

## **Proposal Concerning Modifications to LIPA's Tariff for Electric Service**

### **Requested Action:**

The Long Island Power Authority (“LIPA” or “Authority”) staff (“Staff”) proposes to modify LIPA’s Tariff for Electric Service (the “Tariff”), effective March 25, 2026, to pause customer disenrollments in LIPA’s Household Assistance Rate (“HAR”) Program through November 30, 2026, and to extend the lookback period for LIPA’s HAR Program eligibility to eighteen (18) months.

### **Background:**

On November 13, 2025, the New York State Public Service Commission issued an Order Pausing Customer Disenrollments in Utility Energy Affordability Programs (the “Order”) which, in relevant part, directed the regulated utilities to: 1) pause their Energy Affordability Programs (“EAP”) disenrollments through November 30, 2026; and 2) file tariff amendments to extend, or where applicable, state that the lookback period for EAP eligibility is 18 months.<sup>1</sup> LIPA’s EAP is known as the HAR Program.

On December 17, 2025, the Authority’s Board of Trustees (the “Board”) approved emergency tariff modifications pausing customer disenrollments in LIPA’s HAR Program through November 30, 2026, and extending the lookback period for LIPA’s HAR Program eligibility to eighteen (18) months (the “Emergency Tariff Modification”), consistent with the Order.

Pursuant to the emergency rulemaking provisions of the State Administrative Procedures Act (“SAPA”), state agencies are permitted to adopt a rule on an expedited, temporary basis for a maximum of 90 days if the action is necessary for the preservation of public health, safety, or general welfare. Additionally, the emergency rule can be re-adopted, for a maximum of 60 days, provided the agency has initiated the process to formally adopt the rule as permanent.

In the proposal regarding the Emergency Tariff Modification, which is attached hereto and incorporated by reference, LIPA Staff indicated that it would propose a rulemaking within the 90 days to make permanent the changes proposed therein.

### **Proposal:**

To provide LIPA customers with the same rights and protections provided to other utility customers in the State, Staff proposes to make permanent the Emergency Tariff Modifications previously approved by Board.

Specifically, the Tariff will be amended to state that HAR Program disenrollments will be paused through November 30, 2026, and that customers will be eligible for the HAR Program if they

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<sup>1</sup> Case 14-M-0565 – Proceeding on Motion of the Commission to Examine Programs to Address Energy Affordability for Low Income Utility Customers, Order Pausing Customer Disenrollments in Utility Energy Affordability Programs, issued and effective November 13, 2025.

provide documentation of enrollment in a qualifying program<sup>2</sup> dated within 18 months of the date of their HAR Program application or renewal (*i.e.*, the “lookback period”), an increase from the Tariff’s current lookback period of 12 months.

**Financial Impacts:**

There are no financial impacts to the Authority.

**Affected Tariff Leaf:** 38B

**Tariff Leaf Included for Reference:** 38C

**Summary of Proposed Changes:**

Staff proposes to pause customer disenrollments in LIPA’s HAR Program through November 30, 2026, and to extend the lookback period for HAR Program eligibility to eighteen (18) months, consistent with the Order.

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<sup>2</sup> The public assistance programs through which a customer can qualify for the HAR Program are Low Income Home Energy Assistance Program; Medicaid; Supplemental Nutrition Assistance Program; Supplemental Security Income; Temporary Assistance for Needy Family Assistance; Safety Net Assistance – Public Assistance; United States Veterans Disability Pension or Veterans Surviving Spouse Pension or Child Health Plus. In addition, a customer may also qualify for the HAR Program if they can provide documentation of proof of enrollment in the Federal Lifeline Program or any public assistance program that would qualify under the Federal Lifeline Program. Tariff Leaf 20.

**I. General Information (continued):****C. General Terms and Conditions (continued):****1. Low Income Program Discount****a) Customer Requirements and Eligibility**

- (1) Customers served under Service Classifications No. 1, Service Classification No. 1 VMRP(S), and Service Classification No. 1 VTOU, who provide documentation of enrollment in a qualifying program as listed in Section I.B (Qualifying Low Income Customer) are eligible for a fixed discount on their bill.
- (2) Documentation of qualification must be dated no earlier than ~~twelve (12)~~eighteen (18) months prior to the date of application or renewal,
- (3) Eligibility and enrollment must be renewed each fourteen (14) months. To the extent that the Authority can automatically determine a Qualifying Low Income Customer's continued eligibility, the Customer will not need to re-apply.
- (4) Qualifying Low Income Customers whose continued eligibility cannot be automatically determined will be notified by the Authority as their enrollments expire. The Authority will allow such customers four (4) months from the expiration of their enrollments (the "Grace Period") to complete the renewal process. During the Grace Period, Qualifying Low Income Customers will continue to receive discounted charges. Qualifying Low Income Customers who do not complete the renewal process within the Grace Period and whose continued eligibility cannot be automatically determined by the Authority will become ineligible for the discounted charges until the renewal process is successfully completed. The Authority may extend the Grace Period in the event a state of emergency affecting the service territory is declared. Disenrollments are paused through November 30, 2026.
- (5) The Authority may in its sole discretion limit participation in Long Island Choice by Qualifying Low Income Customers (defined in Section I.B above) as needed for consistency with New York State policy as set forth in Orders of the Public Service Commission.

**b) Discounts**

- (1) The Tier 1 discount is available to all Qualifying Low Income Customers. Customers that have received a HEAP benefit plus one (1) add-on shall receive the Tier 2 discount. Customers that have received a HEAP benefit plus two (2) add-ons shall receive the Tier 3 discount. The Tier 4 discount is reserved for customers with Direct Voucher/Guaranteed Payment. HEAP recipients receive add-ons for households with a vulnerable individual (household member who is age 60 or older, under age 6 or permanently disabled) and/or if the household's gross income meets HEAP Tier 1 income guideline.
- (2) The daily discount rate can be found on a separate Statement of Low Income Program Discount.

**I. General Information (continued):****C. General Terms and Conditions (continued):****c) Billing**

- (1) Upon enrollment (or, for customers already enrolled as of the effective date of this Leaf, upon renewal), each Qualifying Low Income Customer who is (a) eligible for a Balanced Billing Plan (in accordance with Section IV D. 2); (b) not already enrolled in a Balanced Billing Plan; and (c) not a participant in the Division of Social Service direct voucher payment program will be notified that the Authority will enroll the Customer in a Balanced Billing Plan unless the Customer prefers to remain on standard billing. After a reasonable opportunity to decline Balanced Billing has been provided, any such Qualifying Low Income Customer who does not decline will be enrolled in a Balanced Billing Plan.
- (2) If the total bill credit identified in C.21.b) (1) exceeds the charges for the entire billing period including Power Supply Charge, the current billing period's discount will equal the total bill for that period.

**d) Reconnection Charges**

- (1) As per Section V.H.3.d) the "Reconnection Charge" will not apply to Qualifying Low Income Customers receiving financial assistance from a local social services department.

**2. Customer Contact Consent**

- a) Customers who provide their wireless telephone number to the Authority when they initially sign up to receive utility service, subsequently supply the wireless telephone number, or later update their contact information, are giving consent to be contacted by the Authority at that number with messages that are closely related to the utility service, which may include but are not limited to the following: notification of planned or unplanned service outages; notification of field work that directly affects the Customer's utility service; and notification that failure to make payment will result in service curtailment.

**Attachment:**

Emergency Tariff Modification dated December 17, 2025

**Consideration of Approval of Tariff Change Related to  
Household Assistance Rate Program Enrollment**

## **FOR CONSIDERATION**

December 17, 2025

**TO:** The Board of Trustees

**FROM:** Carrie Meek Gallagher

**SUBJECT:** Consideration of Approval of Tariff Change Related to Household Assistance Rate Program Enrollment

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### **Requested Action**

The Board of Trustees (“Board”) of the Long Island Power Authority (“LIPA”) is requested to approve the following proposal to modify the LIPA’s Tariff for Electric Service:

- **Household Assistance Rate (“HAR”) Program Enrollment:** Modifying LIPA’s Tariff for Electric Service on an *emergency basis* and effective immediately, to pause customer disenrollments in LIPA’s Household Assistance Rate (“HAR”) Program, and to extend the lookback period for LIPA’s HAR Program eligibility to eighteen (18) months.

### **HAR Program Enrollment: Background**

On October 1, 2025, the United States federal government shut down due to Congress’s inability to pass appropriations, resulting in uncertainty over the status of many federally funded programs. On October 30, 2025, New York State Governor Kathy Hochul issued Executive Order 54, which declared a statewide emergency due to the interruption in certain federally funded benefits that are estimated to result in the disruption of benefits for nearly three (3) million New Yorkers.<sup>1</sup>

The Household Assistance Rate, part of New York State’s Energy Affordability Program, provides reduced electric rates to customers who receive certain federally funded benefits. The shutdown disrupted federal funding and delayed the verification process managed by the New York State Office of Temporary and Disability Assistance, leaving many eligible households unable to recertify their benefits.

Pursuant to the Tariff, customers that provide documentation of enrollment in certain public assistance programs are eligible for the HAR Program which provides reduced electric rates to customers through a fixed discount on their electric bill.<sup>2</sup> The Tariff requires Program participants

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<sup>1</sup> N.Y.S. Executive Order 54, *Declaration of a Statewide Disaster Emergency Due to Federal Actions Related to the Supplemental Nutrition Assistance Program* (Oct. 30, 2025) (the “State of Emergency”).

<sup>2</sup> The public assistance programs through which a customer can qualify for the HAR Program are Low Income Home Energy Assistance Program; Medicaid; Supplemental Nutrition Assistance Program; Supplemental Security Income; Temporary Assistance for Needy Family Assistance; Safety Net Assistance – Public Assistance; United States Veterans Disability Pension or Veterans Surviving Spouse Pension or Child Health Plus. In addition, a customer may also qualify for the HAR Program if they can provide documentation of proof of enrollment in the Federal Lifeline Program or any public assistance program that would qualify under the Federal Lifeline Program. Tariff Leaf 20.

to renew eligibility and enrollment every fourteen (14) months.<sup>3</sup> The Tariff further provides that the Authority may extend the time to enroll in the event a state of emergency affecting the service territory is declared. Additionally, the Tariff provides for a twelve-month “lookback period” which requires that Program participants submit qualifying documentation dated no earlier than twelve (12) months prior to the date of HAR Program application or renewal.<sup>4</sup>

On November 12, 2025, the Authority’s Board of Trustees adopted a resolution temporarily pausing customer disenrollment from LIPA’s HAR Program and temporarily suspending service disconnections for low and moderate-income customers within LIPA’s service territory who are affected by the federal government shutdown and resulting State of Emergency up to and through December 17, 2025.

On November 13, 2025, the New York State Public Service Commission issued its Order Pausing Customer Disenrollments in Utility Energy Affordability Programs (the “Order”) which, in relevant part, directed the regulated utilities to: 1) pause EAP disenrollments through November 30, 2026; and 2) file tariff amendments to extend, or where applicable, state that the lookback period for EAP eligibility to 18 months.<sup>5</sup> LIPA’s EAP Program is known as HAR.

### **HAR Program Enrollment: Proposed Action**

To provide LIPA customers with the same rights and protections provided to other utility customers in the State that resulted from the Order, LIPA staff filed a Notice of Proposed Rulemaking with the State Register on December 9, 2025 to modify its tariff on a permanent basis to pause HAR Program disenrollments through November 30, 2026, and to extend the lookback period for LIPA’s HAR Program eligibility to eighteen (18) months. The Notice will be published in the State Register on December 24, 2025. Public Statement Hearings are scheduled to take place on February 23, 2026, in person and virtually in Nassau and Suffolk Counties. LIPA staff will bring this tariff proposal to the Board of Trustees for their approval at its March 25, 2026, meeting.

In order to avoid any gap between the adopted Board resolution that temporarily paused customer disenrollment from the HAR Program through December 17, 2025, and the March 25, 2026 Board meeting when LIPA staff will present this tariff change on a permanent basis, LIPA staff seeks to implement these tariff changes on an emergency basis. Specifically, the Tariff will be amended to state that HAR Program disenrollments will be paused through November 30, 2026, and that customers will be eligible for the HAR Program if they provide documentation of enrollment in a qualifying program<sup>6</sup> in the preceding 18 months, an increase from the current lookback period of 12 months.

The proposed changes before you today are pursuant to the emergency rulemaking provisions of the State Administrative Procedures Act (“SAPA”) and, if approved, will be effective for 90 days from December 17, 2025. LIPA Staff further requests that the Trustees grant Staff the discretion

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<sup>3</sup> Tariff Leaf 38B.

<sup>4</sup> *Id.*

<sup>5</sup> *Case 14-M-0565 – Proceeding on Motion of the Commission to Examine Programs to Address Energy Affordability for Low Income Utility Customers, Order Pausing Customer Disenrollments in Utility Energy Affordability Programs*, issued and effective November 13, 2025.

<sup>6</sup> See Footnote 2 *supra*.

to extend the 90-day provision if needed, in accordance with the SAPA emergency rulemaking provision.

### **HAR Program Enrollment: Financial Impact**

There are no material financial impacts to the Authority.

#### **Attachments**

**Exhibit A-1** Resolution Approving Tariff Modification related to Household Assistance Rate (“HAR”) Program Enrollment

**Exhibit B-1** Household Assistance Rate (“HAR”) Program Enrollment - Tariff Redline

**APPROVAL OF MODIFICATIONS TO LIPA'S TARIFF RELATED TO HOUSEHOLD ASSISTANCE RATE ("HAR") PROGRAM**

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**WHEREAS**, the Board of Trustees (the "Board") of the Long Island Power Authority ("LIPA") has adopted a Board Policy on Customer Value, Affordability, and Rate Design, which sets forth the Board's commitment to establishing rates and tariffs that equitably allocate costs, provide customers with the opportunity to save money, employ innovative rate designs, encourage conservation, efficient use of energy resources, and the transition to a carbon-free economy, and offer programs to maintain electric bills that are a reasonable percentage of income for low-income customers; and

**WHEREAS**, on November 13, 2025, the New York State Public Service Commission issued its Order Pausing Customer Disenrollments in Utility Energy Affordability Programs (the "Order") which, in relevant part, directed the regulated utilities to: 1) pause EAP disenrollments through November 30, 2026; and 2) file tariff amendments to extend, or where applicable, state that the lookback period for EAP eligibility to 18 months. LIPA's EAP is known as LIPA's Household Assistance Rate ("HAR"); and

**WHEREAS**, in order to provide LIPA customers with the same rights and protections provided to other utility customers in the State that resulted from the November 13, 2025 Order, LIPA staff filed a Notice of Proposed Rulemaking with the State Register on December 9, 2025, to modify its tariff on a permanent basis to pause HAR Program disenrollments through November 30, 2026, and to extend the lookback period for LIPA's HAR Program eligibility to eighteen (18) months. The Notice will be published in the State Register on December 24, 2025. Public Statement Hearings are scheduled to take place on February 23, 2026, in person and virtually in Nassau and Suffolk Counties. LIPA staff will bring this tariff proposal to the Board of Trustees for their approval at its March 25, 2026, meeting, and

**WHEREAS**, these changes are proposed on an emergency basis to help protect the general welfare of LIPAs customers and the associated economic impacts resulting from the federal shutdown that began on October 1, 2025 which created a delay in the disbursements of Low-Income Home Energy Assistance Programs such as HAR; and

**WHEREAS**, to avoid any potential gap between the adopted Board resolution that temporarily paused customer disenrollment from the HAR Program through December 17, 2025 and the March 25, 2026 Board meeting when LIPA staff will present this tariff change on a permanent basis, LIPA staff seeks to implement these tariff changes on an emergency basis; and

**WHEREAS**, the Board has reviewed the emergency proposal and determined that the proposal is necessary for the preservation of the general welfare of its customers and is consistent with LIPA's purpose, including as set forth in the Board Policy on Customer Value, Affordability, and Rate Design and the Board Policy on Clean Energy and Power Supply; and

**WHEREAS**, the Department of Public Service is supportive of this proposal; and

**NOW, THEREFORE, BE IT RESOLVED**, that for the reasons set forth herein and in the accompanying Memorandum, the proposed modifications to LIPA's Tariff, are hereby adopted and approved to be effective immediately; and be it further

**RESOLVED**, that the Chief Executive Officer and her designees are authorized to carry out all actions deemed necessary or convenient to implement this Tariff; and be it further.

**RESOLVED**, that the Tariff amendments reflected in the attached redlined Tariff leaves are approved.

Dated: December 17, 2025

**I. General Information (continued):****C. General Terms and Conditions (continued):****1. Low Income Program Discount****a) Customer Requirements and Eligibility**

- (1) Customers served under Service Classifications No. 1, Service Classification No. 1 VMRP(S), and Service Classification No. 1 VTOU, who provide documentation of enrollment in a qualifying program as listed in Section I.B (Qualifying Low Income Customer) are eligible for a fixed discount on their bill.
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- (5) The Authority may in its sole discretion limit participation in Long Island Choice by Qualifying Low Income Customers (defined in Section I.B above) as needed for consistency with New York State policy as set forth in Orders of the Public Service Commission.

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**I. General Information (continued):****C. General Terms and Conditions (continued):****c) Billing**

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