

122:5-3-02

Criteria for customer eligibility.

(A) Customer of a participating utility. An individual must be a residential customer of an electric distribution utility or a participating electric cooperative or municipal electric company to participate in the PIPP plus program.

(B) Household income

(1) Compared to federal poverty guidelines. Any customer whose annual household income is one hundred fifty per cent or less than the federal poverty guideline for the corresponding household size shall be eligible to participate in the PIPP plus program. A customer will be considered to meet the income eligibility requirement if ~~either (a) the customer's~~ documented household income for the ~~three months~~ thirty days prior to enrollment, if annualized, is one hundred fifty per cent or less than the federal poverty guideline for the corresponding household size, ~~or (b) provided, however, if the customer's actual household income for the twelve months~~ thirty days prior to enrollment is not reflective of their annual income, documentation of their annual household income is required. The customer will be considered to meet the income eligibility requirement if the documented annual household income is one hundred fifty per cent or less than the federal poverty guideline for the corresponding household size.

(2) Sources of income. For purposes of determining eligibility for low-income customer assistance programs, "household income" includes all sources of income except sources of income expressly excluded. The director shall review sources of income annually and publish specific exclusions from household income as part of the annual LIHEAP plan. After such public hearings as required by federal law for the annual LIHEAP plan, the director shall publish exclusions from household income in the annual energy assistance guidelines, which the director shall make available through various publication channels throughout the state, including at local agencies, by request to the office of community assistance and by publication on the development services agency website. To assist local agencies and potential PIPP plus customers, the director may also compile and publish with the exclusions a non-exhaustive list of items included in the determination of household income.

(C) Commitment to participate in a payment plan program. Any customer who enrolls in the PIPP plus program must be willing to participate actively in the program and contribute in a meaningful way to the cost of their electric service. A customer will satisfy this eligibility requirement by paying a monthly PIPP plus installment calculated as provided in these rules, but not less than ten dollars. Any overpayment of PIPP plus or Graduate PIPP plus payments shall be applied to future PIPP plus or graduate PIPP plus payments once any default balance has been paid.

- (D) Participation in other energy assistance programs. Any customer enrolling in the PIPP plus program shall also apply to participate in any other energy assistance program for which such customer may be eligible for those programs that do not require a payment from the PIPP plus customer. If a customer is determined to be eligible for energy assistance through other programs, then as condition of continuing eligibility for the PIPP plus program such customer shall actively participate in any such energy assistance programs that do not require payment from the customer as a condition for participation.
- (E) Participation in energy efficiency and weatherization programs. Any PIPP plus customer who is the owner of a residence for which energy efficiency and weatherization services are offered by the director shall be required to accept such services as a condition for continuing eligibility for the PIPP plus program for those services that do not require a payment from the PIPP plus customer. If a customer fails to actively participate in any such energy assistance programs that do not require payment from a customer as a condition for participation, the director may give thirty days prior written notice of termination of the customer's continued participation in the PIPP plus program. If a PIPP plus customer resides in a rental property and energy efficiency and weatherization services are offered by the director for such rental property, such PIPP plus customer shall be required to accept such services as a condition for continuing eligibility for the PIPP plus program unless the residence owner refuses consent for energy efficiency and weatherization services. Department-authorized service providers that perform energy efficiency and weatherization services will solicit consent from rental property owners as further described in paragraph (C) of rule 122:5-3-08 of the Administrative Code. A PIPP plus customer shall not be required to accept energy efficiency and weatherization services that require payment by the customer. The obligation of a PIPP plus customer to accept energy efficiency and weatherization services as provided in this rule shall continue as long as the PIPP plus customer continues to participate in the PIPP plus program.
- (F) Payment reminders. The director, through the office of community assistance, a local agency, or other agent or contractor, may (but shall not be required to) send reminders to PIPP plus customers in advance of bill due dates to make on-time payments, and receipt of any such payment reminders that may be given shall be considered a condition for participation in the PIPP plus program. Payment reminders may be given by telephone, mail, electronic mail or any other communications method selected by the director. The director will not send past due notices to PIPP plus customers nor take any action on behalf of utilities to collect past due amounts.
- (G) Participation in consumer education programs encouraged. PIPP plus customers shall be encouraged by the office of community assistance and local agencies to participate in any consumer education programs, including programs about energy conservation and demand reduction, made available to customers at their local agencies, readily

accessible in their local communities, or offered locally by their electric distribution utility.

(H) Eligibility following account default or disconnection by a utility.

(1) Account default.

(a) If a PIPP plus customer fails to pay monthly PIPP plus installment amounts and such non-payment causes the customer's electric service to be subject to disconnection by a utility for non-payment or actually disconnected by a utility for non-payment, it shall be the responsibility of the PIPP plus customer to avoid disconnection by paying the minimum amount as provided by the commission in paragraph (B) of rule 4901:1-18-05 of the Administrative Code (or any successor rule of substantially the same effect) or to have service reconnected as provided by the commission in rule 4901:1-18-07 of the Administrative Code (or any successor rule of substantially the same effect), except that for purposes of this rule, the minimum amount to avoid disconnection or to reconnect will not include accrued arrearages on the PIPP plus customer's account prior to non-payment of monthly PIPP plus installment amounts. None of the delinquent amounts, including any past due monthly PIPP plus installment amounts and other charges commission rules permit the utility to collect from a customer to avoid disconnection or to reconnect electric service (but not including accrued arrearages prior to the non-payment of monthly PIPP plus installment amounts), shall be charged to or paid from the fund. A customer will cease to be an active PIPP plus customer if a utility disconnects electric service to such PIPP plus customer for non-payment and electric service remains disconnected through the end of, that billing cycle and the utility shall report such customer as an inactive customer. A PIPP plus customer who has ceased to be an active PIPP plus customer as a result of disconnection for non-payment shall be ineligible to participate in the PIPP plus program until such customer pays any delinquent amounts through the date the office of community assistance identifies the customer for removal as an active PIPP plus customer, including any past due monthly PIPP plus installment amounts, the installment amount for those months that they were not enrolled in the PIPP plus program, including payments for any months in which the customer was disconnected (not to exceed the account balance), and other charges commission rules permit the utility to impose to reconnect service as provided in rule 4901:1-18-07 of the Administrative Code (or any successor rule of substantially the same effect). The requirement in this rule for a customer to pay delinquent amounts and reconnect charges is a condition to re-enroll in the PIPP plus program. This rule is not

intended and should not be interpreted to prevent any customer from taking advantage of any commission rule or order otherwise available to the customer to maintain or reconnect electric service by paying less than the delinquent amounts and reconnect charges.

- (b) To be eligible to continue in the PIPP plus program for the subsequent twelve months, the PIPP plus customer must be current on his/her PIPP plus installment on his/her anniversary date.
 - (i) If the customer is not current on his/her anniversary date, the electric distribution utility will issue a notice on the customer's bill, and the customer will have one billing cycle after the date of the notice to pay past due monthly PIPP plus installment amounts. If such amounts are not timely paid, the electric distribution utility will drop the customer from the PIPP plus program, and such customer will cease to be an active PIPP plus customer.
 - (ii) The utility shall reinstate the PIPP plus customer into PIPP plus when the PIPP plus customer pays all missed installments and current monthly charges for those months when the PIPP plus customer was not enrolled in the program, less any payments the customer has made (up to the account arrearage). The utility shall provide notice to the office of community assistance of both the drop and the reinstatement through the nightly confirmation files.
 - (c) A PIPP customer who is income eligible, voluntarily leaves PIPP plus, and within twelve months re-enrolls in PIPP plus, must pay the difference between the PIPP plus installments for the months the customer received service but was not on the program, less payments made by the customer during the same time period up to the amount of the customer's arrearage.
 - (d) A PIPP plus customer who is income eligible, voluntarily leaves PIPP plus, and then re-enrolls in PIPP plus after twelve months and has no accrued arrearage, is required to pay only his/her first PIPP plus payment upon re-enrollment. If the customer re-enrolls in PIPP plus after twelve months and has an accrued arrearage, the customer is required to pay the missed PIPP plus payments for the number of months that he/she was not enrolled in PIPP plus, less any payments made by the customer up to the amount of the customer's arrearages, in addition to his/her first PIPP plus payment.
- (2) Disconnection for fraud, tampering, or theft. If a utility disconnects electric service to the residence of a PIPP plus customer as permitted by commission rules due to any fraudulent act to obtain service, tampering, or theft of service by

the customer or any consumer who is a member of the customer's household, the customer shall cease to be eligible to participate in the PIPP plus program, for that utility, while such fraud, tampering, or theft continues and until the customer completes the actions required to reconnect service as provided in applicable commission rules. No charges for electric service accrued during any period that the customer is ineligible to participate in the PIPP plus program pursuant to this rule and none of the costs described in paragraph (E)(3) of rule 4901:1-18-03 of the Administrative Code or any other commission rule providing for reconnection of service following disconnection for fraud, tampering, or theft shall be charged to or paid from the fund. This rule is not intended and should not be interpreted as creating new or different standards or procedures for utility response to fraud, tampering, or theft or as involving the development services agency in any determination that any fraudulent act to obtain service, tampering, or theft of service has occurred. This rule addresses only the effect of fraudulent acts to obtain service, tampering, and theft, as those acts may be defined by commission rules, on eligibility to participate in the PIPP plus program and reflects that households that participate in fraudulent acts to obtain service, tampering, or theft of service should not benefit from ratepayer funded assistance until corrective action as prescribed by applicable commission rules, if any, has been completed.

- (I) Removal from PIPP plus for fraudulent enrollment. In the event that there is an allegation of fraudulent enrollment regarding a PIPP plus applicant, the director, through the office of community assistance, may investigate such allegation. In the event the director finds that a PIPP plus applicant is enrolled in the PIPP plus program or continues to participate in the PIPP plus program as a result of fraudulent enrollment, the director shall terminate such applicant's enrollment in the PIPP plus program with immediate effect, demand that the applicant make restitution of all payments made from the fund for the benefit of such applicant during the period the applicant was fraudulently enrolled in the PIPP plus program, and reverse any arrearage credits received by such applicant during the period that the applicant was fraudulently enrolled in the PIPP plus program. In addition, any such applicant found to have fraudulently enrolled in the PIPP plus program shall be ineligible to participate in the PIPP plus program for twenty-four months and until any demand for restitution is satisfied.
- (J) Removal from PIPP plus or modification of benefits for non-compliance. In the event that there is an allegation of non-compliance regarding a PIPP plus applicant, the director, through the office of community assistance, may investigate such allegation. In the event the director finds that a PIPP plus applicant is enrolled in the PIPP plus program or continues to participate in the PIPP plus program as a result of non-compliance, the director may modify benefits the applicant receives, or terminate

such applicant's enrollment in the PIPP plus program with immediate effect, demand that the applicant make restitution of all payments made from the fund for the benefit of such applicant, and reverse any arrearage credits received by the applicant during the period that the applicant was non-compliant in the PIPP plus program. Any such applicant terminated for non-compliance in the PIPP plus program shall be ineligible to participate in the PIPP plus program for twenty-four months and until any demand for restitution is satisfied.

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Certification

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