

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Public Utility Service Termination Moratorium
Modification of March 13th Emergency Order

M-2020-3019244

**Comments of the Consumer Advisory Council to
the Pennsylvania Public Utility Commission**

I. INTRODUCTION

These comments are submitted by the Consumer Advisory Council (Council) to the Pennsylvania Public Utility Commission (Commission) in response to the Commission's Order entered October 13, 2020 at this docket

The Council is responsible for advising the Commission upon matters relating to the protection of consumer interests affected by the Commission's exercise of its jurisdiction as provided by law, and is encouraged to provide advice and input that will aid the Commission in pursuit of its regulatory duties. 52 Pa. Code § 91.2. (Purposes of the Council).

The Council was advised by Commission Staff of the order soliciting comments on this matter at the Council's meeting of January 26, 2021. The Council has been meeting on a virtual online basis for the last year and has been updated at each of its meetings by the Commission Staff regarding the Commission's actions in response to the impacts of the coronavirus pandemic on Pennsylvania's utility consumers. Upon review of the Commission's October 13, 2020 Order, the Council determined to file these brief Comments in support of the actions the Commission has taken to date and to encourage

the continuation at this time of the protections that the Commission has set forth in its October 2020 Order.

At the outset, the CAC wishes to commend the Commission for its proactive and thoughtful approach to the pandemic as it affects the Commonwealth's utility consumers. In March 2020, the Commission acted quickly and decisively to prevent the looming health and economic crisis of Covid-19 from creating yet another crisis that would have resulted from the loss of utility service to many thousands of Pennsylvania consumers who suddenly found themselves unable to pay their bills due to illness or loss of employment. There is no question that many lives have been saved and households maintained because of the ability of Pennsylvania consumers to retain their essential utility services throughout the last year.

In its October 2020 Order, the Commission lifted the total moratorium on utility terminations that had been implemented in its March 2020 Order but replaced that Order with a number of protections designed to ensure that those customers in greatest need would not lose their utility service immediately. Specifically, the Commission established a category of "protected customers" for residential customers living under 300% of the federal poverty level, and directed that those customers could not be terminated by their utility for non-payment if they agreed to apply for all utility assistance programs for which they were eligible and to request a payment arrangement from the utility, if appropriate. The Commission also implemented a series of protections regarding notice to consumers; waiver of deposits, late fees, and fees for connection and reconnection; medical certification requirements; and income verification procedures. Importantly, the Commission also provided protections for small business customers by requiring utilities

to offer a payment arrangement of no less than 18 months to small business customers who were behind in their bills and a prohibition against terminating such customers as long as they remained current on their payment arrangement and current bill.

At the time of its October 2020 Order, the Commission noted that “because of the dynamic nature of the pandemic, the Commission will revisit these protections during the first quarter of 2021.” October 13, 2020 Order at 6. The Commission stated that it would hold a stakeholder process that would include the filing of comments on or before February 16, 2021. As the Commission enters this stakeholder process, it will certainly hear from utilities as well as consumer representatives and others who will address the specific steps that will need to be taken to ensure a smooth transition from the current situation to a time when the health and economic dislocations created by the Covid-19 pandemic will hopefully be largely behind us.

At this time, however, and for the immediate future, the CAC would respectfully urge the PUC to stay the course and maintain the protections that were put in place in October 2020. Unfortunately, we are not yet in a position to return to “business as usual” with respect to our life-sustaining utility services. Therefore, we would urge that there should at least be a presumption that the protections contained in the October 20 Order should be continued while the Commission and stakeholders develop a longer term glidepath to a program that will allow utilities to resume normal bill collection activities without endangering the health and economic safety of Pennsylvania consumers.

The Council appreciates the opportunity to provide input on the Commission’s Order and invites the Commission to seek additional information from the Council and its members throughout the continued discussion of the vital issues set forth at this docket.

Respectfully submitted,
Consumer Advisory Council to the Pennsylvania Public Utility Commission

Timothy B. Hennessey
By: Tim Hennessey, Chairperson,
Consumer Advisory Council

Dated: 15 Feb 2021