

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

IR 20-089

NEW HAMPSHIRE PUBLIC UTILITIES

**Investigation into the Effects of the COVID-19 Emergency
on Utilities and Utility Customers**

ORDER OF NOTICE

On March 13, 2020, Governor Christopher T. Sununu issued Executive Order 2020-04, declaring a state of emergency due to COVID-19, pursuant to his authority under Part II, Article 41 of the New Hampshire Constitution and RSA 4:45 and 4:47 (State of Emergency). The Governor subsequently issued Executive Orders 2020-05 (April 3), 2020-08 (April 24), and 2020-09 (May 15), which extended the State of Emergency.

Governor Sununu also issued a number of emergency orders, including Emergency Order # 3 (March 17, 2020), which temporarily prohibited “[a]ll providers of electric, gas, water, telephone, cable, VOIP, internet, and deliverable fuels service in the State of New Hampshire” from disconnecting or discontinuing service for non-payment while the State of Emergency remains in effect. When the State of Emergency ends, Emergency Order # 3 requires utilities to provide reasonable payment arrangements over no less than a six-month period to customers with arrearages accrued during the State of Emergency, and it prohibits utilities from charging customers late payment fees related to those arrearages. The Order stated, however, that it could not be construed as relieving customers of their obligations to pay for the services they received.

Emergency Order #3 directed the Commission to “provide assistance and guidance to the public utilities in implementing the provisions of this order,” and gave the Commission and the Attorney General authority to enforce its provisions through any means authorized by law.

Pursuant to this directive, the Commission issued Order No. 26,343 (March 31, 2020), which implemented Emergency Order # 3 with regard to public utilities, as defined in RSA chapter 362, and the New Hampshire Electric Cooperative, Inc. (NHEC).

Pursuant to its authority under RSA 374:3, RSA 374:4, and RSA 365:5, the Commission has determined that it is necessary to investigate the impacts of the COVID-19 pandemic on New Hampshire public utilities with rates regulated by the Commission and on NHEC, and on their customers. Accordingly, the Commission is commencing this investigation to consider necessary and appropriate changes to existing policies and practices regarding utility operations, collections, revenues, finances, accounting, customer assistance measures, and ratemaking impacts, in light of the pandemic.¹

All public utilities with rates regulated by the Commission and the New Hampshire Electric Cooperative (Utilities)² are hereby made mandatory participants in the investigation. Each participant may have an attorney represent the participant at the participant's own expense.

This order of notice and any docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, will be posted to the Commission's website at www.puc.nh.gov.

The Commission will conduct a status conference on June 17, 2020, to address the issues to be investigated in this proceeding. At the June 17 status conference, each Utility will be required to provide a brief (ten minute or less) presentation and should be prepared to answer

¹ NHEC is subject to limited regulation by the Commission and certain of the issues specified, as well as many of the requests for information listed below, may not be applicable to NHEC. *See* RSA 362:2, II. NHEC is, however, subject to many provisions of the Commission's rules regarding utility customer relations, including restrictions on service disconnections. *See* N.H. Admin. R., Puc 1201.02. NHEC shall address at least the first four requests for information listed herein, and is encouraged to address the remainder.

² For purposes of this order of notice, the Utilities individually will be referred to as a "Utility" and collectively will be referred to as "Utilities."

questions on the following topics: customer and employee safeguards; sales forecasts; billing challenges; lessons learned; and any other pertinent information the Utility believes is relevant to the investigation.

On or before June 30, 2020, and no later than the 30th day of every month following, until otherwise ordered by the Commission, each Utility shall file written responses and updates in subsequent months to the following requests for information. The responses should be current as of the end of the month immediately preceding. Additionally, these responses will be submitted regardless of whether the Utility has previously provided written responses to similar requests from Commission Staff:³

- 1) Provide information regarding changes in payment behavior or patterns and account receivables levels since the declaration of the State of Emergency on March 13 and the Governor's Emergency Order #3 issued on March 17. Such information should be provided for each utility rate class.
- 2) Provide the following data for each utility rate class:
 - The number, and percentage, of customers who made partial or no payment in March, April, and May of 2019 and 2020.
 - The number, and percentage, of customers who made partial or no payment in March, April, and May of 2019 and 2020 and did not have an outstanding balance during the prior six months.
- 3) Describe any programs or initiatives undertaken to assist customers specifically as a result of the COVID-19 pandemic, the State of Emergency, Emergency Order #3, and the related stay-at-home restrictions.
- 4) Provide a detailed description of customer outreach undertaken to date.
- 5) Describe the Utility's review and evaluation of best practices and successful initiatives undertaken in other states.
- 6) Describe whether the Utility has updated its sales forecasts in light of the pandemic and its effects on the economy.

³ Utilities that elect to file only electronically at this time are directed to maintain one paper copy of all filings. The Commission will issue a subsequent order or secretarial letter indicating when that paper copy must be filed. *See* Secretarial Letter dated March 17, 2020. Utilities are not required to serve their responses to the Commission's interrogatories to the service list.

- 7) Describe any operational changes the Utility is making or planning to make in response to the effects of the pandemic, including changes in budgets or personnel.
- 8) Describe any changes to capital projects and related planning budgets the Utility has made or is planning to make in response to the effects of the pandemic.
- 9) Describe any supply chain disruptions the Utility is experiencing or expects may occur and the effects of such supply chain disruptions.
- 10) Describe whether the Utility and/or its parent company has adequate access to capital or has been negatively affected in accessing the capital markets or has been downgraded by any credit rating services.
- 11) Describe incremental costs associated with the COVID-19 pandemic since the State of Emergency order, how the cost is calculated, cost to date, accounting treatment, impact on earnings, and proposed or planned rate treatment.

Based upon the foregoing, it is hereby

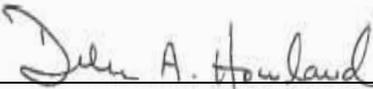
ORDERED, that, consistent with Governor Christopher T. Sununu's Emergency Order # 12, the Commission shall hold an initial web-enabled remote status conference on June 17, 2020 at 9:00 a.m. At this status conference, each Utility shall provide a presentation with pertinent information the Utility believes is relevant to the investigation, and should also be prepared to answer questions relating to customer and employee safeguards, sales forecasts, billing challenges, lessons learned. In addition to updated forecasts, all utilities should be prepared to discuss recent sales, with a comparison to last year's average, recent years' averages, and an historical average. Gas and electric utilities should be prepared to make their appearances and presentations at 9:00 a.m. Water and sewer utilities should be prepared to make their appearances and presentations starting at 1:00 p.m. Water and sewer utilities with fewer than 3,000 customers may elect to forgo making a presentation on June 17. Utilities will be provided information regarding remote participation at a later date.

FURTHER ORDERED, that members of the public who wish to access the status conference may do so [by clicking here](#). **If members of the public experience difficulty obtaining access to this remote event, please notify the Commission by calling (603) 271-2431; and it is**

FURTHER ORDERED, that, no later than June 30, 2020, and no later than the 30th day of every month following, until otherwise ordered by the Commission, each Utility shall file with the Commission updated written responses to the requests for information listed above; and it is

FURTHER ORDERED, that the Executive Director shall publish this order of notice on the Commission's website no later than one day after the date of issue.

By order of the Public Utilities Commission of New Hampshire this fourth day of June, 2020.



Debra A. Howland
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

Service List - Docket Related

Docket# : 20-089

Printed: 6/4/2020

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