

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO.: 22-0157

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 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 shutoff 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 December 8, 2020, by Resolution No. 20-0238, this Commission authorized a first extension of the Shutoffs, Liens, and Fines Moratorium through June 30, 2021; and

WHEREAS, On April 27, 2021, by Resolution No. 21-0063, this Commission authorized a second extension of the Shutoffs, Liens, and Fines Moratorium through March 31, 2022; and

WHEREAS, On February 22, 2022, by Resolution No. 22-0043, this Commission authorized a third extension of the Shutoffs, Liens, and Fines Moratorium through June 30, July 31, or August 31, 2022, for varying customer groups; 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, 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, A small number of multi-family residential accounts are responsible for a disproportionately high percentage of total residential arrearages, providing an opportunity to collect a large portion of unpaid bills without causing financial harm to low-income or vulnerable customers, subject to the General Manager's discretion; 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, 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, Additional relief funding for Hetch Hetchy Power and CleanPowerSF customers will be distributed through the California Arrearage Payment Program in 2023, requiring that recipients not be disconnected from service for 90 days, and prematurely disconnecting those customers from service will make them ineligible to participate in the relief; and

WHEREAS, The SFPUC continues to advocate for additional water and wastewater arrearage relief funding for residential customers to help alleviate bills accumulated through the emergency period; and

WHEREAS, A robust customer service arrearage management program will include expanded customer service support and options for bill and payment assistance, which are currently being developed through a series of staff working groups; and

WHEREAS, The SFPUC staff requires additional time through June 30, 2023 to develop and implement an effective customer service arrearage management program for residential customers; and

WHEREAS, Pursuant to Charter Section 4.104, a notice of public hearing was posted on the SFPUC website, as required, on August 16, 2022; now, therefore, be it

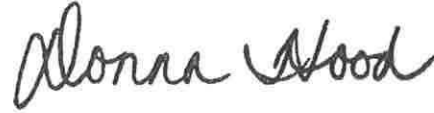
RESOLVED, That this Commission hereby extends through June 30, 2023 the temporary suspension of the following for residential customers, including residential customers enrolled in Customer Assistance Program (CAP) discounts and residential customers not enrolled in CAP discounts: the provisions in Section 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; and be it

FURTHER RESOLVED, That this Commission hereby extends through June 30, 2023 of the temporary suspension of the following for residential customers, including residential customers enrolled in Customer Assistance Program (CAP) discounts and residential customers not enrolled in CAP discounts: (a) 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, and (b) the provisions in the CleanPowerSF Delinquent Accounts, Bad Debt and Collections Policy governing the return of delinquent residential CleanPowerSF Customers to PG&E generation service for failure to pay CleanPowerSF charges; and be it

FURTHER RESOLVED, That this Commission hereby grants the General Manager discretion to restart severance and liens processes for multifamily residential accounts carrying balances greater than \$25,000 which are 90 days or more past due; and be it

FURTHER RESOLVED, That this Commission will reintroduce the aforementioned previously suspended rules for residential customers on July 1, 2023.

I hereby certify that the foregoing was adopted by the Public Utilities Commission at its meeting of September 13, 2022.

A handwritten signature in black ink that reads "Alonna Wood". The signature is written in a cursive, flowing style.

Secretary, Public Utilities Commission