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STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Docket No. 20-0703-PET

Vermont Legal Aid Request for Moratorium on)
Utility and Telecommunications Shutoffs During)
State of Emergency)

**RESPONSE IN SUPPORT OF DEPARTMENT OF PUBLIC SERVICE REQUEST TO
EXTEND THE TEMPORARY MORATORIUM**

The Public Utility Commission (“Commission”) extended the temporary moratorium on certain utility disconnections (“Temporary Moratorium”) until July 31, 2020, by Order dated May 28, 2020. On July 22, 2020, the Department of Public Service (“DPS”) filed a request to extend the temporary moratorium until September 30, 2020. For the reasons set forth below, Vermont Legal Aid joins in and supports that request.

The Temporary Moratorium has provided relief from involuntary disconnection for vulnerable Vermonters who have been impacted, financially and otherwise, by the COVID19 pandemic. Quite simply, Vermonters’ health and wellness and economic security have been under siege. However, the Temporary Moratorium has provided an important health and safety protection during this period of uncertainty, which will continue to exist well after July 31, 2020. Indeed, in acknowledgement of this fact, Governor Phil Scott recently extended Vermont’s State of Emergency to August 15, 2020.

Accordingly, Vermont Legal Aid supports the DPS’s request that the Commission extend the Temporary Moratorium until September 30, 2020. In doing so, we also take note of some of

the comments submitted to this Commission and of the significant funding made available by the Vermont General Assembly. In comments submitted on July 10, 2020, the DPS noted that it would be receiving \$8 million to be used to minimize the financial hardship experienced by customers of the utilities affected by the Temporary Moratorium. It encouraged each utility to participate in the program and help to distribute the available financial assistance “equitably and efficiently.” In addition, in its comments, the DPS made a number of recommendations regarding service terminations and the collection of account arrearages in the post-moratorium operations of service providers.

In some subsequent responding comments, service providers have focused more on challenging and critiquing DPS’s recommendations rather than on accessing the \$8 million that might eliminate arrearages and obviate the need to make decisions about terminating service. This is potentially a tragic mistake. The General Assembly will reconvene in August and will be examining how the funds it has allocated have been used. Unused funds likely will be reclaimed and made available for other purposes. If the DPS and service providers do not act affirmatively now to reach out to the customers affected by the Temporary Moratorium and distribute the available financial assistance to them, those funds may cease to be available.

Having a Temporary Moratorium in place allows space for providers to identify customers who might be most in need of the Vermont Arrearage Assistance Program and facilitate their enrollment in the program. For example, customers who have made use of the Fuel Assistance program in the past two years might be identified and contacted as likely candidates for arrearage assistance. The DPS also might convene a stakeholders “meeting” to plan outreach that would inform and provide access to customers in need of the program.

All of the parties who have commented, both on post-moratorium plans and on the extension of the moratorium itself, recognize that account arrearages will need to be addressed at some point and in some manner. The General Assembly has provided some means to do that immediately, and that opportunity should not be missed. Vermont Legal Aid stands ready to assist in any ways practicable and appropriate in that process.

Dated at Burlington, Vermont, this 27th day of July, 2020.

VERMONT LEGAL AID, INC.

By: /s/ W. David Koeninger

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