



Deborah Kafoury Multnomah County Chair

February 19, 2021

Chair Megan Decker
Commissioner Letha Tawney
Commissioner Mark Thompson
Public Utility Commission of Oregon
201 High St. SE, Suite 100
Salem, Oregon 97301-3398

Re: Investigation into the Effects of the COVID-19 Pandemic on Utility Customers
Docket No. UM 2114

Dear Commissioners,

Multnomah County appreciates this opportunity to comment as the Oregon Public Utility Commission (PUC) considers how to continue to respond to the impacts of COVID-19 on our community. We thank you and staff for acting swiftly to avoid the additional crisis that losing access to gas or electricity would trigger for our community members. Protecting our communities at risk of losing that access to energy in these unprecedented times requires unprecedented action. As a result, we urge you today to extend the disconnections moratorium through April 1, 2022, and to direct utilities to periodically evaluate their arrears management programs with an eye towards ensuring equitable access for our vulnerable communities.

The health and economic circumstances that motivated the moratorium remain.

Throughout the pandemic, Multnomah County has responded to a public health emergency while providing safety-net services to those most in need, so we have seen closely how this crisis has devastated our community and how it has exacerbated existing inequities. For example, Black, Indigenous and other People of Color (BIPOC) remain more likely to contract the virus and die from COVID-19, just like when you adopted the moratorium.¹ For example, 26.5% of reported

¹ Multnomah County, *New numbers show COVID-19 damage to communities of color; leaders call for better data collection* (May 1, 2020), <https://multco.us/novel-coronavirus-covid-19/news/new-numbers-show-covid-19-damage-communities-color-leaders-call>.

COVID-19 cases in Oregon are from our Latinx community,² although that community is just above 13% of our population.³ Unfortunately, our BIPOC communities have not seen access to the vaccine that is proportionate to their COVID-19 risks.⁴ Similarly, our BIPOC and low-income communities continue to bear the brunt of the economic crisis that resulted from the pandemic while national data indicates they are at higher risk of losing access to energy.⁵ Like with the vaccine, the economic recovery has yet to reach the most vulnerable.⁶

Our community is facing precisely the type of circumstances that warrants extending the moratorium.⁷ Staff's report points to recent declines in hospitalizations and new infections.⁸ While encouraging, these are declines from the high numbers that we saw through the winter surge. Our case numbers today are not very different from what we experienced in October 2020 when the Commission adopted its moratorium.⁹ In fact, today we face additional risks and could see another surge as a result of variants that are more contagious and that are already in our

² Oregon Health Authority, *Oregon's COVID-19 Update* (Feb. 11, 2021) <https://www.oregon.gov/oha/covid19/Documents/DataReports/Oregon-COVID-19-Update-02-11-2021-FINAL.pdf> at 2.

³ Data USA, *DATA USA: Oregon* <https://datausa.io/profile/geo/oregon#:~:text=13.3%25%20of%20the%20people%20in,share%20of%20the%20total%20population.>

⁴ Oregon Health Authority, *COVID-19 Vaccination Trends* (last checked on Feb. 18, 2021) <https://public.tableau.com/profile/oregon.health.authority.covid.19#!/vizhome/OregonCOVID-19VaccinationTrends/OregonStatewideVaccinationTrends> (For example, Of the 506,179 people vaccinated in Oregon, 24,254 were Hispanic as of February 18, 2021).

⁵ National Association for the Advancement of Colored People, *Lights Out in the Cold: Reforming Utility Shut-Off Policies as If Human Rights Matter* at 9-10 (Mar. 2017), https://naacp.org/wp-content/uploads/2020/07/Lights-Out-in-the-Cold_NAACP-ECJP-4.pdf.

⁶ Oregon Office of Economic Analysis, *Oregon Employment: December 2020* (Jan. 21, 2021) <https://oregoneconomicanalysis.com/2021/01/21/oregon-employment-december-2020/> (“[W]hen looking at employment across sectors based on wages, it is clear that the recent setback is in the low-wage industries. Middle- and high-wage industries are holding steady or growing every so slightly in recent months on net. *The K-shaped cycle continues, at least until the pandemic is over.*” (emphasis added)).

⁷ Docket No. 2114, Stipulated agreement, Paragraph 4 (“The Commission will have ongoing oversight to determine whether to extend the 6 April 1, 2021 date to a later date based on ongoing economic and pandemic conditions. Commission Staff will schedule a workshop early in 2021 to review the COVID-19 8 situation to determine if additional actions should be taken.”)

⁸ Staff Report at 26-27.

⁹ Oregon Health Authority, *Oregon reports 550 new confirmed and presumptive COVID-19 cases, 3 new deaths* (Oct. 23, 2020) <https://www.oregon.gov/oha/ERD/Pages/OregonReports550NewConfirmedAndPresumptiveCOVID19Cases3NewDeaths.aspx> (Oregon reported the highest daily case count since the beginning of the pandemic in October 23, 2020, with 550 new cases); Oregon Health Authority, *Oregon reports 466 new confirmed and presumptive COVID-19 cases, 6 new deaths* (Feb. 18, 2021) <https://content.govdelivery.com/accounts/ORDHS/bulletins/2c25d4e> (In February 18, 2021, Oregon reported 466 cases and our first infant death).

community.¹⁰ Recommencing disconnections on April 1, 2021 would be inconsistent with the difficult and uncertain reality that our community continues to face as a result of COVID-19.

The humanitarian and public health concerns that motivated the moratorium on disconnections also remain. Vulnerable members of our community, like children and the elderly, continue bound to their homes due to the pandemic as alternatives remain limited. For example, our libraries have limited services due to the pandemic, and as a result remain inaccessible to the public for shelter or for access to electricity or the internet. School is similarly inaccessible to most children in Multnomah County, who need electricity for distance learning. With the ongoing health crisis, we must continue to protect our community's access to essential utility services.

Unprecedented times call for unprecedented action to protect our community.

Multnomah County encourages you to extend the moratorium on disconnections past the next winter season and until April 1, 2022. We sincerely appreciate, and agree with, staff's proposal to extend the moratorium. However, due to the seriousness of current circumstances and the uncertainty on the economic and health outlooks, we encourage you to go further than staff's recommendation. We base our recommendation on our expectation of greater certainty on the health outlook and economic recovery next year. Importantly, if HB 2475 becomes law, this extension would allow us to come together and work on implementation of a bill expected to reduce energy burden and the risk of disconnection for many. We also base our recommendation on our experience serving vulnerable communities, including through our Department of County Human Services' Energy Assistance Program.

With the ongoing pandemic and with an uncertain and likely inequitable recovery, we worry that too many of our community members will face disconnection. Specifically, we are concerned that community members with high arrears will struggle to maintain access to energy even with energy assistance and utility programs. An end to the disconnections moratorium would not change someone's ability to pay. For example, if we provide energy assistance to someone in June but that person still lacks sufficient income for future bills, that person will have maxed out on available assistance and may then face disconnection with no additional bill assistance available until October 1, 2021. Resuming disconnections in October, in advance of the winter season, would not be appropriate. As a result, we at Multnomah County join the many community advocates asking you to extend the moratorium through April 1, 2022.

¹⁰ Multnomah County, *County's COVID curve offers hope. Then contagious "UK" strain is found* (Jan. 20, 2021), <https://multco.us/novel-coronavirus-covid-19/news/county%E2%80%99s-covid-curve-offers-hope-then-contagious-%E2%80%9Cuk%E2%80%9D-strain-found>.

Relying on the threat of disconnection to push a community battered by COVID-19 and economic uncertainty to seek assistance would be cruel. During the last weeks, we have heard utility concerns with difficulty reaching customers, and their experience with customers reaching out upon receiving a disconnection notice. Multnomah County continues to encourage utilities to work with staff and stakeholders on alternative outreach that does not rely on the threat of disconnection. Without that threat, our Energy Assistance Program staff report seeing an increase in the size of the community that we serve, and identifies easing barriers to enrollment as an important action to allow the program to meet more of the need for energy assistance in the community.¹¹ Instead of threatening to disconnect, we can and should continue to minimize the likelihood that our vulnerable communities have to choose between energy, food, or medication, something hard to imagine for most professional households, but all too common in low-income communities.¹²

Finally, Multnomah County encourages you to adopt staff's second recommendation on utility arrear management programs with an amendment that ensures periodic check-ins and adjustments to the programs to better serve our most vulnerable communities. We are grateful to the utilities for their commitment to deploying these programs, but remain concerned that those serving Multnomah County are largely focused on communities able to pay or secure a match. We worry that this design may leave out community members vulnerable to disconnection that are still struggling, and therefore, encourage you to establish periodic program check-ins with the expectation of reform if needed.

Access to energy remains as essential to health and well-being today as it was in October 2020, particularly for the many community members who face existing health or social vulnerabilities that make them more susceptible to the impacts of COVID-19. The crisis is not over and its end remains uncertain. Therefore, the PUC should ensure that vulnerable community members are protected until the health and economic impacts of COVID-19 have passed.

Respectfully submitted this 19th day of February, 2021.

Thank you,



Deborah Kafoury
Multnomah County Chair

¹¹ Specifically, we would like to see express enrollment available for OEAP funds.

¹² *Lights Out in the Cold* at vii-viii.