



May 20 2022

Amanda Maxwell
Executive Director and Secretary
Washington Utilities and Transportation Commission
621 Woodland Square Loop SE
Lacey, WA 98503

Re: Docket U-210800, Notice of Opportunity to Comment on Rulemaking to consider potential long-term changes and improvements to customer notice, credit, and collection rules, including permanent elimination of late fees, disconnection and reconnection fees, and deposits.

Dear Ms. Maxwell:

The Sierra Club appreciates the opportunity to provide comments in this first stage of rulemaking to consider the potential for long-term changes and improvements to customer notice, credit, and collection rules. The Sierra Club is a public interest organization focused on protecting our communities and the planet. We're America's oldest, largest and most influential grassroots environmental organization.

General Comments Related to the Scope and Purposes of This Rulemaking

As Commission Staff noted, “there is mounting concern that late fees and other similar fees contribute to the cycle of debt for many customers that are already struggling with unmanageable bills. There are also questions concerning the effectiveness of these fees and if they actually dissuade late payment.”¹ Following from this; Sierra Club recommends that this proceeding “zoom out” as much as possible to examine broader questions about how our utility payment system might promote equity in the long term.

Mounting utility bill debts and the many barriers to accessing the assistance currently available will only hinder individuals' and family's ability to move forward from the

¹ In re: the Response to the COVID-19 Pandemic, Docket U-200281, Order 01, paragraph 17 (Oct. 20, 2020).

pandemic. This is an investment in the short-term and long-term well-being of Washington State and all its residents.

As such, we recommend that the rulemaking:

- a) Consider disconnection policy in general, including whether and when customer disconnection for nonpayment is an appropriate action for a utility to take; and
- b) Includes data reporting as part of its scope. Throughout the pandemic, electric and natural gas utilities have been required to report data on their customer arrearages in Docket U-200281. This data has been vital to assess the pandemic's disparate impacts on utility customers in Washington, and has allowed us to more fully understand what is working and what is not. In the future, similar arrearage data will be useful to Commission Staff and other stakeholders interested in pursuing a more equitable utility system; and
- c) Should not solely be constrained to energy companies, since there are also critical needs and considerations for customers of privately owned water, sewer, and telecommunication companies; and
- d) Should actively seek out input from groups representing low-income, BIPOC, disabled, Indigenous, non-native English speaking, and non-citizen utility customers for input, rather than necessarily expecting these communities to come to Commission meetings.

Question 19. Are you aware of any policies, rules, or guidance concerning equity in developing or providing customer notice in use by other companies or state commissions? If so, please identify the policies, rules, or guidance, referencing the company or state commission that has adopted the policy, rule, or guidance.

In addition to what our colleagues have shared, here is one more resource that may be of interest to Commissions staff and other stakeholders:

- The Public Service Commission of Wisconsin's current Quadrennial Planning Process IV for Focus on Energy, which includes pilot projects focused on high energy burden communities, a stakeholder group that includes community-based organizations that work with marginalized communities to gather input on effective methods to reduce barriers in order to effectively reach these customers, and the development of Key Performance Indicators for income-qualified programs.

Thank you for the opportunity to comment.

/s/

Ruth Sawyer
Organizing Representative
Sierra Club Washington