

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO.: 22-0043

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 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 December 8, 2020, by Resolution No. 20-0238, this Commission authorized an 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 an extension of the Shutoffs, Liens, and Fines Moratorium through March 31, 2022; 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 Safer Return Together Health Order (formerly the Stay Safe at Home Order), most recently on January 26, 2022, 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, 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 February 2, 2022, and published in the San Francisco Examiner; now, therefore, be it RESOLVED, That this Commission hereby extends through June 30, 2022 the temporary suspension of 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; now, therefore, be it

RESOLVED, That this Commission hereby extends through June 30, 2022 the temporary suspension of the following for non-residential customers: (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, and (b) 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 be it

FURTHER RESOLVED, That this Commission hereby extends through July 31, 2022 the temporary suspension of the following for residential customers not enrolled in Customer Assistance Program (CAP) discounts: (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, and (b) 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 be it

FURTHER RESOLVED, That this Commission hereby extends through August 31, 2022 the temporary suspension of the following for residential customers enrolled in Customer Assistance Program (CAP) discounts: (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, and (b) 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 be it

FURTHER RESOLVED, That this Commission will reintroduce the aforementioned previously suspended rules for non-residential water and Hetchy Hetchy Power customers on July 1, 2022, residential water and Hetchy Hetchy Power customers not enrolled in SFPUC Customer Assistance Program (CAP) discounts on August 1, 2022, and residential customers enrolled in SFPUC CAP discounts on September 1, 2022; and be it

FURTHER RESOLVED, That this Commission hereby extends through June 30, 2023 the temporary suspension of the following: (a) the imposition of Late Payment Penalties for delinquent water and/or sewer bills set forth in Schedule W-44 of the Water Rate Schedules, and (b) the imposition of 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.

I hereby certify that the foregoing was adopted by the Public Utilities Commission at its meeting of February 22, 2022.


Secretary, Public Utilities Commission