



COMMONWEALTH OF PENNSYLVANIA

February 16, 2021

E-FILED

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

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

Dear Secretary Chiavetta:

Enclosed please find the Comments, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding.

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Steven C. Gray

Steven C. Gray
Assistant Small Business Advocate
Attorney ID No. 77538

Enclosures

**COMMENTS OF THE
OFFICE OF SMALL BUSINESS ADVOCATE**

I. Introduction

On October 8, 2020, the Pennsylvania Public Utility Commission (“Commission”) issued its *Public Utility Service Termination Moratorium – Modification of March 13th Emergency Order* at Docket M-2020-3019244 (“*October Order*”). Ordering Paragraph 3 states:

Comments and proposals regarding any revisions to the protections outlined herein must be efiled at this docket number by opening and using an efiling account through the Commission’s website.

* * *

All comments and proposals must be filed by the close of business (4:30 p.m. EST) on Tuesday, February 16, 2021.

October Order, at 8.

In accordance with the February 16, 2021, deadline set forth in the *October Order*, the Office of Small Business Advocate (“OSBA”) submits the following Comments.

II. Comments

Ordering Paragraph 2 of the *October Order* states, as follows:

Paragraphs 2-9 herein of this Order shall remain in effect until the earlier of: (1) March 31, 2021; (2) the date on which the Governor’s Proclamation of Disaster Emergency is rescinded; or, (3) a time otherwise established by the Commission.

October Order, at 8. Of those eight paragraphs, the following three are the focus of these OSBA comments:

3. Unless otherwise authorized by the Commission, a utility shall offer a payment arrangement for a period of no less than eighteen (18) months to small business customers, as defined by a utility’s tariff, with past due amounts. A small business customer which remains current on its payment arrangement and current bill shall not be terminated. A small business customer which is denied a payment arrangement by a utility may file a complaint with the Commission.

4. Utilities shall waive all connection, reconnection, and deposit fees otherwise required for service for protected customers.
5. Utilities shall waive late payment charges for protected customers.

October Order, at 5.

The OSBA respectfully submits that paragraphs 3, 4, and 5, be extended for at least six months beyond their originally proposed March 31, 2021, expiration date.

As of mid-February 2021, the COVID-19 Pandemic remains in full force in the Commonwealth, across the nation, and throughout the world. Small businesses still operate (if they are still in business) under severe restrictions. Vaccines have become available but are in extremely limited supply.

In addition, even for the surviving small businesses, many will face serious difficulties as they attempt to re-start after the pandemic emergency period. Cash is needed to build working capital to pay wages and salaries for re-hired workers and to build business inventories. As banks are likely to be cautious about lending to small businesses in this period of continuing economic uncertainty, cash will be at a premium during a business restart. Maintaining paragraphs 3, 4, and 5 would allow time for small businesses to recover, especially as they attempt to rebuild their impacted businesses.

Furthermore, the OSBA is an active participant in a wide variety of cases that are currently before the Commission. The OSBA has seen no evidence that any public utility is in dire financial need due to paragraphs 3, 4, and 5.

III. Conclusion

The OSBA respectfully requests that the Commission extend the expiration of paragraphs 3, 4, and 5 until at least September 30, 2021 for the reasons enumerated above. At that time, based upon the state of the COVID-19 Pandemic across the Commonwealth, the issues set forth in those paragraphs can be revisited.

Respectfully submitted,

/s/ Steven C. Gray

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For:
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Dated: February 16, 2021