



March 12, 2020

President Marybel Batjer  
Commissioner Liane M. Randolph  
Commissioner Martha Guzman Aceves  
Commissioner Clifford Rechtschaffen  
Commissioner Genevieve Shiroma  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

**Re: Request for Emergency Low-Income Residential Shut-Off Protections as Part of the COVID-19 Response**

Dear President Batjer and Commissioners:

The Center for Accessible Technology (CforAT), The Utility Reform Network (TURN), and the National Consumer Law Center strongly urge the Commission to prohibit utilities from shutting off customers that participate in a low-income utility assistance program or self-certify they are experiencing economic hardship due to the COVID-19 public health emergency, effectively immediately and until the Governor announces the end of the COVID-19 state of emergency. On March 4, 2020 Governor Gavin Newsom declared a State of Emergency to help California prepare and respond to COVID-19.<sup>i</sup> As you are aware, COVID-19 is a disease that is caused by a highly contagious novel coronavirus that that can cause serious illness or death. The World Health Organization has declared COVID-19 a pandemic.<sup>ii</sup> Expectations are that a vaccine will not be available in the near term<sup>iii</sup> and the virus most severely harms the elderly and those with underlying medical conditions that weaken the immune system.<sup>iv</sup> California has three reported deaths from this novel coronavirus in Santa Clara County,<sup>v</sup> Placer County<sup>vi</sup> and Sacramento.<sup>vii</sup> Numerous counties in the state have declared health emergencies to deal with COVID-19 including San Francisco, San Diego, Orange County and Santa

Clara.<sup>viii</sup> All of these numbers are expected to rise rapidly. This is the time for the Commission to act promptly.

Addressing and controlling the spread of the novel coronavirus will require those who are sick or who may have come into contact with someone with COVID-19 to stay home, but for low-wage earners this will pose an economic challenge.<sup>ix</sup> In addition, “social distancing” has emerged as a key strategy to slowing and controlling the spread of COVID-19,<sup>x</sup> but this has had a ripple effect on the service sector who count on consumers to go to conferences and meetings, eat at restaurants, go to entertainment venues, etc.<sup>xi</sup> As hours are cut back, low-wage workers, particularly those who lack adequate health insurance, will struggle to pay their energy, water and telecom bills.

These financial hardships could lead to negative public health outcomes, since access to utility service will be necessary to slow the spread of the disease and to protect public health. For instance, frequent hand washing is strongly recommended as a first-line defense to limit the spread of COVID-19, so access to running water is an even greater public health necessity at this time.<sup>xii</sup> Many people will be asked to work remotely to slow the spread of the virus. Additionally, households in self-quarantine will experience isolation and loneliness. These issues plus increased reliance on telehealth and on-line education demonstrate the vital importance of telecommunications and connectivity.

Homes will require electricity for appliances, including telecommunications, to operate and for lights and, in some cases heat. Other homes will require natural gas for heat. In order for low-income households who are at risk of disconnection of service for non-payment to be able to comply with public health directives to stay home if ill, exposed to COVID-19, and for low-income households facing a drop in wages due to the downturn in economic conditions due to COVID-19 -- energy, water and telecom services must remain on in the home. This will protect the health of low-income households and the broader public.

CforAT, TURN, and the National Consumer Law Center recommend that the Commission follow the lead of municipalities such as the City of Seattle<sup>xiii</sup> and the City of Detroit<sup>xiv</sup> and prohibit the shut off of water, electricity, natural gas and telecommunications service during the COVID-19 state of emergency for low-income consumers who, according to the CDC guidance, are self-monitoring and are

in self isolation,<sup>xv</sup> as well as those who are directed by their employer or public health officials to stay home due to illness or have lost wages due to the economic downturn stemming from the disruptions of COVID-19. The process for invoking the shut off moratoria protection should be simple and streamlined for consumers. We recommend that utilities be immediately prohibited from shutting off low-income and economically distressed households if the household participates in a low-income utility assistance program or self-certifies that it is experiencing economic hardship due to the COVID-19 public health emergency until the Governor announces the end of the COVID-19 state of emergency. Utilities should also be required to notify households at risk of disconnection of these emergency shut-off protections.

We appreciate your attention to this urgent public health and economic matter. We look forward to your prompt response.

Sincerely,



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cc: Service Lists for R.18-07-005 (Order Instituting Rulemaking to Consider New Approaches to Disconnections and Reconnections to Improve Energy Access and Contain Costs) and R. 18-03-011 (Order Instituting Rulemaking Regarding Emergency Disaster Relief Program)

<sup>i</sup> Office of Governor Gavin Newsom, *Governor Newsom Declares State of Emergency to Help State Prepare for Broader Spread of COVID-19* (Published: Mar 04, 2020). Available at <https://www.gov.ca.gov/2020/03/04/governor-newsom-declares-state-of-emergency-to-help-state-prepare-for-broader-spread-of-covid-19/>.

<sup>ii</sup> Talal Ansari, Natasha Khan and Jennifer Calfas, *Coronavirus Declared Pandemic by World Health Organization*, Wall Street Journal (updated March 11, 2020) available at <https://www.wsj.com/articles/u-s-coronavirus-cases-top-1-000-11583917794>.

<sup>iii</sup> Jenni Fink, *Coronavirus Vaccine at Least a Year Away, but Treatment Could be Here in Months*, Newsweek (March 19, 2020). Available at <https://www.newsweek.com/coronavirus-vaccine-treatment-antiviral-speed-covid-19-1491292>.

<sup>iv</sup> See World Health Organizations, *Q&A on Coronaviruses (COVID-19)*. Available at <https://www.who.int/news-room/q-a-detail/q-a-coronaviruses>.

<sup>v</sup> See <https://www.sccgov.org/sites/phd/news/Pages/first-covid-19-death.aspx>.

<sup>vi</sup> See <https://www.placer.ca.gov/6438/Death-of-patient-with-COVID-19>.

<sup>vii</sup> See <https://www.ktvu.com/news/third-california-covid-19-death-elderly-woman-in-sacramento-co-assisted-living-facility>.

<sup>viii</sup> See e.g., Sarah Al-Arshani, *US cities and counties are declaring emergencies to prepare for coronavirus, but it's not a reason to panic*, Business Insider (Feb. 27, 2020). Available at <https://www.businessinsider.com/us-cities-declared-coronavirus-emergencies-to-free-up-funds-2020-2>.

<sup>ix</sup> See e.g., Mark Kreidler, *Coronavirus Is Hitting Low-Wage Earners Especially Hard: The coronavirus story involves governmental response times and political spin. But economic inequality issues also play a large part*, Fast Company (March 10, 2020). Available at <https://capitalandmain.com/coronavirus-is-hitting-low-wage-earners-especially-hard>; David Kroman, *Seattle workers lose jobs and worry about rent as coronavirus slows business*, Crosscut, Available at <https://crosscut.com/2020/03/seattle-workers-lose-jobs-and-worry-about-rent-coronavirus-slows-business>.

<sup>x</sup> See e.g., CDC, *Coronavirus Disease (COVID-2019) Steps to Prevent Illness*. Available at <https://www.cdc.gov/coronavirus/2019-ncov/about/prevention.html>; Helen Branswell, STAT, *Why 'flattening the curve' may be the world's best bet to slow the coronavirus*. Available at <https://www.boston.com/news/health/2020/03/11/why-flattening-the-curve-may-be-the-worlds-best-bet-to-slow-the-coronavirus>.

<sup>xi</sup> See e.g., David Kroman, *Seattle workers lose jobs and worry about rent as coronavirus slows business*, Crosscut, Available at <https://crosscut.com/2020/03/seattle-workers-lose-jobs-and-worry-about-rent-coronavirus-slows-business>.

<sup>xii</sup> CDC, *Coronavirus Disease (COVID-2019) Steps to Prevent Illness*. Available at <https://www.cdc.gov/coronavirus/2019-ncov/about/prevention.html>.

<sup>xiii</sup> Daniel Beekman, *Seattle will keep customers' lights, water on during coronavirus emergency, defer taxes for small businesses* (March 10, 2020). Available at <https://www.seattletimes.com/seattle-news/health/seattle-will-keep-customers-lights-water-on-during-coronavirus-emergency-defer-taxes-for-small-businesses/>.

<sup>xiv</sup> John Bowden, *Detroit officials halt water shutoffs over coronavirus outbreak concerns*, The Hill (March 9, 2020). Available at <https://thehill.com/homenews/state-watch/486705-detroit-officials-halt-water-shutoffs-over-coronavirus-outbreak-concerns>.

<sup>xv</sup> CDC, *Coronavirus Disease (COVID-2019) Steps to Prevent Illness*. Available at <https://www.cdc.gov/coronavirus/2019-ncov/about/prevention.html>; CDC, *Coronavirus Disease 2019 (COVID-19) Risk Assessment and Public Health Management Decision Making* Each question refers to within the past 14 days (Feb. 28, 2020). Available at <https://www.cdc.gov/coronavirus/2019-ncov/downloads/public-health-management-decision-making.pdf>.