

INDIANA HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY

Low Income Home Energy Assistance Program

PY2016 Utility Vendor Meeting

September 23, 2016

Presented by IHCDA

DEPARTMENT OF ENERGY PROGRAMS

IHCDA EAP STAFF

Chief Community Programs Officer
Donna Billiard Wright- dowright@ihcda.in.gov

Community Programs Monitor (monitoring and compliance)
Steve St. John – sstjohn@ihcda.in.gov

Community Programs Analyst (EAP&CSBG service delivery plans, allocations, State Plan)
Veda Morris-May – vmorrismay@ihcda.in.gov

Community Programs Specialist- (vendor MOUs, contracts, amendments, budget modifications, customer service inquiries, RIAA support)
Lindsay Obrien- lobrien@ihcda.in.gov

EAP Overview

2016 EAP PROGRAM CALENDAR

SCHEDULE APPOINTMENTS

October 1

WINTER ASSISTANCE PROGRAM

November 2- May 13

MORATORIUM

December 1-March 15

SUMMER COOLING PROGRAM (if Available)

June 6- August 12

STATE EAP FUNDS

October 1 – September 30

FUNDING IN REVIEW

Year	Block Grant Funding	Funding Received	Households Served	Avg Benefit Amt
2012	3.47 billion	79.9 million	134,166	\$233
		1.1 million in state funds	2,307 from state funds	\$261.82
2013	3.29 billion	74 million	132,166	\$292
2014	3.42 billion	75.8 million	130,500	\$322
2015	3.05 billion	75.7 million	To Date 117,892	\$286

STATE ENERGY ASSISTANCE PROGRAM

- The program was given \$3.8M from the Attorney General's Office.
- Benefits are distributed to **homeowners only**, per legislation.

State EAP Program Stats

State EAP Heating Assistance	38,408 households served
Funds Obligated	\$2.3M
Benefit Amount	\$60

State EAP Crisis Assistance	2,467 households served
Funds Obligated	\$411,249
Benefit Amount (average)	\$167

- State EAP Crisis # of households served is about the same but the average benefit was higher. More homeowners needing second benefit.
- Agencies were able to extend two (2) crisis benefits to homeowners- one during the winter and one after moratorium ended.

FY2016 BENEFIT AMOUNT

- Price per point will remain \$20
- Restore the Electric Benefit to \$75
- New Regional Differentials
 - \$20-North
 - \$10-Central
 - \$5-South
- New max benefit amount will be \$410 (N), \$405 (C), \$395 (S)
- Assurance 16- Energy Education & Family Development
- Summer Fan Program Returns (Proposed for PY2017)

Memoranda of Understanding

MEMORANDA OF UNDERSTANDING

- The annual MOU has been revamped
- The new MOU year is valid from October 1, 2015 through September 30, 2016
- More vendors received email than paper mail, an increase from last year
- Vendors may be subject to monitoring (randomly)
- Beginning PY2017, IHCDCA will roll out its online MOU completion process to allow utility vendors to submit ACH information online, however an MOU signature must be on file, therefore a hard copy must be mailed or delivered to IHCDCA.

MEMORANDA OF UNDERSTANDING

IHCDA made an effort to contact all active vendors from the previous year (2014-2015) either by e-mail or by mail.

Remember that if an MOU comes to IHCDA and is incomplete the MOU cannot be approved and entered into our system. The most common errors are:

- MOU is not executed and dated by the **VENDOR**
- W9 is missing or not signed or the
- ACH is missing or incomplete.

If you have MOU or vendor questions, you may contact Lindsay O'Brien at 317-234-7571 or lobrien@ihcda.in.gov.

MEMORANDA OF UNDERSTANDING

The following items have been updated in the MOU:

9. Refund. A refund occurs when a benefit was paid, but the account closed and left a credit. If a monthly payment to Vendor exceeds the amount of money owed Vendor for a client for such month, Vendor shall apply the overpayment to the client's account for the following month(s), as a credit as long as the client has active service with the Vendor. If the client does not receive Services in the following month, Vendor is to make a reasonable effort to distribute the funds to the client. If Vendor is unable to locate client, Vendor shall issue IHCDA a check for the amount of overpayment, along with the **agency name, client name, and transmittal number**. Funds will be returned to IHCDA within sixty (60) days of completing this process. **Refunds and overpayments must be submitted on separate checks.**

MEMORANDA OF UNDERSTANDING

10. Overpayment. An overpayment occurs when the Local Service Provider or IHCDA reviews a file and finds that the client of record has received more assistance than he or she is eligible to receive. Overpayments are not owed to the client, nor should they be added into the Local Service Provider's budget. The funds should be removed from the client's account and returned to IHCDA. To collect these funds, the Local Service Provider must submit an overpayment remittance in RIAA (formerly negative transmittal) as notification for payment. The Vendor must send the payment, along with the remittance to IHCDA. **Refunds and overpayments must be submitted on separate checks.**

MEMORANDA OF UNDERSTANDING

Energy Consumption Release

11. Energy Consumption Release:

The Vendor agrees to make available energy consumption data for clients who are EAP approved for a period of twelve (12) months prior to the EAP application. To “make available” means to provide a data report through a data transfer or a secure web portal.

This information will be collected from Indiana’s TOP 5 Regulated Vendors, and TOP 10 Unregulated Vendors

ENERGY CONSUMPTION DATA COLLECTION

From IHCD to Vendor

	A	B	C	D	E	F	G	H	I
1	AccountNumber	LastName	FirstName	Address1	Address2	City	State	ZipCode	MinClaimDate
2	12345	DOE	JOHN	3434 E Forst		Muncie	IN	47303	11/06/2014
3	12346	DOE	JANICE	1434 E Forst		Muncie	IN	47303	11/06/2014
4	12347	DOE	Cybyl	4434 E Forst		Muncie	IN	47303	11/06/2014
5	12348	DOE	Connie	5434 E Forst		Muncie	IN	47303	11/06/2014
6	12349	DOE	George	6434 E Forst		Muncie	IN	47303	11/06/2014
7	12350	DOE	Samuel	7434 E Forst		Muncie	IN	47303	11/06/2014
8	12351	DOE	Quincy	2434 E Forst		Muncie	IN	47303	11/06/2014

ENERGY CONSUMPTION DATA COLLECTION

Do not correct account number, Important last name first same column, Address2 for apartment, etc., State and Zip (5) separate, the rest is explanatory. One line per billing cycle: month, etc. We cannot upload your data unless you follow these directions.

A	B	C	D	E	F	G	H	I	J	K	L	M
AccountNumber	AccountName	Address1	Address2	City	State	ZipCode	ReadingDate	DaysInBillingCycle	ElectricUsage	ElectricCharge	GasUsage	GasCharge
	(Last name, First name)	(number and street)										
14324323	Doe, John F	254 S. Main St.		Lafayette	IN	47905	3/31/2015	31	410	36.95		
14324323	Doe, John F	254 S. Main St.		Lafayette	IN	47905	2/28/2015	28	410	36.95		
14324323	Doe, John F	254 S. Main St.		Lafayette	IN	47905	1/31/2015	31	410	36.95		
14324323	Doe, John F	254 S. Main St.		Lafayette	IN	47905	12/31/2014	31	410	36.95		
14324323	Doe, John F	254 S. Main St.		Lafayette	IN	47905	11/30/2014	30	410	36.95		
14324323	Doe, John F	254 S. Main St.		Lafayette	IN	47905	10/31/2014	31	410	36.95		
14324323	Doe, John F	254 S. Main St.		Lafayette	IN	47905	9/30/2014	30	410	36.95		
14324323	Doe, John F	254 S. Main St.		Lafayette	IN	47905	8/31/2014	31	410	36.95		
14324323	Doe, John F	254 S. Main St.		Lafayette	IN	47905	7/31/2014	31	410	36.95		
14324323	Doe, John F	254 S. Main St.		Lafayette	IN	47905	6/30/2014	30	410	36.95		
14324323	Doe, John F	254 S. Main St.		Lafayette	IN	47905	5/31/2014	31	410	36.95		
14324323	Doe, John F	254 S. Main St.		Lafayette	IN	47905	4/30/2014	30	410	36.95		

From Vendor to IHCD

MEMORANDA OF UNDERSTANDING

15. Use of Limiters and/or Meters by Vendor. (PY2015)

Pursuant to IC 8-1-2-121, between December 1 and March 15 of any year, EAP clients are protected from disconnection or termination of their residential gas or electric service by a municipally owned, privately owned, or cooperatively owned utility, as stated in Clause 14. Vendors who are classified as municipally owned, privately owned, or cooperatively owned are considered “regulated utilities” under the Low Income Home Energy Assistance Program for Indiana. The language contained in the Indiana Code does not limit moratorium protection based on the method that the regulated utility uses to provide electric or gas service. **Therefore, vendors who render service using limiters, meters and prepaid services must provide moratorium protection to EAP clients as prescribed in IC 8-1-2-121 and the annual EAP memoranda of understanding.**

- IURC Letter of Opinion Issued November 2014, stating that pre-paid agreements were included and are protected. Vendors could not add language conflicting with Indiana Code.

MEMORANDA OF UNDERSTANDING

18. Vendor Monitoring. Vendor must cooperate with any IHEDA requests to monitor its records as part of IHEDA internal controls. Monitoring will include but is not limited to, verification of benefit application to client accounts, return of funds process and moratorium compliance.

- Likely will be implemented PY2017
- HHS Requirement
- Review any terms of MOU compliance
- Vendor will be selected as part of a random sample and will not be subject to annual monitoring unless there are compliance issues

MEMORANDA OF UNDERSTANDING

ATTACHMENT D

REQUEST FOR WAIVER OF DIRECT DEPOSIT REQUIREMENT (Check)

.....

- 1) The person/business does not currently have a savings or checking account and is unable to establish such an account within the person's geographic area or business' geographic area of the primary business location, without payment of a service fee; and
- 2) Submitted with this waiver request is a written statement from person's or business' financial institution of the inability to establish an account without the payment of a fee.

QUESTIONS

Moratorium

MORATORIUM PROTECTION

Legal Authority: Indiana Code 8-1-2-121 (became effective in 1983)

Purpose: Prevents the termination of residential utility service to any customer who is eligible for and has applied for the Energy Assistance Program

Protection Period: December 1 to March 15

Client's Qualifications for Protection:

- The customer has submitted a complete application and eligibility is being determined by the local CAA or their subcontractor on or after October 1.
- The customer has furnished proof to the utility provider of his/her application to receive such benefits, or IHCD, the local CAA or the CAA's subcontractor has notified the utility in writing.
- **The customer must have active service on December 1 AND an account in good standing.**

AM I COVERED UTILITY?

If you are a electric or gas utility, including a municipally owned, privately owned, or cooperatively owned utility, then you qualify as a “utility” for the purposes of the moratorium law. The definition of “municipally owned utility” means every utility owned or operated by any city or town in Indiana.

WHO IS A CUSTOMER?

Any person who has agreed to pay for electric or gas services exclusively for residential purposes is a customer. Receipt of an EAP benefit does not affect someone’s status as a customer.

DISCONNECTION PRIOR TO DECEMBER 1

- If a utility has negotiated a payment arrangement with a client who has qualified for EAP and that client violates that payment arrangement before Dec. 1, the utility has the right to disconnect that client prior to December 1, as that client is not yet protected by the moratorium.
- If the same client has active service and is in good standing (not in disconnect) as of December 1, the utility may not disconnect that client until March 16.

OTHER CIRCUMSTANCES FOR DISCONNECTION

- If a condition dangerous or hazardous to life, physical safety, or property exists.
- Upon order by any court, the IURC, or other duly authorized public authority.
- If fraudulent or unauthorized use of electricity or gas is detected, and the utility has reasonable grounds to believe the affected customer is responsible for such use.
- If the utility's regulating or measuring equipment has been tampered with and the utility has reasonable grounds to believe that the affected customer is responsible for such tampering.

BENEFIT REFUSAL

- A utility vendor may refuse an EAP benefit at any time during the heating season.
- Benefit refusal **does not** prevent moratorium protection.
- A client who has submitted a complete application and is being deemed or has been deemed EAP eligible and has active service on December 1 will receive moratorium protection through March 15.

PROTECTION WITHOUT BENEFITS

- Once the household has submitted an application and has been deemed or is being deemed eligible for the EAP benefit, the client is protected under the moratorium, whether a benefit has been received or not.
- Clients deemed eligible for EAP, but do not have a benefit due to insufficient program funds, will be placed in a HOLD status.
- All clients deemed eligible, but in this HOLD status, will be placed on a report. That report will be submitted to the utility vendors to ensure moratorium protection.

QUESTIONS

FOLLOW UP INFORMATION

IHCDA will provide each vendor a copy of the slide presentation. In addition, we will also provide a list of frequently asked questions (FAQ) from this webinar, current EAP Program Manual and Vendor Things to Remember.

The presentation will also be available on the IHCDA website (www.ihcda.in.gov)

QUESTIONS??

**For additional questions
about EAP,
please contact
Steve St. John
at sstjohn@ihcda.in.gov
or
(317) 234-7577**