

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
AT RICHMOND, AUGUST 24, 2020

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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

CASE NO. PUR-2020-00048

Ex Parte: Temporary Suspension of Tariff  
Requirements

ORDER ON MORATORIUM

Earlier this year, the State Corporation Commission ("Commission") established *sua sponte* this docket to respond to the unprecedented socioeconomic crisis inflicted on the United States and the Commonwealth of Virginia by the coronavirus ("COVID-19"). On March 16, 2020, the Commission ordered an immediate moratorium on service disconnections for unpaid bills caused by the COVID-19 crisis by jurisdictional electricity, natural gas, water, and sewer utilities.<sup>1</sup> This moratorium provided immediate protection to both residential and business customers and was initially put in place to run 60 days. On April 9, 2020, the Commission issued a second order extending this moratorium for an additional 30 days.<sup>2</sup>

On May 26, 2020, the Commission, by order, invited interested persons to comment on issues related to an extension of the moratorium.<sup>3</sup> After receiving over 300 comments, on

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<sup>1</sup> *Commonwealth of Virginia ex rel. State Corporation Commission, Ex Parte: Temporary Suspension of Tariff Requirements*, Case No. PUR-2020-00048, Doc. Con. Cen. No. 200320175, Order Suspending Disconnection of Service and Suspending Tariff Provisions Regarding Utility Disconnections of Service (Mar. 16, 2020).

<sup>2</sup> *Commonwealth of Virginia ex rel. State Corporation Commission, Ex Parte: Temporary Suspension of Tariff Requirements*, Case No. PUR-2020-00048, Doc. Con. Cen. No. 200410196, Order Extending Suspension of Service Disconnections (Apr. 9, 2020).

<sup>3</sup> *Commonwealth of Virginia ex rel. State Corporation Commission, Ex Parte: Temporary Suspension of Tariff Requirements*, Case No. PUR-2020-00048, Doc. Con. Cen. No. 200550054, Order Seeking Comment on Suspension of Service Disconnections (May 26, 2020).

June 12, 2020, the Commission entered its Order on Suspension of Service Disconnections ("June 12 Order").<sup>4</sup> Therein, the Commission extended the moratorium on utility shut-offs through August 31, 2020, explaining:

Our purpose since our original order of March 16<sup>th</sup> imposing a moratorium on service shut-offs has been to protect Virginia's utility customers who, through no fault of their own, have been the victims of the devastating economic consequences of the COVID-19 pandemic, while recognizing that an unlimited moratorium is not sustainable without government actions to protect other customers from cost-shifting.<sup>5</sup>

Due to the continuing nature of the COVID-19 pandemic, the Commission's June 12 Order also stated, ". . . we will extend the current moratorium to allow time for the General Assembly to meet in special session to address the COVID-19 crisis in a more comprehensive manner."<sup>6</sup> The Commission emphasized that "utility regulation alone cannot adequately address what is a much broader socioeconomic catastrophe."<sup>7</sup>

The General Assembly convened a special session on August 18, 2020.

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds as follows: To give the General Assembly time to complete its special session that began on August 18, 2020, we will extend our June 12 Order through September 15, 2020. This will represent a six-month moratorium on service disconnections, beginning March 16, 2020, on an emergency basis. This period of time has been sufficient to provide an opportunity for the

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<sup>4</sup> *Commonwealth of Virginia ex rel. State Corporation Commission, Ex Parte: Temporary Suspension of Tariff Requirements*, Case No. PUR-2020-00048, Doc. Con. Cen. No. 200630135, Order on Suspension of Service Disconnections (June 12, 2020).

<sup>5</sup> *Id.* at 9.

<sup>6</sup> *Id.* at 8.

<sup>7</sup> *Id.* at 10.

General Assembly to choose whether to address legislatively the effects of the COVID-19 crisis on utility customers and utilities. This Order on Moratorium is, of course, subject to such measures as may be enacted by the General Assembly in the current special session. This Commission will, of course, follow any legislation the General Assembly enacts but cannot continue the moratorium indefinitely unless legislatively required to do so.

Accordingly, except as noted below, our June 12 Order, as extended by this Order on Moratorium, will expire on September 16, 2020.

Our June 12 Order directed public utilities to offer to eligible customers unable to pay their bills due to the COVID-19 pandemic the option of entering into extended payment plans of up to 12 months.<sup>8</sup> Customers who have entered into such extended payment plans shall not have their utility service cut off as long as they are current on such extended payment plans or make other mutually agreeable arrangements with the utility for payment, in accordance with the utility's existing tariffs that seek to avoid service disconnections.<sup>9</sup> Further, no late payment fees shall be imposed on such customers keeping current on their extended payment plans.

Our June 12 Order noted, "Any tariff waivers necessary to carry out the directives herein are approved until further order of the Commission."<sup>10</sup> These waivers remain in effect; until further order of the Commission, we waive any tariff provisions as necessary to allow utilities to offer individualized payment plans to customers making good-faith efforts to pay their bills.

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<sup>8</sup> *Id.* at 10.

<sup>9</sup> It is important to emphasize that prior to our March 16, 2020 emergency order, utilities in Virginia have long had tariffs approved by the Commission that seek to avoid service disconnections of customers, especially medically vulnerable customers. Those protective tariffs remain in full force and effect except as specifically modified herein.

<sup>10</sup> June 12 Order at 11.



The expiration of our moratorium does not mean that customers are without options for continuing utility service, and we strongly urge utilities to make every effort to accommodate customers who are making good-faith efforts to pay their bills.

Accordingly, IT IS SO ORDERED, and this proceeding is dismissed.

A COPY HEREOF shall be sent electronically by the Clerk of the Commission to the utilities providing electric, natural gas, water, and sewer services in the Commonwealth that are subject to regulation by the Commission as identified in the attached Service List.

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**B-A-R-C Electric Cooperative**  
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**Central VA Electric Cooperative**  
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**Community Electric Cooperative**  
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**Northern Neck Electric Cooperative**  
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**Northern VA Electric Cooperative**  
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**Rappahannock Electric Cooperative**  
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