

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC EMERGENCY DOCKET RELATED) CASE NO.
TO THE NOVEL CORONAVIRUS COVID-19) 2020-00085

ORDER

On March 16, 2020, the Commission established this docket in response to a state of emergency brought on by the pandemic of the novel coronavirus, COVID-19. The March 16, 2020 Order addressed several issues related to the state of emergency. Among the issues addressed, the Commission ordered utilities to halt disconnections for non-payment and to halt the assessment of late payment charges. The Commission recently has received notice from several utilities who appear to have interpreted the March 16, 2020 Order to only require disconnections to cease for 30 days from the date of entry of the March 16, 2020 Order. Their interpretation of the Commission's Order in this docket is incorrect, and the Commission must clarify its March 16, 2020 Order.

Utilities' confusion might stem from the language of a finding in the March 16, 2020 Order in which the Commission found that, "[s]pecifically, for at least the next 30 days, **and until further notice from the Commission**, utilities should suspend disconnections due to non-payment and waive the assessment of late payment fees."¹ (Emphasis added.) The Commission, however, explicitly ordered, *inter alia*, that "**[u]ntil otherwise ordered by the Commission, utilities shall cease disconnections for**

¹ March 16, 2020 Order at 3.

non-payment² and “[u]ntil otherwise ordered by the Commission, utilities shall waive all late payment charges.”³ (Emphasis added.) The ordering paragraphs of the March 16, 2020 Order should leave no question that all utilities subject to the Commission’s jurisdiction shall cease all disconnections for non-payment, and the imposition of late payment charges, **until further order of the Commission.** It is lamentable that the Commission has to clarify the clear mandates of the March 16, 2020 Order in this proceeding, especially in light of the current state of emergency in which a vast majority of Kentuckians are required to stay at home, and continued utility service is a necessity for many activities, specifically activities necessary for sanitary, disinfection, and health reasons. Disconnection of their utilities for non-payment unnecessarily perpetuates the existing state of emergency.

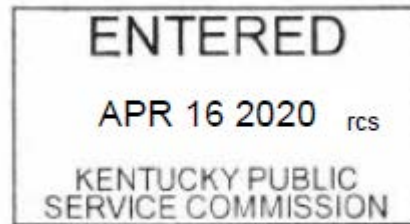
Finally, in order to be clear, the Commission notes that the entirety of its March 16, 2020 and March 24, 2020 Orders in this matter are in effect until explicitly amended or rescinded. These Orders have not been amended or rescinded.

IT IS THEREFORE ORDERED that the Commission’s March 16, 2020 Order in this proceeding is clarified consistent with the discussion above.

² *Id.* at ordering paragraph 1.

³ *Id.* at ordering paragraph 2.

By the Commission



ATTEST:

A handwritten signature in blue ink, consisting of stylized initials and a surname, positioned above a horizontal line.

Executive Director

