

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 20-0703-PET

Vermont Legal Aid request for moratorium on utility and telecommunications shutoffs during State of Emergency	
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Order entered: 04/23/2020

**ORDER EXTENDING TEMPORARY MORATORIUM
ON INVOLUNTARY UTILITY SERVICE DISCONNECTIONS**

This proceeding concerns a petition from Vermont Legal Aid to the Vermont Public Utility Commission (“Commission”) requesting the halt of involuntary utility disconnections during the current state of emergency in Vermont as a result of the global COVID-19 pandemic. On March 18, 2020, and March 27, 2020, the Commission granted Vermont Legal Aid’s request and put in place until April 30, 2020, a temporary moratorium on certain utility disconnections.¹

In today’s Order, we extend the end date for our temporary moratorium on involuntary utility disconnections from April 30, 2020, until May 31, 2020.

I. BACKGROUND

On March 14, 2020, the Governor placed Vermont into a state of emergency due to the COVID-19 pandemic.²

On March 18, 2020, the Commission issued an Order granting a temporary moratorium on involuntary natural gas, electric, and telecommunication service disconnections (“March 18 Order”). The moratorium was ordered to last until April 30, 2020.³

¹ *Vermont Legal Aid request for moratorium on utility and telecommunications shutoffs during State of Emergency*, Case No. 20-0703-PET, Orders issued 3/18/2020 and 3/27/2020.

² Vermont Executive Order No. 01-20, issued on 3/14/2020.

³ *Vermont Legal Aid request for moratorium on utility and telecommunications shutoffs during State of Emergency*, Case No. 20-0703-PET, issued on 3/18/20 at 3.

On March 27, 2020, the Commission issued an order expanding the March 18 Order to apply to non-residential ratepayers and certain water companies.⁴ No change was made to the proposed end date for the moratorium, which remained April 30, 2020.

On April 10, 2020, Governor Scott extended the state of emergency in Vermont until May 15, 2020.⁵

On April 16, 2020, the Commission issued an Order proposing to extend the temporary moratorium until May 31, 2020, and asking those interested to file any comments, objections, or requests for a hearing or any other process on the proposed extension.⁶

On April 17, 2020, the Burlington Electric Department (“Burlington Electric”) filed comments on the Commission’s April 16, 2020, Order.⁷

On April 20, 2020, the following entities filed comments on the Commission’s April 16, 2020, Order: Eight Vermont rural local exchange carriers (“Eight RLECs”);⁸ Vermont Legal Aid;⁹ Vermont Public Power Supply Authority (“VPPSA”);¹⁰ Green Mountain Power Corporation (“GMP”);¹¹ Vermont Gas Systems (“VGS”);¹² the Vermont Electric Cooperative (“VEC”);¹³ the Washington Electric Cooperative (“WEC”);¹⁴ and the Vermont Department of Public Service (“Department”).¹⁵

⁴ *Vermont Legal Aid request for moratorium on utility and telecommunications shutoffs during State of Emergency*, Case No. 20-0307-PET, Order issued 3/27/20.

⁵ Vermont Executive Order, Addendum 9 to Executive Order 01-20, issued on 4/10/2020.

⁶ *Vermont Legal Aid request for moratorium on utility and telecommunications shutoffs during State of Emergency*, Case No. 20-0307-PET, Order issued 4/16/20 (“April 16 Order”).

⁷ Letter from Amber Widmayer, Regulatory Specialist, to Judith C. Whitney, Clerk of the Commission, filed on 4/17/20 (“BED Comments”).

⁸ Letter from Paul J. Phillips, Esq., to Judith C. Whitney, Clerk of the Commission, filed on 4/20/20 (“RLEC Comments”).

⁹ Letter from David Koeninger, Esq., Deputy Director, to Judith C. Whitney, Clerk of the Commission, filed on 4/20/20 (“Legal Aid Comments”).

¹⁰ Letter from Melissa Bailey, Manager of Government and Member Relations, to Judith C. Whitney, Clerk of the Commission, filed on 4/20/20 (“VPPSA Comments”).

¹¹ Letter from Melissa Stevens, Esq., to Judith C. Whitney, Clerk of the Commission, filed on 4/20/20 (“GMP Comments”).

¹² Letter from Eileen Simollardes, Vice President Regulatory Affairs, to Judith C. Whitney, Clerk of the Commission, filed on 4/20/20 (“VGS Comments”).

¹³ Letter from Victoria J. Brown, Esq., General Counsel, to Judith C. Whitney, Clerk of the Commission, filed on 4/20/20 (“VEC Comments”).

¹⁴ Letter from Ronald A. Shems, Esq., to Judith C. Whitney, Clerk of the Commission, filed on 4/20/20 (“WEC Comments”).

¹⁵ Letter from James H. Porter, Esq., Director for Public Advocacy, to Judith C. Whitney, Clerk of the Commission, filed on 4/20/20 (“Department Comments”).

II. COMMENTS

Burlington Electric

Burlington Electric states that it has voluntarily updated “its moratorium on its involuntary disconnections of service for nonpayment and assessment of customer late fees such that both are in effect until further notice, and in no case would either conclude before May 31, 2020.”¹⁶

Eight RLECs

The Eight RLECs comment that they do not oppose the proposed extension.¹⁷ The Eight RLECs also comment on the need to look into the recovery of uncollectible revenue and the resumption of disconnections after the end of the moratorium.¹⁸

Vermont Legal Aid

Vermont Legal Aid comments that it supports the proposed extension.¹⁹

VPPSA Comments

VPPSA comments that it “supports an extension of the disconnect moratorium through May 31, 2020, to ensure that customers continue to receive essential utility services during the current pandemic and accompanying ‘stay home order’ issued by the Governor.”²⁰

GMP Comments

GMP comments that it “supports continuation of the moratorium on involuntary service disconnections through May 31, 2020.”²¹

¹⁶ BED Comments at 1.

¹⁷ RLEC Comments at 3.

¹⁸ *Id.* at 3-4.

¹⁹ Legal Aid Comments at 1.

²⁰ VPPSA Comments at 1.

²¹ GMP Comments at 1.

VGS Comments

VGS comments that it “fully supports the Commission’s proposal to extend the involuntary disconnection moratorium until May 31, 2020.”²²

VEC Comments

VEC comments that it “supports continuation of the moratorium on involuntary service disconnections through May 31, 2020.”²³

WEC Comments

WEC comments that it “supports the extension of the moratorium until May 31, 2020.”²⁴

Department Comments

The Department comments that it “supports extending the temporary moratorium on involuntary utility disconnections from April 30, 2020, to May 31, 2020.”²⁵

III. DISCUSSION & ORDER

After reviewing the Governor’s April 10 Addendum to Executive Order No. 01-20 and the universal support from interested commenters for extending the moratorium to May 31, 2020, we determine that this extension is appropriate and necessary. Pursuant to Section 209(a)(3) of Title 30 of the Vermont Statutes Annotated and Commission Rule 2.406(B), we extend the temporary moratorium on involuntary utility service disconnections to May 31, 2020, subject to future revisions should circumstances make such revisions advisable.

As we have observed in previous orders, today’s Order does not disturb our earlier request that any other comments on our March 18, 2020, and March 27, 2020, orders in this proceeding, including any objections and any requests for a hearing or for any other process, should be filed no later than April 24, 2020.²⁶

SO ORDERED.

²² VGS Comments at 1.

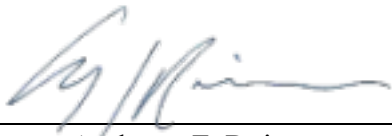
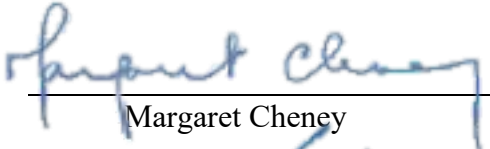
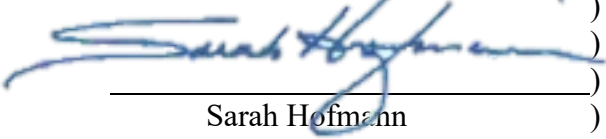
²³ VEC Comments at 1.

²⁴ WEC Comments at 1.

²⁵ Department Comments at 1.

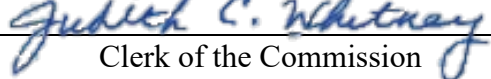
²⁶ *Vermont Legal Aid request*, Case No. 20-0703-PET, Order issued 3/27/2020, at 4.

Dated at Montpelier, Vermont, this 23rd day of April, 2020.

 _____)) PUBLIC UTILITY
Anthony Z. Roisman)	
) _____)	
 _____)) COMMISSION
Margaret Cheney)	
) _____)) OF VERMONT
 _____)	
Sarah Hofmann)	

OFFICE OF THE CLERK

Filed: April 23, 2020

Attest: 
Clerk of the Commission

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made (e-mail address: puc.clerk@vermont.gov).

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Other Entities Receiving Notice Outside of ePUC:

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Vermont Private Water Companies