

May 12, 2021

Public Utility Commission of Oregon
201 High St. SE, Suite 100
Salem, Oregon 97301-3398

Re: Special Public Meeting Memo on Docket No. UM 2114

Dear Chair Decker and Commissioners Tawney and Thompson,

On behalf of the undersigned, we would like to express our gratitude for the Oregon Public Utility Commission's (PUC) reporting requirements, data analysis, and staff's creativity and flexibility in working to protect the most at-risk customers. That said, we are concerned that staff recommendations still do not fully acknowledge the reality of the current unprecedented situation facing at-risk customers due to the COVID-19 pandemic. Specifically, we would like to advocate for the following: **1) stronger data analysis and flexibility in Commission and utility support, 2) increased AMP funding and partial to full debt forgiveness, and 3) a disconnection moratorium date beyond July 16.**

Data Analysis and Flexibility

We appreciate staff's analysis of zip codes, wealth, energy burden and disconnection in the memo, but there are still data points and analysis that should be provided to help understand the relation between income and race and arrearages. For instance, is there a clear picture that lower wealth zip codes have higher arrearages? What about race/ethnicity by zip code and arrearages? We continue to believe that **greater data and general information transparency between the Commission, utilities and communities should be standardized going forward.**

The term "endeavor" was used repeatedly throughout the memo to describe how utilities should approach protecting their most at-risk customers from disconnections. However, "endeavor" is not strong enough language to **ensure** that most at-risk customers are not disconnected. There needs to be flexible strategies established to ensure that customers are not disconnected if they are in touch with their utility company, beyond customers who are eligible for restrictive low-income energy assistance programs. For example, Native American Youth and Family Center (NAYA), **an energy assistance provider, has had to turn away families in desperate need of assistance** because of additional payments received through Pandemic unemployment assistance. In other words, **families in need are being turned away because Pandemic unemployment assistance is contributing to households being "over income," resulting in families no longer qualifying for the energy assistance they need.** Flexibility and creativity are needed to address customer's situations on a case by case basis, especially considering that the pandemic is far from over.

Increasing AMP Funding and Debt Forgiveness

AMP funding should be increased from 1% to 2% and should be used for partial, if not full, arrearage forgiveness. This would ensure that more customers stay connected than any other strategy. Ideally, we would like the Commission to consider forgiving as much arrearage as possible through a systemic approach that eliminates the vast majority of the balance for accounts. This could either be through full forgiveness for those over 90 days past due, or a percentage forgiven with the rest put on a payment plan (e.g. 90% forgiveness, with the last 10% put on a payment plan). It is important to note that a full forgiveness approach would not require as much administrative costs for the allocation process.

The Commission should also seriously consider how AMP money is awarded to customers. To bridge the gap between customers that will not be able to be reached by the AMP programs, there need to be measures in place to ensure that all customers in need receive the necessary assistance. **We strongly suggest that customers be awarded instantly instead of requiring them to have a phone call with their utility company.**

Additionally, **we ask that the Commission reassess the process of forcing people to match payment to receive energy assistance.** This payment matching process creates an inequitable system that gives the greatest benefit to people who have enough resources as opposed to those that cannot pay anything at all—especially customers who are no longer eligible for other energy assistance programs.

Moratorium Date Extension

As per the past letters CEP has submitted regarding UM 2114, **we would like to reinforce our request for the PUC to extend the utility disconnection moratorium beyond the staff recommendation date of July 16, ideally through April 1, 2022.** The pandemic is still far from over, and we need time for the pandemic to slow down and for more people to get vaccinated, especially low-income, BIPOC communities¹, and rural areas. We also need more time for energy assistance to reach agencies and for AMPs to work.

Furthermore, **utility debt can not be viewed in a vacuum.** Recent research has found that in the United States there are “notable disparities across all three indicators of energy insecurity, which include race, families with young children, households with an individual who relies on an

¹*It is important to note that Black and Hispanic populations have “received smaller shares of vaccinations compared to their shares of cases and deaths” compared to white populations.*

Ndugga, Nambi, Olivia Pham, Layota Hill, Samantha Artiga, Raisa Alam, and Noah Parker. "Latest Data on COVID-19 Vaccinations Race/Ethnicity." Kaiser Family Foundation. May 05, 2021.
<https://www.kff.org/coronavirus-covid-19/issue-brief/latest-data-on-covid-19-vaccinations-race-ethnicity/>.

electronic medical device, and people who live in residences in poor condition.”² A threat of power cutoff could force people to resort to choosing utility bills payments over buying essential food and medicine they need to survive. This will only get worse when the rent moratorium lifts. PUC staff has mentioned that only a small percentage of people are actually disconnected after they receive a disconnection notice, but that reasoning minimizes the psychological and health impacts on families. It also does not consider the fact that once customers are disconnected, they are required to pay everything they owe or half of it to reconnect.

We also need more time to think about flexible conditions. For instance, if there is a hard push to shut off power for non-paying customers in August, is there any way to exclude seniors or other especially vulnerable populations when there is a risk of dangerous heat waves? This is one of the many issues that has yet to be considered.

In conclusion, we ask the Commission for flexibility in this process going forward, a further extension of the disconnection moratorium, and to seriously consider wide scale arrearage forgiveness as a solution on the table, if not fully at least for a significant percentage of it.

Sincerely,

Alma Pinto, Community Energy Project

Oriana Magnera, Verde

Alessandra de la Torre, Rogue Climate

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Aaron Salzman, Ecumenical Ministries of Oregon

Janet Merrell, Community Action Partnership of Oregon

Andrea Axel, Spark Northwest

Silvia Tanner, Multnomah County Office of Sustainability

Tony DeFalco, Latino Network

²Memcott, Trevor M., Sanya M. Carley, Michelle M. Graff, and David M. Konisky. "Sociodemographic Disparities in Energy Insecurity among Low-income Households before and during the COVID-19 Pandemic." *Nature Energy* 6, no. 2 (2021): 186-93. doi:10.1038/s41560-020-00763-9. <https://www.nature.com/articles/s41560-020-00763-9#citeas>