



## Legal Services of New Jersey

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May 24, 2019

Aida Camacho-Welch, Board Secretary  
44 South Clinton Avenue  
Post Office Box 350  
Trenton, New Jersey 08625-0350

**Re: BPU Docket No. EO19030308  
Universal Service Fund Program – Periodic Review**

Dear Secretary Camacho-Welch,

Legal Services of New Jersey ("LSNJ") submits the following initial comments in response to the Board's notice of its Stakeholder Meeting held on May 10, 2019 in the above matter.<sup>1</sup>

The Universal Service Program has been an invaluable benefit to thousands of low-income New Jersey residents during the 15+ years it has been in existence. It has been a very effective program in our experience, although limitations on income eligibility and benefit caps have left a number of households without the level of assistance they need to ensure the availability of vital energy services, and at risk of service terminations that pose dangers to life and health while doing damage in a host of other ways as well.

Given the hasty nature of this request for comments, LSNJ preliminarily supports in general terms the comments that AARP New Jersey by even date. We add the following preliminary points, noting the fundamental importance of conducting thorough data collection before reaching a final conclusion on fundamental changes to a successful and crucial benefit program that has operated with a high degree of effectiveness for more than 15 years.

1. The income eligibility cap should be amended in one of two ways – either raise to 200% of the FPL (thus corresponding with the current LIHEAP eligibility cap) or to 250% of the FPL, the primary income eligibility cap that LSNJ uses effectively in its own screening process.
2. The \$1800 cap on annual benefits should simply be eliminated. With the net increase in energy utility rates in recent years, and increases in shut-offs with tragic consequences like those witnessed in Newark last summer, there is simply no compelling argument for an arbitrary cut-off that guarantees that some highly energy vulnerable households

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<sup>1</sup> [CURRENT LSNJ DESCRIPTION]

(especially in older housing stock) are pointedly excluded from potential energy affordability.

3. An incentive credit for households taking advantage of any of the effective weatherization programs would be a positive step, though it does not itself fully ameliorate the need to lift the \$1800 per year USF benefit cap.
4. A reduction to the 3% energy affordability threshold should be the subject of careful data gathering, with exploration of the potential for tiering to provide additional assistance to households with the lowest income levels.

LSNJ appreciates the opportunity to provide comments at this early stage in what must necessarily be a thorough, extensive, and transparent consideration of the best ways to strengthen one of the state's hallmark utility assistance programs.

Sincerely,  
LEGAL SERVICES OF NEW JERSEY, INC.

By: s/David McMillin  
David McMillin

s/De Miller  
De Miller