



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

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August 3, 2022

**NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS
(By Friday, August 19, 2022, at 5 p.m.)**

Re: 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, Docket U-210800

TO ALL INTERESTED PERSONS:

On March 18, 2022, the Washington Utilities and Transportation Commission (Commission) filed with the Code Reviser a Preproposal Statement of Inquiry (CR-101) to consider potential long-term changes and improvements to customer notice, credit, and collection rules, including the permanent elimination of late fees, disconnection and reconnection fees, and deposits. The Commission filed the CR-101 in Docket U-210800. That same day, the Commission issued a Notice of Opportunity to File Written Comments, which invited interested persons to file written comments and respond to a series of questions designed to inform the Commission's inquiry. The Commission received written comments from 11 interested parties.

On July 20, 2022, the Commission issued a Notice of Virtual Workshop informing interested persons that the Commission will convene a virtual workshop on August 29, 2022, to address comments filed in this Docket.¹

Below is a list of questions that will help inform the workshop discussion. The questions are divided into two sections: the first section contains more complex questions that the Commission prefers the parties respond to in writing. The second section contains questions that interested parties may choose to address either in writing or during the workshop.

¹ The Notice, found [here](#), also provided notice to interested persons of the opportunity to seek funding and request for case certification. The Notice further provided that the Commission will issue a notice identifying additional topics for discussion and an agenda prior to the workshop. An agenda will be distributed approximately one week prior to the workshop.

REQUEST FOR WRITTEN COMMENTS

1. Regarding requests for the Commission to consider whether disconnecting customers for non-payment remains necessary:
 - a. What is the annual and average cost to the utility to (a) disconnect and (b) reconnect customers? What customer count is used in these calculations?
 - b. What is the annual and average cost to the utility due to a customer's late payment? What customer count is used in these calculations?
 - c. How much revenue does the utility collect annually from customers for (a) disconnection, (b) reconnection, and (c) late fees?
 - d. What concerns factor against eliminating disconnections for non-payment?
 - e. Please explain how disconnecting customers for non-payment is, or is not, in the public interest.
 - f. Is there a practice that would be more equitable than disconnection for non-payment?
 - g. How else could companies be assured that customers would continue to pay or seek assistance if disconnection for non-payment were disallowed?
2. Should additional information be provided to customers prior to disconnection for non-payment?
 - a. What, if any, information regarding assistance is currently being provided and what information should be provided?
 - b. What, if any, information regarding customer rights and protections should be provided?
 - c. Should disconnection for non-payment notices include Commission contact information?
3. What percent of customers are billed through e-billing or paperless billing?
 - a. What percent of customers who are signed up for e-billing or paperless billing are also members of highly impacted communities and/or vulnerable populations?
 - b. On average, what percent of customers who receive their tariff change notices electronically access their notice?
4. How does your company define "low-income"? How should "low-income" be defined?
5. How does your company assess the impact of its disconnection practices in areas defined as highly impacted communities and vulnerable populations?
6. What information does your company use to determine which customers should be disconnected? Does your company use any of the following information to determine if a customer should be disconnected?
 - a. Credit Scores (either external or internal)
 - b. A dollar amount threshold
 - c. A delinquency threshold (for example 30 days, 60 days, 90 days, or any other interval)
 - d. Is there any other account information factored in to determine if a customer should be disconnected, and if so, please identify that information?
7. Does your company offer the following features on its website or online customer portal?

- a. Self-enrollment for a customer's preferred payment arrangements
 - b. Changing a customer's preferred payment due date to parallel receipt of income
 - c. Bill Assistance information (a link or contact information to their local community action council or other information specific to that customer)
 - d. The ability for a customer to select their preferred language for correspondence or communications (if other than English)
8. TEP raises concerns that the 60-day renewal requirement in the Commission's rule governing medical emergencies may be difficult for customers.
- a. What percent of medical emergencies are not renewed for a second 60-day period?
 - b. Could medical emergencies remain in effect for the stated duration of the condition, rather than having a set expiration?
 - c. Should a 60-day renewal be required for customers experiencing chronic conditions?
9. For premise visits prior to disconnection for non-payment of customers with medical certificates and low-income customers, please provide the number of visits conducted and the number of visits that resulted in customers making payment at the door in 2018 and 2019.
10. Please provide your company's internal deposit requirement criteria, including a narrative description of the criteria, factors, and relevant information used to determine whether customers are required to pay a deposit.
11. Please describe your company's reporting practices to credit bureaus, including historic practices, collection agencies used, and the terms of all contracts with (and the policies of) all collection agencies used.
12. Please explain how your company uses customer credit scores.
13. Please provide a list, including addresses, of all payment locations, the tender accepted at each location, and any fees.
14. Does your company use liens in any of its practices? If so, please explain your practice(s).
15. Are there any other changes the Commission should consider to the customer notice rules in WACs 480-90-193, 480-90-194, 480-90-195, 480-90-197, 480-90-198, 480-100-193, 480-100-194, 480-100-195, 480-100-197, 480-100-198? Please provide any suggested changes in legislative format (track changes).

ADDITIONAL QUESTIONS FOR WRITTEN COMMENTS OR DISCUSSION

16. Should the Commission broaden the requirements for offering payment arrangements? For example, see Maine's Consumer Protection Standards for Electric and Gas Transmission and Distribution Utilities at p. 23, linked [here](#).¹ Should the Commission adopt a similar policy?
17. If disconnections for non-payment continue:
- a. The Commission currently requires site visits prior to disconnecting a customer with a medical certificate or a customer who has received energy assistance. Should a site visit be required prior to all disconnections for non-payment?

¹ <https://www.maine.gov/sos/cec/rules/65/407/407c815.docx>.

- b. Should the Commission require a minimum overdue account balance prior to disconnecting for non-payment?
 - c. Should the Commission require Commission approval before a utility disconnects a customer, as it did in Docket U-200281?
18. Should the Commission consider adding energy assistance requirement rules? If so, what should be included?
- a. Should there be requirements for Percent Income Payment Plans?
 - b. Should there be requirements for Arrearage Management Plans?
19. How might the Commission modify the notice methods listed in WAC 480-90-194(1)-(3) and WAC 480-100-194(1)-(3) to better reach customers?
- a. Considering the reduced consumption of traditional newspaper media, is it still appropriate for customer notices to be published in newspapers?
 - b. Are there any alternatives to newspaper publishing we should consider?
20. Should the Commission require utilities to provide to the Commission a copy of any customer notice made in connection with a tariff filing before the notice is distributed to customers?¹
21. What can the Commission do to help ensure customers know about tariff filings and to help ensure that customers know about the Commission?

If you have questions regarding this Docket or the upcoming workshop, you may contact Andrew Roberts at andrew.roberts@utc.wa.gov or (360) 664-1101.

AMANDA MAXWELL
Executive Director and Secretary

¹ See WAC 480-90-198(1) and WAC 480-100-198(1).