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TO: Local Commissioners; IM Directors

FROM: Patricia A. Stevens
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SUBJECT: Energy/HEAP Manual Policy Clarifications/Corrections

EFFECTIVE DATE: Immediately

CONTACT PERSON: Regional Team Representatives @1-800-343-8859
Eastern Team; 3-0332 HEAP
Central Team; 4-9344 TA Energy Policy

This GIS is intended to correct and to reinforce information contained in the recently released Energy/HEAP Manual based on inquiries from several districts.

First, on Page 38 of the Manual, please make a pen and ink change to the first line under section D(b), "Non-Utility Emergencies". The first sentence, "TA sanctions do not affect eligibility for this type of assistance" should be deleted. Non-utility emergency assistance is not authorized under SSL 131-s and is determined in accordance with program rules governing sanctions. The remainder of the paragraph is correct. This change will be included in the next Manual update.

Second, as stated in the Manual, an account termination issued by an Energy Services Company (ESCO) is not considered a shut-off for the purpose of emergency assistance. Districts may continue to make vendor direct payments to an ESCO on behalf of a recipient of recurring TA. A district may not, however, make emergency payments under emergency and recurring TA categories to an ESCO. ESCO's are not eligible to receive emergency Home Energy Assistance Program (HEAP) payments, but may receive regular HEAP payments. This remains true even when a PSC regulated utility provides the billing function for the ESCO. In this situation, if an account termination notice is issued, that portion of the bill attributable to the commodity (natural gas or electricity) provided by the ESCO is not included in the calculation of the arrears. However, the transportation and distribution of the commodity which is provided by the PSC regulated utility company is used in the calculation of the arrears.

Please remember, under the current environment, the PSC regulated utility company remains the provider of last resort (POLR). Therefore, although the ESCO will cease to provide the commodity to delinquent customer, the POLR will seamlessly continue to provide it.