



September 17, 2020

Judith C. Whitney, Clerk
Vermont Public Utility Commission
112 State Street
Montpelier, VT 05620-2701

Re: Case No. 20-0703-PET Vermont Legal Aid request for moratorium on utility and telecommunications shutoffs during State of Emergency

Dear Ms. Whitney,

In its September 3, 2020 Order Requesting Comments on Extending Disconnection Moratorium, to Whom an Extension Should Apply, and Consumer Protections, the Public Utility Commission ("Commission") included a list of questions for utilities to answer. Burlington Electric Department ("BED") has provided responses to those questions below.

- *Whether to extend the moratorium beyond September 30, 2020*

BED does not oppose such an extension but also would support granting distribution utilities the ability to individually determine whether to make a voluntary extension of the moratorium beyond September 30, 2020. An extension until at least October 31, 2020 would provide the time necessary for funds from the Vermont COVID-19 Arrearage Assistance Program to reach participating BED customers and to evaluate remaining customer needs. Additionally, as of September 11, 2020, the Governor extended the Vermont State of Emergency until October 15, 2020, so an extension of the moratorium until after this date would be reasonable.

- *Whether any extension should apply to the same group of utilities currently covered by the moratorium.*

BED does not oppose an extension of the moratorium and can see merit in allowing individual utilities to determine whether or not to do so based on their own situation.

- *Response to suggestions provided by the Department in July 10, 2020 comments*

Burlington Electric Department
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Phone 802.658.0300

BED has reviewed the Department of Public Service's ("Department's") July 10, 2020 list of recommendations for electric and gas utility providers and finds all of the items on the list to be reasonable.

- *After the moratorium, would utilities apply consumer protections (such as extended payment arrangements) to both residential and non-residential customers?*

Prior to the COVID-19 response period, budget billing and payment plan programs were available only to residential BED customers. As of April 7, 2020, BED made budget billing available to commercial customers in good standing in addition to residential customers. BED also plans to offer payment plans to commercial customers impacted by COVID-19 at an undetermined date, but not later than the date that BED resumes its standard collection and disconnection policies for these customers.

In response to the Commission's May 28, 2020 Order in this case, BED described and submitted a copy of its plan for how it will reinstate routine service disconnection activities once the moratorium is lifted. This plan is reattached to this comment letter. In the plan, BED proposes a number of COVID-19-related changes to its existing policies for its budget billing and payment plan programs.

- *Will any utilities impose on themselves a disconnection moratorium even if the Commission's moratorium is no longer in place? If so, how long would such a moratorium last?*

In the event that the Commission does not extend the moratorium beyond the current September 30, 2020 end date, BED would in all likelihood elect to extend its own disconnection moratorium until October 31, 2020 for the reasons described above.

- *Will the utilities offer payment arrangements of substantial lengths (such as 12 or even 24 months)?*

Throughout the Vermont COVID-19 State of Emergency, BED has continued to offer its existing budget billing and payment plan programs to residential customers who wish to take advantage of these payment options. Further, BED proposes modifications to the timeline during which payments are required under its payment plans for all customers financially affected by COVID-19 to increase payment flexibility. Please see BED's attached plan document for further information on BED's COVID-19-related changes to its budget billing and payment plan programs.

- *Will the utilities waive any fees and deposits and allow deposits to go toward arrearages?*

All eligible customers (including commercial customers, on a date to be determined) who wish to participate in a payment plan and self-certify that they are financially impacted by COVID-19 may pay between six and twelve equal monthly payments to bring their account balances to zero dollars. Concurrently, participating customers must also pay monthly electric bills. This payment plan modification provides increased flexibility for customers with COVID-19 financial impacts, as the existing payment plan program requires participating customers to pay 50% of the past-due

account balance in the first month's payment, with remaining payments required in the following three months, with a possible extension of up to six months with a showing of hardship.

BED does not assess late fees for residential customers in accordance with its residential tariffs. BED suspended assessment of late fees on its commercial accounts as of March 18, 2020. This temporary suspension of assessment of late fees on customer accounts will remain in effect until further notice. BED does not intend to retroactively assess late fees for the time they were suspended.

- *Will the utilities consider streamlining enrollment into any existing consumer assistance programs (e.g., auto-enrollment, allowing self-certification, etc.)?*

BED's attached plan allows for customers' self-certification of COVID-19-related financial impacts.

Thank you for the opportunity to provide comments. Should you have any questions or concerns, please feel free to contact us at any time.

Sincerely,



Amber Widmayer
Regulatory Specialist
Burlington Electric Department
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BED's Budget Billing, Payment Plans, Late Fees, Interruptions and Collections

Definitions

- Deficit: a positive (owed) account balance resulting from participating in an electric utility budget plan due to discrepancy between estimated monthly bill and actual bill
- Delinquency: failure of ratepayer to tender payment for valid bill or charge including an amount owed under a budget or payment plan (1) within 30 days of the postmark date of that bill or charge, or (2) by a "due date" at least 30 days after mailing, which date shall be printed on the bill
- Interruption/Disconnection: deliberate interruption, limitation, or disconnection of utility service to a ratepayer by the serving utility, not including disconnection at the request or with the permission of the ratepayer

Residential accounts

- **Budget Billing**
 - Existing practice
 - 12-month budget plan
 - Plan trued up at end of 6 months, and budget payment amount adjusted for remaining 6 months at that time to minimize any deficit.
 - Plan trued-up again after 12 months.
 - If deficit exists at end of 12 months, deficit can be rolled into following 12-month budget plan.
 - Delinquencies (that exist at time customer enters budget plan) – concurrent 12-month payment plan for delinquent amount at time of budget plan initiation available if customer requests.
- **Payment Plan**
 - Existing practice
 - Must pay 50% of delinquency plus enter into payment plan by which customer pays current bill plus equal portions of delinquency for next 3 months to avoid disconnection.
 - Payment plan may be extended for up to 6 months for customers reporting hardship.
 - **Proposed COVID-19 Payment Plan as of a final date to be determined (to avoid disconnection)**
 - Must make between 6 and 12 equal, monthly payments with 1st payment due at time plan established.
 - After 1st payment, customers required to pay their monthly bills in addition to making payment plan payments.
 - Rely on customers' self-certifications of COVID-19 financial impacts.
- **Late Fees**
 - Existing practice
 - Not assessed under residential tariffs

Commercial accounts

- **Budget Billing**
 - Prior to COVID-19 response, no existing opportunity. Made available to commercial customers in good standing during COVID-19 response, as of April 7, 2020.
 - **Proposed COVID-19 Plan (to avoid disconnection)**
 - 12-month budget plan
 - Plan trued up at end of 12 months
 - If deficit exists at end of 12 months, it must be paid within 30 days.
 - Unlike residential accounts, budget billing for commercial accounts is a one-time opportunity.
 - Delinquencies (that exist at time customer enters budget plan) – concurrent 12-month payment plan for delinquent amount at time of budget plan initiation available if customer requests.
 - Rely on customers' self-certifications of COVID-19 financial impacts.
- **Payment Plan**
 - No existing opportunity
 - **Proposed COVID-19 Payment Plan, as of a date to be determined (to avoid disconnection)**
 - Must make between 6 and 12 equal, monthly payments with 1st payment due at time plan established.
 - After 1st payment, customers required to pay their monthly bills in addition to making payment plan payments.
 - Rely on customers' self-certifications of COVID-19 financial impacts.
- **Late Fees**
 - Existing practice
 - Assessed only under commercial tariffs.
 - **Proposed COVID-19 plan**
 - Late fees suspended in late March 2020 until further notice.
 - Continue with suspension of late fees for all commercial accounts until an undetermined date.

Residential and Commercial accounts

- **Interruptions/Disconnections**
 - Resume interruptions due to delinquency not resolved by a payment plan on a date to be determined
 - Unless PUC extends moratorium, PUC moratorium currently scheduled to end on July 31
 - Resume mailing interruption and final warning notices with at least 30 days' notice before any interruptions
 - Actual interruptions based on scheduling and availability
 - While not required by PUC Rules or BED Tariff, prior to interruptions/disconnections, Customer Care team will call customers in attempt to reach payment plans to avoid interruptions/disconnections – BED to engage in this practice for at least 3 months from time interruptions/disconnections are resumed
- **Collections** – resume collections on closed accounts as of a date to be determined.