



MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

Rely on us.

TO: Commissioners Mital, Simpson, Helgeson, Manning and Brown
FROM: Mark Freeman, Energy Management & Customer Services Manager
DATE: October 1, 2015
SUBJECT: House Bill 2599 Annual Reporting
OBJECTIVE: Information Only

Issue

Earlier this year the Oregon Legislative Assembly passed HB 2599, see attached. This bill requires annual reporting to a utilities governing body by November 1, 2015.

Background

In January of 2015 HB 2599 was presented to the Oregon Legislative Assembly. Initially this bill was created to implement specific procedures that all Oregon utilities needed to follow around the disconnection of service, for nonpayment of a delinquent account, for residential customers belonging to a protected class. These classes were defined as:

- a. A low income senior citizen;
- b. An active duty member of the Armed Services of the United States;
- c. A customer whose household includes a seriously ill individual or a person with a disability;
- d. A customer whose household includes a child under the age of 12 months;
- e. A customer who belongs to a household where the member of the household whose earnings are the primary source of support for the household has died within the past six months;
- f. A customer who belongs to a household where the member of the household whose earnings are the primary source of support for the household has lost their job within the past six months.

Upon testimony from EWEB and other utilities the bill was modified and passed only requiring utilities to prepare a report on the utility's process that mitigate, for nonpayment of a delinquent account, the termination of electric or natural gas service to a residential customer belonging to a protected class if the termination would occur:

- a. During the heating season between December 1 and February 15;
- b. Where the temperature would exceed 100 degrees for a period of 12 hours or more;
- c. Where the temperature would be less than 32 degrees for a period of 12 hours or more;

EWEB has many programs and policies that effectively accomplish this.

Discussion

EWEB has existing programs to assist many of the protected classes listed above. Many require the customer to self-declare that they are having difficulty paying their bill and to self-declare their status.

- A low income senior citizen;
 - EWEB's Customer Care Program (ECCP) is available year round not only for low income seniors but all low income customers of EWEB.
- An active duty member of the Armed Services of the United States;
 - ECCP provides the waiver of low income qualification for any active duty service customers as well as any that have been on active duty within the last 2 years. This includes any wage earner in the household as well.
- A customer whose household includes a seriously ill individual or a person with a disability;
 - Upon low income qualification the customer can qualify for ECCP assistance.
 - If the customer self declares and is approved by EWEB, the customer will be initially restricted to allow the continued use of any electrical medical devices.
- A customer whose household includes a child under the age of 12 months;
 - Upon low income qualification the customer can qualify for ECCP assistance.
- A customer who belongs to a household where the member of the household whose earnings are the primary source of support for the household has died within the past six months;
 - Upon low income qualification the customer can qualify for ECCP assistance.
- A customer who belongs to a household where the member of the household whose earnings are the primary source of support for the household has lost their job within the past six months.
 - Upon proof of receiving unemployment insurance assistance, the low income qualification is waived under the EWEB Job Loss Program.
- During the heating season between December 1 and February 15;
 - EWEB does not discontinue disconnects during this time however we do increase the monthly assistance available to customers during the heating season of October 1 to March 31.
- Where the temperature would exceed 100 degrees for a period of 12 hours or more;
 - EWEB does not curtail disconnects in this situation
- Where the temperature would be less than 32 degrees for a period of 12 hours or more;
 - EWEB does not disconnect services if the temperature is 32 below for any portion of the day.

EWEB has one of the most robust assistance programs offered by a utility our size in the United States. Staff believe we effectively mitigate most of the issues presented in HB 2599 and rely on our relationships with our community partners to help mitigate issues that we are not able to. In addition to the ECCP programs listed above EWEB does a tremendous job of treating each customer individually and trying to find solutions to their individual issues. For example all customers are able to create payment arrangements to help mitigate a disconnection. EWEB tries to encourage customers to communicate with us as soon as they know they will have an issue paying their bill instead of waiting until a disconnection is imminent.

Recommendation and Requested Action

No action required information only. Please contact me if you have any questions.

Enrolled House Bill 2599

Sponsored by Representatives BUCKLEY, HOLVEY; Representative PILUSO, Senator MONNES
ANDERSON (Presession filed.)

CHAPTER

AN ACT

Relating to termination of electric or natural gas service; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section:

(a) **“Heating season” means a billing period for a residential customer of a utility any portion of which occurs between December 1 and February 15.**

(b) **“Residential customer belonging to a protected class” means a person who is a residential customer of a utility who receives state or federal heating assistance and who is:**

(A) **A low-income senior citizen;**

(B) **An active duty member of the Armed Forces of the United States;**

(C) **A customer whose household includes a seriously ill individual or a person with a disability;**

(D) **A customer whose household includes a child under the age of 12 months;**

(E) **A customer who belongs to a household where the member of the household whose earnings are the primary source of support for the household has died within the past six months; or**

(F) **A customer who belongs to a household where the member of the household whose earnings are the primary source of support for the household has lost a job within the past six months.**

(c) **“Utility” means a public utility as defined in ORS 757.005, an electric cooperative organized under ORS chapter 62, a municipal utility organized under ORS chapter 225 or a people’s utility district organized under ORS chapter 261.**

(2) **Each utility that provides electric or natural gas service to residential customers shall prepare a report on the utility’s processes that mitigate, for nonpayment of a delinquent account, the termination of electric or natural gas service to a residential customer belonging to a protected class if the termination would occur:**

(a) **During the heating season;**

(b) **On any date for which the National Weather Service forecasts that the temperature of a location both within this state and the service territory of the utility will exceed 100 degrees Fahrenheit for a period of 12 or more hours; or**

(c) **On any date for which the National Weather Service forecasts that the temperature of a location both within this state and the service territory of the utility will be less than 32 degrees Fahrenheit for a period of 12 or more hours.**

(3) A public utility, as defined in ORS 757.005, that provides electric or natural gas services to residential customers shall submit the report described in subsection (2) of this section to the Public Utility Commission no later than November 1, 2015.

(4) Each electric cooperative organized under ORS chapter 62, municipal utility organized under ORS chapter 225 and people's utility district organized under ORS chapter 261 shall submit the report described in subsection (2) of this section to the governing body of the respective electric cooperative, municipal utility or people's utility district no later than November 1, 2015.

SECTION 2. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.

Passed by House April 28, 2015

Received by Governor:

Repassed by House June 1, 2015

.....M.,....., 2015

Approved:

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Timothy G. Sekerak, Chief Clerk of House

.....M.,....., 2015

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Tina Kotek, Speaker of House

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Kate Brown, Governor

Passed by Senate May 28, 2015

Filed in Office of Secretary of State:

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Peter Courtney, President of Senate

.....M.,....., 2015

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Jeanne P. Atkins, Secretary of State