MEMORANDUM

TO: Document Control Center
   Clerk’s Office

FROM: Ken Schrad

RE: PUR-2020-00048

I have attached a letter signed by 58 members of the Virginia General Assembly. Sent from the office of Delegate Jerrauld “Jay” Jones, I received the email on Friday afternoon, June 5, 2020.

I ask that you pass this correspondence to the referenced case file.

PUR-2020-00048
Ex Parte: Temporary Suspension of Tariff

Attachment –

- Letter signed by 44 members of the Virginia House of Representatives and 14 members of the Virginia Senate
Re: Commonwealth of Virginia, ex rel. State Corporation Commission, 
Ex Parte: Temporary Suspension of Tariff Requirements 
Case No. PUR-2020-00048

Dear Commissioner Christie:

We greatly appreciate the State Corporation Commission's continued efforts to protect Virginia consumers during the economic crisis caused by the Coronavirus pandemic ("COVID-19"). Please accept this informative letter in response to issues and questions raised in the Commission's May 26 Order in the referenced docket.

In its Order, the Commission asserted that the current moratorium on utility service disconnections for nonpayment "is not sustainable" and could result in costs being "unfairly shifted to other customers." The Order also suggested that this moratorium could have "negative impacts on small, less-capitalized utilities and member-owned electric cooperatives," which "could impact vital services to all customers of such utilities."

The Commission requested comment regarding whether the current moratorium should be continued, and if so, for how long. The Commission also asked commenters to identify "the programs and mechanisms, public or private, that will provide sufficient funding to ensure that the costs of unpaid utility bills are defrayed and will not result in even higher costs on other utility customers."

Given the unprecedented nature and breadth of this crisis, it is our considered opinion that the above issues raised by the Commission will require legislative action. We are currently evaluating novel legislative options that could mitigate the financial hardship faced by our constituents as well as those of Virginia's public service companies, recognizing as the Commission notes, the significant variance between the types of utilities serving Virginian customers. Our consideration of potential legislative options is hindered, however, by insufficient data on the extent of the problem. To allow us to better evaluate potential policy options, we request that the Commission obtain, or compel the production of, the following information from all regulated public utilities on a weekly basis:

- The number of residential and non-residential customer accounts of each utility currently in arrearage, as compared to historical averages;
The number of residential and non-residential accounts disconnected in the current year and not reconnected;

- The total current arrearage balance of each utility, as compared to historical averages;

- Information regarding each utility's revenue and earnings history;

- Information regarding each utility's financial strength and debt service reserves;

- The magnitude of late fees and penalties that would have been charged absent the moratorium; and

- Any other data the Commission may deem relevant.

We ask that the Commission publish and/or provide this information to the Governor and members of the General Assembly as soon as possible.

This additional information will allow the General Assembly to more fully consider and propose legislation, potentially in an emergency legislative session to address the COVID-19 crisis. In the interim, we consider it advisable that the Commission keep the current moratorium on disconnections in place through August 31, 2020.

Thank you for your service to the Commonwealth during this difficult time.

Sincerely,

Senator Jennifer McClellan
Senate District 9

Delegate Jay Jones
House District 89

Delegate Lee Ware
House District 65

Delegate Dawn Adams
House District 68

Delegate Lashrecse Aird
House District 63

Delegate Alex Askew
House District 85

Delegate Terry Austin
House District 19

Delegate Hala Ayala
House District 51

Delegate Jeffrey Bourne
House District 71
Delegate Michael Webert
House District 18

Delegate Rodney Willett
House District 73

Delegate Tony Wilt
House District 26

Senator John Bell
Senate District 13

Senator Jennifer Boysko
Senate District 33

Senator Creigh Deeds
Senate District 25

Senator Adam Ebbin
Senate District 30

Senator John Edwards
Senate District 21

Senator Barbara Favola
Senate District 31

Senator Ghazla Hashmi
Senate District 10

Senator Louise Lucas
Senate District 18

Senator Dave Marsden
Senate District 37

Senator Monty Mason
Senate District 1

Senator Joseph Morrissey
Senate District 16

Senator Chap Petersen
Senate District 34

Senator Lionel Spruill
Senate District 5