

Policy Clarifications - LIHEAP - Crisis PLR 17355-605

Submitted: 10/14

Agency: CAOs

Citations:

Subject: Crisis Eligibility

Confirm whether applicant meets crisis eligibility criteria prior to the PUC winter moratorium for regulated utilities, in the following situations:

1. Household applies for crisis benefits prior to the opening date of the crisis component.
2. On, or after, the crisis component opening date, household applies due to termination of service. EXAMPLE: Household applies on November 17, 2014. Service was terminated on November 13, 2014, the proposed termination date.
3. Household applies due to receipt of notice advising of impending termination of service. EXAMPLE: Household applies on November 17, 2014, presenting a termination notice verifying a proposed termination date of November 30, 2014.
4. Household applies due to receipt of termination notice; however, proposed date of termination, as specified on the notice, has passed and termination did not occur. The date of the notice is within sixty days prior to the date of application for LIHEAP. EXAMPLE: Household applied on November 17, 2014. Termination notice was dated September 20, 2014, and the proposed termination date was October 3, 2014.
5. Household applies due to receipt of termination notice. The proposed date of termination passed without termination of service; however, the date of the notice is more than sixty days prior to the date of application. EXAMPLE: Household applied on November 17, 2014. Termination notice was dated September 14, 2014, and the proposed termination date was September 28, 2014.
6. Household applies due to receipt of notice advising of impending termination of service, however the proposed termination date is during the winter moratorium. EXAMPLE: Household applies on November 26, 2014, termination notice was dated November 24, 2014, and the proposed termination date is December 5, 2014.

Response By: Division of Federal Programs/LIHEAP

Date:10/14

1. Ineligible. Crisis payments may not be authorized prior to the crisis component open date. Although LIHEAP applicants may meet the crisis eligibility criteria, there is no crisis program prior to the open date, November 03, 2014 for the current program year.
2. Eligible. Household meets eligibility criterion as service was terminated.
3. Eligible. Household is in imminent danger of termination of service.

4. Eligible. The termination notice is still valid, as 60 days has not passed since the date of the notice. The household remains vulnerable to termination of service, and therefore meets the eligibility criterion as it is in imminent danger of termination of service.

5. Ineligible. The termination notice is no longer valid and the household is no longer vulnerable to termination of service provided they have not received a more recent termination notice.

6. Ineligible. The household would not be in danger of losing their heating source as the winter moratorium would be in effect beginning on December 1 and the utility could not terminate service. The only exception is if the PUC has granted permission to the utility to terminate service to this household during the winter moratorium. If that is the case, the utility must provide verification of the PUC granting them permission to terminate service and then crisis benefits may be authorized.

➤ In questionable cases, the utility company should be contacted. If the utility company confirms that it will **NOT** act on a valid termination notice, the household is not in imminent danger and therefore not eligible for crisis benefits.

The PUC requires that prior to termination of service the utility shall mail or deliver written notice to the customer at least ten days prior to the proposed termination date.

For various reasons, the termination may not occur on the proposed termination date. This does not negate the termination notice. Under the PUC guidelines, the utility has sixty days from the date of the notice to actually terminate service. After sixty days, the notice is no longer valid and the utility is required to mail or deliver a new notice to the customer at least ten days prior to the new proposed termination date.

This clarification obsoletes PLR 8085-710 "Crisis Eligibility".