

July 31, 2020

Gregory J. Kopta  
Administrative Law Judge  
Washington Utilities and Transportation Commission  
621 Woodland Square Loop S.E.  
Lacey, WA 98503

Received  
Records Management  
08/18/20 15:19  
State Of WASH.  
UTIL. AND TRANSP.  
COMMISSION

RE: U-200281 COVID-19 Workgroup Response

Dear Mr. Kopta,

The Energy Project (TEP) respectfully submits the following comments in response to docket U-200281. TEP, a program of Opportunity Council, works on behalf of the Community Action Partnership agencies serving low-income customers across all 39 counties in Washington State. While our submitted comments incorporate key elements of the Illinois COVID-19 relief plan, it specifically focuses on the needs of Washington State residents most at risk of negative consequences related to utility unaffordability, standard utility disconnect practices, fees associated with late payments and shut-off/reconnections, and a host of other practices that disproportionately impact households with limited incomes.

The reality we face today and for the foreseeable future is one where we are experiencing significant daily increases in COVID-19 cases, unemployment rates continuing to register at a record high in counties across Washington State, and the US economy reporting an economic downturn that is marked by a staggering and unprecedented downturn in the GDP. These are the conditions that the UTC and the stakeholders involved in this docket are responding to. In this docket, it is paramount that we focus efforts on ensuring that essential utility services are available to those households most negatively impacted by the crisis.

This last week of July, TEP reached out to agencies delivering assistance to those in need in order to collect some on the ground statements to help inform our work. Here are some of the responses we received:

"I am a struggling mother. I lost my job at the beginning of COVID. I had enough savings that I made it up until this month. I was going to start doing Uber/Doordash something along those lines but then my car stopped running. I have half my rent and need help with the other half. I have \$350 so I would need \$350 to finish. I was told to contact you guys and see if there's any sort of help. If there's not I understand."

"We have family we are working with who are seeking help with LIHEAP and Rental Assistance. The client's wife just gave birth and then died from COVID19. The husband's mother also died from COVID19. He was working at a foundry until COVID hit and was laid off. Now the income coming into the house is TANF and the one of the older child's job. They are at 47% of FPL. Rent in their duplex is \$1200/month and they are now two months behind. They owe the utility almost \$800.00."

The  
Energy  
Project

Shawn Collins  
Director

3406 Redwood Ave.  
Bellingham, WA 98225

shawnc@oppco.org

(360) 389-2410

a program of:

opportunity  
council 

"I am in dire need of some help. I have a utility bill that is over \$1,000 due to poor heating in my home with a 5-month-old. I have been on comfort billing, however, it is overwhelming and we do not have the funds due to COVID-19. Can someone please help?"

"I have been out of work since March 7, 2020. I was initially told I was laid off and then I was later told I was fired. I have been unable to get work since COVID. I am a single dad with a 3 year old. I am having difficulties getting a hold of unemployment and someone filed a fraudulent claim with my information. I can't pay rent and utilities."

TEP strongly recommends that any UTC outcome produced through this docket be predicated upon it being a mandatory for all Investor Owned Utilities to adhere to via a UTC stipulation (or other binding order). The following elements should be core elements contained in the COVID-19 response from the UTC.

- **Utility Disconnect Moratorium**
  - An important component of the Illinois settlement is a moratorium on utility disconnection. In WA, the UTC should similarly adopt this component and extend the utility disconnection moratorium through Spring 2021 at a minimum with the trigger for expiration of the moratorium set at a statewide unemployment rate of less than 7% with a combined element of all WA State counties reaching Phase IV of the state's Coronavirus Safe Start criteria.
- **Suspension of Fees and Deposits**
  - An additional element to the Illinois settlement is the suspension of late fees and deposits for customers. In Washington State, all fees associated with late payments, disconnection/reconnection, and deposits should be suspended throughout the utility disconnect moratorium in addition to a twelve month period following the expiration the disconnection moratorium.
- **Addressing Customer Arrearages**
  - A core element to the Illinois relief plan addresses debt forgiveness for customer arrearages. This similarly should be a core element to the UTC's response. Significant additional funds need to be made available to increase assistance to low-income households. For reference, in 2019, approximately \$30 million was available in bill assistance through Investor Owned Utilities' programs in WA.
  - These funds should be distributed to households in need through existing programs, as well as newly adopted program structures such as Arrearage Management Plans already successfully in place in utilities in WA State. Barriers to accessing these funds must be addressed including documentation requirements, award benefit calculations, and the potential for auto-enrollment. Time will be needed to process these applications for assistance. The utility

# The Energy Project

**Shawn Collins**  
Director

3406 Redwood Ave.  
Bellingham, WA 98225

shawnc@oppco.org

(360) 389-2410

a program of:



disconnect moratorium will provide protections for customers while these funds are accessed well into the 2020/2021 heating season.

- An additional element that needs to be addressed in WA, as it was in the Illinois relief plan, is the practice of utilities of reporting to collection agencies for customers unable to pay their arrearages. This practice should be suspended throughout the disconnect moratorium in addition to a period of six months after it expires.
- **Utility Communications**
  - The Illinois relief plan requires Utilities to communicate with customers who have past due balances. This similarly should be a requirement from a UTC stipulation or other binding order. Communications should be sent out in a variety of languages and formats (mail, email, social media, press releases, etc.) and direct people to resources available for payment arrangements, assistance programs, and other COVID-19 related relief efforts.
- **Deferred Payment Plans**
  - This element is incorporated in the Illinois plan and needs to be included in a COVID-19 response by the UTC. TEP strongly recommends a minimum 12 month re-payment plan for all residential customers. Some circumstances may require longer payment arrangements and these should be allowed. Furthermore, the incorporation of an Arrearage Management Plan would greatly increase customer payment behavior and reduce overall bad debt from a utility, as was demonstrated recently through an evaluation of Avista's arrearage management program.
- **Data Reporting**
  - Detailed data reporting is also a component of the Illinois plan. Likewise, the WA UTC should require, at a minimum, monthly reports concerning customers in arrears, amount owed, repayment efforts, customers receiving assistance, and other data points similar to those agreed upon in previous Disconnect Reduction Plans in various recent General Rate Case proceedings.

# The Energy Project

**Shawn Collins**  
Director

3406 Redwood Ave.  
Bellingham, WA 98225

shawnc@oppco.org

(360) 389-2410

a program of:



This concludes The Energy Project's comments as they relate to the feedback requested for docket U-200281 after the first workshop. I look forward to continuing to participate in the critical conversations this docket is focused on and appreciate the concern of stakeholders for the health and safety of WA residents as they pertain to maintaining essential utility services during this crisis.

Sincerely,