

November 22, 2013

Honorable Margaret Curran, Chairperson  
RI Public Utility Commission  
89 Jefferson Blvd.  
Warwick, RI 02888

Dear Ms. Curran,

This letter summarizes for you, Mr. Roberti, and Mr. DeSimone the main points that I made in my testimony on 11/21/13 related to docket 4450, the rules and regulations affecting utility terminations.

On the matter of the winter moratorium period, I asserted in my testimony that the termination moratorium should be extended through April because, in RI, the average low temperature in that month, which would not be included in the moratorium interval, is only four degrees warmer than in November (39°F vs 35°F), a month that would be part of the moratorium interval. I also noted that the record low RI temperature for April is 11°F, a value that shows the extremes temperature variability for that month in this state.

The commissioners may recall that I reported that the World Health Organization (WHO) has set 60°F as the minimum acceptable indoor temperature for homes. WHO based this value on research by health experts at the University College of London and the British Medical Society. This body of research has shown that when home temperatures fall below 60°F negative health consequences affecting all persons but especially the elderly and children become evident. Those negative consequences include physical disorders, negative mental state, and impaired academic achievement, among others.

During April, the average outdoor temperature in RI is 50°F. That means that the indoor temperature in households that have had their heating service terminated will be below the WHO standard of 60°F. That fact implies that Rhode Islanders living in unheated homes in April will suffer from the physical and mental effects of cold indoor temperatures. Extending the termination moratorium until May 1<sup>st</sup> when the average outdoor temperature in RI is 59° will mitigate the impact of cold April days and nights.

Since the negative impact of cold ambient temperatures affects children and adolescents more than others, PUC rules and regulations should be written to protect children and adolescents. Households that include infants, children, and adolescents should not be subject to utility shut offs. Excluding children and adolescents as a protected class will impede healthy development for individuals and impact as well their families, their communities and our state.

Finally, in my remarks before the commissions I argued that missing two consecutive payments under the arrearage forgiveness program should not be grounds for ending program participation. This provision of the current regulations belies the reality of life for low-income consumers who because of protracted unemployment or illness may not be able to make the required 36 payments without missing

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two consecutive installments. If because of this unnecessarily restrictive provision program participants are dropped from the arrearage elimination program, unnecessary hardship will result.

To summarize, the rules and regulations that are based on the health consequences of utility service terminations should not be arbitrary. They should be grounded in facts. The facts are that under the current and proposed PUC rules and regulations homes will be below 60°F in April. That will have negative health consequences. For that reason, and consistent with WHO recommendations that homes should not be colder than 60°F, the termination moratorium period should be extended until May 1st.

Epidemiological studies show that cold ambient temperatures are a threat to healthy developmental outcomes for children and adolescents. Based on this fact, the new PUC rules and regulations should exempt from utility service terminations households that include children and adolescents.

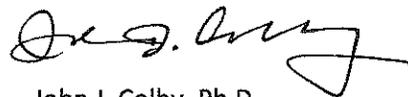
In closing I want to endorse several suggestions that were made by others who testified at the 11/21/13 public hearing on docket 4450. First, I believe that the commissioners can make more reasoned decisions about termination rules after obtaining broad regional input from RI citizens. With that I encourage the commissioners to schedule hearings in several regions in the state. Second, I want to encourage a deliberate process of regulation formulation, one that is not driven by an arbitrary timeline.

The commissioners know that in RI middle-class and low-income families are suffering. Rents have jumped 54% in just the last several years, unemployment remains stuck around 9.5%. For those who have work, real wages are declining, energy costs are skyrocketing and food costs continue an upward trend. While no commission can address all of the causes of these challenges in our state, you can prevent rules and regulations from being arbitrary and causing unnecessary harm to our most vulnerable citizens.

I wish you success in your work, especially the formulation of utility service termination rules and regulations.

Thank you for utilizing my analyses as a factor in your deliberations.

Yours very truly,



John J. Colby, Ph.D.  
Professor (retired)  
Providence College  
Department of Psychology  
jjcolby@providence.edu