



August 18, 2020

Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

*Submitted via electronic filing and electronic mail to [rchiavetta@pa.gov](mailto:rchiavetta@pa.gov)*

Re: Sierra Club Comments on Emergency Order at Docket No. M-2020-3019244

Dear Secretary Rosemary Chiavetta:

The Sierra Club strongly opposes rescinding the March 13, 2020 Order of this Commission establishing a termination moratorium for utility services during the Covid-19 pandemic. The Commission was absolutely correct in March that a termination moratorium was necessary: Governor Wolf, in response to the pandemic crisis, had issued a proclamation of Disaster Emergency; hundreds of thousands of Pennsylvanians were losing their jobs due to the virus, and the ability of millions of people throughout the state to pay bills and remain in their homes was under threat as a result.

That was March; today, if anything, things are worse. Federal stimulus and unemployment insurance supplements to help ameliorate the economic effects of the pandemic have been curtailed. The unemployment rate in Pennsylvania currently stands at 13%--nearly triple the 4.7% rate at which the state began the year, and far higher than the 8.8% unemployment rate Pennsylvania suffered during the worst depths of the Great Recession.<sup>1</sup> This rate is *higher* than when the March 13 Order was issued.

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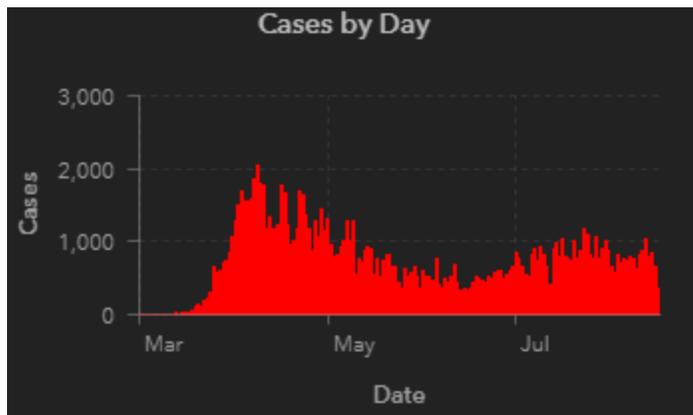
<sup>1</sup> See FRED Economic Research, "Unemployment Rate in Pennsylvania," (Jan. 1, 2006-Jun. 1, 2020), available at <https://fred.stlouisfed.org/series/PAUR>.

**Figure 1: Unemployment Rate in Pennsylvania<sup>2</sup>**



Pennsylvanians are still being infected by and dying from Covid-19. In fact, the rate of new infections in Pennsylvania is higher now than it was during March, with an average of over 800 new cases confirmed per day for the past month.

**Figure 2: Pennsylvania Covid-19 New Cases by Day<sup>3</sup>**



Not surprisingly--and as noted in this Commission's August 10 letter requesting public comment--Governor Wolf's Proclamation has been renewed and is still in effect.<sup>4</sup> Meanwhile,

<sup>2</sup> *Id.* (Jan. 1, 2020-Jun. 1, 2020).

<sup>3</sup> Data from Pennsylvania Department of Health, COVID-19 Data for Pennsylvania, "Pennsylvania COVID-19 Dashboard" (Aug. 17, 2020), available at <https://www.health.pa.gov/topics/disease/coronavirus/Pages/Cases.aspx>.

<sup>4</sup> See Amendment to Proclamation of Disaster Emergency (Jun. 3, 2020) available at <https://www.governor.pa.gov/wp-content/uploads/2020/06/20200603-TWW-amendment-to-COVID-disaster-emergency-proclamation.pdf>. Notably, since the Proclamation has been renewed, there have been nearly an additional 50,000 Pennsylvanians infected.

power and gas companies like PP&L, Exelon, and UGI have actually enjoyed *increases* in their stock prices between the March 13, 2020 Order and today.<sup>5</sup>

The people of Pennsylvania, through no fault of their own, are hurting from this pandemic. Now is not the time to increase the pressure on struggling Pennsylvanians: every factor that led this Commission to properly issue the termination moratorium back in March is still in effect today. As this Commission noted in the March 13 Order:

It is beyond argument that the provision of public utility service is necessary for the safety of the public. This is especially the case under the current challenges that resulted in the Proclamation of a pandemic emergency. Irreparable injury to the public is likely to occur with disruption of service, creating a clear and present danger to life.

Order at 2. The need for relief remains immediate, the harm remains irreparable, and it is far from injurious to the public interest for the termination moratorium to continue. *See* 52 Pa. Code § 3.2. In fact, it would be decidedly contrary to the public interest for this Commission to increase the burden on the most vulnerable and most burdened Pennsylvanians during the worst public health and economic crisis in a century by rescinding the March 13 Order--particularly at a time when the Commission's own website notes that its offices are closed because it is unsafe for the buildings to be open during the pandemic.<sup>6</sup> Not everyone is fortunate enough to continue working from the safety of home, and the termination moratorium is one way--albeit small and partial--to address that iniquity. It should be maintained in force.

Sincerely,

/s/

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<sup>5</sup> Between March 13 and August 17, PP&L share prices have increased from \$27.42 per share to \$28.80, Exelon share prices have increased from \$36.36 per share to \$37.34, and gas company UGI's share prices have increased from \$32.23 per share to \$34.77 per share.

<sup>6</sup> *See* <http://www.puc.state.pa.us/> ("Due to the COVID-19 emergency, the PUC office buildings are closed. The PUC remains fully operational with personnel working remotely.")