

TENNESSEE PUBLIC UTILITY COMMISSION

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In March 2020, the Commission ordered all regulated utilities to suspend disconnections for non-payment of service in order to mitigate the impact of COVID-19 during the state of emergency status invoked by Governor Bill Lee. During the regularly scheduled Commission Conference held on August 10, 2020, the panel voted unanimously to lift the moratorium on disconnections subject to certain conditions. In the interests of ensuring that regulated utilities comply with the conditions pending issuance of the official Commission Order in this matter, the Commission releases the Chairman's motion below.

Docket No. 20-00047:

In re Emergency Petition to Suspend Service Disconnections. . .

Panel of Chairman Kenneth C. Hill, Commissioners David F. Jones & John A. Hie

Chairman's Motion to Lift Moratorium on Disconnections Subject to Conditions

I appreciate the work our regulated public utilities have been doing during this unprecedented public health crisis. Based on what I have seen in the record, the response to this challenge has been impressive and encouraging, and I want to thank all of you for your cooperation.

Nonetheless, challenges remain for Tennessee customers and businesses, both of which rely on continued public utility services. Many of the agency's regulated utilities have made concessions and proposals in the docket filings that benefit affected customers. Still, the current situation in our state, and the country, may be the status quo or "new" normal for quite some time. We must also recognize that it will not be long before the winter months are upon us along with the attendant rise in heating bills. Now is the time to start to transition and give customers a chance to catch up any outstanding bills.

The agency recognizes that a one-size-fits-all policy may not take into consideration all facets of a public utility's operations and the challenges faced by the utility's customers. Further, the Commission does not want to hamper the flexibility of a public utility to work with a customer on a longer-term basis to maintain utility service.

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Upon my review of the weekly updates, comments and data responses submitted in the docket, I move that the Commission's moratorium on service disconnections for nonpayment be lifted effective August 29, 2020. Although this date coincides with expiration of Governor Lee's currently declared state of public health emergency, my motion is that the moratorium be lifted regardless of whether the Governor further extends the state of emergency.

I further move that customers be provided with a minimum 30-day written notice of the utility's intent to resume its procedures for disconnection of service due to nonpayment of bills. The written notice shall provide the date on which the utility will resume its procedures for cutoffs for nonpayment of services, which can resume no sooner than September 28, 2020, thirty (30) days after the moratorium is lifted. The written notice shall also provide customers with a description of the utility's cutoff procedures that it will follow to disconnect service for nonpayment; these procedures must be consistent with the utility's approved tariff and Commission Rule 1220-04-03-.19 for water utilities; Rule 1220-04-04-.19 for electric utilities; Rule 1220-04-05-.18 for gas utilities; and Rule 1220-04-13-.14 for wastewater utilities. The notice shall advise customers that they should either pay their overdue balance or arrange to pay the overdue balance in order to avoid losing service for nonpayment. The notice shall further provide customers with utility contact information they can use to discuss their accounts and services with company representatives.

I further move that, prior to disconnecting service for nonpayment, all utilities must, upon the customer's request, offer payment arrangements that will allow the customer to maintain utility service while paying past-due amounts over a reasonable period of time. Utilities should be allowed to implement individual payment arrangements tailored to meet the needs of their respective customer base and specific customer circumstances.

I further move that all issues concerning potential recovery of COVID-19 related expenses and lost revenues shall be reserved and addressed within appropriate individual company dockets, either upon request by the company or order of the Commission.

Finally, I move that all utilities continue providing status reports on a monthly basis rather than weekly, as presently ordered. The monthly status report shall be due by the 15th of each month for the preceding month beginning in September and for each month thereafter until further notice. In addition to information currently provided, the status report shall also include for the reporting period the aggregate number of customers disconnected for nonpayment of service by customer class; the aggregate number of customers who have entered a payment arrangement by customer class; the aggregate number and amount of delinquent customer accounts by customer

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class; and the aggregate number and amount of customer accounts written off to bad debt expense, or allowance for bad debt, by customer class.

Action Taken on Motion:

Motion seconded by Commissioner David F. Jones
Commissioner John A. Hie voted aye.

Result:

Motion passed 3-0.

NOTE: The above recitation of the successful motion is provided only as a courtesy for the convenience of the affected consumers and regulated utilities. It is not intended to and does not supplement or replace the official action of the Commission memorialized in its duly issued written order.

FOR THE TENNESSEE PUBLIC UTILITY COMMISSION:



Kelly Cashman Grams, General Counsel

cc: TPUC Service List