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Congress of the United States
House of Representatives
Washington, DC 20515

May 5, 2020

CHAIR, DEMOCRATIC POLICY AND
COMMUNICATIONS COMMITTEE

COMMITTEE ON THE JUDICIARY

CHAIRMAN, SUBCOMMITTEE ON
ANTITRUST, COMMERCIAL
AND ADMINISTRATIVE LAW

SUBCOMMITTEE ON CRIME, TERRORISM
AND HOMELAND SECURITY

COMMITTEE ON FOREIGN AFFAIRS

SUBCOMMITTEE ON
EUROPE, EURASIA, ENERGY, AND
THE ENVIRONMENT

SUBCOMMITTEE ON MIDDLE EAST,
NORTH AFRICA, AND INTERNATIONAL
TERRORISM

SUBCOMMITTEE ON OVERSIGHT
AND INVESTIGATIONS

The Honorable Margaret Curran
Chairperson
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

Dear Chairperson Curran:

I write in regard to the current moratorium on utility terminations in response to the ongoing COVID-19 crisis. It is my understanding that the Rhode Island Public Utilities Commission (PUC) will be considering a potential extension of that moratorium on Wednesday, May 6, 2020. I would like to take this opportunity express my support for the PUC extending this moratorium, which would provide much needed assistance to low- and middle-income families who continue to deal with the economic impact of the ongoing health crisis.

During this incredibly difficult time, access to basic utilities, such as electricity, water, and wastewater allows Rhode Island households to function, and provides a needed public health benefit. Families rely on access to electricity and the internet in order to work from home, and to ensure their children are able to keep up with schoolwork through digital learning. Access to clean water allows families to continue to wash their hands and disinfect surfaces in order to prevent the spread of COVID-19. For many families, maintaining access to utilities could mean the difference between getting by in this difficult time and financial ruin.

Extending the shutoff moratorium also provides PUC with the opportunity to work with utility companies on ways to help families make future payments without cutting off their access in the short term. In the past, PUC and utilities like National Grid have worked together with stakeholders to mitigate the impacts of rate increases through programs such as the Percentage of Income Payment Program (PIPP). An extension of the shutoff moratorium will allow PUC to provide guidance to utilities on how to implement plans to allow families to make payments based on income, which may also include re-establishment of PIPP, or other similar programs.

I thank you for your attention to this matter, and for your work on behalf of Rhode Island families. If I, or my office, can be of any assistance, please to not hesitate to contact me.

Sincerely,

David N. Cicilline
Member of Congress

CC:

The Honorable Marion Gold, Commissioner, Rhode Island Public Utilities Commission
The Honorable Abigail Anthony, Commissioner, Rhode Island Public Utilities Commission

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: SUSPENSION OF SERVICE TERMINATIONS :
AND CERTAIN COLLECTIONS ACTIVITIES : DOCKET NO. 5022
DURING THE COVID-19 EMERGENCY :

PUBLIC COMMENT
Submitted by the R.I. Center for Justice
on behalf of the George Wiley Center
May 5, 2020

On March 16, 2020, March 30, 2020, and April 13, 2020 the Public Utilities Commission (PUC) voted to enter emergency orders, effective through May 8, 2020, to prohibit regulated electric, natural gas, water, and sewer utilities to cease termination of service for nonpayment, cease sending past due accounts to collection agencies, and to refrain from sending termination notices with shut-off dates prior to May 8, 2020 for all customers.

We write again to advocate that the PUC continue in full effect its COVID 19-related Emergency Orders prohibiting regulated electric, natural gas, water and sewer utilities from terminating service for nonpayment, sending past due accounts to collection agencies, and sending termination notices with shut-off dates prior to May 8, 2020 for all customers.

The PUC's prompt and proactive response to the COVID 19 emergency has been an essential component of the State of Rhode Island's efforts to flatten the curve of infection. It has indisputably been a life-saving intervention, ensuring that residential customers have access to essential health, hygiene and educational resources and that essential businesses can continue to function.

Rarely has the importance of access to utilities been so apparent. During the past two months access to water for hygiene, heated water for hygiene, electricity for access to educational instruction, and heating, refrigeration and electricity for nutrition, medication and medical support devices, have literally made safe social distancing and quarantine possible.

The Governor and the Director of Health have been absolutely clear that the need for social distancing and quarantine will not end on May 8, 2020 even if aspects of the stay-at-home order are to be modified. The state of emergency continues and the protections for residential customers must also continue. There is also a strong case to be made that the moratorium should continue for all customers in order for the R.I. economy to be able to survive and rebound from the devastating economic consequences of the pandemic on businesses, but these comments

focus on the imperative for a continuing moratorium for residential customers, and particularly low-income residential customers.

The George Wiley Center has separately communicated requests that the moratorium be continued and made permanent for low-income households, that emergency restoration be made available without any down payment, that penalties for missed payments be suspended, including missed payments for those enrolled in the Arrearage Management Plan, that federal CARES Act funds be used to provide debt relief for low-income consumers, and that a Percentage of Income Payment Plan be implemented for low-income consumers.

The R.I. Center for Justice, as legal counsel for the George Wiley Center, and on behalf of low-income consumers in R.I. who are our individual clients, joins in those requests and wishes to comment with greater specificity on the importance of continuing the moratorium for residential customers at this time and on the need for debt relief for arrearages for low-income consumers.

The Public Health Imperative for Continuation of the Utility Termination Moratorium:

Some non-essential businesses are predicted to begin to gradually be able to resume limited operation during May, under severely curtailed methods of operation involving social distancing and maintenance of public health hygiene measures. The now over 170,000 Rhode Islanders who have filed for COVID 19 related unemployment represent nearly a third of the usual Rhode Island workforce. These employees are not predicted to be able to return to work during this next phase of very limited and gradual opening of certain sectors of non-essential businesses. It is projected that many small businesses will not reopen for many months – and many will be permanently closed. Until the PUC has better data on the ongoing impact of this unprecedented level of business closure and unemployment, ending the moratorium on utility termination could contribute to expanding the risk of further spread of COVID 19 infection. The 170,000 newly unemployed Rhode Islanders, added to the ranks of low-income consumers who were already under-employed or unemployed prior to the onset of the pandemic, will lose their ability to maintain public health requirements to be socially distancing and, when needed, quarantining if they lose protection from utility shut-offs.

The gradual relaxation of the universal stay-at-home order during May does not mean that Rhode Islanders are not still falling ill nor that the spread of the virus, and deaths resulting, are at an end. Today 281 new cases were announced and 14 more deaths were acknowledged. One of the most important experiences for any decisionmaker in these times is a visit to the Providence Journal Obituaries page. This is a tremendously sobering experience. It drives home the reality that while all Rhode Islanders are anxious to resume more “normal” lives, the costs of prematurely relaxing public health strictures and removing critical protections, like the utility shut-off moratorium, that support the sustainability of these public health requirements, will be measured in human suffering. Rhode Island is approaching 10,000 deaths from this terrible disease and there are 327 people hospitalized today, with 89 in intensive care and 62 fighting for their lives on ventilators. In Providence, Central Falls, Pawtucket and North Providence the

fatality rate is above 1,000 per 100,000 people and in Providence and Central Falls it is close to or above 2,000 per 100,000.¹

The PUC continues to collect critical information from the utilities it regulates to ascertain the economic impact of the moratorium and the continuity of operations issues that the utilities confront. The thoughtful responses submitted by Rhode Island's utilities in the past week have again confirmed that while R.I. regulated utilities are experiencing reductions in revenue during the pandemic and related moratorium on terminations, those have not yet posed a threat to the continued safe operation of the utilities. Several utilities have pointed out that variables other than the pandemic alone also account for some year-over-year reductions in revenue, for example, warmer weather in early 2020 than in early 2019. The bottom line is that there is not an economic emergency at this time in utility continuity of operations or stability of finances that would justify the public health risk of lifting the moratorium on terminations at this time.

Addressing Utility Arrearages – CARES Act Relief for Low-Income Consumers:

The suggestion made in National Grid's recent filing in this docket that a group should be convened, comprised of utilities and other stakeholders, including the public, and of course, heavily impacted low-income consumers, to examine how to address the ongoing revenue challenges, the potential for debt write-off, and the advisability of a variety of potential economic stabilization tools that the PUC can employ for utilities, would be a positive step to address the long-term impact of the pandemic and its economic consequences reported by Rhode Island's regulated utilities.

The need to address the uncollected debt reported by the utilities in their reports raises the issue of the utilization of CARES Act revenues for emergency utility arrearage relief for low-income consumers. Unlike businesses that will be able to enter into payment plans to retire utility arrearages from this pandemic period, many low-income consumers and the newly unemployed may find it impossible to address mounting arrearages even when they are able to return to work. Just as with emergency rental assistance made available through the use of federal emergency relief funds, emergency assistance to address COVID 19 related utility arrearages should be made part of any plan to gradually reduce the scope of the moratorium on utility terminations in Rhode Island.

Premature Relaxation of the Moratorium on Utility Termination Would Create Public Health Hazards and Violate the Rights of Rhode Island's Schoolchildren:

A wide array of Executive Orders continues to regulate every aspect of public life in Rhode Island. As discussed above, requirements for many to work-at-home, general requirements for social distancing, sheltering-in-place and self-quarantine at home will remain in place after May 8 and are expected to continue for at least several months. These measures serve to slow the spread of the virus and save lives in Rhode Island.

¹ <https://www.bostonglobe.com/2020/05/05/metro/ri-sees-14-more-deaths-total-coronavirus-cases-near-10000/?event=event12>, accessed May 5, 2020.

Critically important to the consideration of continuation of the utility termination moratorium is the fact that we now know that all Rhode Island elementary and secondary schools will remain closed for the remainder of the school year, requiring all of Rhode Island's public-school students to log in from home to fulfill the state's mandatory school attendance laws and access their public education.

As long as public education is being conducted through distance learning in the homes of Rhode Island's 150,000 school children, all residential consumers must be protected from utility termination. The requirement for access to public education is specifically provided for in the Rhode Island Constitution² and in a myriad of statutes found at Title 16 of the R.I. General Laws. The most basic of these is the mandatory attendance or truancy law³. Without utility service Rhode Island's students literally cannot access their public education as long as their physical school sites remain closed. Distance learning does not exist without utility service in the home. A utility termination during a pandemic-imposed period of distance learning is a public education termination. **Rhode Island's schoolchildren continue to rely on the PUC to extend protection from utility termination for residential customers until such time as they are again able to attend a physical school.**

Residential consumers should be protected from utility termination at least during the ongoing state of emergency and the many Executive Orders that will remain in place after May 8 restricting economic activity and imposing a wide array of public health restrictions. This protection is needed to literally save lives by slowing the spread of the virus. Low-income utility consumers should be protected for a further specific period, best determined in consultation with public health officials at the appropriate time, in order to ensure that the basic residential public health and hygiene requirements for which utility continuity is essential are met, in order to prevent a second round of epidemic spread.

Respectfully submitted,



Jennifer L. Wood #3582
Executive Director
Rhode Island Center for Justice
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² R.I. Constitution, Art. XII, §1

³ R.I.G.L. 16-19-1



Mayor of Providence

Jorge O. Elorza

May 5, 2020

Margaret Curran, Chair
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

Chairperson Curran,

Thank you and the commissioners for extending the moratorium on utility shutoffs through May 8th. While I remain hopeful that the economy will begin opening up in phases as the Governor intends, Providence residents and business owners who have lost their incomes continue to express uncertainty about their ability to pay bills due to the economic fallout of this crisis.

I am asking that the PUC consider another extension of the moratorium on utility shutoff activities.

Thank you for your consideration.

Jorge O. Elorza
Mayor

Massaro, Luly (PUC)

From: Linda Katz <lkatz@economicprogressri.org>
Sent: Monday, May 4, 2020 5:00 PM
To: Massaro, Luly (PUC)
Subject: [EXTERNAL] : Docket No. 5022

The Economic Progress Institute (EPI) is a nonpartisan research and policy organization dedicated to improving the economic well-being of low- and modest-income Rhode Islanders.

We appreciate the emergency order that the PUC has enacted to protect consumers from termination of critical services during the COVID-19 emergency.

We write to strongly urge the PUC to continue the emergency orders to prohibit regulated electric, natural gas, water, and sewer utilities to cease termination of service for non-payment, cease sending past due accounts to collection agencies and to refrain from sending termination notices.

Rhode Islanders are still struggling with the impact of the COVID-19 virus, as more and more people lose their jobs. Keeping power and water is critical to ensure people can live safely in their homes.

Students will be required to continue their education remotely - since the Governor has announced that schools will not re-open this year. Having electricity in the home is, of course, a necessity for students to continue their education on-line. There are also many adults who continue to participate in on-line classes for English Language, literacy and other basic education programs offered by the network of Adult Education providers funded through RIDE. They, too, need to maintain access by having their electrical service continued.

Customers who have the ability to pay their bills should be encouraged to do so, but it is vitally important to protect those who cannot against losing access to these critical services.

Thank you for your consideration of these comments.

Linda Katz, J.D.

Policy Director

The Economic Progress Institute



Sabina Matos
Council President

VIA – Email

May 5, 2020

Margaret Curran, Chairwoman
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

RE: Suspension of Service Terminations and Certain Collection Activities During the COVID-19 Emergency – Docket #5022

Dear Chairwoman Curran,

The Members of the Providence City Council urge you to continue your agency's moratorium of utility shut-offs until the COVID-19 pandemic has subsided.

We appreciate the proactive action you took in March, and hope that you will continue the moratorium until the Emergency Declaration issued by Governor Raimondo is lifted.

Please know that you have the full support of the City of Providence regarding this matter, and in fact we are requesting that you extend the moratorium further if the Governor extends her Emergency Declaration around COVID- 19.

Thank you for your advocacy for the residents of Rhode Island.

Sincerely,

Sabina Matos, President
Providence City Council
Councilwoman – Ward 15

Massaro, Luly (PUC)

From: Camilo Viveiros <camiloviveiros@gmail.com>
Sent: Tuesday, May 5, 2020 8:49 AM
To: Massaro, Luly (PUC)
Subject: [EXTERNAL] : George Wiley Center Comments May 4 2020 RI PUC Docket 5022
Attachments: George Wiley Center Comments May 4 2020 RI PUC Docket 5022.doc; George Wiley Center Comments RI PUC Docket 5022 April 13 2020.docx

Hi Luly,

Attached are the George Wiley Center Comments for RI PUC Docket 5022.

Please also resubmit the attached George Wiley Center comments from April 13th.

Also did the Commissioners see the public comments from April 13th that weren't initially included on the Docket 5022 page? If they didn't see them prior to the April 13th open meeting please share them with the Commissioners and include them in this round of public comments.

Thanks,
Camilo

George Wiley Center Comments
Docket 5022
Submitted May 4, 2020
To: the Rhode Island Public Utilities Commission

Dear Commissioners,

Thank you for accepting these comments from the George Wiley Center and for your leadership in protecting Rhode Islanders from utility shut-offs during the covid-19 pandemic. Please note we also submitted comments on April 13th, which some Commissioners may not have had a chance to review prior to the open meeting, and which we are submitting again today for your review. As the Commission considers how to move forward, during the pandemic and beyond, we hope you will take into consideration our comments and those from dozens of other groups and community members submitted over the past 2 months.

Yesterday Rhode Island experienced the highest single day death toll from covid-19 and combined with today's deaths it has been the highest two-day death toll. We are still very much in the middle of the pandemic. K through 12 schools as well as higher education will be held online, from people's homes, for the duration of the school year and likely the summer as well. Stay at home recommendations will continue for many Rhode Islanders, including those who are able to work from home and vulnerable populations. Loved ones, including residents of nursing homes are only reachable via phone or internet. Unemployment is at record highs. Many services are being offered exclusively online. Medical professionals continue to advise frequent hand washing and elevated cleaning to prevent spread of illness. The George Wiley Center always advocates for utility access as a basic need, and this pandemic has shown even more how such services are critical to our communities.

While the governor's state of emergency declaration stays in place indefinitely and Rhode Island is only gradually preparing to lift stay at home orders, we urge the PUC to extend utility service protections beyond May 8th, when they are currently due to expire. Once again we are asking that you extend the order for a longer period of time, so as to alleviate the stress of impending shut-offs, and to find ways toward a longer term and sustainable solution to stop the shut-off crisis in Rhode Island.

We understand in the Commission's recent notice for public comments that long-term considerations were asked not to be included. But we do not see how it is possible to adequately address shorter term emergency protections without also considering the future for utility consumers. In addressing any emergency situation there is usually an inherent long-term goal, in this case protecting public health, the priority of which should not end from one day to the next if an emergency is declared "over". Chronic conditions impact emergency and immediate situations, so as importantly as concerns about National Grid's ongoing financial condition should be Rhode Islanders' ongoing conditions, health, and financial well-being. To that end, we continue to ask your support, in whatever way is possible through the PUC or collaboration with other state entities and decision makers, to ensure utility access for all Rhode Islanders in the ways outlined below.

Specifically, we are asking for the following:

Continue a moratorium on utility shut-offs for the duration of the pandemic and implement a permanent moratorium on shut-offs for low-income households

Utility service of water, electricity, gas, and sewer are basic needs all the time, and during the pandemic are even more vital to survival and well-being. Through utility access our homes continue to be used as K-12 schools and colleges, workplaces, doctors' and counselors' offices, public service venues, communication centers, etc., in addition to fulfilling other critical needs such as access to light, heat, cooling, refrigeration, cooking, personal hygiene and cleaning. Even before the pandemic utility shut-offs are a hazard to human welfare. Shutting households off during an ongoing pandemic would lead to even greater disenfranchisement and danger. Endangering and discriminating against households based on economic status could result in legal costs that would become an extra burden to ratepayers and taxpayers. terminations At this time it is important to apply protections with a broad stroke while solidifying a commitment to permanently protect low-income households from shut-offs. People should not lose access to the basic need of utility service simply because their income makes it impossible to afford the bills.

Require restoration of utility service with no down payment for low-income households

Under the PUC's current order the 10% down payment for utility restoration is lower than National Grid often demands. However, even 10% is prohibitive for some households and during a state of emergency and global pandemic we should be doing all we can to eliminate any barriers to health. Just this evening I spoke with a family whose gas has been shut off for 6 years and hasn't been able to afford the 10% National Grid demands (\$900, read the testimony below from Dawn in Pawtucket). For 6 years the family has been making do with countertop electric skillets, including using them to heat water that is dumped into the tub for bathing. This poses extra challenges especially during the pandemic. As mentioned in our previous comments, agencies and charities that normally may assist with the 10% down payments are being inundated with requests for all forms of charity, so restoring low-income households without any down payment will have the added benefit of allowing services and funds to be spread for other needs.

No penalties for missed payments, including for the AMP program, for the duration of the pandemic

We have heard from utility consumers feeling extra stress worrying that if they miss an additional payment or don't pay on time they will be kicked off the AMP (arrearage management program). While an extra month of potential missed payment has been offered under the current orders, allowing enrollees to stay on the AMP, we encourage the PUC to extend protections and halt involuntary dis-enrollments from AMP during the duration of the state of emergency.

Cancel or deeply discount utility payments, so as not to accrue large back debts, for low-income households for the duration of the pandemic. Use a combination of CARES Act funds, other state and federal assistance, along with corporate flexibility.

With the state of Rhode Island set to receive over 1.25 billion dollars for direct and secondary costs associated with the pandemic, we are asking the PUC to encourage use of these CARES Act funds toward eliminating or deeply discounting utility bills for low-income households during the duration of the pandemic. If orders suspending terminations are kept in place for extended months, as we think they should be, utility consumers who are unable to pay now will find themselves with large back debts. If and when shut-offs are allowed to resume, this could lead to a catastrophic spike in shut-offs and subsequent harm to public health. Therefore, it is

necessary to consider how these bills can be paid off. We know there is a lot of flexibility in how CARES Act funds are used, and we urge the PUC to work with the governor to make sure some of these funds go toward the basic needs of utility service for struggling Rhode Islanders.

We also think more could be done voluntarily by National Grid, including a pledge to decrease their guaranteed profit for 2020 (a profit margin that was significantly increased, per regulation, in recent years), limiting dividends for stockholders, as well as forgoing or decreasing high salaries and bonuses for executives. As the PUC has mentioned in the past, National Grid has the ability to offer more leniency in customer payments. For instance, the company could forgive debt for low-income households, offer an emergency fund, or instate special discounts for customers struggling during this time.

Emergency implementation of a PIPP (percentage income payment plan) program for the long term, for low-income households

As you are aware, the George Wiley Center has advocated for years for a PIPP. We believe now is a time to recognize the deeper flaws in our utility system, a system that exacerbates existing inequities. Although we advocated for the forgiveness program (AMP) and existing low-income discounts, we know these will never be sufficient if bills remain unaffordable for too many. By implementing a PIPP we can set households on a path to sustainable affordability, stop the cruel cycle of seasonal shut-offs, and help make our state one that prioritizes access to basic needs.

We appreciate the input from various local utilities that have pledged not to perform shut-offs through the end of May, while we advocate for protections to be extended longer. We also read National Grid's extensive comments and their recognition that longer-term solutions are necessary, which we insist must include rate restructuring and strengthening protections. In the middle of a historic deadly pandemic for National Grid to emphasize "bill health" is insensitive if not combined with a greater priority on protecting public health by permanently ending shut-offs for low-income households. Additionally, we would like to reiterate our questions to National Grid, some as were mentioned in our previous comments and remain unanswered, so that the PUC and other stakeholders can more fully analyze the company's financial status:

1. What is National Grid's yearly and monthly profit from RI gas and electric business over a period of the last 5 years?
2. What is National Grid's yearly and monthly profit, compared side by side pre- and post-increase, since its profit margin was increased several years ago as part of the PUC rate case settlement?
3. How much profit from National Grid's business in Rhode Island is sent back to the corporate offices for executive positions in the United Kingdom and to stockholders over the past five years?
4. What is the total compensation and expenses in Rhode Island and worldwide for National Grid executives, legal staff, lobbyists, and corporate staff compared side by side over the past five years per category? What is the total compensation and expenses in Rhode Island and worldwide for National Grid utility workers, customer service, clerical, custodial, and other staff compared side by side over the past five years per category? What is the pay ratio comparing the highest to lowest paid employee over the past five years?

5. What is the total of funds on a yearly basis for the past five years that National Grid receives in Rhode Island from Keep the Heat On, Good Neighbor Energy Fund, Catholic Charities, St. Vincent De Paul societies, Salvation Army, and other churches and charity organizations that assist with utility customers who can't afford the bills?
6. As the company cites extra costs for cleaning, what if any extra savings and income has the company found during the pandemic, for example staff working at home leading to lower office costs, reduced payroll from lay-offs, or additional income from state contracts such as field hospital set-ups?
7. What if any financial support has the company received, applied for, or anticipates receiving from the federal or state government via CARES Act or other pandemic-related governmental funds? Have these potential funds been figured in to your reporting to the PUC on cash flow?

We hope answers to the above questions could help provide a more robust set of data. In particular, without factoring funds National Grid may derive from federal CARES Act or other sources would make the current projections incomplete and inaccurate.

Following are selected comments the George Wiley Center received over the past few weeks from Rhode Islanders in support of extending utility protections, during the pandemic and beyond.

From people who recently signed our petition for PIPP:

"We need a low-income policy to protect the poor!" - John, West Warwick 4/14/2020

"I wouldn't wish this on anyone, and I want to stand up for those who contend with it. Covid-19 has shown how quickly anyone can end up without work. No one should have to go without water and electricity right now." - Nancy, Providence, 4/14/2020

"I am disabled due to a terrible accident. I have 4 children. I had been on a payment plan for a few years on and off because the rates were so high they had to be adjusted. I missed my payment by a few days and they kicked me off my payment plan, although they received the money. They told me I needed thousands and shut me off. Told me there was no protection unless I was on a breathing machine!" - Lisa, Lincoln, 4/15/2020

"PIPP would allow me to buy enough of the necessities so I wouldn't have to ration tiny amounts at a time. Also, National Grid keeps adjusting my gas budget UP (I keep the heat set at 60 degrees) which uses up my LIHEAP faster!" - Patricia, North Kingstown, 4/15/2020

From people waiting outside the George Wiley Center today during our weekly food distribution:

"I think we should not be shutting off people in a time of crisis when people are literally broke. We need to implement PIPP so people don't have to be suffering right now. They need to stop shutting off utilities for people because no one can pay anything and this is not the time for that right now." - outside the George Wiley Center, 5/04/2020

"My comment is to restore and implement PIPP for folks who are losing electricity or gas in their homes or apartments. It's not right because I'm going through the same thing and I think we should join together to try to stop this." - outside the George Wiley Center, 5/04/2020

"I'm a resident of Central Falls and I would like to implement PIPP to help residents of low-income areas. We are in an epidemic crisis and we need to help them instead of making them more vulnerable." - outside the George Wiley Center, 5/04/2020

"I support PIPP because it is barbaric to force our low-income Rhode Islanders to choose between groceries and paying their utility bills." - outside the George Wiley Center, 5/04/2020

"Stop shutting people off, electric company and gas company during this pandemic. Absolutely no doubt about it!" - outside the George Wiley Center, 5/04/2020

"I'm hoping that they implement PIPP because it's very important to low-income folks. I've dealt with being low-income and paying rent makes it hard to keep up with the utilities. You limit yourself on how much you use the utilities and sometimes it becomes a choice of which utility you can't pay that month on the income you do have. At times like now with the coronavirus and folks getting their hours cut or being laid off, it makes it even more complicated because even with the unemployment, you fall behind and it becomes almost impossible to catch up. Me personally, I've dealt with National Grid threatening to shut me off every month." - outside the George Wiley Center, 5/04/2020

"It's not reasonable to be charging so much when people can't afford it and many have lost their jobs" - outside the George Wiley Center, 5/04/2020

From correspondence this evening over social media and the telephone:

"We are a family of 7, my husband myself and my 3 children and my 11 year old daughter and my 1 year old grandson who all live together. My oldest daughter is currently pregnant expecting September with her first baby. To tell you a little bit about our situation it all started 6 years ago when we had our gas shut off. My family has been shut off for 6 years with no heat and hot water, we have applied for heating assistance twice in those years with no luck as they wanted us to come up with 900 to pay towards it before they would pay anything and then the gas company would turn us on. But 900 is our rent payment so it's pay rent or have heat. We have also tried to work out a plan with the gas company to no avail. We have a 9,000 bill that got racked up due to a broken heater and they want us to pay our regular bill plus 200 towards old balance if we got turned on. How is this possible where am I coming up with 900 to help get turned back on only to have to pay for the regular bill plus a couple hundred towards the old bill. We have struggled tremendously but we have learned to adapt to it. We use electric skillets to cook with and a counter top oven and microwave to cook with so we can still cook like normal people. We use the electric skillets to heat up water which we then pour into a 5 gallon bucket we keep near the bathtub until we get enough hot water to take a bath. We also use the microwave to heat water up for a bath. It's very hard to keep good hygiene when you have to do that because it is time consuming but it's what we have to do. Our situation started over a broken heater which ran up our bill to the extent we got shut off. We have tried and exhausted options over this time and have received no help to the point we gave up but am trying once again to get it turned back on. In the winter is the hardest. We have an electric heater we use for heat. It only does so much and with no hot water makes it hard when the house is cold and you

have to heat water up for a bath. We put bubble wrap on the windows to help keep some of the warmth in but like the heater it only does so much.” -Dawn M, Pawtucket, 05/04/2020

Thank you for your consideration of these comments, and for using the Public Utilities Commission’s authority to protect public health and find lasting solutions toward a sustainable utility future.

Sincerely,

Camilo Viveiros
Executive Director, George Wiley Center
32 East Ave, Pawtucket RI
Office: 401-728-5555
camiloviveiros@gmail.com

George Wiley Center Comments
RE Docket 5022
Submitted April 13, 2020
To: the Rhode Island Public Utilities Commission

Dear Commissioners,

Please accept these updated comments from the George Wiley Center. Thank you for your directives last month to provide relief for Rhode Island utility customers. We are writing to encourage you to continue and strengthen the utility protections set forth due to the ongoing Covid19 pandemic. This moment in history has shown the gaps in our society's social safety net, even in prior "normal" times. There has been a spotlight on various issues of economic and social inequality, including morbidity disparities in marginalized and communities of color, unsustainable low wages for many frontline workers, unequal access to healthcare, housing, and food, and also on utility service as a basic need. Around the country and world, elected officials and community members are pushing for protections to ensure that utility services of heat, electricity, water, sewage, and communication remain in place for households during this crisis. The silver lining in these times is that we are given an opportunity to solve some of society's inequities, not only in the short term, but also more long term, to create compassionate policies for a more humane and sustainable future.

The George Wiley Center is a grassroots group with a major focus in recent decades on advocating for utility consumer rights. While our office is currently closed to walk-ins and in-person meetings, and most of our staff and volunteers are at home, we are still communicating and offering assistance to people facing shut-off, via phone, email, and social media. I have personally heard from many people who are facing multiple issues, concerned not only about utility termination, but also eviction, deportation, and food access. Our lives and concerns are intertwined, and we see how an inability to afford utility service can exacerbate other challenges and access to basic needs, and vice versa. In this era when everyone is under stress, we hope the PUC will take decisive action to alleviate the extra stress of worrying about utility termination.

When the state of Rhode Island tells residents to shelter at home for their and the entire state's well-being, homes must be habitable. Having access to running water, hot water, heat, electricity, and sewer are necessities of a habitable home, now more than ever. In addition to access to utility service, there comes an extra anxiety if a household is protected for only a short period of time, yet left with the perpetual fear of imminent shut-off. We are asking the PUC to extend shut-off protections, allow immediate utility restoration with no down payment for low-income households, to find ways in which payments can be alleviated rather than left to accrue, as well as provide a path toward a long term fix by implementing a PIPP (percentage income payment plan).

For people who have never been shut off or faced shut-off, utility service is something that plays as a background to daily life. It's one of those things that many don't recognize how important it is until it's gone, whether due to the occasional weather outage or deliberate shut-off for nonpayment of bills. The George Wiley Center strongly advocates for utility service as a basic need at all times, pre- and post-pandemic as well, and during these times the stakes are even higher.

With many people staying at home nearly 24/7 during the pandemic, our homes' livability is critical. We need heat to keep ourselves warm and healthy. We need electricity to attend school and work meetings, charge our phones to keep in touch with loved ones we can't visit, and stay informed of daily news and updates. Per governmental directive, we use water to wash our hands, do our laundry, and clean our homes. We store extra food in freezers and refrigerators and cook meals at home all day long. We use our computers and phones to access vital services such as unemployment insurance, updating our healthcare plans, and consulting our doctors. From home we rely on our utilities to reach mental health services, peer and recovery support groups. We plug in electric wheelchairs to get charged up, we turn on our sewing machines to make protective cloth masks, we put on the tv to watch movies and unwind from the extra stress of the pandemic. In addition to the ways in which homes are typically used, they have now also become de facto schools for kindergarten through college. Homes are now workplaces, illness recovery centers, restaurants, gyms, doctor's offices, public meeting spaces, and public service arenas. And for those who have no access to utility service, there is no escape to the public library or cafe or church to warm your hands, use the internet, or charge your cell phone.

Even in times prior to the pandemic, many households have to juggle bills, deciding from one month to the next what will get sacrificed: food or a child's new shoes, electricity or health insurance. With the current crisis and unemployment sky rocketing, these bill juggling decisions have become more widespread and more intensified for those who had already faced longer term economic insecurity. Even in pre-pandemic times the charitable organizations that help people pay utility bills are overwhelmed, but now with the extra multiple areas of need we can not expect these organizations to be able to cover everyone's bills. Furthermore, social service agencies, food banks, and hotlines are being inundated, making it even more difficult for people to seek assistance. With utility shut-offs often being a factor that leads to homelessness, it is vital to keep as many people in their homes at this time, when congregate settings are deemed a high risk for contagion and homeless shelters are stretched thin with services. Many people who have applied for Unemployment Insurance are still waiting to receive benefits and have experienced a major loss of income. And with people staying at home all day using additional utility services (that would normally be used at their schools, workplaces, etc.), we can anticipate that incurred utility bills will be even higher than normal. This is a terrible combination: relying on services that are critical to most aspects of life, facing higher payments for such services at the moment when you can least afford it, and living with the ongoing stress of an upcoming termination after the crisis is over because back bills have piled up.

For the above reasons, we hope the PUC agrees that utility services, including water, electricity, gas, and sewer are basic needs, now and always. The George Wiley Center is asking that you implement the following using your powers in the interest of public health and well-being:

1. Continue a moratorium on utility shut-offs for the duration of the pandemic and implement a permanent moratorium on shut-offs for low-income households
2. Require restoration of utility service with no down payment for low-income households
3. No penalties for missed payments, including for the AMP program, for the duration of the pandemic
4. Cancel or deeply discount utility payments, so as not to accrue large back debts, for low-income households for the duration of the pandemic
5. Emergency implementation of a PIPP (percentage income payment plan) program for the long term, for low-income households

While we thank National Grid for acting in accordance with the PUC's directives, we also think the company can do more. For instance, due to the Covid19 pandemic, Cox Communications has offered to provide internet service to low-income households for free for the first month, with a deeply discounted \$10/month bill in the months after. We saw the data from National Grid in answer to the questions raised by the PUC regarding any changes in the company's income. National Grid reported a dip in income, but did not quantify or correlate the corresponding rise in temperature and length of daylight, which could also contribute to a decrease in demand and therefore income for the company. When further analyzing National Grid's financial status, we recommend the following additional inquiries:

What is the yearly and monthly profit from National Grid's business in RI (electric and gas) for the past 5 years?

What is the difference in profit National Grid has made, comparing month to month averages, in the time period since the company's allowable profit margin was significantly increased as part of the rate case settlement in 2018?

The company cites extra costs incurred for cleaning during the pandemic. It would be useful to know other cost differences that have resulted from the pandemic. For instance, what if any cost differences has the company incurred or saved on, due to staff largely working from home and offices being semi-shut (ie not using company office utility services), if applicable? What if any savings has the company had in terms of staffing expenses, if any employees have been laid off due to the pandemic?

We are aware that National Grid has been in communication with the federal government, inquiring about "critical services infrastructure". What if any funds does the company anticipate receiving from the federal government? This is a moment when large corporations such as National Grid can step up to support the communities that have enriched them. We think there are many ways the company could voluntarily alleviate utility bill burden, for example creating a hardship fund, using some profits from prior years to forgive bills for low-income households, volunteering to forgo profits during the economic crisis, cutting CEO and executive salaries and bonuses, committing to pass on federal Covid19 stimulus funds to ratepayers, deeply discounting rates for low-income households, and/or implementing a PIPP program.

In addition to National Grid's role, we hope the PUC and Division of Public Utilities will also use their power and relationship with various stakeholders to come up with creative solutions to protect our communities while keeping the various local utility companies whole. This could include working with elected officials on the federal and local level to use any CARES Act or other federal funds toward maintaining public utility service and directly paying consumers' bills, or as previously mentioned enacting a PIPP program.

While no one can physically attend today's open meeting, many are waiting in anticipation for the PUC's decision. Over the past few years we have had almost two thousand Rhode Islanders sign our petition for PIPP, both people who have themselves struggled with affording utilities and people who are concerned for our fellow community members' access to basic needs. Below are just a few statements from people who have signed in the past few weeks.

"Currently no heat or hot water. Also have three school age children in my home. One of whom has a "medical protection" in place. All three boys started colds yesterday. National Grid refuses to take a down payment of a huge bill to restore service. My boys have started colds due to no heat or hot water to fight the germs. I have called them numerous times at an attempt to pay a down payment and restore service, each time being told the whole bill needs to be paid to restore. \$2,700 of the bill isn't even mine to pay. That amount was transferred to me the day I turned the gas on! National Grid set me up in the hole that I can't get out of." - Amie from Riverside (EP) 3/22/2020

"It was about 2 weeks, and due to being laid off from work. It made living there difficult, especially when it was cold. I relied on going to other buildings or my car to stay warm, and buying gallons of water and refilling them for showers and cooking." - Dominique, Cumberland 3/22/2020

"For about a week. It was awful because I have children so it was really hard for them due to the fact that it was the cold around the time that it happened." -Tatiana, Johnston 3/22/2020

"There have been times when I was threatened to have my power shut off and had it shut off once. I had to take out a loan to have power restored, unable to pay these loans back I had to file bankruptcy, in turn this damaged my credit making it difficult to rent."-Jay, West Warwick 3/20/2020

"I remember it was for a few months. Showering cold was very uncomfortable. Heat was off and made living in the house difficult without always wearing multiple layers. Access to in home utilities such as tap water, heat, electricity, and natural gas, should be, in my opinion, a human right." -Christopher, Johnston 3/19/2020

"Due to another tenant in my dwelling not being able to afford the bill & not being able to access the dwelling, they shut off service to the entire dwelling." -Dwayne, Providence 3/18/2020

In this moment, we hope the PUC will consider this opportunity to fix structural inequities that have existed in our utility service systems for too long. We urge you to enact protections for an extended time so people don't have to carry the extra stress of not knowing when they may be shut off, once the crisis is officially deemed to be over. We also hope you will find a way to eliminate accruing bill payments for low-income Rhode Islanders for the duration of the pandemic, so when the economy opens back up there will not be a spike in shut-offs and an intensification of existing economic inequality. Thank you for your leadership on this issue and for considering the public health and well-being of Rhode Islanders.

Sincerely,

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