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March 18, 2022

**SENT VIA ELECTRONIC MAIL**

Amanda Maxwell  
 Executive Director and Secretary  
 Washington Utilities and Transportation Commission  
 1300 S. Evergreen Park Dr. SW  
 P. O. Box 47250  
 Olympia, Washington 98504-7250

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 COMMISSION

Re: In the Matter of the Response to the COVID-19 Pandemic  
 Docket U-200281 – **OPEN MEETING, MARCH 24, 2022**

Dear Ms. Maxwell:

The Energy Project, The Public Counsel Unit of the Washington State Attorney General’s Office, NW Energy Coalition, Front and Centered, Puget Sound Sage, and Sierra Club<sup>1</sup> (Consumer Advocates) are writing to support the recommendation of Commission Staff to extend the current Commission prohibition on collection of fees and deposits by Washington investor-owned energy utilities.<sup>2</sup>

We agree with Staff’s assessment that more time is needed for customers to recover from the economic impacts of the COVID-19 pandemic. This is demonstrated by the attached report, Summary of the Effects of COVID-19 on Washington’s Residential IOU Customers, prepared by The Energy Project. The report provides a picture of Washington customers’ situation from the most recent data filed by utilities with the Commission.<sup>3</sup> The report finds that, while there have been some improvements for low-income customers, overall residential arrearages have not declined, and bill assistance amounts are insufficient to cover outstanding balances. Tens of thousands of customers are in the disconnection pipeline. A significant number of arrearages are concentrated in zip codes where highly impacted communities are located. As this report shows, there are ongoing concerns that create urgency to keep important protections in place and to address credit and collection issues for the future. The Energy Project will be in attendance at the March 24, 2022, Open Meeting to address the report.

The Commission’s COVID-19 relief orders provided a framework of protections designed to “assist customers to retain their energy services during this challenging time,”<sup>4</sup> including:

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1 The listed organizations have authorized undersigned counsel to state their joint support for this letter.  
 2 Staff advised interested parties in the docket by email on March 14 of its planned recommendation.  
 3 Order 03, Sections I, J, and K require detailed monthly and quarterly reports by utilities of data regarding arrearages, disconnections, fees, long term payment plans, medical certificates and bill assistance.  
 4 Order 01, ¶ 11.

- Waiver of deposits
- Waiver of late payment fees
- Waiver of reconnection and disconnection fees
- Availability of 18-month long term payment plans
- Prohibitions on referral to collection agencies<sup>5</sup>

Without an extension, these protections will expire on March 30, 2022. In addition to approving Staff's recommendation regarding fees and deposits, the Consumer Advocates urge the Commission to also extend the availability of 18-month payment plans, and the prohibition on the referral to collection agencies or credit bureaus. Like the fee and deposit waivers, these protections are important tools to help customers manage their financial burden and maintain their connection to essential utility service.

Consumers also support the plan to activate the credit and collection rulemaking originally announced in the Commission's first COVID-19 relief Order 01 in October 2020 as part of pandemic response.<sup>6</sup> As Staff has noted, it makes sense to extend existing customer protections regarding collection practices while a careful review of credit and collection polices takes place in the rulemaking. The structural economic and social equity challenges revealed by the pandemic have shown that simply returning to the pre-pandemic status quo is not a reasonable path.

The Consumer Advocates also respectfully request that the currently required data reporting be extended indefinitely, or at least until further Commission order following the completion of the rulemaking docket. Data reporting is currently set to end on September 30, 2022. As The Energy Project report indicates, this data provides critical information for the Commission and stakeholders and will be valuable to assist the rulemaking as well.

Thank you for considering this recommendation.

Respectfully submitted on behalf of The Energy Project, Public Counsel, NW Energy Coalition, Front and Centered, Puget Sound Sage, and Sierra Club.

*/s/ Simon J. ffitch, WSBA No. 25977*

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SJf  
Enclosures  
Cc: Service list

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<sup>5</sup> Order 03, Appendix A, Sections C, E, and G.

<sup>6</sup> Docket U-210800