

HEAP Block Grant Advisory Council Meeting

Thursday, August 5, 2021

A meeting of the Block Grant Advisory Council was held via WebEx on Thursday, August 5, 2021. The meeting began at 1:01 pm.

Attendees

Andrew Bryk, NYS OTDA HEAP

Andy Stone, Executive Director, NYS Weatherization Directors Association

Anna Vitolins: NYS OTDA HEAP

Charlie Brennan, New York City Attorney for Interveners

Darrell Metcalf, OTDA

Helen Schneider, NYS OTDA HEAP

Kenneth Gossel, National Fuel Gas

Kira Pospesel, Commissioner, Greene County Social Services

Paul Brady, Commissioner, Schenectady County Social Services

Rachel Kerr, NYS OTDA HEAP

Vivvy Williams, BGAC secretary

Discussion

Helen Schneider: Hello, everybody good afternoon, this is Helen Schneider welcome to the HEAP Block Grant Advisory Council meeting. I want to welcome everybody to the meeting today and hopefully everybody can see the agenda. If you have any problems seeing that please let me know. With that I will the meeting over to Ken Gossel who is going to be chairing the meeting today. Thank you, Ken.

Ken Gossel: Thank you Helen. I appreciate you all joining us today and first I thought we would have everybody identify themselves if we could. I see there are a few callers coming and the other participants could we just have you state your names please?

Andy Stone: I'm Andy Stone from the New York State Weatherization Director's Association.

Andrew Bryk: Andrew Bryk, New York State Office of Temporary Disability Assistance, Home Emergency Assistance and Low-Income Household Water Systems program.

Kira Pospesel: This is Kira Pospesel from Greene County DSS I'm the commissioner and Andrew your title of your office is way too long.

Andrew Bryk: Yeah.

Anna Vitolins: Good afternoon, Anna Vitolins, New York State HEAP and LIWAP, I'll shorten to acronyms.

Darrell Metcalf: Darrell Metcalf OTDA Division of Legal Affairs.

Ken Gossel: And possibly I see Rachel Kerr is on the webcast as well.

Anna Vitolins: Rachel doesn't have a microphone she is also with New York State HEAP.

Ken Gossel: Thank you so much. Well to get this meeting started. Firstly, we have minutes that were distributed from the May 6th Block Grant Council Advisory Meeting so I will give you a moment to see if everyone has had an opportunity to review those and whether there are any changes to those minutes.

Kira Pospesel: Ken this is Kira I do have a change; page 14 it appears Andrew and I seem to speak an awful lot but anyhow on the bottom of the page where I was speaking I think my last word was easier and not earlier.

Ken Gossel: Okay. Thank you. Any other changes? If not, I'll take a motion to approve those minutes.

Kira Pospesel: And I'll give you that motion Ken.

Ken Gossel: Thank you Commissioner and a second please?

Andy Stone: I'll second Ken it's Andy.

Ken Gossel: Thank you Andy. All in favor?

All: Aye.

Ken Gossel: Opposed. Okay thank you with that I'm going to turn it over to Andrew Bryk with that very long title, probably shorter than the duties he's assigned but he's going to start with the 2021 HEAP Year in Review, please.

Andrew Bryk: Very good thank you. And Commissioner, yes, we do speak a lot and the positive thing about that is that we're listening to one another and we hear each other. So, if we're not speaking, we can't listen. So, thank you for that opportunity.

So, I will just jump into it. The 2021 year has been – Charles! Good afternoon.

Charlie Brennan: Glad to be here.

Andrew Bryk: Thank you for joining us it's always nice to see you.

Charlie Brennan: My pleasure, thank you.

Andrew Bryk: Thank you for helping us. We were just jumping into the 2021 update if you're alright with that. Everyone has announced who they were Charlie and we just finished that would you like to announce who you are and then we can go from there?

Charlie Brennan: Charlie Brennan I've long been serving on the Council. I've missed a few meetings, but all is well and I'm happy to be here.

Andy Bryk: And we know on behalf of all of us we appreciate having your voice on this Council so thank you very much. Okay, 2021 what a year. It was quite a year. Let's just start it off. Continuing the Omnibus budget that was passed last year included about \$373 million for New York's alone program. It was a national allocation of \$365 billion with a B dollars of which New York received \$373,213. And then the American Rescue Plan came or ARPA as its referred to and New York received \$535 million from that for a total nationally for LIHEAP for last year and into next year of \$8.15 billion which New York State received \$908 million from. So, with that said, the program let's start where we did - regular program this year. We originally started our plan opening the regular benefit on November 2nd and it was scheduled to close on March 15th. We extended that twice, it extended through the end of August, August 31st. So far, we've served or issued 1.5 million benefits statewide. The average benefit statewide is about \$478.00. We originally started last year with a single emergency benefit that opened on

January 2nd, 2021. It was scheduled to close on March 15th. That, like the regular benefit component was extended twice and now will close on August 31st, 2021. To date, we served 95,000 households or excuse me just shy of 96,000 with an average benefit of \$454. In April, we opened up and made a second and third emergency benefit available to households which had exhausted their regular and first emergency and HEAP related benefits. We opened that on March 8th at the same point we extended the program. We did allow for new households who came in at that point who had not yet received a regular benefit to be evaluated if that household was in an emergency situation, we did allow for the simultaneous issuance of regular and a first emergency benefits. For households that had already exhausted those, we offered a second benefit and then we opened up a subsequent third emergency benefit. To date, the third emergency, sorry I'll step back, opened up on April 15th. To date combined we're just under 27,000 households that have received those benefits with a combined benefit amount so the households may be a little bit less, I misspoke, strike the record. The average second and third benefit is \$437.00. That will go through the end of August just like the first emergency benefit and the regular benefit component. We also had a Heating Equipment Repair and Replacement component that opened on October 1st, 2020 it was scheduled to run all year through September 30th and it is on track to continue to be able to operate. We always say it will operate as long as the funding allocated to that component is available. It is still available. We haven't exhausted it yet. To date we've done 742 repairs and 1,137 replacements. The average repair is \$817.00 and the average replacement we have finally exceeded the \$4,000.00 mark statewide first time in all of my years it's for \$4,037.00 which still, if you look at the cost of heating equipment, especially with supply chains this year, that's still I believe we're getting a decent value, especially since we do require high efficiency units to be installed whenever possible.

Clean and Tune – to date we have authorized just shy of 3,000 Clean and Tunes that opened October 1st and will operate through the end of September. The average Clean and Tune is \$247.00.

Cooling Assistance Component – opened on May 3rd, to date we've done just shy of 4,000 or 3,985 to be exact. That will operate through the end of August and the average Cooling Assistance Component benefit is \$747.00.

The regular component benefits they stay the same, we kept them at the previous year's level \$675.00 for gas/oil/propane, \$350.00 for natural gas or electric heat, wood was \$525.00 Our heat included benefit Tier 1 was \$45.00 Tier 2 heat included in the rental cost is \$40.00 and our heat and rent or nominal benefit was \$21.00. We did make adjustments last year to those benefits and the add-on amounts so that the increased add-on was \$66.00 if households received both the \$35.00 and the \$31.00 add-on to their base benefit. It seemed to really work well. It assists in stratifying households and identifying households for different assistance levels through the Utility Bill Assistance Programs around the state. And I'll speak more to it. What we've moved to for performance measures in our pilot exchanges with the utilities for this year as we move through the agenda today.

The emergency component last year or the current year that we're still operating under, the way the year's going I'm thinking forward. It operated for the program timeframes performance period that we spoke to and the benefit of those flat benefits \$675.00, \$525.00, \$140.00 for domestic heat related electric benefit, \$350.00 for gas benefit, \$490.00 for combined gas and electric, for electric heat and we always have propane tank deposit and a relocation up to \$500.00 for the program year for eligible households that remained available. And the Heating Equipment Repair Replacement remained at the \$6,500.00 or at \$3,000.00 repair. Obviously, what we always say when we get to the \$3,000.00, we are going to work on replacing that and not put good into bad.

The Clean and Tunes – the Clean and Tune component you know that’s our perennial discussion and it’s something that we’re working on and I know that we discussed and Commissioner in this case I did hear you and I listened, but I did it anyway. We did push out referrals down to the district level and asked districts to send out an outreach letter. We provided lists to the districts. We sent it out. In the midst of everything else they were doing, the extension of the program and said, “Can you please help us and shake the bushes?” The Clean and Tune numbers are a little better than they were last year. Are they where we want them to be? Next year, I want to tell you that we’ve exhausted these funds; we haven’t done it this year. I don’t think we will.

Kira Pospesel: Could I just make a comment about the lists?

Andrew Bryk: Please go right ahead.

Kira Pospesel: Okay so, and you know I’m always so busy so I guess I’m brutally honest, but your lists were atrocious, absolutely atrocious. You need to fine-tune them a little bit better. We had to do a lot of work. My staff found many, many renters on those lists. You have to match pay, basically take the pay types and match them with the budgets. There has to be a way to do that. I mean I had one person going through those lists; it took us hours to figure out the accurate list. So yes, you sent me information, but you gave me a lot of extra work that you shouldn’t have given me. So, we took one-step forward, two back but I’m willing to meet you halfway. So, let’s fine-tune the lists.

Andrew Bryk: I have people on the call today and they will take that back and make sure that when we do this again it is fine-tuned and thank you. I welcome that feedback; I truly appreciate it.

Ken Gossel: Andrew this is Ken at National Fuel. I just wanted to jump on. We’ve had some success just recently and always great success in working with OTDA, but they helped us to just last week we sent out 1,300 letters to customers for the Clean and Tune and we included the OTDA flyer in it. And so, we mailed them out and alerted the counties in our area that they might get an uptick in calls and whatnot. But very good cooperation, coordination to sort of assist our existing program where we have our own Heating Repair and Replacement but it’s a very nice supplement to it and a good way to get the information out to eligible recipients. But much of that data all of that data was our internal, but we look forward to some good success out of that.

Andrew Bryk: Thank you so much that’s awesome and you also gave me gold on that. That was a neat thing that we did and that was you know Anna put forth the Clean and Tune poster that we published this year to complement the Cooling poster outreach literature that we put forth last year, actually a couple years back. So, thank you for taking advantage of that and thank you for getting that out. Anything we can do to provide program access and as I always say, shake the bushes and get that information out there, I’m more than happy to provide it and I’m really pleased that you’re doing that and partnering with us to get the information out to the households that truly need it. So, thank you so much.

Ken Gossel: Thank you.

Andrew Bryk: So, the Cooling, I’m really happy the Cooling is continuing. It’s doing very well, kind of a crazy summer where everyone is around the State, but I do know, well I do know where you are, the last month 9” of rain, 3rd rainiest on season. It’s been warm but even, so the cooling numbers are okay. They’re not great but they are higher than they were last year, and we’ve been able to help those vulnerable households that truly did need it. And the changes that we made in response to last year’s COVID emergency, people were staying home, opening it up to households that reside in government housing with heat included continued for this year and will continue into future programs. So that is a wonderful thing I’m happy to say. Maybe that is

contributing to the additional uptick that we did see this year, year over year. It's about the correct thing to do and I'm happy that we were able to make that change, and it will continue for years to come.

And I just wanted to look back at the agenda. I think that is everything I have for the 2021 program at this point.

Ken Gossel: Andrew would it be appropriate to talk briefly about the interplay of the additional federal HEAP dollars to the Rent's Assistance Benefit that is available out there through OTDA and in particular the component relating to 12 months of utility arrears at this point?

Andrew Bryk: Yep. That is part of my agenda in my talking plans that I had for today.

Ken Gossel: And we can wait till that point if that's better for you.

Andrew Bryk: Great, thank you very much but I will make sure, I'll put a big check mark next to that because I understand the information, everyone wants to know what's going on and I'm happy that we've been intimately involved in that utility program and so I can actually speak to it and speak to it logically. So that's a wonderful place to be fitting it in my speech so awesome. The big question I'm sure as we move through the agenda, if anyone has any questions about last yearish, I'm going to mix a little bit of last yearish and where we're going for this next year in the next portion of the conversation.

Ken Gossel: No questions, I'm at the edge of my seat Andrew

Andrew Bryk: Awesome, great. So am I. So, the State plan the big question where is it? What's going on? You know we started the process back in April and March. We had needs assessment and we met with everyone who wanted to participate both during normal business hours and after normal business hours. We did offer that again this year. We accepted comments from that. We have comments that we received through the Public Service Commission Low-Income order proceedings and the low-income order and the white paper that was published. We had comments that we received, and we will include from this forum. We have our meeting minutes that will be attached to the plan. And we get input through the Low-Income Energy Taskforce and the Interagency Taskforce, the Life Steering Committee, and the Policy Advisory Committee of DHCR, the weatherization group. So normally states submit plans each year. They submit a new plan for the new program year, the application for funding which is an option for this year. With the American Rescue Plans States Grantees we're provided two options and the second option is to update the 2021 excuse me the 2021 or FFY 21 State Plan and provide a letter of assurance to HHS that the State will still abide by the assurance of LIHEAP, that we intend to administer a 21/22 program, and we would attach all of the documentation of what we've done to date, and an update of changes that were made to the 2021 program that would be implemented for the 21/22 program, and submit that directly to HHS without the need for public hearings. Both of those options are under consideration. The Plan is drafted and in the clearance process. We may go one way or the other, option 1 or option 2 but that really does segway into Ken's question what did we do this year? So, in addition to things that I've already explained, we allocated funding from the American Rescue Plan for utility arrears relief to households, recipient households of the Emergency Rental Assistance Program. That legislation both at the Federal and State level permitted for rental arrears relief and for utility relief. We allocated LIHEAP funds and built the process so that households that are deemed eligible could be served with LIHEAP funds and households who are over the HEAP income guidelines that may be served under the Emergency Rental Assistance Program. Households I'm speaking to are households above the 60% state median income or 150% Federal Poverty guidelines whichever is higher and households at the 80% area median income or, in some areas of the State, even at 50% area median income, they do not qualify for HEAP at the HEAP income guidelines. So, if HEAP eligibility can be determined

for an ERAP recipient household, those households will receive a HEAP benefit, let's just say the scenario is someone has been renting their apartment since March 13, 2020 and they applied exactly 12 months later. We know it wasn't the case, applications started being accepted on June 1st more than 12 months. But the utility portion is specific to 12 months or some portion thereof they started some service less than 12 months for ease of simplicity. Rental assistance you can get whatever your rent arrears are plus 3 months prospective up to not a guarantee and households that receive those rental assistance funds will have their eligibility determined. So, I spoke to the HEAP side, if they're HEAP eligible, whether it is municipal electric company, or municipal gas company, or a public service commission regulated utility, they will receive HEAP funds up to 12 months or if it's exceeding 12 months, it's the highest 12 months within that timeframe. So, for ease of example, the bill is \$100.00 a month, households been there for 13 months, the highest bill, if every month is the same \$1000 excuse me it's a few hundred dollars they could receive up to a \$1200.00 arrears payment through that program. Municipal electric companies are a little different and the Public Service Commission are a little different when you're speaking to households over the HEAP income threshold and that's a discussion that is specific to ERAP, ERAP funding and the 1872 tax law that was worked into the legislation this year. So, for HEAP if they're eligible ERAP, doesn't matter who their gas or electric utility is, they will receive an appropriate benefit up to 12 months' worth of arrears gas and/or electric. That change happened. It's in the 2021 plan and that program is happening. Those applications are coming in. Two weeks ago, it was 160,000 had been accepted, I don't know how many have been determined because there are separate priorities and then once those priorities are determined, the applications are processed through. So, those changes will reflect in the plan and will carry over into next year's plan. Right now, there's discussions about an equitable benefit for other households with arrears and that is where we will update the 2021 plan and provide guidance and information within the next week how we intend to equitably meet other households with arrears that are not being served through the Emergency Rental Assistance Program.

Ken Gossel: Do you believe...

Andrew Bryk: ... in the next week and that will carry over into the 21/22 plan. The big driver of the program in the plan right now is the American Rescue dollars. We received the lion share as a state of any state in the country. We have with that a serious obligation and responsibility. We know with the moratorium expiring and just based off the data that we collected and thank you all our counterparts at the utilities back in March when we put out a large ask to say, please provide us with information on HEAP recipient households that have arrears. As of March 17th, we received files from all of the major utilities and we were able to utilize a projection, at that point we had about 1,700 households who were currently HEAP recipients who had arrears. We didn't put a minimum or a maximum on the arrears, we just wanted to know who has arrears, how many, what's the number out there and everyone obliged and provided us with that information which we're looking at right now and we know that that data you can just tell it's probably a little higher than the 125 million at that point that we received, probably more in the 165 to 170 if that trend stays true through the last four months. But those are the households that are being served through rental assistance and those are the households that we are planning on providing an equitable benefit that would be delivered through our traditional process. We have the data and the lists. Commissioner thank you for that comment because if something needs to come out in the next week or two that we are going to provide some information or that we do not have to have a lot of interaction back and forth to decide who are in arrears, updating case notes and being able to ameliorate household's arrears for a period of possibly longer than the ERAP that set those boundaries that were put on by the legislature, we will be able to have a good program. And those changes will carry forward into next year if they are successful in the proposal and everything goes according to where we're going. It's the

most information I will be able to give you guys without actually giving you a piece of paper. We are also proposing...

Kira Pospesel: Andrew can I just stop you for one minute. So, is there anything from the local district? Are you expecting our staff to upload cases and make all these changes or if you can just clarify that for me please?

Andrew Bryk: What we're proposing will include a local district solution with state support.

Kira Pospesel: Okay so before you send out any more silly little lists, please run it by us because maybe the staff will have some really good input so we can make it a little bit cleaner and better and easier, and we will all be a lot happier.

Andrew Bryk: Anna, Rachel, reach out to the Greene County HEAP coordinator and let's get this information and let's make sure that our lists are solid so that it's very useful and it's not additional work in addition to the work that we're already pushing down to the local districts.

Kira Pospesel: And I'll bet you Schenectady has some words of wisdom to probably offer also. [laughs] he's saying on mute.

Andrew Bryk: Commissioner Brady you're welcome to take the floor.

Paul Brady: No, it is one of those things where you know it kind of cuts both ways. We know that ERAP is not going particularly well, you know I'm going to jump off this call at some point here to be able to join the ERAP call, because we're getting a lot of phone calls from landlords that aren't being paid and you know, particularly with some of the money that we're talking about here if there is a local solution or some element of our participation, I mean I tend to agree with Kira that we need to know what it's going to be. I'm not unwilling to do it, but it is August and code blue will be on top of me before I know it. That tends to eat up a lot of my resources so if there's an expectation that we're going to be involved, I would want to know soon and so that we can just be prepared for it. Because I'm in a circumstance like many other Commissioners, because of the pandemic, we have not been able to bring a lot of staff on board. I lost staff, civil service tests are not being offered so we're down already and it forces me to be very strategic in terms of the things that I'm going to be engaged in probably through the course of the next year. I don't want to digress too much because it gets off topic.

Andrew Bryk: No, thank you this is good because you're making me think and as you were speaking, I had a couple of different ideas how we may be able to provide relief so don't ever stop. You guys know me, I'll hit the guardrails every time, I might even go off an exit and get back on the next one so thank you that works for me. I truly believe that those types of solutions will make huge impacts on the households that we serve and truly impact their income to energy burns and reduce that. This year is that anomaly year; we did receive a lot a good amount. Is it ever going to be enough, I will never say it is enough? It's not enough because I'd like to be able to do additional things. So, there's some positive things. We are able to do more weatherization; we're able to do more work with Empower so those funds will be going out. We are authorizing additional administrative dollars for the local districts administering the additional work that we're throwing down in addition to next years, we're projecting flat funding even though there's conversation of another 100 million onto the base funding, we're still projecting about \$373 million of base funding for FY22 with the dollars, the money that we hope to get out by the end of the year, the end of the federal fiscal year at least obligate funds by the end of the federal fiscal year. we could be somewhere approximately, please don't hold me to that, about possibly up to \$200 million would go into next year's program which is fine because the Rescue Plan funds are not subject to the 10% LIHEAP carry forward from the program year program. So, 100% of those funds could carry forward. CARES Act which is in play for this program year does sunset September of this year so that's a real push that we have to make sure that 100% of those funds are obligated so that we do not send back any funds to Washington, and that will

be the focus as we move into 22, because the Rescue Plan funds must be obligated by September of 22. Those are the big priorities to make sure that we are doing our due diligence, assisting households that truly need it and doing it as quickly as possible. Commissioner Brady what I can say about the utility dollars that will be going out for ERAP, most of our funds have previously for HEAP gone out through the Office of State Comptroller through the Statewide Financial System so I have, even though we work through the bugs of the vendors for the landlord portal and the landlord payments, I am 100% confident that our utility payments and our utility partners will go. It will be a smooth process. So, at least those calls won't be coming into your office. I can't guarantee you other ones won't be but thank you.

And then the other piece that I spoke to earlier in that long title was the Water Assistance Program and I know that this is the HEAP Block Grant. There is no requirement for water to have a Block Grant but yet the Low-Income Household Water Assistance Program has because of the HEAP niche of it, very similar based off of HEAP, a lot of parallels came to this part of our agency. So, we are also drafting, Anna Vitols who is on the line here and Helen have taken the lead on water for us and we're putting together a plan. New York State will receive just shy of \$70 million in low-income water and wastewater assistance funding. So, it is a parallel plan that is due to HHS at the same time, actually it's due on the 9th, but New York will request an extension to submit the Water Assistance Plan parallel with the HEAP plan. Too many low-incomes here I can't say WAP because we have the Weatherization Assistance Program in New York so I couldn't they didn't consult when they came up with the program all they could say, they should have consulted with program. We would have come up with a better acronym or at least speak to the State partners. We have great acronyms but now we have WAP and WAP and so we have water, and we have weatherization, and both are coming to our bureau and that is amazing for us, it's a lot of work but we're putting that together. The focus for that is 3 priorities for water, there are households that are terminated, households that are facing termination, or bill assistance for water what do we say income to water ratio reduction. So, they're getting supplements.

The third is not required by a statute although it is permitted. So, we're pushing with a plan for water that includes people who are shut off which there isn't many. Normally, they don't shut off water is what we've found through the process and households that eventually face the loss of water. Water is covered by HEPA at least the 228 vendors that are covered by the PSC. If we speak to all of the vendors, I can hear Anna saying stop, through water and wastewater when you include the Homeowner's Association then the different mobile home parks around the state, which also own their water systems, in addition to the municipal and private water vendors, there's thousands across the state and it's a pretty neat thing, billing is different than HEAP. The number of vendors is different than HEAP. The income guidelines are the same. There is categorically eligibility just like LIHEAP except for this time water includes LIHEAP. So, if you're in receipt of SNAP, ongoing TA, LIHEAP or SSI, living alone, we can build in that categorical eligibility for LIHEAP also so that households aren't additionally burdened by providing additional documentation. And really that is a focus of where we are trying to go with the water program and ease of access, ease of administration and without a lot of local district involvement. So, that is where we're going with water. If anybody has any burning desire to provide us input as we move forward with that with the water plan there is no option. We don't have to have public hearings. We have been meeting with both water and wastewater associations and providers around the state, I want to say March, maybe a little more and we've got a lot of information to be able to put forth a plan to be able to address those first two priorities for water and wastewater. But if anyone would like to provide us information or read that, we will put it up on the website prior to submitting it to HHS and if anyone wants to provide input, that would be really amazing, and we look forward to that although that is not the purpose of this group but you all provide us with such insight we couldn't do this alone. So, I wanted to throw it out there and if I don't ask it's always a no.

And with that I will open it up to any other questions or any further discussion that anyone would like to have. I know we have an agenda item moving forward for the next year's series of meetings.

Ken Gossel: Andrew can you go into a little bit more detail on the ERAP money that's going to be located to weatherization.

Andrew Bryk: Yes, I'll just say it \$53.5 million is going to be transferred to HCR for weatherization activities. We are also in the process of updating their addendum right now to provide them with the balance of the 9% so the first MOU or agreement that we had with HCR provided them with the initial funds that we received which was 90% of the appropriation for LIHEAP FFY21. When we receive the additional 9% released there's still 1% in limbo that could be used for other agency priorities, the MOU the agreement is in the process to transfer the additional funds so it will be up to the \$37 million, they will get an additional \$53.5 million for through ERAP for any that are speaking to our specific program dollars. Was there something more specific to that Ken?

Ken Gossel: No, that...

Andrew Bryk: I apologize.

Ken Gossel: That's okay.

Andy Stone: Andrew regarding the water and wastewater plan how much money was allocated to NYS from HHS for that?

Andrew Bryk: Nationally, the appropriation was \$1.2 billion. Of the \$1.2 billion New York State received it's almost 7, sorry probably right in front of me here, \$6.8 million.

Andy Stone: If there's one thing in New York State we don't need right now is more water. Is there a potential plan to reallocate those funds if we don't see a way to spend them down or is that going to have to go back to HHS.

Andrew Bryk: I would love to just let my staff speak. You know they have so many amazing ideas and there's also some amazing ideas coming down from our partners how we are able to allocate these funds and how we can best serve the households and how we can do it administratively. Currently, it's a little bit of an uphill battle because we don't have that language on our applications as we do for LIHEAP and to put that out and to get that and get an affirmative application for a benefit it's a real uptick. So, struggling with how do we outreach? We're planning on making sure that - go ahead.

Andy Stone: Ken do you mind muting your phone, it's really interfering with Andrew. I can't hear. Andrew, I apologize, thank you.

Andrew Bryk: And you know I speak through the wall, so I apologize. Sorry now I lost my train of thought, somebody bring me back please.

Andy Stone: So, if that money if the water and wastewater money does not get spent, is that something that can be reallocated for other uses or don't you know yet?

Andrew Bryk: No, those funds are specific for that and they have the specific performance period through 2023. So, they will be available for that time period until they are extended. If we get into 22 and we need to make sure that these funds are extended, there will be bill assistance. We're planning on bill assistance but we're putting out the plan without having something, knowing what our experience and what we've learned this year. We don't want to let out bill assistance and say we'll take applications for bill assistance when we're just setting ourselves up for failure. We will build the plan to say it's feasible. We will work in bill

assistance, but the priority and the federal priority is terminated or potential loss of termination and with the moratorium that expired the end of June which will then expire again because of the 180-day period that households were impacted, they will not be shut off, utility, water, cable, phone, that's great, its great reading. Sorry, that's not sarcasm it was great to get it and read it again because it does provide protection to households. And it was good to see part of it. But, the end December, beginning of January, those concurrent moratoriums on utilities which include gas, electric, and water and wastewater will expire and there are a lot of households that are going to be in trouble. So, I hope that we're able to get out there, get in front. We've had a lot of good conversations and built relationships with new vendors. I came up and I speak to all those guys, wood guys and that's the back of my hand. And this is a new thing. So, it's been very exciting, and I think back of all the people who have to build HEAP, Charlie do you remember this, remember the Steve and the John Fredericks and they built HEAP. That's 40 years ago and a lot of what was and the processes. I'm going, wow I have a real appreciation for the work that was done before I was head of the program. So, throw it back out to you guys if there's any questions.

Ken Gossel: So, from an agenda standpoint, Andrew touched on the 2021, 2022 funding is there anything to report with respect to, do you anticipate that \$5.1 billion or what can you tell us there with respect to new funding that you anticipate aside from the other things that we've already talked about?

Andrew Bryk: The new funding for next year what's being proposed on the hill is flat level funding for next program year. Maybe an additional \$100 million on top of it. That's what's being floated but we won't know until there's either a bill or resolution in October. Hopefully everybody comes together, and we have it. The fear with you know is that there wouldn't be such an emphasis for LIHEAP because of CARES and because of ARPA. Can we make sure that we are obligating, and HHS does not want these funds to be returned and we're trying to do our best to make sure we're serving the households that are needed the most. And Ken, if you would touch on performance measures which was another piece of the agenda that we didn't speak to. I will stop if you have a follow up though.

Ken Gossel: No, that's it. I wanted to make sure we didn't miss that one either. Still at the edge of my seat and haven't fallen off.

Andrew Bryk: To performance measures. What we're obligated to do, it's the collection of consumer costs, comparing it against their income, coming up with an income to energy burden ratio, looking at their pre-HEAP, post-HEAP energy burden and looking at what was the reduction as they were receiving HEAP? Did we target the highest level of assistance to those households with the highest needs? Our numbers still look good. It's a positive thing. We collected upwards to 300,000 lines of data about usage between our deliverable vendors and the utilities. It's been a very good thing and it's been expanding every year. This year we expanded to include ConEd into performance measures so we will start getting better data on New York City household's energy burden ratios and how the program is impacting consumers in New York. We had a lot of upstate, I think this will really be tallying and provide us with good information. I have to share with all of you, we did have a simple state audit finding last year, one. The first time I've had one, we've had one sorry I didn't take it personally. And it was about performance measures and it was particularly about the electricity costs and the electricity data that we received, the electricity data that was in our database and the calculation that we made specific to electricity and the average cost and reduction in energy burden. Our benefits it didn't affect benefits, but it did affect the report and it created a red flag that it was below you know the data collected through the households and sorry losing me through census. The household consumer survey. So, it raised a red flag because our data was considerably, our average was lower than the average reported on that survey and so KPMG during their audit requested us to replicate the data and bring it down to the household level. And when we did

so, we were able to discover that the data wasn't 100% correct and it skewed the results. So, we did get a finding and that report is being reviewed. We do have a corrective action plan that will reflect in our either new if we use option 1 or our revised 21 plan, new 22, revised 21. That will be in the plan that we do have a single state audit finding and there is a corrective action, and we are taking appropriate action with our ITS partners to drill down further and make sure that the business requiring document is accurate and that you report this correctly. That said, we will review all prior performance measures reports going back to 2016 which was the first-year grantees were mandated to do so and we will review that data once we are able to determine the error in the coding for the performance measures, electric portion of the report.

Ken Gossel: Could that potentially impact the benefit amount?

Andrew Bryk: It currently doesn't but as we move more towards that performance measurement data, and the calculation and the methodology of the calculations of the benefit, we're still, our usage 90 or excuse me 30 days, I'm confusing with water now, 90 days perspective service for water, perspective service for LIHEAP. It's still approximately that but we will keep an eye on that number to make sure the benefit is adequate, especially as we move towards electrification which is close to weatherization. I have a meeting later on not this week, but I think its next week to discuss Empower and we have another meeting with HCR next week to discuss some of the creative initiatives that they're looking to do under weatherization. I think they're working with Samantha on some of that and when I heard what they're proposing, I am definitely a cheerleader and I can support the initiative and the actions, especially if it's going to promote additional work that we can't do under DUE rules and it enables a proof less concept that would enable weatherization providers of the state an opportunity with more training and technical assistance and getting staff up to speed with the new green environment, and the green skill set and to be able to make sure that our households are not lost and they are part of this. And I will make sure that I'm there. You know I will sit there with my hand up to make sure we're doing the right thing.

Ken Gossel: Well listen, I had written you a week or so ago regarding the difference in benefits between oil and propane vs. electric and because the electric benefit is less than oil, if we do a conversion from oil to heat pump, although we're going to see a net benefit for the client in their actual usage, if they're HEAP eligible, their benefit is going to go down. So, I'm a little concerned about that and I actually brought it up with HCR also. Can you explain the determining factor as to how the benefit, based on the commodity, is established? You understand what I'm saying right? I mean if we save someone \$300.00 or \$400.00 a year on their heating bill by installing a heat pump and we reduce their HEAP benefit by \$300.00 or \$400.00 it's kind of a wash and then that benefit isn't necessarily there. So, as electrification becomes more of a mainstay in New York State is there a potential there for the benefit to change?

Andrew Bryk: Oh, there's always a potential for the benefit to change. But there's additional things in addition to the benefit amount. So wash to wash, there's other positive things that come with moving towards a recon and you know those other things that we're able to do to make sure that the weatherization measures, air quality is good and we don't have combustible heating pushed way there.

Ken Gossel: You don't have to answer me on any of that stuff Andrew at all for sure.

Andrew Bryk: And if we're seeing increased costs as we move that way, we will be the first to push for that. We haven't seen it yet. As I said earlier, it's about 30 day's perspective service, what's the average cost. We are still there at the base benefit, the emergency as I said, \$590.00 amount to those households, that's not going to change, the base benefit amounts. And what I didn't say of the 22 plan one of those things, we are looking at the Tier 1 income and

increasing the add-on for that. we're also looking at the add-on for the renter's benefit to make a nominal but thus an increase in the heat included in the rent benefit.

Ken Gossel: Okay.

Andrew Bryk: But going back to performance measures, one of the neatest things that I think we're putting in play for this year- I spoke to the data sharing currently we're up to 43 vendors around the state. We have all of the public service commission regulated vendors and then we have a couple new ones that we put into the mix. This year, we are changing our outbound file for performance measures to include household size, and federal income tier, there's five federal income tiers. And so, we will include that data on our performance measures file that goes out to all of the utilities so that when the utilities are stratifying households, they're better able to categorize those households based off of that data that they are from the information you get intrinsic in the benefit amount by the differentiation by \$1.00 in the tier 1 benefit. That has always been that key element that we've included in the benefit because we weren't able to provide it in any other manner. But this year, we will include that two extra data fields on that outbound file for utilities that will include those two extra data elements that is the federal income tier that they fall into and the number in the household so that the utilities are able to then better adjust their low-income discounts to give higher benefits to a household that is at \$7500.00 a year for their household because they're in 75% or less or are they in the 75% or less tier, which is all tier 1, anything below 130% is tier 1. We only have two indicators right now; this will give five indicators of income plus an added layer of household size. And it's something that we've heard. It's something that was in the white paper that was published. It was something that came out in the below income order and the hearing that they had. So we wanted to do what we could to make sure that in addition to LIHEAP that our households are also getting the rate payer assistance that are a part of the rate that the utilities agreed to with the Public Service Commission. So that's what had you at the edge of your seat for Ken I hope it was worth it.

Ken Gossel: No, it's great news. We've been advocating quite some time for an increase in the ability to better target household discounts right. We're operating programs that other non-participating customers are contributing to and hence, the resources are scarce and to the extent that we can better identify and target to meet and energy burden of a specific household, I think that can go a long way. It will take and does take the utilities that don't have systems set up really to necessarily use that data, will take some time for them to develop but hopefully we can all work toward using it as a tool, better than the existing one to better allocate the resources where needed. So, thanks so much.

Andrew Bryk: Yes, and you brought up a point about the system's development. We want to include it on the file. The expectation isn't that everybody's going to jump down there on the import when the data goes in so if the utility is not prepared, they can drop those last two columns off and then just put it into the existing process that they have and then build towards that as we move forward. We just really heard it especially in that hearing, especially in the white paper and I'll be very blunt. They called out OTDA. They called out the HEAP program that we needed to do a better job to assist the utilities, to assist our low-income households, yet I've always said build the onion. I think I told you last time, staff you know especially said Andrew we're building the benefit however we're layering it on to make sure that our households are getting utility assistance, HEAP assistance, weatherization or Empower. You know where we're at and I was a huge advocate to make sure that we're able to meet the needs of households that were in the discount program. So that and the equitable program that we're considering I think will really meet the needs of our households especially those impacted by the pandemic. So, I'm looking forward to next year. I'm still looking forward to this year. I know that everybody is, oh there's only two months left. Oh no, that's almost 60 days, I'm going this is great and I hear the two Commissioners who are trying to balance things out meeting the

needs, meeting the needs administratively and so that is good. We are pushing for administrative allocations for districts. We will get those out as soon as possible and...

Kira Pospesel: Does that mean within 21 or does that mean 22?

Andrew Bryk: I'm pushing for 21 it will be 21. The Admin from the ARPA funds will be 21. I am pushing internally before we started the process to make sure that program funds for FFY22 are in your accounts for program opening or shortly thereafter to coincide with the OSC funding so locally issued payments can be issued at the same time as payments going directly to vendors and be issued.

Kira Pospesel: Would you like a pizza pie or something, a cupcake or anything else?

Andrew Bryk: No, but the final piece I will give you and the final key cause it's not in writing. So, nothing, I can say we're looking to open the program about 6 weeks earlier than we did last year.

Kira Pospesel: Andrew that was published in the WMS letter, so I seen that the other day and I almost fell off my chair.

Ken Gossel: As I was waiting for the questions, I was going to rescue you Commissioner and not ask it again.

Kira Pospesel: Yes, I seen it in writing so I'm like, oh my god October 1st, somebody listened, somebody listened. Yay.

Andrew Bryk: We do that's why we have these conversations and I'm glad we are able to do so. So that is something we're pushing for, that is what it is, and I hope that provides relief for the districts, relief for the consumers, and that we are able to get as many households in, get them a regular benefit, regular benefit will not be impacted by the arrears benefit going out through ERAP. If a households is eligible for a regular 22 benefit or a 21 benefit right now through the end of the month, they are eligible for that benefit and if it establishes a credit on that account, god bless them, we'll open up hopefully a little early provide that relief before the cold weather period sets in so that there is even more impact on the TA and the local assistance dollars that are going out and just give some relief in the time that we're in. We're trying to be mindful of that. So, thank you.

Ken Gossel: I would just ask; would you consider opening emergency up at the same time and offering like you did this year that coupled benefit for those customers that are in arrears? And I just would say as an aside, many of the utilities, while they theoretically can be doing disconnections of residential service at this point in time, obviously due to the moratorium, when a customer attests to changed financial circumstances due to COVID then there cannot be any shutoff through December basically because we'll be into the two-week moratorium. But, just wondering if there was any thought that because there seems to be a decent amount of funds in there whether you would consider that.

Andrew Bryk: Any changes that we make to the 2021 program that are in response to arrears, arrears forgiveness will carry forward through and into the 21/22 program until we spend up our budget.

Ken Gossel: Great thank you. So, with that I don't know, does anybody else have any questions for Andrew or one another? With none I will first say thank you all for attending. Our next scheduled session is November 4th. And I will accept a motion to adjourn.

Kira Pospesel: And I'll give you that motion Ken.

Ken Gossel: And do I have a second?

Andy Stone: I'll second Ken.

Ken Gossel: Thanks Andy. All in favor?

All: Aye.

Ken Gossel: Any opposed? Hearing none, the matters conclude, I look forward to having our steady chair back for the next meeting but thank you all for your attendance and participation. It's greatly appreciated and we're moving in the right direction and doing great things. So, I thank you for all of that and enjoy the rest of the summer.