

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Executive Division

San Francisco, California
Date: February 11, 2021
Resolution M-4849

R E S O L U T I O N

**AUTHORIZATION AND ORDER DIRECTING UTILITIES TO
EXTEND EMERGENCY CUSTOMER PROTECTIONS TO
SUPPORT CALIFORNIA CUSTOMERS THROUGH JUNE 30, 2021,
AND TO FILE TRANSITION PLANS FOR THE EXPIRATION OF
THE EMERGENCY CUSTOMER PROTECTIONS**

SUMMARY

The Commission issues this Resolution on its own motion in response to Governor Gavin Newsom's declaration of a state of emergency and issuance of executive orders due to the novel coronavirus (COVID-19) pandemic. On April 17, 2020, the Commission issued Resolution M-4842, which ratified directions provided by the Commission's Executive Director on March 17, 2020¹ to energy, water, and communications corporations to retroactively apply customer protection measures from March 4, 2020 onward during the pendency of the COVID-19 pandemic, for up to one year with an option to extend.²

This Resolution extends the Emergency Customer Protections for residential and small business customers through June 30, 2021, and the Commission reserves an option to extend further. Additionally, electric, gas, communications, and water corporations shall file a Tier 1 Advice Letter describing all reasonable and necessary actions to extend the Emergency Customer Protections contained in this Resolution to support California customers through June 30, 2021, and the electric, gas, and water corporations shall extend the memorandum accounts established pursuant to Resolution M-4842 to track incremental costs associated with complying with this Resolution.

In addition, electric, gas, and water corporations in California shall file a Tier 2 Advice Letter containing their transition plans associated with discontinuance of the Emergency Customer Protections after June 30, 2021. The goal of the transition plan is to effectively

¹ March 17, 2020 [Executive Director Letter to Energy Companies Regarding COVID-19](https://www.cpuc.ca.gov/covid/); [Executive Director Letter to Water Companies Regarding COVID-19](https://www.cpuc.ca.gov/covid/); [Executive Director Letter to Communications Companies Regarding COVID-19](https://www.cpuc.ca.gov/covid/) all available at <https://www.cpuc.ca.gov/covid/>

²https://www.cpuc.ca.gov/uploadedFiles/CPUCWebsite/Content/News_Room/NewsUpdates/2020/Final%20Resolution%20M-4842.pdf

ease customers through a transition off of the Emergency Customer Protections by proactively communicating with customers to enroll them in programs to manage their utility bills and informing them of the changes to programs in which they are already enrolled. As described more fully below, these transition plans shall include 1) a timeline of new and resumed activities, 2) a marketing, education, and outreach (ME&O) strategy, 3) an explanation of how the activities timeline and ME&O strategy account for compliance and safety, and 4) a progress tracking and reporting plan.

BACKGROUND

On March 4, 2020, when Governor Newsom declared a State of Emergency related to COVID-19, there were 53 known cases of COVID-19 in California.³ As of January 11, 2021, there were 2,747,288 cases of COVID-19 in California, and 30,513 deaths.⁴

On March 19, 2020, Governor Newsom ordered Californians to shelter in place except to meet essential needs.⁵ On August 22, 2020, the State released the Blueprint for a Safer Economy⁶ to permit gradual reopening of certain businesses and activities, but due to increases in California's COVID-19 caseload, hospitalizations, and test positivity rate, many businesses remain closed, and Californians are being asked to stay home between 10:00 p.m. and 5:00 a.m.⁷ It is uncontroverted that as of January 12, 2021, 54 counties, representing 99.6 percent of California's population, were in the most restrictive tier of California's reopening roadmap.⁸

In April and May 2020, California's unemployment rate hit 16.4 percent due to COVID-19 pandemic-related job loss. Although the unemployment rate fell to 8.2 percent in November 2020, California's unemployment rate in March 2020 was only 5.5 percent, and California has only recovered 46 percent of the nonfarm jobs lost due to the COVID-19 pandemic during March and April 2020.⁹ With 99.6 percent of California's

³ <https://www.gov.ca.gov/2020/03/04/governor-newsom-declares-state-of-emergency-to-help-state-prepare-for-broader-spread-of-covid-19/>

⁴ <https://covid19.ca.gov/>

⁵ Executive Order N-33-20, available at <https://www.gov.ca.gov/2020/03/19/governor-gavin-newsom-issues-stay-at-home-order/> On April 2, 2020, the Governor also issued Executive Order N-42-20 to prohibit water utilities from disconnecting water service:

<https://www.gov.ca.gov/2020/04/02/governor-newsom-issues-executive-order-protecting-homes-small-businesses-from-water-shutoffs/>

⁶ <https://covid19.ca.gov/safer-economy/>

⁷ <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/limited-stay-at-home-order-qa.aspx>

⁸ <https://covid19.ca.gov/safer-economy/>

⁹ <https://edd.ca.gov/newsroom/unemployment-december-2020.htm>

population in the most restrictive reopening tier, California's economy is still months away from recovery.

While a new federal pandemic relief package was signed into law on December 27, 2020, the stimulus checks and federal unemployment benefit enhancement are half the amount provided in the prior CARES Act, and unemployment recipients may only receive 10 weeks of the federal benefit enhancement instead of 11.¹⁰ The scope and level of further federal and state support is uncertain.

Multiple COVID-19 vaccines have been approved or are in the approval pipeline, and the California Department of Public Health estimates that California will have enough supplies to vaccinate most Californians in all 58 counties by summer 2021.¹¹ Dr. Anthony Fauci, Director of the National Institute of Allergy and Infectious Diseases, predicts that widespread vaccinations could help the United States reach early herd immunity by late spring or summer 2021.¹²

The Commission takes specific action in this Resolution in response to the Governor's emergency proclamation and executive orders and to orders from the California Department of Public Health, and in response to the ongoing economic hardship caused by the COVID-19 pandemic, to ensure continued continuity and consistency between all utility actions resulting from the ongoing COVID-19 pandemic.

DISCUSSION

COVID-19 has been extremely disruptive to all Californians and has had severe economic impacts on many Californians. In response to reoccurring natural and manmade disasters prior to COVID-19, the Commission initiated a disaster relief Rulemaking, (R.) R.18-03-011, and adopted a series of requirements for utility companies (electric, gas, water) and communications providers, culminating in customer protection measures adopted in two Decisions, (D.) D.19-07-015 and D.19-08-025.

The customer protection measures adopted in R.18-03-011 apply where a gubernatorial or presidential declared emergency relates to the disruption or degradation of service. The COVID-19 pandemic represents a different type of emergency, one where the threat – in this case, a virus – necessitates a response which impacts Californians' ability to access or pay for utility service. Social distancing and shelter-in-place requirements have required the closure of non-essential businesses including bars, dine-in restaurants, and

¹⁰ <https://www.cnn.com/2020/12/20/politics/second-covid-stimulus-package-details/index.html>

¹¹ <https://covid19.ca.gov/vaccines/>

¹² <https://www.npr.org/sections/coronavirus-live-updates/2020/12/15/946714505/fauci-predicts-u-s-could-see-signs-of-herd-immunity-by-late-march-or-early-april>

shops, and subsequent employee layoffs have impacted the ability of customers to stay current on utility payments at the same time that shelter in place orders have caused increased usage of utility services and resulted in higher utility bills.

Having access to essential utility services is critical to maintaining Californians' health and safety during the COVID-19 pandemic. Therefore, due to the continued economic harm from the COVID-19 pandemic, the Commission extends to California customers the Emergency Customer Protections from D.19-07-015 and D.19-08-025, as ordered by Resolution M-4842, through June 30, 2021, and the Commission reserves an option to extend. The Commission takes this action in response to extraordinary circumstances and the ongoing state of emergency to ensure continuity of essential services to customers during this health and safety crisis. This Resolution does not establish precedent for standard Commission ratemaking or customer protection processes.

All residential and small business customers in California are eligible for the Emergency Customer Protections set forth below in this Resolution by industry. As we stated in Resolution M-4842, these customer protections are a floor, not a ceiling; utilities may provide additional consumer services or protections.

We direct the electric and gas corporations subject to this Resolution to continue to use the COVID-19 Pandemic Protections Memorandum Accounts (CPPMA) established in Resolution M-4842 to record costs associated with extending the required customer protections in this Resolution and developing the Transition Plan. The purpose of the CPPMA account becomes to record and track incremental costs associated with COVID-19 pandemic as described in Resolution M-4842 and this Resolution collectively. The review of these costs for possible collection in rates will be conducted in a General Rate Case, a Biennial or Triennial (as applicable) Cost Allocation Proceeding, the Energy Resource Recovery Account, or another proceeding. This affords Commission staff an opportunity to review any incremental expense associated with this Resolution.

The electric, gas, communications, and water corporations subject to this Resolution, as specified in the following sections, are directed to ensure compliance with existing statutes, regulations, and ordinances and work in cooperation with all appropriate California, federal, and local government agencies.

I. EXTENDING EMERGENCY CUSTOMER PROTECTIONS FOR RESIDENTIAL AND SMALL BUSINESS CUSTOMERS THROUGH JUNE 30, 2021

Emergency Customer Protections for Electric and Gas Utility Customers

The electric and gas utilities under this Commission's jurisdiction subject to this Resolution are the following: (1) Pacific Gas and Electric Company; (2) Southern

California Edison Company; (3) San Diego Gas & Electric Company; (4) Southern California Gas Company; (5) PacifiCorp; (6) Liberty Utilities (CalPECO Electric) LLC; (7) Bear Valley Electric Service (a division of Golden State Water Company); (8) Southwest Gas Corporation; (9) Alpine Natural Gas, Inc.; (10) West Coast Gas Company, Inc.; and (11) Catalina Island Gas Services.

The electric and gas utilities subject to this Resolution shall each file a Tier 1 Advice Letter with the Commission's Energy Division no later than 10 days after the issuance of this Resolution demonstrating compliance with the extension of Emergency Customer Protections to June 30, 2021. Electric and gas corporations shall serve copies of the Advice Letters to R.18-03-011, A. 14-11-007, A.15-02-001, A.19-11-003, A.20-03-014, R.15-03-010, R.18-07-006, R.18-07-005, R.12-06-013, and A.19-09-014 proceeding service lists. Should any of the actions utilities are taking to implement Emergency Customer Protections need to be revised from the prior Resolution M-4842 Advice Letter compliance filings, or if certain customer protections were inapplicable during the pandemic and not already noted and accepted as such in prior filing, these revisions should be noted in the Tier 1 Advice Letter to this Resolution. The Emergency Customer Protections identified in Resolution M-4842 are as follows:¹³

- (1) waive deposit requirements for residential customers seeking to reestablish service for one year and expedite move in and move out service requests;
- (2) stop estimated usage for billing attributed to the time period when a home/unit was unoccupied as a result of the emergency;
- (3) identify the premises of affected customers whose utility service has been disrupted or degraded, and discontinue billing these premises without assessing a disconnection charge;
- (4) prorate any monthly access charge or minimum charges;
- (5) implement payment plan options for residential customers;
- (6) suspend disconnection for nonpayment and associated fees, waive deposit and late fee requirements for residential customers;
- (7) support low-income residential customers by: (a) freezing all standard and high usage reviews for the California Alternate Rates for Energy (CARE) program eligibility for 12 months and potentially longer, as warranted; (b) contacting all community outreach contractors, the community based organizations who assist in enrolling hard to reach low income customers into

¹³ Decision 20-06-003, adopted on June 11, 2020, subsequently eliminated certain deposits and fees for residential customers.

- CARE, to help better inform customers of these eligibility changes; (c) partnering with the program administrator of the customer funded emergency assistance program for low income customers and increase the assistance limit amount for the next 12 months; and (e) indicate how the energy savings assistance program can be deployed to assist customers;
- (8) suspend all CARE and FERA program removals to avoid unintentional loss of the discounted rate during the period for which the customer is protected under these customer protections;
 - (9) discontinue generating all recertification and verification requests that require customers to provide their current income information;
 - (10) offer repair processing and timing assistance and timely access to utility customers pursuant to Section 8386(c)(18);
 - (11) include these customer protections as part of their larger community outreach and public awareness plans under Section 8386(c)(16)(b);
 - (12) meet and confer with the Community Choice Aggregators as early as possible to discuss their roles and responsibilities for each emergency customer protection.

Emergency Customer Protections for Water Customers

The water corporations under this Commission's jurisdiction subject to this Resolution are the following: all Class-A water utilities (California Water Service Company, California American Water Company, Golden State Water Company, Great Oaks Water Company, Liberty Utilities (Apple Valley Ranchos Water, and Park Water), San Jose Water Company, San Gabriel Valley Water Company, and Suburban Water Systems; and all Class-B water utilities (Bakman Water Company, Del Oro Water Company, East Pasadena Water Company, and Alco Water Service).

The water corporations subject to this Resolution shall file a Tier 1 Advice Letter with the Commission's Water Division no later than 10 days after the issuance of this Resolution demonstrating compliance with the extension of Emergency Customer Protections to June 30, 2021. Water corporations shall serve copies of the Advice Letters to R.18-03-011 and R.17-06-024 proceeding service lists. Should any of the actions utilities are taking to extend the Emergency Customer Protections need to be revised from the Resolution M-4842 Advice Letter compliance filings, or if certain customer protections were inapplicable during the pandemic and not already noted and accepted as

such in prior filings, these revisions should be noted in the Tier 1 Advice Letter to this Resolution. The Emergency Customer Protections identified in Resolution M-4842 are as follows:

- (1) activation of their Catastrophic Event Memorandum Account (CEMA) effective to the date of the Governor's declaration of a state of emergency - March 4, 2020;
- (2) make insurance claims on all costs and expenses incurred as a result of the pandemic, and credit insurance payments to their CEMA;
- (3) work cooperatively with affected customers to resolve unpaid bills, and minimize disconnections for non-payment;
- (4) waive reconnection or facilities fees for customers and suspend deposits for customers who must reconnect to the system;
- (5) provide reasonable payment options to customers;
- (6) waive bills for victims who lost their homes or if their homes are rendered uninhabitable; and
- (7) authorize a pro rata waiver of any fixed element of a water bill for the time that the home is uninhabitable, even if the reason for it being uninhabitable is not loss of water service.

Emergency Customer Protections for Communications Customers

The Emergency Customer Protections established in D.19-08-025 ensure that residential and small business communications service customers who experience a housing or financial crisis due to a disaster keep vital services and receive support in the wake of the disaster.

The customer protections for facilities based and non-facilities-based landline providers (e.g., 9-1-1/E9-1-1 providers, LifeLine providers, Voice over Internet Protocol (VoIP) providers, Carriers of Last Resort (COLRs), and other landline providers) are:¹⁴

- (1) Waiver of one-time activation fee for establishing remote call forwarding, remote access to call forwarding, call forwarding features and messaging services;

¹⁴ D.19-08-025 at 31-33.

- (2) Waiver of the monthly rate for one month for remote call forwarding, remote access to call forwarding, call forwarding, call forwarding features, and messaging services;
- (3) Waiver of the service charge for installation of service at the temporary or new permanent location of the customer and again when the customer moves back to the premises;
- (4) Waiver of the fee for one jack and associated wiring at the temporary location regardless of whether the customer has an Inside Wire Plan;
- (5) Waiver of the fee for up to five free jacks and associated wiring for Inside Wiring Plan customer upon their return to their permanent location;
- (6) Waiver of the fee for one jack and associated wiring for non-Plan customers upon their return to their permanent location;

Decision 19-08-025 describes the customer protections for wireless providers (e.g., those that provide access to E9-1-1 and/or Lifeline services) as follows. Items 1-6 below apply to facilities-based wireless providers, and items 4-7 apply to resellers and non-facilities-based wireless providers, (e.g. mobile virtual network operators [MVNOs]):¹⁵

- (1) Deploy mobile equipment, including Cells on Wheels and Cells on Light Trucks, to supplement service in areas that need additional capacity to ensure access to 9-1-1/E9-1-1 service;
- (2) Provide device charging stations in areas where impacted wireless customers seek refuge; and
- (3) Provide WiFi access in areas where impacted wireless customers seek refuge.

The following are directed to all facilities-based and non-facilities based wireless providers, including resellers:¹⁶

- (4) Provide mobile phones for customers seeking shelter from a disaster to use temporarily at a county or city designated shelter.

¹⁵ *Id.* at 33.

¹⁶ *Id.* at 34.

- (5) The Commission urges wireless carriers to allow customers to defer or phase payment for coverage charges for data, talk, and text for defined periods of time;
- (6) The Commission urges wireless carriers to extend payment dates for service for defined periods of time;
- (7) Consider providing temporary replacement phones for customers whose phones were lost or damaged as a result of a disaster or evacuation.

Decision 19-08-025 incorporates the interim emergency protections applicable to LifeLine service adopted in D.18-08-004,¹⁷ which are in effect during the COVID-19 state of emergency for all providers of LifeLine service:¹⁸

- (1) Delay the California LifeLine Renewal Process and suspend the de-enrollment for non-usage rules; and
- (2) Implement the LifeLine outreach methods.

In Resolution M-4842, we directed the utilities and communications service providers to conduct outreach of these protections to customers, and with this Resolution we direct that this outreach shall continue through June 30, 2021.

Communications corporations subject to this resolution shall each file a Tier 1 Advice Letter no later than 10 days after this Resolution's approval demonstrating compliance with the extension of Emergency Customer Protections to June 30, 2021.

Communications corporations shall serve copies of the Advice Letters to the R.18-03-011 proceeding service list. Should any of the actions taken to implement Emergency Customer Protections need be revised from already disposed Resolution M-4842 Advice Letter compliance filings, or if certain customer protections were inapplicable during the pandemic and not already noted and accepted as such in prior filing, these revisions should be noted in the Tier 1 Advice Letter to this Resolution.

¹⁷ D.18-08-004 at 9.

¹⁸ Nothing in this Resolution supersedes other customer protections which may be ordered by the Commission. For example, the March 19, 2020 Assigned Commissioner Ruling (ACR) in R.20-02-008 suspended the LifeLine renewal process, including de-enrollment due to the renewal process, for all California LifeLine participants including those who do not meet federal LifeLine eligibility criteria for a period of 90 days from the date of the ACR unless modified by a Commission decision. (R.20-02-008 ACR at 3.) These protections were also extended through February 28, 2021 through a similar ACR issued November 24, 2020.

II. TRANSITION PLAN FOR THE EXPIRATION OF EMERGENCY CUSTOMER PROTECTIONS

On October 30, 2020, the CPUC and the State Water Resources Control Board jointly hosted a workshop on Water Affordability During COVID-19. On November 12, 2020, the CPUC hosted a Workshop on the Impacts of COVID-19 on Energy Customers and Customer Programs.¹⁹ The data presented at these workshops showed significant growth in the number of customers with arrearages, and in arrearage amounts, in the period of March 2020 to present. There is a need for facilitating customers' enrollment in programs to manage their arrearages.

After the customer protection period expires, the electric, gas, and water corporations subject to this Resolution (collectively, IOUs) will return to implementing programs and utility service as per the non-emergency state Commission decision directives.

To facilitate a smooth transition for customers when the Emergency Customer Protections are lifted, each electric, gas, and water corporation subject to this Resolution shall file a Tier 2 Advice Letter with its transition plan, or "Transition Plan Advice Letter," by April 1, 2021. These IOUs shall design the transition plan to effectively ease customers through a transition off of the Emergency Customer Protections by proactively communicating with customers to enroll them in programs to manage their utility bills and informing them of the changes to programs in which they are already enrolled. The Emergency Customer Protections extended to communications customers in Resolution M-4842 did not include a moratorium on disconnections for nonpayment, however the Commission imposed a 90 day moratorium on disconnections for non-payment for communications customers in Resolution M-4848,²⁰ therefore we determine that outreach to customers concerning the expiration of the Emergency Customer Protections is sufficient and that communications corporations are not required to file transition plans.

The transition plan shall include 1) a timeline of new activities and resumed activities, 2) a marketing, education, and outreach (ME&O) strategy, 3) an explanation of how the activities timeline and ME&O strategy account for compliance and safety, and 4) a progress tracking and reporting plan. IOUs should take into account the challenges and solutions discussed in the October 30 and November 12, 2020 COVID workshops as they prepare their transition plans.

¹⁹ Materials available at: <https://www.cpuc.ca.gov/covidworkshop/>

²⁰ Resolution 4848 Issued December 18, 2020
<https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M355/K761/355761752.PDF>

Content of Transition Plans for Energy and Water Utilities

1. Activities Timeline

The IOUs' transition plans shall map out a timeline of activities associated with programs or initiatives that assist customers in bill management. Relevant programs include, but are not limited to, 1) bill assistance programs: California Alternate Rates for Energy (CARE), Family Electric Rate Assistance (FERA), Customer Assistance Program (CAP), medical baseline; 2) bill payment options: energy Arrearage Management Plan, 12-month payment plan; and 3) customer programs and rates: Time of Use residential rate structure for energy IOUs, Energy Savings Assistance Program. Activities can be categorized as those associated with programs/initiatives that were approved and/or started since the pandemic shelter in place order in March 2020, and activities which were suspended for an already existing program as a result of Emergency Customer Protections and will resume.

The discussion of new activities should focus on programs/initiatives that IOUs can leverage to support their transition plan or should be coordinated among other activities for a smooth transition. New activities shall include, but are not limited to, those associated with the following new programs:

- Applicable Payment Plan options (energy Arrearage Management Plan, 12-month payment plan)
- Time of Use residential rate structure for energy IOUs

Resumed activities shall include, but are not limited to:

- Noticing of risk of disconnection
- Verification of customer eligibility in California Alternate Rates for Energy (CARE), Family Electric Rate Assistance (FERA), Customer Assistance Program (CAP), etc.
- Requirement for customer recertifications of eligibility for programs
- Application of late-payment, reconnection, and other fees to a customer²¹

²¹ Do not include any fees eliminated with the intent that they not be resumed after Emergency Customer Protections lift, such as residential reconnection fees per D.20-06-003.

Activities that should be noted on the timeline include communications to customers related to a pending change to the customer's service or status of enrollment in a program, a required action by customers to maintain existing services or program status, and all other communications about transitions or events that could trigger a group of customers' alarm or unease. Activities can also include relevant Commission Decision-mandated activities.

IOUs shall demonstrate through the sequencing and timing of activities, and defining which groups of customers will be impacted by each activity, that the timeline has been thought through from a customer-impact lens, and is part of a coordinated and thus more effective marketing, education, and outreach strategy.

2. Marketing, Education, and Outreach Strategy

The IOUs shall include a coordinated, effective, and efficient strategy for their marketing, education, and outreach plan to engage and enroll customers in new bill management programs, to inform customers already enrolled in programs about changes due to the Emergency Customer Protections being no longer in effect after June 30, 2021, and to inform customers of the extension of the customer protections, where necessary.

The marketing, education, and outreach strategy must include, but is not limited to:

- targeted outreach to customers with arrears, and for water utilities to customers that may qualify for disconnection preventions due to medical needs
- general marketing and outreach to customers on assistance programs
- coordination with the California Department of Community Services and Development and their local service providers to:
 - facilitate customers' access to federal assistance Low Income Home Energy Assistance Program, and
 - leverage their customer interactions for expanding outreach efforts on IOUs' bill management programs
- the timing and incremental budget, if necessary, for ME&O efforts

IOUs must detail how the ME&O strategy supports and is aligned with the Activities Timeline. IOUs shall identify which, if any, activities in the timeline will receive a disproportionately large ME&O effort and provide reasoning for this activity receiving enhanced ME&O. IOUs shall indicate which ME&O efforts were already ongoing that

they are leveraging to support the transition plan versus which ME&O activities are new proposals.

IOUs should consider the following as they develop their ME&O strategy:

- Increasing the frequency with which energy and water IOUs exchange data on accounts enrolled in income-eligible programs so that eligible customers can be targeted for enrollment²²
- How best to combine messaging to customers on multiple aspects of the transition plan (e.g., forthcoming changes resulting from expiration of Emergency Customer Protections, and bill management options), so customers receive fewer and coordinated communications, rather than multiple messages
- A plan for identifying and coordinating with other agencies and/or entities that can directly contact customers
- Training for IOU call center staff on IOU programs and associated activities
- The appropriate method of customer communication, including non-English languages and forms for communication to reach people with disabilities and other access and functional needs

Wherever possible, IOUs must strive for statewide consistency within each industry (consistent between energy utilities, and consistent between water utilities) in marketing materials and strategy. Consistency serves to 1) ease confusion and/or increase efficiencies for customer facing entities supporting IOUs in executing the ME&O strategy, 2) reduce challenges for call centers receiving customer reports from customers across multiple utilities, and 3) ease processing and interactions between regulators and utilities as utilities report on their implementation of the plan.

Individual IOUs shall look to those IOUs actively planning or implementing marketing, education, and outreach efforts, and leverage any effective practices, i.e., activities that have been highlighted by stakeholders as an example to follow in meetings, workshops, and/or through party responses to IOU Advice Letters and/or applications. IOUs shall propose in their prepared presentations to LIOB what marketing materials and strategy

²² At the May 22, 2020 CARE All-Party meeting Commissioners asked Energy IOUs about increasing data sharing frequency from bi-annually (Question 3.b. from detailed agenda of All-Party Meeting on California Alternate Rates for Energy (CARE) education and outreach in light of COVID-19 noticed to service lists.) In response, an additional data exchange occurred in July, and utilities have discussed increasing frequency – September LIOB full committee meeting Water Division update, slide 3: https://liob.cpuc.ca.gov/wp-content/uploads/sites/14/2020/12/Item-005b_CPUC-Water-Update-LIOB-200917.pdf

they can make consistent statewide (i.e., across all IOUs). See also section below on “Authorities Delegated to Divisions.”

3. Compliance and safety

Each IOU must explain in their Transition Plan Advice Letter how the transition plan maintains alignment with program enrollment targets, program eligibility requirements, and customer protections in effect outside Emergency Customer Protections (e.g., bans on requirements that energy customers pay a deposit to enroll in 12-month payment plan) established by Commission Decisions for relevant programs as outlined in Section 1, Activities Timeline.

In particular, for large energy IOUs the transition plan shall include the number and percent of customers by zip code who are projected to be facing disconnection after June 30, 2021, and compare it to the monthly disconnection cap.

For Class A water IOUs, the transition plan shall include the number and percent of customers who are projected to be facing disconnection after June 30, 2021, and a schedule that complies with SB 998 requirements of providing a 79-day period after the payment is past due before a customer may be disconnected.

IOUs must also discuss how the plan ensures activities are safe and consistent with all appropriate state and local health orders.

4. Progress tracking and reporting

IOUs must include a plan for reporting progress on activities in the timeline, and present metrics they will track and report to monitor success in achieving the goal of effectively easing customers through a transition off of Emergency Customer Protections by proactively enrolling customers in programs to manage their utility bills and informing relevant customers of the changes to programs in which they are already enrolled. Reporting frequency shall be monthly and the first report shall include baseline data associated with progress metrics. A progress metric shall be included for both of the following areas for tracking and reporting:

- i) Customers that enrolled in a bill assistance program (as described in Section 1, Activities Timeline) when Emergency Customer Protections were in place are successful in sustaining their enrollment in the program if they still meet eligibility criteria

Examples:

- Number and percent of newly enrolled customers that are able to stay on the income qualified bill assistance programs post June 30, 2021
- Number and percent of customers required to take actions to remain on income qualified bill assistance programs (e.g., recertification, post enrollment verification) that successfully complete those actions

ii) Enrollments of impacted customers in new payment programs

Examples:

- Number of customers enrolled in arrearage management plan (AMP) and number enrolled as a percentage of total customers eligible for AMP
- Number and percentage of customers that are disconnected²³
 - Affirmation that no zip codes within the IOU's territory exceed the 30% cap on disconnections
- Change in arrearage amounts
- Number of customers identified as eligible and interested in enrolling in payment programs and percent of these successfully enrolled
- Number of IOU customer call center complaints concerning payment plans

Energy IOUs shall report these progress metrics monthly by including them in the monthly report required by the Disconnections Proceeding, R.18-07-005.²⁴ Water IOUs shall provide ongoing monthly reports to Water Division.

²³ Annual disconnections percentage should be reported using the Rolling Methodology for the Disconnection Cap specified in Appendix 1 to D.20-06-003 available here: <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M340/K648/340648092.PDF>.

²⁴ Ordering Paragraph 6 of the Decision (D.) adopting interim disconnection rules for energy utilities, D.18-12-013, directed IOUs to file monthly reports on disconnections and arrearages.

Costs and Accounting

In some Decisions, IOUs are explicitly directed to conduct or propose ME&O efforts (e.g., medical baseline enrollment portion of Disconnections Proceeding, Wildfire Mitigation Plan, and Time of Use rates). In other Decisions that do not spell out specific ME&O requirements or budgets, IOUs are still expected to craft and execute necessary ME&Os to meet the Decision's mandates (e.g., the new AMP and 12-month payment plan elements set out in D.20-06-003). Therefore, all resumed and new start activities are already funded through Commission Decisions from their respective proceedings.

The ME&O strategy required here coordinates existing ME&O efforts to meet the goals of the transition plans. In other words, IOUs should use existing ME&O budgets, to the greatest extent practicable. If an IOU estimates that it cannot both comply with this Resolution and maintain compliance with existing Decision mandates leveraging only existing authorized budgets, it shall note in its Advice Letter the cost estimate, with details of the incremental new activity, and use the memorandum account to record and track incremental costs associated with transition plan implementation.

Process Requirements for Transition Plan Advice Letter Development and Submission

By February 25, 2021, IOUs shall submit drafts of Transition Plan Advice Letters to CPUC staff (Gillian.Weaver@cpuc.ca.gov), who will share them with the LIOB and post them publicly on the LIOB website (liob.org). At the first quarterly LIOB meeting of 2021 (tentatively scheduled for March 11, 2021), electric, gas, and water utility staff shall prepare to present the draft transition plans during the LIOB meeting. The LIOB chair will coordinate the IOUs' presentations. Board members will provide feedback and recommendations to the IOUs. The IOUs shall consider and incorporate LIOB board member input where feasible, and any Commission staff feedback, and submit final Advice Letters on April 1, 2021. Electric and gas corporations shall serve copies of Advice Letters to R.18-03-011, A. 14-11-007, A.15-02-001, A.19-11-003, A.20-03-014, R.15-03-010, R.18-07-006, R.18-07-005, R.12-06-013, and A.19-09-014 proceeding service lists. Water corporations shall serve copies of Advice Letters to R.18-03-011 and R.17-06-024 proceeding service lists.

Criteria for CPUC Industry Division Review and Approval of Transition Plans

The criteria by which Energy Division staff will review and approve Electric and Gas IOU Transition Plan Advice Letters are:

- The Advice Letter addresses all elements required by this Resolution;

- The plan incorporates LIOB member feedback, where feasible, and Commission staff feedback;
- The metrics in the plan for tracking and reporting progress toward the transition plan goals are specific, measurable, and meaningful; and the methodology, including dates of measurement periods, for calculation of any baseline value and each monthly (at minimum) progress tracking value for metrics is clear;
- It appears likely that the timing of activities and the ME&O strategy in the transition plan will result in a positive impact from customer perspective compared to IOUs operating in absence of the transition plan;
- The ME&O efforts are coordinated with and not duplicative of existing marketing, outreach and education efforts, efficient and effective use of existing marketing education and outreach efforts and associated funds is demonstrated, and the customer lens is clearly articulated; and
- The IOU's implementation of its proposed transition plan will not preclude its compliance with existing statutes, regulations, ordinances.

The criteria by which Water Division staff will review and approve Water IOU Transition Plan Advice Letters are:

- The Advice Letter addresses all elements required by this Resolution;
- The Plan incorporates LIOB member feedback, where feasible, and Commission staff feedback;
- The Advice Letter is consistent with approved tariffs providing CAP customers with their benefits;
- The metrics in the plan for tracking and reporting progress toward the transition plan goals are specific, measurable, and meaningful; and the methodology, including dates of measurement periods, for calculation of any baseline value and each monthly (at minimum) progress tracking value for metrics is clear;
- It appears likely that the timing of activities and the ME&O strategy in the transition plan will result in a positive impact

from customer perspective compared to IOUs operating in absence of the transition plan;

- The ME&O efforts are coordinated with and not duplicative of existing marketing, outreach and education efforts, efficient and effective use of existing marketing education and outreach efforts and associated funds is demonstrated, and the customer lens is clearly articulated; and
- The IOU's implementation of its proposed transition plan will not preclude its compliance with existing statutes, regulations, ordinances.

Authorities Delegated to Division Director

The director of the division reviewing and disposing of Transition Plan Advice Letters is delegated the authority to direct a utility to conform to another utility's proposed activity in their transition plan activities timeline and/or ME&O strategy where it is applicable and beneficial for consistency statewide. The director of the division also has delegated authority to direct consistency across utilities in tracking and reporting.

In order to anticipate and prepare for implementation of the transition plans, utilities should read other IOUs' draft Transition Plan Advice Letters submitted on February 25, 2021 to the LIOB to identify similarities and differences, and evaluate for themselves areas of improvement, consistency, and best practices to incorporate into their own plans before submission of the final Advice Letter.

As tracking costs within a memorandum account does not constitute approval of cost recovery, no further approval by staff will be necessary for the IOU to track any incremental costs noted in Transition Plan Advice Letters to the CPPMA or CEMA. However, IOUs, per the discussion above, should seek every opportunity to constrain implementation costs by alignment with existing ME&O efforts, and should provide detail and justification of incremental costs for the plans required here. IOUs should be prepared to answer questions from LIOB members and Commission staff about incremental cost estimates.

COMMENTS

Public Utilities Code section 311(g)(1) provides that this Resolution must be served on all parties and subject to at least 30 days public review and comment prior to a vote of the Commission. Section 311(g)(2) provides that this 30-day period may be reduced or waived "in an unforeseen emergency" The Commission's Rules of Practice and Procedure also provide that public review and comment may be waived or reduced in an "unforeseen emergency situation" specifically where there are "[a]ctivities that severely

impair or threaten to severely impair public health or safety...” (Rule 14.6(a)(1) and/or where there are “[c]rippling disasters that severely impair public health or safety.” (Rule 14.6(a)(2)). “Requests for relief based on extraordinary conditions in which time is of the essence.” (Rule 14.6(a)(2)). “Unusual matters that cannot be disposed of by normal procedures if the duties of the Commission are to be fulfilled.”

The 30-day comment period is shortened to 14 days pursuant to these authorities due to the ongoing COVID-19 pandemic in California.

Opening Comments are due on January 22, 2021, and Reply Comments are due on January 29, 2021. Interested persons can also participate in the Advice Letter processes directed by this Resolution.

In order to better disseminate the directives in this Resolution it was served on the following service lists:

A.19-11-003, A.20-03-014 (California Alternate Rates for Energy and Energy Savings Assistance Programs of large IOU and SMJU)

A.19-09-014 (SDG&E Application to Eliminate Seasonal Differential in Residential Rates)

R.18-07-006 (Assessing Utility Service Affordability)

R.18-07-005 (New Approaches to Disconnections and Reconnections)

R.18-03-011 (Emergency Customer Protections)

R.17-06-024 (Evaluating Low-Income Rate Assistance Programs for Water Utilities)

R.15-03-010 (Access to Affordable Energy in the San Joaquin Valley)

R.12-06-013 (Examination of IOUs’ Residential Rate Structures)

FINDINGS

1. On March 4, 2020, Governor Newsom declared a State of Emergency in California related to COVID-19.
2. On March 19, 2020, Governor Newsom ordered Californians to shelter in place except to meet essential needs.
3. Social distancing and shelter-in-place requirements have required the closure of non-essential businesses and resulted in layoffs.

4. 54 counties, representing 99.6% of California's population, are in the most restrictive tier of California's reopening roadmap.
5. Californians are being asked to stay home between 10:00 p.m. and 5:00 a.m.
6. California has recovered less than half of the nonfarm jobs it lost early in the COVID-19 pandemic.
7. Lingering unemployment due to the COVID-19 pandemic creates a risk that residential and small business customers may continue to fall behind on utility payments through no fault of their own.
8. The California Department of Public Health expects to be able to vaccinate most Californians against COVID-19 by summer 2021.
9. Dr. Anthony Fauci predicts that the United States could reach early herd immunity by spring or summer 2021.
10. The Commission has previously issued Resolutions and opened Rulemakings to address highly disruptive events, most recently in response the devastating wildfires in Northern and Southern California.
11. In response to the reoccurring natural and manmade disasters, the Commission opened Rulemaking (R.) 18-03-011 and adopted customer protection measures adopted in decisions (D.)19-07-015 and D.19-08-025.
12. Having access to essential utility services is critical to maintaining Californians' health and safety during the COVID-19 pandemic.
13. In order to continue to assist Californians affected by the ongoing COVID-19 pandemic, it is reasonable to provide continuity and consistency between all utility actions related to the pandemic by extending the effectiveness of the customer protection measures ordered in Resolution M-4842 through June 30, 2021, and the Commission reserves an option to extend.
14. The number of customers in arrears, and the arrearage amount, has increased significantly since March 2020.
15. Challenges and solutions to transitioning off the Emergency Customer Protections were presented at CPUC-hosted workshops on October 30 and November 12, 2020.

16. The Emergency Customer Protections extended to communications customers in Resolution M-4842 did not include a moratorium on disconnections for nonpayment, however the Commission imposed a 90 day moratorium on disconnections for non-payment for communications customers in Resolution M-4848, therefore we determine that outreach to customers concerning the expiration of the Emergency Customer Protections is sufficient and that communications corporations are not required to file transition plans.

THEREFORE, IT IS ORDERED that:

1. Electric, gas, communications, and water corporations subject to this Resolution shall continue to apply the customer protection measures for residential and small business customers adopted in D.19-07-015 and D.19-08-025, as ordered by Resolution M-4842, through June 30, 2021.
2. Electric, gas, communications, and water corporations subject to this Resolution shall file a Tier 1 Advice Letter no later than 10 days after this Resolution's approval demonstrating compliance with the extension of Emergency Customer Protections to June 30, 2021. Should any of the actions utilities are taking to implement Emergency Customer Protections need be revised from already disposed Resolution M-4842 Advice Letter compliance filings, or if certain customer protections were inapplicable during the pandemic and not already noted and accepted as such in prior filings, these revisions should be noted in the compliance Advice Letter to this Resolution. Electric and gas corporations shall serve copies of the Advice Letters to R.18-03-011, A. 14-11-007, A.15-02-001, A.19-11-003, A.20-03-014, R.15-03-010, R.18-07-006, R.18-07-005, R.12-06-013, and A.19-09-014 proceeding service lists. Water corporations shall serve copies of the Advice Letters to R.18-03-011 and R.17-06-024 proceeding service lists. Communications utilities shall serve copies of the Advice Letters to the R.18-03-011 proceeding service list.
3. Commission staff will review the Tier 1 Advice Letters for compliance with the customer protection measures adopted in D.19-07-015 and D.19-08-025 and Resolution M-4842 and this Resolution.
4. The electric, gas, communications, and water corporations subject to this resolution shall continue to conduct community awareness and public outreach of the customer protection measures adopted in D.19-07-015 and D.19-08-025, as ordered in Resolution M-4842, consistent with the requirements of D.19-07-015, D.19-08-025, and D.20-03-004.²⁵

²⁵ The requirements in D.19-08-025 apply to the communications service providers. The requirements in D.19-07-015 and D.20-03-004 apply to the electrical corporations. The requirements in D.19-07-015 apply to the natural gas and Class A and Class B water corporations.

5. Electric, gas, and water corporations subject to this Resolution shall each file Tier 2 Advice Letter with their transition plans for the expiration of Emergency Customer Protections by April 1, 2021. The transition plans shall include 1) a timeline of new start and resumed activities, 2) a marketing, education and outreach (ME&O) strategy, 3) an explanation of the activities timeline and ME&O strategy accounts for compliance and safety, and 4) a progress tracking and reporting plan. The goal of the transition plan is to proactively enroll customers in programs to manage their utility bills and inform relevant customers of the changes to programs they are already on, to effectively ease customers through a transition off of Emergency Customer Protections. Electric and gas corporations shall serve copies of the Advice Letters to R.18-03-011, A. 14-11-007, A.15-02-001, A.19-11-003, A.20-03-014, R.15-03-010, R.18-07-006, R.18-07-005, R.12-06-013, and A.19-09-014 proceeding service lists. Water corporations shall serve copies of the Advice Letters to R.18-03-011 and R.17-06-024 proceeding service lists.
6. By February 25, 2021, electric, gas, and water corporations subject to this Resolution shall submit drafts of Transition Plan Advice Letters to CPUC staff (Gillian.Weaver@cpuc.ca.gov), who will share them with the LIOB.
7. This order is effective today.

I certify that the foregoing resolution was adopted by the California Public Utilities Commission at its regular meeting of February 11, 2021 and the following Commissioners approved favorably thereon:

Rachel Peterson
Executive Director