



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 North Street, Harrisburg, Pennsylvania 17120

IN REPLY PLEASE
REFER TO OUR FILE
M-2020-3019244

August 10, 2020

Re: Emergency Order at Docket Number M-2020-3019244

To Whom It May Concern:

On March 6, 2020, Governor Tom Wolf issued a Proclamation of Disaster Emergency (Proclamation) that identified the COVID-19 pandemic as a disaster emergency affecting the entire Commonwealth. On March 13, 2020, relying on both this Proclamation and the Commission's authority under the provisions of Section 1501 of the Public Utility Code, I issued an Emergency Order (March 13 Emergency Order) establishing a prohibition on the termination of public utility service and directing the reconnection of service to customers previously terminated, to the extent it could be done safely, for the duration of the Proclamation, or until a time otherwise established by the Commission.¹

Presently, the Commonwealth finds itself in a different place than in early March when we were under a shelter-in-place directive implemented to slow the spread of COVID-19. The Governor, under the advisement of Secretary of Health Rachel Levine, has lifted the 'shelter-in-place' directive and permitted the reopening of businesses in each of the 67 counties. It is time to reconsider the March 13th Emergency Order. Maintaining a total moratorium for a time-period that is too lengthy may only work to accelerate the accrual of arrearages for many utility customers and place them at increased risk of default and termination in the future, when large bills inevitably become due. Also, maintaining a total moratorium may frustrate customer placement in various assistance programs and it is vital that utilities provide timely payment options and inform customers that they are behind in payment and at-risk of termination, so that those customers can be considered for participation in assistance programs, including the Low Income Home Energy Assistance Program (LIHEAP),² Customer Assistance Programs (CAP), Lifeline, and Hardship Funds. I strongly urge utilities to communicate with customers who are accruing arrearages about the availability of utility assistance programs as well as LIHEAP, which is scheduled to close at the end of this month.

¹ March 13, 2020 Emergency Order issued at the instant Docket. The Commission unanimously ratified this Order at the March 26, 2020 Public Meeting. On June 3, 2020, Governor Wolf renewed the Proclamation for an additional ninety (90) days.

² The LIHEAP Recovery Crisis program, which currently provides grants up to \$800 to households experiencing an energy emergency (*e.g.*, utility termination), is scheduled to close on August 31, 2020. Millions of federally funded dollars remain unspent and are awaiting customer applications.

The pandemic and its economic effects have not disappeared, and no one knows how long they will remain. This health crisis has caused significant economic hardship for many utility customers and utility income is being negatively affected as well.³ While it would be easy to simply keep the absolute moratorium in place, protecting 100% of the customers for the duration, I do not believe that is sustainable. Eventually, lack of payment to utilities could reach a critical mass where the provision of safe and reliable public utility service could be impacted. To prevent the possibility of such an outcome, as well as to ensure that customers are properly accessing available assistance programs, it is my intent to address the termination moratorium at the Commission's August 27, 2020 Public Meeting.

I believe that any move from an absolute moratorium would require customer protections. By this Letter, I seek comments from interested persons and organizations regarding the moratorium and customer protections for at-risk customers, should the absolute service termination moratorium be lifted.

Responsive comments must be both efiled – using an efilings account through the Commission's website - and emailed directly with the Secretary of the Commission at rchiavetta@pa.gov at this docket number by the close of business (4:30 p.m. EST) on Tuesday, August 18, 2020. Comments received after this deadline will not be considered.

This Letter shall be served upon all affected entities by email only and published to the Commission's website at Docket Number M-2020-3019244.

Sincerely,

A handwritten signature in black ink, reading "Gladys Brown Dutrieuille". The signature is written in a cursive style with a large initial "G".

Gladys Brown Dutrieuille
Chairman

³ See responses to the PUC's May 29, 2020 Secretarial Letter on COVID-19 Customer Service, Billing and Public Outreach Provisions Request for Utility Information at Docket No. M-2020-3020055.