



ERIE COUNTY WATER AUTHORITY INTEROFFICE MEMORANDUM

June 14, 2021

To: Jerome D. Schad, Chair
Peggy A. LaGree, Vice Chair
Michele M. Iannello, Treasurer

From: Karen A. Prendergast, Chief Financial Officer *JAP*

Subject: Department of Public Service – Service Disconnection Moratorium

On June 3, 2021, our General Counsel, Margaret Murphy, sent you a copy of the Authority's response to new Public Service Law amendments expanding the moratorium on utility service terminations during the COVID-19 State of Emergency. A copy of the letter is posted on our website.

Below is a summary of required accommodations and our response to the amendment.

Service Terminations

- No residential or small commercial customer can have water services terminated for non-payment from May 11, 2021 until the COVID-19 state of emergency is lifted or expires or December 31, 2021, whichever date is earlier.

The Authority, under its Declaration of Emergency suspended service terminations for non-payment effective March 24, 2020 and will continue the suspension through the state of emergency.

- If, after the state of emergency is lifted or expires, a residential or small commercial customer certifies that, due to a COVID related change in financial circumstances they are unable to pay outstanding water charges, the Authority must extend termination protection through an additional 180-day period.

At the conclusion of the state of emergency, any customer who self-certifies to a financial hardship will have service termination suspended until the expiration of the 180-day grace period. The Authority cannot compel the customer to enter into a payment arrangement as a condition of the termination suspension.

- The Authority cannot require any eligible residential or small business customer to apply for any federal or state assistance program as a condition for protection from service termination.

Any customer who self-certifies financial hardship will have their service termination suspended and will be notified of the availability of emergency assistance through the Erie County Department of Social Services. The assistance is income based and is a one-time payment of unpaid water charges.

Payment Arrangements

- Qualifying customers must be offered a payment arrangement with no down payment, late fees, penalties, or interest for arrearages incurred during the COVID-19 pandemic.

Authority personnel already have the discretion to make payment arrangements at terms and conditions agreeable to the Authority including, but not limit to, the method of payment and the applicability of late charges. Customers will not have to self-certify a financial hardship – it is our intention to offer all customers a payment arrangement which will not include any outstanding late fees.

- When a qualifying customer has a payment arrangement, the Authority cannot terminate or discontinue water services, regardless of any payment default, until the expiration of the 180-day period.

Any payment arrangement in default will be reviewed for a financial hardship code before the property is posted for service termination. During the 180-day grace period, a posted customer could call and self-certify financial hardship to avoid service termination.

Customer Communication

- The Authority must provide notice of the accommodations required by the amendment to residential and small commercial customers in writing with a bill statement.

The following message is now being printed on each bill, “If you are having trouble paying your bill, please go to our website at www.ecwa.org for the latest COVID-19 Alerts including the Fact Sheet for Utility Customers concerning the Moratorium on Utility and Municipal Shutoffs.”

- Reasonable efforts must be made to contact any customer who has demonstrated an inability to pay their bill and offer them a payment arrangement.

The Authority routinely sends a friendly reminder whenever a customer misses a payment. The reminder notifies the customers that payment arrangements are available and encourages them to call our customer service department to set one up. These customers are also receiving the Fact Sheet for Utility Customers.

Department of Public Service Reporting

- Within 30 days of July 1, 2022, the effective end date of the amendment, a report must be filed with the Department of Public Service that includes
 - ✓ The number of residential and small commercial customers who availed themselves of these protections
 - ✓ The number of new payment arrangements entered into from May 11, 2021 to July 1, 2022 for residential and small commercial customers; and
 - ✓ The total number of residential and small commercial customer service terminations for nonpayment from May 11, 2021 to the end of the 180-day grace period.

If you have any questions, please contact me. I will provide an update with the report to the Department of Public Service when it becomes due.

cc T. McCracken
 M. Murphy
 R. Stoll
 J. Tomaka