



This document contains notes taken and comments submitted via chat at Commerce's July 10 workshop. The workshop focused on questions and considerations for the agency to consider as it fulfills its statutory obligation to provide the Legislature with a report with recommendations on a design for a statewide energy assistance program to address energy burden and provide access to energy assistance for low-income households.

Background

This study and corresponding public process follows the publication of the Department of Commerce's [Low-Income Energy Assistance 2023 Legislative Report](#), as required by [RCW 19.405.120](#) (Sec. 120). A key finding from that report was that utility-run low-income assistance programs statewide serve only a small percentage of low-income households compared to individual statewide programs, such as the Supplemental Nutrition Assistance Program (SNAP), that have similar eligibility standards.

Commerce is required by the Legislature under Sec. 120 to evaluate additional mechanisms to provide energy assistance, including the adoption of a system benefits charge, which could be used to fund a state administered low-income energy assistance program. Commerce found multiple potential benefits to a statewide approach, including, but not limited to:

- Universal access to energy assistance
- Increased program participation
- Improved targeting of assistance to those with the most need
- Protection from potential rate hikes
- Reduced administrative costs
- Reliable funding (with a system benefits charge)

[The Low-Income Energy Assistance 2023 Legislative Report](#) makes no recommendations, and Commerce will not be making a recommendation for the creation of a statewide program in its upcoming study.

The statewide low-income energy assistance program discussed in [the Low-Income Energy Assistance 2023 Legislative Report](#), and that will be explored in Commerce's upcoming study, is separate and different from the federal block grant program, the Low-Income Home Energy Assistance Program (LIHEAP). LIHEAP offers limited assistance to low-income households and has distinct federal requirements.

Considerations when reviewing this document

The notes below are sorted by elements of program design considered at the workshop. Nearly all follow from statute. The goal of the workshop was to collect questions and considerations to inform the agency's work and topics to be considered at future public workshops.

The notes below include comments entered in the chat.

Commerce values the ability of the public to come share their thoughts and learn together at public workshops. To this end, attribution of particular comments is removed from this document. Comments made during written comment periods will be attributed to the commenter. The formal comment period for the July 10 workshop is open until July 21 at 5pm. Comments can be submitted [here](#).

Data on energy burden and assistance need

- What data do state government and utility programs currently collect on household income, building and fuel types, energy usage and costs, and other demographic information?
 - We should consider that data can be difficult to collect for utilities, because utility borders do not follow county lines and may overlap with other utility districts
 - A large municipal utility does not collect this kind of data in mass, and it would be difficult to be able to point to specific households and their energy needs and burdens. Census tract averages has been closest that this utility has been able to get to this kind of data.
 - In addition to whether utilities collect relevant data, it would be good to understand what it would take to collect the data.
 - Accounting for utility use as a result of EV charging in these kinds of data would be challenging.
 - Community action agencies that work with large utilities may have access to demographic and energy data that could be helpful
 - Many cities have data on how many residents are housing cost burdened. It seems like there is a relationship to energy cost burden.
 - A large PUD can collect these kinds of data for customers enrolled in their program, but relies on census tract data for information of customers outside of their program
 - Many utilities do not have access to this data for customers applying to assistance programs, requiring redirection to CAP agencies.
 - Community action agencies are often the entities providing services to customers, and often collect these kinds of data as part of the enrollment process for assistance programs
 - A large PUD does not have ability to identify customers with acute energy burden who are not already enrolled in low-income assistance programs, the ability to get from the LEAD tool to the individual household level through cross-referencing with other available state and utility-level data sets would be helpful
 - One complication from a utility's perspective to collecting information from low-income customers is that this information could be subject to public disclosure requests
 - Another utility agrees with the comment above.
 - We value our customers' trust in our efforts to safeguard their personal information. Should we collect highly sensitive data and it falls into the wrong hands, that information could expose our customers to fraud, identity theft and similar harms. It is neither our desire nor our intent to retain these records and potentially risk our customers' financial livelihoods.
 - Looking at Bureau of Economic Analysis definition of personal income could be helpful
 - Disaggregating energy use at the household level, especially in rural areas can be a challenge with only one meter (can include energy uses such as shops, barns,

homestead irrigation, livestock facilities, EVs, etc., which can't be separated out), customers may also resist disclosing income or other household-level information in rural communities

- One PUD agrees that separating electricity from other heating sources (NG, wood, propane)
- There could be a relationship between city data on how many residents are housing cost burdened and how many may be energy cost burdened
- One rural PUD does not currently collect this data as services are signed up for, or from pre-existing customers, but that information is collected when the low-income account discount, or low-income conservation programs are applied for, however it does not currently have the means to collect the data for all customers
- One large municipal utility is directly enrolling customers in its income-eligible programs, it collects a wide variety of demographic and building-related data along with household income. But it also has customers entering its programs through expedited enrollment options, including cross-enrollment agreements with affordable housing providers. In those cases, it receives virtually no information at the household level other than household income and number in household
- Some utilities may be unwilling to collect and/or retain sensitive customer data
- In 2017 there was the ability in the Housing Finance Unit at Commerce to use information on whether properties could be designated as low-income as a result of having received funding from certain other state programs, could this be an option for avoiding the need to review individuals' income information?
- It is possible to buy household-level demographic data from third-party entities, and many utilities conduct surveys on energy efficiency that could have helpful data, however there's no one pool of data that would capture everything necessary
- What tools or resources could the state provide to help people understand if they would prequalify for a program?
- What would it take to collect the kinds of data described in the first question?
- How can utilities/authority accurately know or estimate the ratio of eligible: participating households for each program?
- How can data related to barriers to assistance be known, processed and feed into effective interventions across the state?
- Can arrearage and disconnections data contribute to understanding of assistance need?

Program eligibility

- How should a statewide program define “low-income?”
 - CETA requirements define this as 200% of FPL or AMI.
 - Using CETA requirements would be good for consistency, but some CAP agencies use different definitions
 - Using 200% of FPL or AMI could be unnecessarily burdensome or confusing. Picking one or the other could help make the program more straightforward.
 - One argument for AMI rather than FPL or SMI is that it acts somewhat as a proxy for regional variation in cost of living
- How should a statewide program define “energy burden?”
 - Including fuel source in a definition of energy burden would be important
 - Energy burden should include deliverable fuels
- What statewide programs are good candidates for categorical eligibility?
 - Looking to available low-income tax programs could be helpful, SNAP/Medicaid could be helpful programs to start looking at, and generally speaking any others with high enrollment could be good as well
 - One challenge to categorical eligibility could be identifying income levels that would align with existing utility discount levels
 - Challenge of identifying income levels can be overcome through data-sharing arrangements
 - LIHEAP, housing vouchers, disability
 - Free and reduced lunch enrollment through school districts
 - Initially universal/categorical eligibility across food/housing/other assistance programs would make broad progress without getting bogged down in audit procedures
- Should households be able to self-attest, and what are the implications of self-attestation for other aspects of program design?
 - Self-attestation is a good concept to lower participation barriers, but there needs to be an audit procedure for at least some portion of program participants
 - Verbiage is important to consider when discussing program validation/attestation, “post-enrollment verification” and “declaration of income” are preferable terms
 - Accessibility needs to be a consideration for post-enrollment verification
 - To self-certify, a customer would declare their income on the “honor system,” without presenting supporting documentation. There is little to no reliability of the data provided under this method since household income cannot be established and verified if no supporting documentation is supplied. This process could open our income verification system to potential inaccuracy and abuse. It's not a standard accepted by most local, state and federal agencies. It is also not a practice used by mortgage companies, banks, lenders, landlords and programs offering financial assistance. We believe it is an insufficient standard.
 - Self-attestation is an existing/growing way of reducing accessibility barriers to assistance programs, the outcome of people in need of accessing energy assistance not being able to get it would be worse than people who do not need this assistance getting it, although program integrity/avoiding abuse of system is an important consideration

- Self-attestation could be especially helpful in reducing barriers to access in smaller communities if part of a statewide vs. a local system for people in rural areas and small communities where people know more about each other's lives, and there may be stigma attached to participating in an assistance program
- Avista adopted the self-attestation approach for its bill discount program, and is randomly selecting 6% of customers to validate their self-attested income
- Some low-income customers are too proud to ask for assistance and they would be subsidizing others whom are less deserving
- Bonneville is in the process of developing a self-attestation form to be used by utilities for their low-income conservation measures
- Most people who obtain the free cell phone services verify by putting in their SNAP benefit number on their application. The same for free-reduced lunch
- How will you track people moving from one city or county to another?
 - Another PUD agrees with this comment
- Are eligibility and participation for non-energy utility assistance at the same levels as energy assistance?
- Could a statewide program modify DSHS' Benefit Verification System (BVS) to include income data and eligibility, then give utilities access to the system?
- How can self-attestation for other (non-income) customer characteristics associated with vulnerability, burden and energy insecurity/precarity contribute to a more inclusive standard for eligibility?

Enrollment

- How can enrollment be made convenient, fast, and easy?
 - An ideal program would include automatic enrollment for customers enrolled in other state or federal low-income programs
 - Automatic enrollment with an opt-out would be good, but one concern is creating an echo chamber that excludes people who are systematically not reached by other low-income assistance programs, oftentimes due to bias, so going beyond just automatic enrollment would be important
 - Using available statewide income data could be one means of broadening reach of automatic enrollment
 - Low-income customers are not a monolith, so enrollment process will need to consider differences between customer needs and characteristics
- How can enrollment into the statewide energy assistance program be coordinated with other low-income programs?
 - It would be very important for this assistance to be coordinated with existing assistance programs
 - SNAP found that people enrolled in energy assistance were accessing an average of 6+ other forms of assistance, so coordination of assistance could help stabilize households to point where some forms of assistance may no longer be needed
 - Considering what kind of referral process would be available to connect customers with CAP agencies and other resources would be important
 - Many different agencies and groups are collecting information that could be helpful for eligibility/enrollment/coordination of assistance programs, but what seems to be missing is a clearinghouse for this information. The opt-out process would be an important consideration
 - Utilities in CT and MA have data sharing agreements with state agencies to facilitate automatic enrollment. NY has a bill that passed the legislature on automatic enrollment via data sharing.
- Is there a way to get representation from 'civilian' people who would be the ones benefiting from this program? There may be factors we can't think of.

Distribution of assistance

- How will assistance be distributed, and will the mechanism vary by fuel type?
 - There should be a way for people to demonstrate energy burden beyond just a utility bill to account for fuel types like fuel oil
 - There are several fuel types where markets don't exist that might be challenging to account for. For example, how would a program account for customers that incur an energy burden in part from cutting wood for fuel?
 - Looking at whether this would be a capped benefit would be important, but it's also important to consider how this might conflict with existing initiatives around clean energy or energy efficiency and create perverse incentives to use less clean sources of energy
 - For alternate fuel types such as wood, coal, fuel oil, or propane households could send in receipts for re-imbursement
- If a household receives energy assistance, how does that affect the benefits they may receive under other statewide low-income programs?
 - Using the aforementioned BEA definition of personal income could be a consideration here, since energy assistance does not factor into existing definitions of cash income used by existing assistance programs
- Most smaller utilities don't have automated systems for applying external grants or pledges to customer accounts (it's usually a paper/mail process). Community action agencies have separate processes built out for each utility or fuel vendor in their service area. If this needs to be done at scale, maybe there's a way to leverage those existing processes?

Universal intake coordination and data sharing

- What is needed to enroll state and federal low-income program participants in a statewide low-income energy assistance program?
 - SNAP uses BVS for LIHEAP, but data can be up to six months old
- What data sharing agreements need to be in place between a statewide program, utilities, and social service providers to facilitate the program?
 - An agreement to gain access to BVS data could be helpful, as could an agreement with agencies that administer low-income tax credit programs, and selected federal sources
 - One consideration for using BVS is that access may be granted to only certain amounts of information
 - Data flowing bottom-up from utilities to a statewide program could create privacy challenges, as different utilities have different privacy agreements with their customers
 - Customer privacy and public disclosure concerns would be very important considerations for any data-sharing agreements with utilities, transparency around how data would be used and shared would be important as well
 - The IRS has an Income Verification Express Service (IVES) program, a system used by mortgage lenders to verify income. The IRS service requires you to pay a small fee per customer, per transcript, per request
 - Snohomish PUD has a boiler plate Non-disclosure agreement it has established with each partner that has a streamlined or auto-enroll program — but the eventual agreement is a further edited version depending on the partner's review and rules. It usually takes a few iterations between legal teams at present
- Does the state have data from other programs they could cross reference to LIHEAP to ensure we're getting the most vulnerable customers and/or getting to the customers the legislation is targeting?

Outreach and community engagement

- What are key ingredients to good outreach and community engagement that would need to be built into a statewide energy assistance program?
 - Having a dedicated budget for community organizations to conduct outreach could be very helpful to make the most of established relationships, and it would be important to compensate these organizations so as not to detract from their ability to administer their programs
 - Having a joint communications and outreach plan to standardize messaging across entities trying to reach potential customers would help ensure consistency, although outreach would also need to account for differences between low-income customers and communities
 - Coordinated learning and a clear understanding of who is developing best practices around outreach and what any communications or outreach failures could teach everyone would be important components to have
- How could the state administrator leverage existing resources across state government, utilities, community action agencies, multicultural service providers, and other community organizations to reach and engage low-income households?
 - Utilities could include notices in customer materials, and spread awareness through boothing/tabling and communication through local media, even in lower-income areas
 - Staff capacity is an issue for using community organizations to disseminate information, so compensation could help address this issue
 - Partnering with IOUs/COUs and with by-and-for organizations could be a way to expand the reach of information spread
 - Relationships between utilities and their customers bring specific knowledge of what most effective means of reaching customers in their service areas may be, so standardizing messaging would be important, but this specific knowledge would make that messaging more effective
 - Bringing everyone to the table on outreach would make the most of everyone's areas of practice/expertise
 - DOH has done this with radio stations, L&I has done this with Paid sick leave with unified messaging. There are also established methods like door-to-door offerings such as Census workers and Voter Registration. You can also pay unions and/or these groups as consultants do this work. Department of Licensing does a lot of booths to engage the public on the Enhanced Driver's License. The front desk can promote this at each utility company as well
 - Utilities could provide outreach to get households needing assistance to a portal established, managed, funded, and administered by the state
- What do other low-income assistance programs with better uptake than energy assistance programs know about outreach/engagement best practices that a future statewide program could take advantage of?

Multicultural services

- What sorts of multicultural services need to be provided to ensure efficient, quality, and equitable services to multicultural households?
- Are there ways the existing social service system could be leveraged to provide these services in communities across the state through a state administered program?
- Do we have the right voices in the workshop, or are there others we need to reach out to?

Funding

- What are the program design implications for efficient, quality, and equitable energy assistance if a program were funded from a system benefits charge, state funds, or CCA allowances?
 - One PUD's stance is CCA allowances would be the natural source for program funding to encourage use of clean electricity, concern over a system benefits charge is rate increases, which could drive customers into using less clean sources of energy
 - Another PUD agrees with CCA first, then state general fund
 - There is a question about funding priority when it comes to federal sources and requirements for customer-funded bill assistance programs for certain utilities that needs to be clarified, there are differing statutory requirements and it is unclear how these would mesh together with a statewide program
 - Another PUD agrees that using CCA allowances from state auctions would be a natural fit for a funding source
 - A concern over system benefits charge as a funding source would be that constituting a form of utility tax and pushing customers who are not currently energy burdened into being so due to rate increases
 - Funding should somehow be apportioned by need, regardless of source
 - Local utility programs should receive some credit for their existing assistance programs when considering any contributions to a new statewide program
 - Regardless of where funding is coming from, it is important that the money going into that funding cannot be diverted away from a statewide program into other state uses
 - Not giving utilities credit for their existing assistance programs will introduce an adverse incentive, likely resulting in disinvestment in utility-scale programs
- How would a progressive funding structure support consistent, sufficient revenues to meet need — with distribution equitably administered?
- What is the source of funds for CCA credits?
- Distribution of funds will in many cases involve a variety of by fuel types. This presents issues with deferrable fuel such as propane, oil, wood and coal.
- Many low income households may need multiple programs to make things manageable. Households many times are juggling bills. When you have a very low income this causes many issues. Emergencies come up.

Program administration and reporting

- What are the roles for the state administrator, utilities, community action agencies, multicultural service organizations, and other organizations?
 - Utilities will have best insight into what kinds of program or assistance may best benefit their customers, so one version of a statewide program would be helping to overcome data burdens and distribute funding at the state administrator level, and letting local utilities connect customers with assistance that best meets their needs
 - Community action agencies are a crucial part of the puzzle, as people continue to come through the door for LIHEAP services, these agencies could help coordinate other assistance services, these agencies act like the hub of a wheel of services, and their staff build important relationships and trust with customers
 - Eventually, a draft RACI chart for the Program Admin and Reporting prompt would be helpful for workshop participants to respond to
 - Part of the role of the State could be to: track what program changes could happen over time, convene stakeholders to make those changes, fund implementers (if applicable), and spearhead research
 - A small rural utility does not have the staff or ability to manage and fund a program like this and keep rates affordable

Other Questions or Considerations

- LIHEAP is open only to U.S. citizens, but utility assistance programs have broader eligibility requirements, this should be a consideration for any future statewide program
- Existing utility rate levels should be accounted for, especially when thinking about the increased burden that a future statewide program could place on smaller utilities
- A future statewide program may not be able to be a one-size-fits-all program when considering different existing utility assistance programs and capacity, an option to choose nature of participation could be advantageous to address this
- New statewide program requirements could potentially create need for new staff, which could impact customers in the form of higher rates, so these demands should be a consideration when thinking about administrative design
- One approach could be designing a statewide program with different elements or tiers based on utility size, rates and other factors
- If funds are distributed directly from a State funded program it would avoid "gifting" questions, and a state run and administered program would be available for customers using non electric forms of energy that electric utilities may not have contact with
- Would a statewide program count towards the energy assistance requirements placed on utilities by CETA?
- Will the State provide reporting to the utilities to incorporate as part of CETA requirements that utilities make progress towards providing assistance to the highest energy-burdened customers?
- Would yet another assistance program confuse people? You have to apply at three different places
- It is important to be really explicit and careful to understand the unintended consequences of each design option — documenting these as risks so we can appropriately compare design alternatives
- How will PUD's participate in this program when there is a state statute that says we cannot "gift public funds" to anyone?
- Clean electricity should not be subsidizing carbon emitting energy such as propane, gas, wood, oil, etc as it will drive up the cost of the electricity at a time when we want people to use more of it not less.....This goes counter to the goals of the Clean Energy Transformation Act