

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO.: 21-0063

WHEREAS, On February 25, 2020, the Mayor issued a Proclamation (the Proclamation) declaring a local emergency to exist in connection with the imminent spread within the City of a novel (new) coronavirus (COVID-19); and

WHEREAS, On March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions taken by the Mayor to meet the emergency; and

WHEREAS, On March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency to exist within the State due to the threat posed by COVID-19; and

WHEREAS, On March 13, 2020, the Mayor issued a second supplement to the Proclamation, suspending shutoffs of water and power service by the San Francisco Public Utilities Commission (SFPUC) for delinquent water, power, and/or sewer bills, and prohibiting the imposition of late penalties and fees for non-payment of utility bills; and

WHEREAS, On March 16, 2020, the City's Health Officer issued a stay safe at home order, Health Officer Order No. C19-07 (the Stay Safe At Home Order), requiring most people to remain in their homes subject to certain exceptions including obtaining essential goods such as food and necessary supplies, and requiring the closure of nonessential businesses; the Health Officer has extended the Stay Safe At Home Order until further notice; and

WHEREAS, On April 2, 2020, Governor Gavin Newsom signed Executive Order N-42-20 suspending utilities' authority to discontinue water and wastewater services; and

WHEREAS, On May 26, 2020, by Resolution No. 20-0099, this Commission approved the Temporary Emergency Customer Assistance Program for COVID-19 Relief (referred to herein as the Emergency Residential Customer Assistance Program) to provide up to six (6) months of bill discounts to qualifying residential customers who had lost income due to COVID-19 or the shelter-in-place orders; and

WHEREAS, On July 14, 2020, by Resolution No. 20-0150, this Commission approved the Small Business and Non-profit Customer Assistance Program for COVID-19 Relief to provide six (6) months of temporary 20% emergency discount on water and sewer bills for small businesses and non-profit organizations with a maximum of 50 full-time employees that had experienced income loss due to COVID-19; and

WHEREAS, On July 28, 2020, by Resolution No. 20-0162, this Commission authorized the General Manager to temporarily suspend through January 15, 2021 the rules governing (1) the discontinuation or shut off of water service for City retail customers for non-payment of water and/or sewer bills, (2) imposition of late payment penalties or fees for delinquent water and/or sewer bills, (3) discontinuation or shut off of power service for SFPUC Hetch Hetchy Power Customers in San Francisco for non-payment of power bills, (4) imposition of late payment penalties or fees for delinquent Hetch Hetchy Power Customer accounts, and (5) the return of delinquent CleanPowerSF Customers to PG&E generation service for failure to pay CleanPowerSF charges; and

WHEREAS, On August 25, 2020, by Resolution No. 20-0185, this Commission authorized an extension of the Emergency Residential Customer Assistance Program through December 31, 2020; and

WHEREAS, On December 8, 2020, by Resolution No. 20-0238, this Commission authorized an extension of the Emergency Residential Customer Assistance Program, Small Business and Nonprofit Assistance Program, and Shutoffs, Liens, and Fines Moratorium through June 30, 2021; and

WHEREAS, COVID-19 has caused and is expected to continue to cause serious negative impacts to the local economy and financial impacts to residents, including the substantial loss of income due to loss of compensable work hours or wages, layoffs, and business closures; and

WHEREAS, The San Francisco County Health Officer has updated the Stay Safe At Home Order, most recently on March 23, 2021, and some non-essential businesses have been allowed to reopen with limitations and requirements in place, while others must remain closed; and

WHEREAS, Loss of income as a result of the global COVID-19 pandemic continues to inhibit San Francisco residents and businesses from fulfilling their financial obligations including public utility payments such as water, sewer, and Hetch Hetchy power charges; and

WHEREAS, The SFPUC's existing Customer Assistance Program applies to low-income residents only, and requires applicants to submit significant income documentation, such as income tax filings, which would not reflect recent impacts of COVID-19, and is not currently accessible to middle-income San Franciscans who may be suffering from reduced hours or job loss for a portion of their household; and

WHEREAS, The Commission desires to extend the Emergency Residential Customer Assistance Program discount rate program for residential customers who have been financially impacted by COVID-19 and whose pre-COVID-19 maximum gross household income, before taxes and deductions, is below 200% of the San Francisco Area Median Income; and

WHEREAS, The Emergency Residential Customer Assistance Program allows new customers to continue to apply for such a discount by self-certifying their eligibility via an online application form; and

WHEREAS, City and County of San Francisco Affordable Housing facilities currently require an income threshold of no more than 60% Area Median Income (AMI), and residents of such facilities are therefore eligible for the Emergency Residential Customer Assistance Program; and

WHEREAS, The discounts to be provided on bills through the Emergency Residential Customer Assistance Program would continue to be 15% for water, 35% for sewer, and 30% for Hetch Hetchy Power; and

WHEREAS, The Commission desires to extend the Small Business and Nonprofit Discount Program for small businesses and non-profit organization with a maximum of 50 full-time employees that have experienced income loss due to COVID-19; and

WHEREAS, The discounts to be provided on bills under the Small Business and Nonprofit Discount Program would continue to be 20% for water and 20% for sewer, and would be applied to eligible customers' bills for six (6) months from the date of application approval; and

WHEREAS, SFPUC began accepting applications for the Small Business and Nonprofit Discount on July 17, 2020, and applications would continue to be accepted until March 31, 2021; and

WHEREAS, The eligibility criteria and program rules for the Emergency Residential Customer Assistance Program and Small Business and Non-profit Assistance Program are set forth in the document titled "Revised Program Rules for Temporary Emergency Customer Assistance Programs for COVID-19 Relief" ("Program Rules"), a copy of which is attached hereto and on file with the Commission Secretary and is incorporated herein in its entirety by reference; and

WHEREAS, Ensuring that all people in San Francisco continue to have access to running water during this public health crisis to enable people to regularly wash their hands and maintain access to clean drinking water will help to prevent the spread of COVID-19 and prevent or alleviate illness or death due to the virus; and

WHEREAS, Ensuring that all customers in San Francisco that receive power services from the SFPUC continue to have access to electricity so they are able to receive important COVID-19 information, keep critical medical equipment functioning, and utilize power as needed will help to prevent the spread of COVID-19 and prevent or alleviate illness or death due to the virus; and

WHEREAS, Section D, Rules 4 and 5 of the Rules and Regulations Governing Water Service To Customers, established by Resolution No. 19-786, passed December 15, 1959, and last amended December 10, 2019, detail the rules for the discontinuation or shut off of water service for residents and businesses in the City for non-payment of water and sewer bills; and

WHEREAS, Schedule W-44 of the Water Rate Schedules details the rules governing the imposition of Late Payment Penalties for delinquent water and/or sewer bills; and

WHEREAS, Rule X of the Rules and Regulations Governing Electric Service, Effective May 9, 2017, details the Discontinuance and Restoration of Hetch Hetchy Power Service and Rule VIII of the Rules and Regulations Governing Electric Service, Effective May 9, 2017, details Penalties of Late Payment for Hetchy Power Service; and

WHEREAS, The CleanPowerSF Delinquent Accounts, Bad Debt and Collections Policy, authorized by the General Manager on January 17, 2017, details the process for Delinquent Accounts, and dictates that the SFPUC return delinquent CleanPowerSF Customers to PG&E for failure to pay CleanPowerSF charges; and

WHEREAS, Pursuant to Charter Section 4.104, a notice of public hearing was posted on the SFPUC website, as required, on April 1, 2021; now, therefore, be it

RESOLVED, That this Commission hereby authorizes the General Manager to extend the Emergency Residential Customer Assistance Program until June 30, 2021, allowing discounts of 15% on water, 35% on sewer, and 30% on Hetch Hetchy Power, for residential customers who meet the eligibility criteria set forth in attached Program Rules, with customers who enroll after June 30, 2021 but before March 31, 2022 eligible to receive the discounts from the time of their application approval until March 31, 2022, or one month from the date of application approval, whichever occurs later; and be it

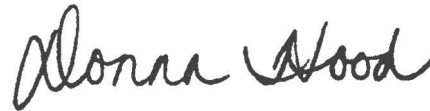
FURTHER RESOLVED, That this Commission hereby authorizes the General Manager to extend the application deadline for the Small Business and Nonprofit Discount Program for COVID-19 Relief until March 31, 2022 to provide a 20% discount off water and sewer bills for six (6) months from the date of application approval for small businesses and non-profits who meet the eligibility criteria set forth in attached Program Rules, with discounts under this program expiring no later than six months from the date of application approval; and be it

FURTHER RESOLVED, That this Commission hereby extends through March 31, 2022 the temporary suspension of the following: (a) the provisions in Section D, Rules 4 and 5 of the Rules and Regulations Governing Water Service To Customers governing the discontinuation or shut off of water service for residents and businesses in the City for non-payment of water and sewer bills, (b) the imposition of Late Payment Penalties for delinquent water and/or sewer bills set forth in Schedule W-44 of the Water Rate Schedules, (c) Rule X of the Rules and Regulations Governing Electric Service, Effective May 9, 2017, regarding the Discontinuance and

Restoration of Hetch Hetchy Power Service for SFPUC Hetch Hetchy Power Customers in San Francisco for non-payment of power bills, (d) Rule VIII of the Rules and Regulations Governing Electric Service, Effective May 9, 2017, governing Penalties of Late Payment for Hetchy Power Service for delinquent Hetch Hetchy Power Customer accounts, and (e) the provisions in the CleanPowerSF Delinquent Accounts, Bad Debt and Collections Policy governing the return of delinquent CleanPowerSF Customers to PG&E generation service for failure to pay CleanPowerSF charges; and be it

FURTHER RESOLVED, That if the California Public Utilities Commission (CPUC) issues a decision addressing measures to protect power customers from COVID-19 related debt and disconnections and financial policies and programs to recover the cost of debt forgiveness and partial payment applications and the decision is inconsistent with this policy adopted by this Resolution, the General Manager shall return to this Commission with recommended revisions or other appropriate action consistent with the CPUC decision.

I hereby certify that the foregoing was adopted by the Public Utilities Commission at its meeting of April 27, 2021.



Secretary, Public Utilities Commission

Revised Program Rules for Temporary Emergency Customer Assistance Programs for COVID-19 Relief

Residential Emergency Customer Assistance Program

Benefits

The program provides a 15% discount on the water bill, a 35% discount on the wastewater bill, and a 30% discount on Hetch Hetchy power bills.

Eligibility

To qualify for this program, a customer must:

- Be a residential customer seeking a discount for their primary residence, with an SFPUC account under their own name serving only their dwelling unit;
 - Hetch Hetchy Power customers who are enrolled in the Medical Necessity Assistance Program or the Experimental Electric Vehicle Program are not eligible
- Certify on their application form that they have experienced a loss of income related to COVID-19 or the shelter-in-place order and be experiencing financial hardship and difficulty paying their water, power and sewer bills; and
 - Income loss may be caused by layoffs, reduced hours, or inability to work due to legal restrictions or illness.
 - Income includes wages, salary, tips, and income from self-employment
- Have a pre-COVID-19 maximum gross household income, before taxes and deductions, below 200% of the San Francisco Area Median Income, which is:

Household Size	Annual Household Income	Monthly Household Income
1 Person	\$179,300	\$14,942
2 Person	\$205,000	\$17,083
3 Person	\$230,600	\$19,217
4 Person	\$256,200	\$21,350
For Each Additional Person, Add	\$20,500	\$1,708

Application & Verification

Customers may apply online or call to request a printed paper application to be mailed in. Neither application method requires income documentation at the time an application is submitted, but a customer must confirm under penalty of perjury that they meet the eligibility requirements and agree to notify the PUC immediately if no longer experiencing financial hardship. Customers may be subject to eligibility audits and must provide income documentation upon request or be removed from the

April 27, 2021

program. If false information was submitted, the customer will be required to pay back discounts received.

SFPUC will send a written notification notifying enrolled customers that their benefit is being extended so long as they continue to meet the eligibility requirements. This notification will remind customers of their obligation to notify SFPUC if they no longer qualify for the program and provide methods for them to do so.

The SFPUC has identified that certain residential customers who reside within a City and County of San Francisco income-restricted affordable housing facility, who have passed income verification procedures to be eligible for such residency, meet the eligibility criteria for this program. These customers will be auto-enrolled in the Hetch Hetchy discount program without needing to submit an application.

Timeframe

Applications are accepted until March 31, 2022. Customers who apply will receive discounts beginning from the date their application is approved. Customers whose applications are approved will receive discounts through March 31, 2022. Approved applicants are guaranteed at least one month of discounts, which may be applied after March 31, 2022.

Small Business and Nonprofit Assistance Program

Benefits

The program provides a 20% discount on the water and wastewater bill.

Eligibility

To qualify for this program, a customer must:

- Be a San Francisco Public Utilities (SFPUC) non-residential, non-municipal customer with a standard water and wastewater account. Discounts are not available for private fire or irrigation accounts, except where the irrigation account is the customer's only or primary water account (a "primary" account is defined as representing >80% of the customer's total annual water volume);
- Have an account in the name of their business or nonprofit, or in the name of the owner or manager of the business or nonprofit. Landlords or property managers cannot apply on behalf of their tenants, though a property management company may apply for a discount for their own offices used by only their direct employees;
- Have experienced a loss of revenues related to COVID-19 or the shelter-in-place orders and be experiencing financial hardship and difficulty paying their water and sewer bills. Income loss may be caused by restrictions on the organization's ability to operate (such as shelter-in-place orders), reduced customers or business during the shelter-in-place (even if the customer was allowed to remain open), or illness of the owner or employees requiring the business or nonprofit to close;

April 27, 2021

- Have a maximum of 50 full-time equivalent employees across the entire business, including locations outside of San Francisco; and
- Submit a complete COVID-19 Relief application on a form provided by the SFPUC on or before the Application Deadline.

Application & Verification

Customers may apply online or call to request a printed paper application to be mailed in. Neither application method requires income documentation at the time an application is submitted, but a customer must confirm under penalty of perjury that the business or nonprofit for which the customer is applying meets the eligibility requirements. Customers may be subject to eligibility audits and must provide income documentation upon request or be removed from the program. If false information was submitted, the customer will be required to pay back discounts received.

Timeframe

The program will provide 6 months of discounts to each qualifying applicant, beginning from the date the application was approved. The program will stop accepting applications on March 31, 2022.