

May 6, 2020
Governor Tim Walz
130 State Capitol
75 Dr. Rev. Martin Luther King Blvd. St. Paul, MN 55155

Dear Governor Walz,

We write first to thank the Minnesota Public Utilities Commission and Commerce Commission for its March 25 letter requesting voluntary actions from Minnesota gas and electric utilities to suspend shut-offs, reconnect customers, waive late fees, and arrange payment plans to assist Minnesotans during this extraordinary emergency. We appreciate that the Public Utilities Commission is looking into this matter further by opening a docket on utility COVID-19 responses and providing opportunity for public comment.

We, the undersigned organizations, support the concerns and recommendations brought forward by the April 3 letter submitted by the Citizens Utility Board of Minnesota, Minnesota Community Action Partnership, EnergyCENTS Coalition, and the Legal Services Advocacy Project. With 25 states already suspending utility disconnections during the COVID-19 pandemic, including Wisconsin and Illinois, it is clear Minnesotans need the same level of statewide protection.

In the last month, over 500,000 Minnesotans filed for unemployment. Thousands of people will not have steady income for the foreseeable future, which means that these home-bound Minnesotans will struggle to pay for housing and other essential needs, including utility services. This income loss is disproportionately impacting families with low-wealth, especially indigenous people and communities of color. In addition, more time at home can drive up utility bills significantly, with some estimates as high as a 20% increase on average for electricity¹. For some families, that's a bag of groceries or a refill on prescription medication. This exacerbates preexisting energy burdens² and economic uncertainty affecting lower-income Minnesotans across the state.

Utility services must be retained not only to protect those most vulnerable and meet basic needs of the most overburdened Minnesotans, but also to fight the pandemic and ensure the success of the stay at home order. As Minnesotans are restricted to their homes, continuous access to utility services are more necessary than ever. Here are a few ways utility disconnection policies cause people harm during the coronavirus pandemic:

- Loss of electricity during the COVID-19 pandemic means families will lose their ability to refrigerate essential food supplies.
- Loss of other energy services such as natural gas would make it difficult for some Minnesotans staying at home to heat residences or cook for their families.
- Child abuse guidance discusses how unsanitary household conditions are a contributing factor to child protective services involvement. Unsanitary household conditions can include, for example, rotting food.

¹ [https://www.pecanstreet.org/2020/04/covid/;](https://www.pecanstreet.org/2020/04/covid/)

² <https://blog.ucsusa.org/joseph-daniel/how-covid-19-leads-to-energy-insecurity>

- HUD’s handbook on federally subsidized housing includes a chapter on termination, which says that lease agreements can be terminated for repeated minor infractions including failing to pay utilities.
- Airway machines used to treat respiratory ailments—pre-existing conditions in this pandemic—will not work without electricity. Our elderly neighbors in particular might rely on medicine that requires refrigeration or medical equipment that requires electricity. Despite existing protections, not all elderly or medically vulnerable people are insulated from utility shut offs.
- Students doing schoolwork at home or online need continuous access to critical utility services to complete required schoolwork.
- As hundreds of thousands of Minnesotans work or take classes from home, access to heating and air conditioning during the daytime hours is essential.
- Disconnection and nonpayment may also be accompanied by a negative report to credit agencies, which could affect credit scores for years to come.
- Assistance, unemployment, and other support is accessible only remotely with electronic devices and internet; loss of energy services is a loss of these lifelines.
- For Minnesotans living alone, charged devices are essential to preventing isolation from loved ones and receiving important health/safety directives from experts and state authorities, as well as for access to emergency services.

While the proactive leadership of many utilities in this crisis is commendable, voluntary actions do not provide comprehensive protection. A significant number of utility responses in 20-375 fall short of full compliance with the PUC/DOC request, and many voluntary commitments fall short of completely suspending disconnections. The patchwork of voluntary utility responses leaves some Minnesotans at risk of falling through the cracks and creates another layer of uncertainty and confusion for utility customers in a time of extreme uncertainty. Voluntary action can also be voluntarily undone at any time with any amount of notice, which does not provide the certainty needed for people struggling to make ends meet. In addition, some utilities place the onus on the customer to prove they are experiencing coronavirus-related difficulties. This is an added burden that a statewide universal moratorium on utility disconnects would avoid.

Minnesotans also need comprehensive protection during this pandemic regardless of whether their utility is investor-owned, a municipal utility, or a rural electric cooperative. A fully statewide moratorium on utility disconnections is essential given that many of the two million Minnesotans who rely on rural electric cooperatives for power are not protected by PUC orders. States including Colorado, North Carolina, Kansas, New Hampshire, and Washington have enacted executive orders in order to extend protections beyond utility commission jurisdiction to all providers of public utilities. Mississippi’s public services commission has extended their emergency moratorium on shutoffs beyond regulated utilities to include all municipal utilities and cooperatives.³ Minnesota should enact these same comprehensive protections.

³ <https://www.energyandpolicy.org/utilities-disconnect-coronavirus/>

In order to support the effectiveness of your administration's leadership during this crisis, allow Minnesotans to successfully stay at home and help flatten the curve, and to shield families already impacted economically, the undersigned organizations support the recommendations from the Minnesota Citizens Utility Board's April 3 letter:

- **An immediate ban on utility service disconnections** for the duration of the peacetime emergency, and a sufficient buffer for families and individuals to get back on their feet.
- **A prohibition on utilities sending disconnection notices** until the emergency declaration ends, and a sufficient buffer for families and individuals to get back on their feet.
- **A requirement that anyone who has been disconnected must be immediately reconnected without payment requirement or added fees** for the both the duration of the peacetime emergency and a sufficient buffer for families and individuals to get back on their feet, while protecting the health and safety of utility workers.
- **A prohibition on utilities billing or collecting any fee or charge imposed for a late payment** that becomes due from the start of the Order through the conclusion of the peacetime emergency, and a sufficient buffer for families and individuals to get back on their feet.
- **A requirement that all utilities offer customers the option to enter into levelized 12-month payment plans** to resolve whatever past due bills have accrued upon the conclusion of the national security or state peacetime emergency.
- **An immediate halt on any negative reporting to credit agencies for non-payment of utility bills** during the peacetime emergency.

Thank you for consideration of these comments as you consider next steps to protect Minnesotans during this time of crisis and its short and long-term impacts.

Sincerely,

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