

March 27, 2020

Governor Jay Inslee
Office of the Governor
PO Box 40002
Olympia, WA 98504-0002

Dear Governor Inslee,

The NW Energy Coalition, Washington State Community Action Partnership, and The Energy Project deeply appreciate the quick action you took on March 18th and March 24th to issue amendatory Proclamations 20-23 and 20-23.1, respectively.¹ This leadership has encouraged multiple utilities across the state to suspend shut-offs, waive late fees, and expand bill assistance. That action to preserve access to essential electric, natural gas, and water services and mitigate economic impacts of the COVID-19 pandemic is critical to protecting the public health and safety. **Notwithstanding that action, we urge you to act immediately under the emergency powers granted a governor under RCW 43.06.220 and order all utility service providers within the state, both state regulated and locally governed, to (1) reconnect customers who were previously disconnected, (2) order a moratorium on all utility shut offs in order to ensure all residents have essential utility service during the COVID-19 emergency, and (3) revise credit and collection procedures to ensure utility service remains affordable after the crisis ends.**

Residents are being asked to shelter-in-place and repeatedly wash their hands to guard against spread of the virus. Schools and colleges have closed, and education has shifted from in-person to online instruction. Access to lighting, electrical appliances, telecommunications services, heat and cooling are critical at any time, but especially so during a pandemic when Washington residents are required to shelter and learn at home. The ability for all persons to remain safely and comfortably in one's own home during this pandemic should not be determined by one's financial condition, especially during this emergency.

While we applaud the current directives, a substantial portion of Washington residents remain vulnerable to disconnections of water, sewer, electric, and heat-related fuels. By our last count, only approximately half of Washington's electric and natural gas utilities had taken some form of action to limit disconnections. We believe further action is necessary to ensure that all residents in the state are protected throughout the pandemic. **First, gubernatorial action is needed to require all utilities to reconnect customers who were previously disconnected due to inability to pay.**

¹ <https://www.governor.wa.gov/office-governor/official-actions/proclamations>

Second, an emergency order should ensure that both state *regulated utilities and locally governed* municipal utilities, electric cooperatives, public utility districts, and telecommunications providers refrain from disconnecting customers from essential energy, water and telecommunications services during this state of emergency. The order should also require utilities to reconnect customers who were previously disconnected due to inability to pay. A governor's directive requiring a moratorium on *both* investor-owned utility and locally governed utility shutoffs is essential.

After emergency orders have been lifted, many, particularly low-income residents, will face unaffordable bills. Additional action will be needed to ensure that utility arrearages incurred during the crisis do not trigger disconnections, and that vital energy, water and telecommunications service is affordable for the foreseeable future. **A third specific directive under the state's emergency powers statute is needed now to require all utility service providers, both regulated and locally governed, to enact more flexible credit and collections practices than currently delineated in state regulatory rules and public utility policies.** Specific direction from the Governor's office through the existing emergency statutory powers is essential to ensure that payment-troubled customers do not lose essential utility service in the months to come.

To that end, in addition to the requested moratorium on *both* regulated and locally governed utility service shut offs, the undersigned organizations urge you to include in any additional emergency order, the following directives, effective until further notice:

- Elimination of any customer deposit requirements;
- Enactment of an "Affordable Deferred Payment Arrangement" (ADPA) policy that is designed to ensure the creation of flexible, reasonable ADPAs that are negotiated based on a particular customer's ability to pay and income and expense circumstances, requiring no set maximum on length of DPAs and no minimum monthly payment amount;
- Elimination of any requirement that disconnected customers pay the full arrearage due before reconnection, thereby permitting reconnection upon issuance of an affordable ADPA;
- Elimination of reconnection fees;
- Elimination of credit reporting for existing customers and credit checks for new service applicants; and
- Utility write-off of debt for consumers who can self-certify that they are eligible for the Low-Income Home Energy Assistance Program (LIHEAP) but unable to receive LIHEAP grants due to a shortage of LIHEAP funds or inaccessible LIHEAP services.

All utility customers should have rate protections that defer and fairly distribute the burden of the emergency arrangements. Moreover, customers should not be asked to shoulder the burden of new utility debt that has arisen due to the COVID-19 crisis. Utilities should be allowed to put unexpected lost revenues as a result of implementing

the relaxed credit and collection procedures into a deferred recovery account to ensure that utility customers are not required to incur additional costs in the near term. In light of the closure in many states of businesses deemed non-essential, and the cessation of much of the gig economy, these actions are needed now to ensure that essential utility service remains available and affordable for the foreseeable future for economically vulnerable consumers.

Thank you for your attention to this important matter and for your continued efforts to keep all consumers safe during this global pandemic.

Respectfully,



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Shawn Collins
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