/August 2020 Newsletter
For more than 30 years, affordability programs have been implemented by Pennsylvania's gas and electric distribution utilities. At the direction of the Pennsylvania Public Utility Commission (PUC), independent third-party firms have evaluated these programs. These independent evaluation document that reducing home energy bills to an affordable percentage of income results in improved low-income payment patterns.

May/June 2020 Newsletter
This is the third segment of a three-part series presenting the findings of a recent study by Fisher, Sheehan & Colton comparing and contrasting utility shutoffs with mortgage foreclosures. The FSC study reveals that the utility industry approach does not capture the full economic costs of a mortgage foreclosure or, by extension, of a utility service shutoff. Whether the utility provides water service or energy (natural gas, electricity) service, the FSC study found that one major cost of a foreclosure (or of a utility nonpayment disconnection) is the lost value in homes in near proximity to the household subject to the foreclosure/disconnection.

March/April 2020 Newsletter
This is the second segment of a three-part series presenting the findings of a recent study by Fisher, Sheehan & Colton comparing and contrasting utility shutoffs with mortgage foreclosures. The FSC study reveals that the utility industry approach does not capture the full economic costs of a mortgage foreclosure or, by extension, of a utility service shutoff. Whether the utility provides water service or energy (natural gas, electricity) service, external costs should be considered as well in examining the costs of nonpayment disconnections.

January/February 2020 Newsletter
A recent study by Fisher, Sheehan & Colton comparing and contrasting utility shutoffs with mortgage foreclosures reveals that the utility industry approach does not capture the full economic costs of a mortgage foreclosure or, by extension, of a utility service shutoff. In Part 1 of a three-part series on this study, this issue examines, irrespective of whether the utility provides water service or energy (natural gas, electricity) service, how longer-term costs should be considered as well.

November/December 2019 Newsletter
Even more than home energy, preventing the disconnection of home water service is essential to the health of residential customers. This issue explores the physical and emotional health implications of safe, accessible and affordable home water service.

September/October 2019 Newsletter
One concern with recent utility proposals to socialize the fees imposed for processing credit card payments of utility bills and including those fees in rates is that doing so would force low-income customers to subsidize the higher fees of wealthier customers using premium cards. This issue explains why that concern is not well-founded.

July/August 2019 Newsletter
An increasing push is being made today to require the periodic reporting of data on utility credit and collection activities and outcomes. This issue explains the care that must be taken to assure that reports present uniformly defined data. Illustrations are presented of how fundamental concepts (e.g., bills, payments) can be defined differently yielding substantively different results of an analysis.

May/June 2019 Newsletter
This issue posits that one common fiction in the utility industry is the ability to compare the extent to which one utility performs in its collections simply by comparing the average dollars of arrears between utilities. Using the "bills behind" statistic (also known as "weighted arrears") developed by the Pennsylvania PUC's Bureau of Consumer Services, this issue applies the Bills Behind analysis to fifteen regulated gas and electric utilities for three years (2011, 2014, 2017) to determine how comparisons would differ. It finds that collections performance, when accounting for the average level of the underlying bills, dramatically differs. The story presented using Bills Behind is quite different than the story when looking at average dollars of arrears alone.

March/April 2019 Newsletter
This issue examines the inherent conflict between the environmental compliance obligations imposed on local water/wastewater utilities, requiring extensive financial investments, on the one hand, and the need to maintain bill affordability in order to collect sufficient revenue to repay the borrowing undertaken to meet those financial obligations. The issue explains the affordability concerns expressed by the Rhode Island State Treasurer. It also reviews the report which FSC prepared for the Baltimore City Council documenting, on an individual Census tract basis, both the impact which Baltimore's environmental compliance spending has on bill affordability, and the adverse impact which that deterioration in affordability will have on bill collectability.

January/February 2019 Newsletter
A low-income bill affordability program can generate benefits to the utility offering the program even in those instances where the "benefits" do not exceed the "costs" of the program. The difference lies in the distinction between "cost-effectiveness" analysis and "cost-benefit" analysis. This issue explains the difference in analytic approaches.

November/December 2018 Newsletter
The general approach to defining the affordability of utility bills, whether they be water or home energy, is to examine bill burdens, bills as a percentage of annual household income. This issue explains why care must be taken in any assessment of the affordability of a particular low-income program to ensure that collection outcomes that occur on a monthly basis (e.g., whether bills are paid in a full and timely fashion) are not attributed to factors that are determined on an annual basis (e.g., the annual energy burdens). Whether monthly bills are paid on a full and timely basis is one such example. The issue explains how to ensure that the measurement of affordability is using the same scope as the definition of affordability.

September/October 2018 Newsletter
Many times, stakeholders involved with discussions about the affordability, or unaffordability, of home energy and/or water bills treat affordability as though it were a toggle. Under this approach, a bill is either affordable or it is not. This issue challenges that notion. This issue explains multiple dimensions of bill unaffordability (e.g., depth of unaffordability, breadth of unaffordability) which leads to new insights into how to address nonpayment of bills.

July/August 2018 Newsletter
Many, if not most, state utility regulatory commissions in the United States today offer special protections against the disconnection of service for nonpayment when there is a "medical necessity" for the service or a medical "emergency" facing the customer. The question of whether one Rhode Island utility should be allowed to automatically recover the costs of implementing such a regulation, and what factors go into determining such costs, is discussed in this issue.

May/June 2018 Newsletter
Contrary to legislation unanimously approved by the Philadelphia City Council, the Philadelphia Water Department ("PWD") sought to implement a straight discount program to serve low-income customers. The discount would make bills affordable to the extent that a customer had income equal to the average city-wide income coupled with consumption equal to the average city-wide consumption. Disaggregating the city into neighborhoods called "Public Use Microdata Areas" ("PUMAs"), this issue explains the FSC report to the City Council which quantifies the over- and under-payments that the PWD proposal would generate as a result of the degree to which income and bills in different parts of the City diverge from the city-wide average.

March/April 2018 Newsletter
The financial impact to a municipal water utility of allowing low-income households to earn bill credits toward arrearages that pre-exist the household's enrollment in a bill affordability program has long presented itself. This issue reviews an analysis of low-income arrearages on the Philadelphia Water Department system and how their earned "forgiveness" will affect actual cash received by the water utility.

January/February 2018 Newsletter
This issue presents Part 3 of a three-part series that describes FSC's New Hampshire testimony regarding how to quantify and dollarize the non-energy impacts of low-income energy efficiency investments. This issue focuses on how studies frequently under-value low-income NEIs..

November/December 2017 Newsletter
This issue presents Part 2 of a three-part series that describes FSC's New Hampshire testimony regarding the non-energy impacts of low-income energy efficiency investments. This issue focuses on presenting the dollarized low-income benefits found by various studies of NEIs around the nation..

September/October 2017 Newsletter
This issue presents Part 1 of a three-part series that describes FSC's testimony before the New Hampshire Public Utilities Commission ("NHPUC") regarding the non-energy impacts of low-income energy efficiency investments. This issue focuses on why NEIs should be taken into account.

July/August 2017 Newsletter
This issue describes how local cost-of-living intersects with the level of home electric bills to affect any analysis of home energy affordability. Using California data from the Census and from the Community Council for Economic Research ("C2ER"), of the American Chamber of Commerce Association ("ACCRA"), FSC considers the impact of cost-of-living on home energy affordability.

May/June 2017 Newsletter
One concern frequently expressed about bill affordability programs in which bills are set equal to an affordable percentage of income is that such programs eliminate any incentive for customers to conserve energy. This issue summarizes the various empirical evaluations that, over the past 30-plus years, have examined whether usage increases do, indeed, occur.

March/April 2017 Newsletter
Utilities frequently use non-utility credit reports to establish creditworthiness for utility service and/or clean energy programs. This issue discusses why the use of credit information from external information providers, not using utility payment experience, is inappropriate, while unreasonably and disproportionately harming low-income households.

January/February 2017 Newsletter
One question often posed in response to proposals to impose restrictions on a utility's authority to disconnect service to protected classes is whether the protected customers will simply stop making payments. This issue discusses recent research examining whether shutoff restrictions protecting customers with medical emergencies result in an increase in utility bill nonpayment.

November/December 2016 Newsletter
The Earned Income Tax Credit (EITC) is commonly referred to as the nation's largest anti-poverty program. This issue reviews the literature documenting that households receiving EITC benefits use those additional dollars, in large part, to pay utility bills, including past-due utility bills. Water, electricity and natural gas utilities would all benefit from promoting and helping their payment-troubled low-income customers to apply for EITC benefits.

September/October 2016 Newsletter
Not all utility assistance comes in the form of aid to help pay utility bills. This issue reviews recent research finding that the receipt of federal SNAP assistance (formerly known as Food Stamps) has the effect of reducing unpaid utility bills by a substantial percentage. The issue discusses why this might occur and how utilities might promote Food Stamp enrollment.

July/August 2016 Newsletter
The ability to identify hard-to-reach populations, to reach those populations with messaging, to motivate those populations to take desired actions, and to provide the means allowing such actions to occur, is not simply an issue confronting public utilities. These are issues that confront any number of industries and institutions. The water industry would be ill-served to ignore the considerable learning, much of which is summarized in this issue, that has occurred for service providers ranging from health care, to early childhood education, to housing, to social service, to health insurance, and beyond.

May/June 2016 Newsletter
A practice that has long been considered deceptive and abusive in the mortgage, credit card and banking industries has recently reared its head in the public utility industry as well. The practice involves re-sequencing the "posting order" of consumer payments. In short, the practice re-orders consumer transactions, and posts payments against those transactions out of the sequence in which they were incurred, in order to maximize the late fee revenue that can be charged to consumers. This issue explains the law and economics behind a prohibition of such re-sequencing practices by utilities.

March/April 2016 Newsletter
The cold weather disconnection of natural gas service to an elderly Michigan customer resulted in that customer's death by hypothermia. The disconnection occurred despite specific regulations providing cold weather shutoff protections to aging utility customers. This issues explains that while the utility relied on what it deemed to be an offer of assistance included in the text of its winter shutoff notice, numerous factors would have placed a reasonable utility on notice that the shutoff notice would not generate a customer contact. In addition, the issue explains how the utility affirmatively declined to solicit information on the make-up of the customer's household during weeks and months leading up to, and immediately after, the commencement of the cold weather protections when such information would have notified the utility of the applicability of the shutoff restrictions.

January/February 2016 Newsletter
One clear impact of a low-income bill affordability program is the extent to which such a program improves the "price signals" delivered to inability-to-pay customers through utility rates. This issues discussed why as a general rule, utility bills represent an ineffective means to send price signals to low-income customers. Low-income customers, particularly customers with bill burdens exceeding a prescribed level, pay less than their entire bill. As a result, a low-income customer's inability-to-pay for utility service substantially distorts the price signal that consumer receives. When customers cannot afford to pay their utility bill bills, in other words, price signals are not effective. Improving affordability facilitates rather than impedes price signaling.

November/December 2015 Newsletter
An ongoing debate today questions whether all customer sectors receive their fair share of utility energy efficiency dollars. This issue presents the second part of a two-part series taking a closer look at questions relating to the distribution of utility usage reduction investments in affordable multi-family housing. The discussion concludes that a principled basis in law and economics for explicitly considering the equity of utility investments in multi-family energy efficiency can be found in "environmental justice" doctrine.

September/October 2015 Newsletter
Utility investment in energy usage reduction programs today is viewed as a wise investment. Despite its many benefits, there is an ongoing debate questioning whether all customer sectors receive their fair share of utility investment dollars. This issue presents the first part of a two-part series taking a closer look at those questions involving "fairness," particularly as they relate to the distribution of utility usage reduction investments in affordable multi-family housing.

July/August 2015 Newsletter
More and more proposals today involve developing an On Bill Repayment (sometimes referred to as On-Bill Financing, or OBF) regime through which utility customers can finance energy efficiency investments. This issue reviews OBF programs and concludes that, irrespective of the extent to which, if at all, a utility might seek to develop an OBF program for non-residential customers, OBF is inappropriate for residential ratepayers. NOTE: This discussion does not distinguish between On-Bill Financing ("OBF"), On-Bill Repayment ("OBR"), Tariff-Implemented Programs ("TIP"), etc. The discussion applies equally to each of these approaches.

May/June 2015 Newsletter
Late payment charges are frequently a component in a public utility's arsenal of responses to residential nonpayment and late payment. However, both the level of a late payment charge and the decision to impose a late payment charge may not be appropriate in all situations. This issue presents an annotated model state utility commission regulation that governs when late charges should be allowed and how much they should be.

March/April 2015 Newsletter
Fisher, Sheehan and Colton (FSC) was recently asked to prepare an annotated model state utility commission regulation governing the disconnection of service to properties where the customer was not also the resident of the premises which would lose service. This issue presents FSC's model regulation governing service disconnections to residential tenants.

January/February 2015 Newsletter
As proposals expand to provide ratepayer-funded rate affordability assistance today –places such as Colorado and Illinois have added affordability programs in recent years—one question that arises involves the reaction of members of the public who are called upon to pay for such programs. This issue summarizes a series of public opinion surveys documenting the extent to which, if at all, the public is willing to pay increased rates to fund affordability programs.

November/December 2014 Newsletter
Despite its many benefits, there is an ongoing debate regarding the equities of utility investments in usage reduction programs. The debate questions whether all customer sectors receive their fair share of utility investment dollars. Employing principles of environmental justice, FSC recently authored a white paper taking a closer look at those questions involving "fairness," particularly as they relate to the distribution of utility usage reduction investments in affordable multi-family housing.

September/October 2014 Newsletter
A proposed inclining block rate structure (IBR) delivers affordability benefits to low-income customers even outside the confines of a low-income discount. This issue explains the testimony that FSC recently filed with the Minnesota public utilities commission, in an Xcel Energy electric rate case on behalf of the Energy CENTS Coalition, supporting the inclining block rate structure proposed by the Minnesota Center for Environmental Advocacy (MCEA).

July/August 2014 Newsletter
The Low-Income Home Energy Assistance Program (LIHEAP) is one of the critical sources of direct federal fuel assistance in the nation today. The LIHEAP statute allows the President to "release" emergency or "contingency" funds if the President finds that any one of several statutorily-prescribed conditions exists. This issue describes a mechanism recently prepared by FSC to track the compounded impact of fuel prices and weather on the adequacy of LIHEAP in any given year. This Fuel Assistance Tracking Mechanism (FATM) is presented as a useful tool in deciding whether and to what extent the release and distribution of LIHEAP contingency funds is merited.

May/June 2014 Newsletter
The public health consequences of service terminations sometimes require that service terminations for nonpayment be delayed or avoided. This issue presents an annotated model regulation regarding "medical certificates" that FSC has prepared for consideration by state regulators.

Mar/April 2014 Newsletter
One of the primary ways to reduce home energy bills, and thus improve affordability, for low-income households is through the pursuit of energy conservation measures. One measure commonly recommended is the reduction of hot water temperatures in the home to 120 degrees (F). This issue explains why while reducing hot water temperature to 120 degrees at the tap may be appropriate, reducing temperatures to 120 degrees in the tank may have adverse public health consequences.

January/February 2014 Newsletter
The discussion in this issue outlines some of the problems that FSC identified with utility allowances that had been promulgated for a Hawaii project-based Section 8 development using an "engineering" analysis. FSC reports that the promulgation of a utility allowance through an "engineering" analysis cannot be completely divorced from actual consumption levels by public or Section 8 tenants. The reasonableness of an "engineering" analysis can, and must, be tested against the usage actually occurring within the tenant population.

November/December 2013 Newsletter
As resources become tighter for distribution as home energy assistance, one eligibility limitation that some program administrators seek to impose involves an assets test. Through an assets test, an otherwise income-eligible household might be excluded from receiving assistance if they own assets with a value beyond prescribed limits. This issue sets forth the basis for concluding that for the federal Low-Income Home Energy Assistance Program (LIHEAP), use of an assets test in eligibility determinations is inappropriate. In any event, the use of an assets test is difficult (and expensive) to administer and contrary to public policy.

September/October 2013 Newsletter
This issue examines whether state utility commissions are authorized to review the Red Flags Plans of public utilities. It concludes that assertions that state regulatory oversight of identity theft prevention by public utilities is pre-empted by the FCRA is not well-founded. Regulatory commissions can assert jurisdiction under the traditional "just and reasonable" test for reviewing the provision of utility service, so long as state commission action is not inconsistent with conduct required by the Fair and Accurate Credit Transactions Act. Under FaCTA, states remain free to impose further requirements and prohibitions in areas in which the federal law is silent, as well as supplemental requirements and prohibitions.

July/August 2013 Newsletter
This issue provides information on ways in which utilities have engaged in storm response and storm preparedness actions specifically as those actions relate to public communication with residential customers. Providing adequate communication during storm events is generally found to be a customer service obligation of a state's utilities. The discussion is based on a review of more than 50 storm preparation assessments from around the nation.

May/June 2013 Newsletter
In response to the growing use of Social Security Numbers (SSNs) in the crime of identity theft, state regulators should take steps to control the collection and dissemination of SSNs by public utilities. This issue reviews comments filed by FSC urging the Minnesota PUC to join the growing consensus that institutions such as public utilities that have collected SSNs in the past should refrain from, or be prohibited from, collecting SSNs in the future, and that Minnesota utilities should be directed to seek out alternatives to the collection and use of SSNs.

March/April 2013 Newsletter
One aspect of utility bills --be they water, natural gas or electricity-- that places a substantial financial burden on low-income households is the cash security deposit that is required when a customer cannot establish "creditworthiness" to the satisfaction of a utility. This issue presents an annotated model regulation governing cash security deposits that FSC prepared for consideration by state regulators. It covers issues ranging from when to ask for deposits (for new and existing customers, to when to refund deposits, to how to set the level of deposits, to the availability of non-cash deposit alternatives).

January/February 2013 Newsletter
The inability-to-pay utility bills often leads to the disconnection of service for low-income customers. This issue presents an annotated model regulation that FSC has prepared for consideration by state regulators governing the disconnection of service for nonpayment, including the timing and type of pre-disconnection notices.

November/December 2012 Newsletter
The Maryland Public Service Commission (PSC) has been considering a legislative directive to make programmatic recommendations on how to address low-income home energy affordability. In work for the Maryland Office of Peoples Counsel (OPC), Fisher, Sheehan & Colton (FSC) was asked to assess what business improvements would be "bought" through implementation of a rate affordability program. This issue presents the FSC analysis on that question.

September/October 2012 Newsletter
The focus of low-income energy assistance is frequently, if not generally, on "preparing for cold weather." The concern behind such efforts is to ensure that no-one freezes to death because of their low-income status. The discussion in this issue, however, notes various tasks that low-income service providers should undertake in various seasons. A "to-do" list for each season is presented.

July/August 2012 Newsletter
Utilities in more than half of all states in the United States have adopted low-income rate affordability programs of one sort or another. Since these programs, by and large, are not funded through utility profits, state legislatures and regulatory commissions have created a variety of cost recovery mechanisms. This issue summarizes the major cost-recovery options that have been adopted by states for low-income assistance programs.

May/June 2012 Newsletter
One area of ongoing concern for advocates and service providers in the low-income energy field involves the difficulties in generating price support and consumer protections for users of bulk fuels. Bulk fuels include fuels such as propane, fuel oil, liquefied natural gas (LNG), and the like. Despite difficulties, there are specific strategies that can be pursued to ensure that the issue of affordable home energy is not limited simply to regulated utilities. This issue describes a recent report that FSC prepared for the Community Action Partnership Association of Idaho (CAPAI) addressing initiatives directed toward users of propane gas.

March/April 2012 Newsletter
Pennsylvania's "Responsible Utility Consumer Protection Statute" went into effect in December 2004. Since then, the Pennsylvania PUC has filed biennial reports on the outcomes generated by that statute with the state legislature. This issue examines the Third Biennial Report to the Legislature in concluding that the statute has interfered with access to utility service, particularly during critical cold-weather months, without generating positive improvements in collection outcomes.

January/February 2012 Newsletter
Under state law, Massachusetts natural gas and electric utilities operate "Arrearage Management Programs" (AMPs). All either utilities offering AMPs file annual data on the success of the plans in reducing low-income arrears. This issue examines the most recent year's data (2010) in concluding that the Massachusetts AMPs fail far more frequently than they succeed in helping low-income customers retire their arrears and fall short in generating substantive improvement in payment performance.

November/December 2011 Newsletter
States continue to struggle with the issue of how, if at all, to provide "high cost support" to promote the affordability of telephone service in rural areas. This issue reviews FSC testimony finding that the affordability of local telephone service in rural areas should be determined on a percentage of income basis. An empirical review of telephone rates in Pennsylvania leads to the recommendation that an appropriate affordability benchmark for rural telephone service can be set at 0.75% of income.

September/October 2011 Newsletter
One of the necessary tools to make available in responding to unpaid utility bills is the deferred payment arrangement (DPA). This issue presents an annotated model DPA regulation that FSC prepared for consideration by state regulators.

July/August 2011 Newsletter
"Utility allowances" provided to Section 8 tenants are a critical component of the nation's affordable housing program. This issue reviews the adequacy of Section 8 utility allowances in Pennsylvania, finding that those allowances do not comply with federal law and the HUD process for ensuring compliance routinely fails.

May/June 2011 Newsletter
Considerable dispute exists over whether low-income status is affirmatively associated with low-use status. This issue identifies cautions that must be considered when a utility bases conclusions on data derived from a study of "median incomes" in its service territory.

March/April 2011 Newsletter
Housing affordability and home energy costs march hand-in-hand. This issue reviews an analysis of rental affordability in Pennsylvania and discusses how low rents do not ensure affordability when routinely coupled with higher than normal energy costs.

January/February 2011 Newsletter
Opponents of affordable rate programs for low-income customers frequently offer a set of ideologically-based objections. This issue directly addresses three "myths" about low-income rates.

November/December 2010 Newsletter
Determining the business benefits of utility rate affordability programs for low-income customers can learn much from the "business cases" built for other social programs. This issue considers the lessons learned for utilities from "social" programs addressing things such as workplace safety, employee and board governance diversity, and multi-culturalism.

September/October 2010 Newsletter
Some utilities oppose affordable rates for low-income customers as being "social ratemaking" best left to legislatures. This issue explains the elements of a "business case" and asserts how the adoption of a low-income program is in a utility's own self-interest.

July/August 2010 Newsletter
Two primary designs exist for a low-income affordable rate program: a discount program and a percentage of income program. This issue explains the design of each and identifies the policy and program differences.

May/June 2010 Newsletter
Energy efficiency investments directed toward lower income households can serve an important affordable housing function in Pennsylvania. This issue explains how efficiency investments in first time home buyer programs can supplement other affordable housing programs in significant ways. An energy efficiency partnership directed toward first time homebuyers involves every stakeholder making a contribution and every stakeholder receiving a benefit.

March/April 2010 Newsletter
Utilities often seek energy efficiency strategies that leverage the benefits of utility expenditures beyond that which might otherwise be generated through a 100% funded, direct install utility program. This issue explains how Pennsylvania utilities might do that by promoting energy efficient utility allowances for the state's Section 8 housing units.

January/February 2010 Newsletter
Utilities unquestionably benefit from the delivery of federal LIHEAP assistance. This issue discusses an under-utilized energy assistance program, involving HUD utility allowances for public and assisted housing, that can provide both basic assistance for monthly bills and crisis assistance.

November/December 2009 Newsletter
In the world of utility collections, more is not always better. With shutoff notices in particular, several tests should be applied to determine the propriety of engaging in such activities. Utilities that over-notice the disconnection of service both impede the effectiveness of the notice and contribute to payment problems that need not exist.

September/October 2009 Newsletter
One consumer protection commonly inserted into state public utility commission regulations restricting the disconnection of service involves the protection of customers facing serious medical conditions. This issue discusses barriers to the effective use of medical certificates and how utility regulators should respond.

July/August 2009 Newsletter
Budget-billing is generally considered to be an effective tool for certain limited income customers to use in avoiding short-term arrears on utility bills. This issue identifies barriers that impede the use of budget billing and discusses how to address those barriers.

May/June 2009 Newsletter
Under the Food Stamp program's excess shelter deduction, to the extent that a household's total shelter costs exceed 50%of the household's income, the amount of the excess is deducted from household income. As income goes down, the amount of Food Stamps to which a household is entitled goes up. The Standard Utility Allowance (SUA) can be used to establish household utility expenditures irrespective of the household's actual utility costs. This issue examines certain issues in setting SUAs to ensure that SUAs accurately capture the utility costs associated with households with high shelter costs.

March/April 2009 Newsletter
What constitutes a "best-in-class" low-income utility rate affordability program? This issue summarizes the findings of a 2008 FSC report that identifies best-in-class criteria and applies those criteria to eight different utility programs throughout the nation.

January/February 2009 Newsletter
The Iowa Utilities Board recently proposed regulations allowing electric utilities to install "service limiters" in the homes of customers who had defaulted on deferred payment plans. This issue reviews the comments of the Iowa Department of Human Rights explaining how and why such technology presents unreasonable health and safety risks to low-income customers.

November/December 2008 Newsletter
National Grid, a natural gas utility serving New England, recently proposed to double the monthly customer charge it charges residential heating customers. This issue explains the testimony filed on behalf low-income intervenors urging that the customer charge proposal is neither consistent with economic theory nor reflective of the fixed charges which small users impose on the utility system.

September/October 2008 Newsletter
Portland General Electric Company (PGE) recently proposed a revenue decoupling mechanism in an electric rate case before the Oregon state utility commission. This issue discusses why low-income intervenors, represented by the Community Action Partnership of Oregon (CAPO) opposed the decoupling proposal as contrary to the interests of low-income customers. It explains why CAPO urged that the PGE decoupling mechanism be disapproved or, if not disapproved in its entirety, what modifications should be ordered in the proposal.

July/August 2008 Newsletter
While it is universally acknowledged that home energy is an essential of modern life today, a recent study finds that the potential loss of home energy service either through involuntary disconnections or voluntary deprivation has public health consequences far beyond those historically discussed. This issue discusses the

results of Iowa's inclusion of energy affordability questions in its 2007 Behavioral Risk Factor Surveillance System ("BRFSS") survey.

May/June 2008 Newsletter
Inverted block "Lifeline" rates present one mechanism for addressing rate affordability issues without special "low-income" rates. This issue discusses how to address a "hardship alleviation" objective through rates, while at the same time serving the public purpose of improving cost-reflectivity.

April/May 2008 Newsletter
Policymakers throughout the country have addressed a number of regulatory and legal issues that are common to programs in their adoption, design and implementation. This issue reports on the completion of a multi-state study of the authorization, design and evaluation of low-income programs in thirteen states.

January/February 2008 Newsletter
As residential customers in states that have adopted retail choice face substantial price increases arising due to the expiration of price caps that have protected customers for the past several years, increasing pressure will be brought to try to mitigate those price increases through the aggregation of low-income customers who receive benefits through a variety of fuel assistance programs. This issue explains how state experiences to date have found that fuel assistance programs and aggregation initiatives do not fit well together.

November/December 2007 Newsletter
The analysis presented summarizes an examination of selected low-income affordability programs currently in operation around the United States as determined by the author to be best-in-class. The purpose of the assessment was three-fold: (1) To articulate a set of standards by which to measure the design and operation of a low-income rate affordability program; (2) To identify a set of design decisions and implementation practices that favorably distinguish particular programs from their low-income counterparts in other states or service territories; and (3) To apply those standards, design decisions, and implementation practices to a set of programs to determine their prevalence among best-in-class programs.

September/October 2007 Newsletter
Increasingly, inverted block rates are being proposed by electric utilities and environmental advocates as a mechanism through which to provide incentives for customers to conserve power. This issue of the FSC Newsletter considers recent testimony finding, however, that such an inverted block rate structure will harm low-income consumers if the initial block is not appropriately structured.

July/August 2007 Newsletter
Three Indiana utilities have operated low-income rate affordability programs for the past three years. The objectives of the programs, was to respond to spiraling natural gas prices that resulted in corresponding increases in arrears, service disconnections, and bad debt. This issue examines the impacts that Indiana's low-income utility rate affordability programs did, in fact, have on the disconnection of service for nonpayment.

May/June 2007 Newsletter
State utility commission regulations almost universally require utilities to consider "ability to pay" in negotiating a deferred payment plan through which to pay an arrears. This issue of the FSC Newsletter considers multiple facets of "ability to pay" and concludes that "ability to pay" means more than simply "income."

March/April 2007 Newsletter
An increasing number of utility industry stakeholders are today recognizing the benefits of generating uniform annual reports of credit and collection data for all natural gas and electric utilities within a state.

Based on its second year of reporting, the Coalition to Keep Indiana Warm identified a set of recommendations that would benefit both customers and companies. This issue summarizes a series of those recommendations.

January/February 2007 Newsletter
Energy efficiency investments can improve the affordability of low-income energy bills. This issue discusses how improvements in furnace efficiency will also generate substantial benefits to developers of affordable housing by preventing the diversion of household resources from paying housing costs to paying spiraling energy bills.

November/December 2006 Newsletter
Low-income utility rate discounts are designed to make bills more affordable. This issue presents evaluation results documenting the impacts on customer payments generated by two Indiana natural gas universal service programs.

September/October 2006 Newsletter
HUD utility allowances provide an important source of energy assistance to low-income tenants. This issue discusses how to evaluate the utility allowance provided by your local housing authority to determine whether the electric usage provided for indoor lighting is adequate.

July/August 2006 Newsletter
Spiraling fuel prices in recent years have given rise to state utility regulatory commissions finding a public health and safety crisis and ordering the public utilities in their jurisdiction to take emergency action in response. This issue examines the emergency actions taken by eight different state commissions.

May/June 2006 FSC Newsletter
Verizon telephone company recently proposed the implementation of a monthly late fee directed toward residential telephone customers in Massachusetts. Fisher, Sheehan & Colton (FSC) submitted comments opposing this fee to the Massachusetts Department and Telecommunications and Energy (DTE) on behalf of Boston's local community action agency, Action for Boston Community Development (ABCD). This issue summarizes those comments. The comments concluded that the proposed late fee was not justified on either cost or policy grounds.

March/April 2006 FSC Newsletter
Information with respect to the propriety of an automatic enrollment mechanism for telephone Lifeline service in light of privacy concerns over the use of information on participation in certain public benefits programs. For purposes of this issue, an "automatic enrollment mechanism" is considered to be any mechanism through which an electronic exchange of information between a local exchange telephone company and a state social services agency confirms the eligibility of public benefits recipients in the Lifeline program whether or not the information exchange is expressly authorized by the household. This issue explains why the electronic exchange of data can be performed for purposes of automatic enrollment as a "routine use" under federal privacy statutes.

January/February 2006 FSC Newsletter
As natural gas and electric prices continue to spiral, an increasing number of utility stakeholders -- government officials and industry staff as well as nonprofit energy service providers-- are taking notice of the affordability impacts that arise for low-income households. Many persons, however, while they can cite various stories of the adverse impacts of unaffordable energy on particular households, have never had occasion to develop a comprehensive Home Energy Affordability Needs Analysis. Fisher, Sheehan & Colton (FSC) presents a template of what such a needs analysis should contain.

November/December 2005 FSC Newsletter
In 2005, the Government of Ontario proposed to allow landlords to retrofit existing multi-family buildings with electrical sub-meters, thus taking electricity out of the rent and separately charging tenants for that service. This issue documents a number of areas of concern with that proposal and explains why policymakers should proceed cautiously prior to enabling landlords to sub-meter without the consent of tenants.

September/October 2005 FSC Newsletter
As state and local policymakers, in addition to nonprofit and public utility staff, seek to find additional ways in which to offer energy assistance to low-income customers facing crisis situations with home heating bills, consideration of the benefits of creating a statewide fuel fund is in order. This issue describes research prepared for the Iowa Community Action Association (ICAA) reviewing the operation of statewide fuel funds across the nation and providing answers to commonly asked questions.

July/August 2005 FSC Newsletter
The Iowa Utilities Board (IUB) has mandated that all Iowa utilities create a "customer contribution fund" through which utility customers may donate money to support private financial assistance for low-income households. Unfortunately, these customer contribution funds for Rural Electric Cooperatives have been less effective than perhaps they might be. This issue describes a proposal to increase funding by asking REC customers to donate some or all of their annual patronage capital credits to their local customer contribution fund.

May/June 2005 FSC Newsletter
In an effort to quantify the need for energy assistance, Fisher, Sheehan & Colton (FSC) has developed a model that estimates the "home energy affordability gap" for the entire country. Introduced in April 2003 (using 2002 energy prices), FSC found in that initial Home Energy Affordability Gap analysis that the annual "affordability gap" reached roughly $18.2 billion. In May 2005 (using 2004 energy prices), FSC released the third annual Home Energy Affordability Gap analysis. This issue describes how FSC found that the shortfall between actual home energy bills and affordable home energy bills had increased to $20.1 billion, an increase of eleven percent (11%) in just three years.

March/April 2005 FSC Newsletter
One issue that faces a local government seeking to establish a water affordability program is how to define what level of water bills is "affordable." This issue reviews existing literature on defining what "water burden" (bill as percent of income) is considered "affordable," particularly with reference to the work of the National Drinking Water Advisory Council's Small Systems Working Group.

January/February 2005 FSC Newsletter
In recent years, the unaffordability of water/sewer bills in the City of Detroit has become a substantial problem. To address these issues, in January 2005, FSC presented a proposed water affordability program to the Detroit Water and Sewerage Department (DWSD) on behalf of the Michigan Poverty Law Program/Michigan Legal Services and their clients. This issue describes that water rate affordability program presented to DWSD.

November/December 2004 FSC Newsletter
State and local jurisdictions receiving federal funds through the Community Development Block Grant (CDBG) or HOME Investment Partnership (HOME) programs must file planning documents with HUD called Consolidated Plans. This issue describes comments that FSC filed in six different states urging the respective states to include a discussion of energy prices in their Consolidated Plans. In addition, in each state, FSC recommended three specific remedies for the state to include as a "strategy" to combat the adverse impacts that rising energy prices have on affordable housing programs.

September/October 2004 FSC Newsletter
Households living with incomes between 135% and 150% of the Federal Poverty Level lack sufficient resources to obtain affordable telephone service without Lifeline assistance. This issue describes comments prepared by FSC on behalf of NASUCA describing why the Federal Communications Commission should increase Lifeline income eligibility from 135% to 150% of the FPL.

July/August 2004 FSC Newsletter
Large natural gas users directly contribute to the unaffordable natural gas heating prices faced by the poor. This issue explains testimony presented by FSC explaining why the industrial use of natural gas, as well as spiraling use of gas in electricity generation (used largely by industrial and commercial customers), are substantive contributors to the unaffordability of winter heating fuels used by low-income residential consumers.

May/June 2004 FSC Newsletter
More than a quarter million Missouri households face a daily struggle to cope with energy poverty - an excessive energy cost burden that frequently affects their health and well-being. This issue explains an FSC study for the National Low-Income Energy Consortium (NLIEC) that documents how, in addition to threatening the ability to retain service, unaffordable home energy contributes substantially to hunger, inadequate housing, educational underachievement, health and safety dangers, and the inability to retain employment among low-income Missouri consumers.

March/April 2004 FSC Newsletter
Some state utility commissions limit enrollment in the state's telephone Lifeline program to those low-income households that do not subscribe to vertical services in addition to basic local service. This issue reviews a report prepared for the Pennsylvania Office of Consumer Advocate documenting that low-income households carefully budget their telecommunications expenditures without such prohibitions. The report further looks at the special need that low-income disabled customers have for vertical telecomm services and at how a waiver of a prohibition on such services might be mandated as a "reasonable accommodation" under the federal Americans With Disabilities Act (ADA).

January/February 2004 FSC Newsletter
Missouri Gas Energy (MGE) customers receiving energy assistance through that company's Experimental Low-Income Rate (ELIR) improved their payment patterns relative to low-income customers that did not receive such rate assistance. This issue explains FSC's evaluation of the ELIR program, and examines how the ELIR affected the completeness, timeliness, and regularity of payments.

November/December 2003 FSC Newsletter
In June 2003, the U.S. Department of Housing and Urban Development (HUD) published a revised Public Housing Occupancy Guidebook, adopting virtually all of the modifications relating to the calculation of utility allowances proposed by FSC. This issue presents the new modifications relating to utility allowances included in the revised HUD Guidebook and reviews the factual and policy basis for proposing the modifications in the first instance.

September/October 2003 FSC Newsletter
In determining income eligibility for low-income energy assistance programs, including rate affordability and rate discount programs, public utilities may not count the value of Food Stamps received by a low-income household as "income." This issue presents FSC's analysis of the applicability of the federal Food Stamp statute, which provides that "the value of benefits that may be provided under this chapter. . .shall not be considered income or resources for any purpose under any Federal, State or local laws, including but not limited to, laws relating to taxation, welfare, and public assistance programs, and no participating State or political subdivision thereof shall decrease any assistance otherwise provided an individual or individuals because of the receipt of benefits under this Chapter."

July/August 2003 FSC Newsletter
In an effort to quantify the gap between "affordable" home energy bills and "actual" home energy bills, Fisher, Sheehan & Colton (FSC) has developed a model that estimates the "home energy affordability gap" on a county-by-county basis for the entire country. FSC found that the annual "affordability gap" for 2002 reached roughly $18.2 billion and that federal fuel assistance provided through the Low-Income Home Energy Assistance Program (LIHEAP) covered just a fraction of that gap.

May/June 2003 FSC Newsletter
The delivery of low-income energy efficiency assistance can serve an important affordable housing function in Colorado. This issue describes a recent FSC analysis which found that efficiency investments can: (1) increase the number of low-income households that qualify for first time home ownership opportunities, holding income and purchase prices constant; (2) increase the value of the home (and thus presumably the size or quality of the home) that a low-income first time home owner can afford to buy, holding income constant; and (3) provide substantial economic subsidies to first time homebuyers not only by providing positive cash flow on a month-to-month basis, but also by effectively reducing interest rates or effectively reducing the overall purchase price of the home.

March/April 2003 FSC Newsletter
The delivery of low-income home energy assistance in Colorado provides a wide range of economic benefits to the state. Frequently thought of exclusively as a way to prevent unpaid utility bills, and to preserve service against termination for nonpayment, in fact, low-income energy assistance can also be viewed as a strategy to promote economic development and employment (particularly in low-income communities). Energy assistance serves as an economic stimulant for the Colorado economy in three distinct ways. In total, the Fiscal Year 2002 distribution of energy assistance in Colorado: (1) created more than $103 million in economic activity; (2) generated more than $37 million in added earnings for Colorado workers; and (3) supported more than 2,300 jobs for the state.

January/February 2003 FSC Newsletter
Low-income utility payment problems have a discernible empirical link to both temperature and energy prices. This issue discusses an FSC study, based on 46 months of data from the State of Iowa, that documents the link between high energy prices, cold temperatures and low-income payment troubles. The study then presents an FSC model that projects the change in payment patterns based on changes in temperature and prices and assesses the cost impacts to a utility from protecting against those changes through a "capped bill" program.

November/December 2002 FSC Newsletter
Pre-conditioning the extension of Iowa's winter shutoff moratorium on the receipt of federal fuel assistance has the effect of disproportionately denying winter health and safety protections to Iowa's Hispanic community. While not doing so overtly, the requirement that the winter utility shutoff moratorium extends only to households certified eligible for LIHEAP has the effect of excluding Hispanics at a rate that is much higher than is merited by their presence in the Iowa population. As a result, the statute may run afoul of explicit federal prohibitions banning discrimination based on race in the extension of consumer credit.

September/October 2002 FSC Newsletter

Customers of a municipal water utility have the right to be offered deferred payment arrangements through which to pay their arrears, even if that utility is not regulated by a state public service commission. This issue explains three rationales for requiring a municipal water utility to offer deferred payment arrangements: (1) payment plans are required by the utility's contract with its customers; (2) payment plans are required by the commercially reasonable standards of the utility trade; and (3) disconnecting utility service without offering a payment plan is an "unfair" trade practice under state statutes.

July/August 2002 FSC Newsletter

When state legislatures and public utility commissions adopt programs to redress the unaffordability of home energy, the question of which other customers may legitimately be called upon to pay for such programs presents itself. This analysis considers why all customer classes should bear some responsibility for a share of any charge that supports affordability programs. These charges may involve a system benefit charge imposed on all customer classes. They may alternatively be imposed by the allocation of the costs of such programs over the rates of all customer classes.

May/June 2002 FSC Newsletter

Home energy bills represent one of the highest annual expenditures in a consumer's budget. Consumers devote roughly 20% of their total shelter expenditures, and 7% of all household expenditures, to utility service. This issue discusses how a buying club for consumers that use fuel oil as their primary heating source can reduce consumer bills by hundreds of dollars of per member per year, while at the same time generating a financial surplus for the buying club that can be used for initiatives such as low-income fuel assistance and/or weatherization.

March/April 2002 FSC Newsletter

Standard regulations adopted by utility regulators around the country provide that a utility shall take into account "ability to pay" in deciding what payment plans are "reasonable." The phrase "ability to pay" is often treated as being synonymous with "level of income." This issue documents why taking into account the "ability to pay" should involve more than simply taking into account income level. The stability of income is one additional aspect of ability-to-pay, particularly for the working poor.

January/February 2002 FSC Newsletter

Public utilities often argue that a moratorium on winter utility shutoffs results in customers stopping or substantially reducing the payments which they would otherwise make toward their winter bills. This issue discusses an FSC study, based on 38 months of utility payment records from roughly 3,000 LIHEAP recipients in central and northwest Iowa, which finds that the data does not support the conclusion that Iowa's low-income customers stop making their winter bill payments when protected by a winter shutoff moratorium.

November/December 2001 FSC Newsletter

The inability to pay for home energy service generates substantial fire hazards for low-income households. This issue documents the relationship between low-income status and fire deaths, injuries and property damage attributable to home heating equipment. It discusses a role for the insurance industry in helping to provide low-income fuel assistance.

September/October 2001 FSC Newsletter

At the end of the 2000/2001 winter heating season, at least 4.3 million low-income households were at risk of having their power cutoff because of an inability to pay their winter home energy bills. This issue discusses how promotion of the federal Earned Income Tax Credit (EITC) by public utilities can bring additional resources to bear on unpaid utility bills, thus helping both low-income customers and the utility companies which serve them.

July/August 2001 FSC Newsletter
Utility companies today are pushing to place more and more customers on meters that require customers to pay in advance. This issue assesses the efficacy of prepayment meters for low-income households in accomplishing household budgeting and energy usage reduction goals. It documents the existence of "hidden shutoffs" generated by the use of prepayment meters in Great Britain.

May/June 2001 FSC Newsletter
The extent to which low-income customers have higher or lower energy consumption than residential customers as a whole has significant utility rate design implications. This issue presents the available national and regional data on the relationship between income, home energy consumption, and home energy expenditures. It documents that low-income customers as a whole have substantially lower energy consumption than do customers on average.

March/April 2001 FSC Newsletter
When utilities provide refunds of overcharged monies, the question arises of whether the customers receiving the refunds are the same customers who paid the overcharges in the first instance. This issue documents how, because of their disproportionate mobility, low-income households disproportionately miss the refunds to which they are entitled and suggests the use of cy pres principles to justify a set-aside of rate refunds for low-income programs.

January/February 2001 FSC Newsletter
Identifying low-income households and being able to deliver education and outreach to them is important, whether for purposes of LIHEAP, or utility-funded low-income rates, or consumer protections. This issue identifies a host of potential outreach and education partnerships, ranging from free and reduced school lunch programs, to the delivery of child immunizations, to the delivery of smoke detectors in "distressed" communities.

November/December 2000 FSC Newsletter
The provision of utility allowances to residents of public and assisted housing subsidized through the U.S. Department of Housing and Urban Development (HUD) is a major source of energy assistance to low-income households. These utility allowances, however, systematically underpay tenants for their hot water consumption. This issue identifies and evaluates factors to be used in determining an appropriate level of assistance to be paid for hot water.

September/October 2000 FSC Newsletter
Sharp escalations in home energy bills can be used to increase a low-income household's receipt of Food Stamps each month. This issue explains the process for calculating the utility cost component of the "excess shelter deduction" used in determining a household's eligibility for Food Stamps as well as the level of Food Stamps to which a household is entitled.

Fisher, Sheehan & Colton
Public Finance and General Economics
34 Warwick Road, Belmont, MA 02478
(voice) 617-484-0597 *** (fax) 617-484-0594
(e-mail) roger@fsconline.com
http://www.fsconline.com *** http://www.HomeEnergyAffordabilityGap.com