

File No. 230262

Committee Item No. 6

Board Item No. 13

# COMMITTEE/BOARD OF SUPERVISORS

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Board of Supervisors Meeting Date April 18, 2023

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- Youth Commission Report
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- 
- 

Completed by: Brent Jalipa Date April 6, 2023

Completed by: Brent Jalipa Date April 13, 2023

1 [Accept and Expend Grant - Retroactive - California Department of Community Services and  
2 Development - \$1,244,798.66 and \$103,243.80]

3 **Resolution retroactively authorizing the San Francisco Public Utilities Commission to**  
4 **accept and expend federal funds sourced by the State Budget Act and administered by**  
5 **the California Department of Community Services and Development, in the total**  
6 **amounts of \$1,244,798.66 and \$103,243.80 respectively, to assist eligible CleanPowerSF**  
7 **and Hetch Hetchy Power residential customer accounts who accrued customer**  
8 **account arrears due to the COVID-19 pandemic between March 4, 2020, through**  
9 **December 31, 2021.**

10  
11 WHEREAS, On February 25, 2020, Mayor London N. Breed declared San Francisco to  
12 be in a local state of emergency due to the threat of a novel (new) coronavirus (COVID-19),  
13 posing serious health threats to the population; and

14 WHEREAS, On March 4, 2020, Governor Gavin Newsom declared a state of  
15 emergency for all of California to protect against the threat of COVID-19; and

16 WHEREAS, On March 13, 2020, Mayor Breed issued a second supplement to Mayoral  
17 Proclamation Declaring the Existence of a Local Emergency dated February 25, 2020, stating  
18 that “the San Francisco Public Utilities Commission (SFPUC) shall suspend for 60 days: (a)  
19 the discontinuation or shut off of water service for residents and businesses in the City for  
20 non-payment of water and sewer bills, (b) the discontinuation or shut off of power service for  
21 SFPUC Hetch Hetchy Power Customers in San Francisco for non-payment of power bills, (d)  
22 the imposition of late payment penalties or fees for delinquent Hetch Hetchy Power Customer  
23 accounts and (e) the return of delinquent CleanPowerSF Customers to PG&E generation  
24 service for failure to pay CleanPowerSF charges”; and  
25

1           WHEREAS, On December 8, 2020, by Resolution No. 20-0238, the SFPUC authorized  
2 an extension of the Shutoffs, Liens, and Fines Moratorium through June 30, 2021; and

3           WHEREAS, On April 17, 2021, by Resolution No. 21-0063, the SFPUC extended its  
4 second suspension of shutoffs on water and power service due to late or non-payment and  
5 the issuance of associated late penalties and fees through March 31, 2022; and

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

9           WHEREAS, On July 16, 2021, as part of Assembly Bill No. 135, the requirements of  
10 the California Arrearage Payment Program (CAPP) were established; and

11           WHEREAS, The purpose of the CAPP is to address electric arrearages accumulated  
12 during the pandemic and the state legislature allocated \$1 billion to electric utilities through  
13 Assembly Bill No. 135; and

14           WHEREAS, Under the CAPP, the SFPUC applied for and received allocations  
15 for applicable electric customer arrearages from the California Department of Community  
16 Services and Development (CSD), in the amounts of \$2,423,598 for the CleanPowerSF  
17 Community Choice Aggregator and \$1,218,136 for the Hetch Hetchy Power municipal utility,  
18 for a total amount of \$3,641,734; and

19           WHEREAS, On June 7, 2022, by Resolution No. 267-22, the Board of Supervisors  
20 retroactively approved and authorized the SFPUC to accept and expend the CAPP funding to  
21 assist eligible residential and commercial customer accounts who accrued customer account  
22 arrears due to the COVID-19 pandemic between March 4, 2020, through June 15, 2021; and

23           WHEREAS, On February 22, 2022, by Resolution No. 22-0043, the SFPUC extended  
24 its third suspension of shut offs on water and power service through June 30, 2022, for  
25 commercial customers, July 31, 2022, for residential customers not enrolled in the Customer

1 Assistance Program (CAP), and August 31, 2022, for residential customers enrolled in the  
2 CAP; and

3 WHEREAS, On June 30, 2022, by Assembly Bill 205, the Legislature established the  
4 2022 California Arrearage Payment Program (2022 CAPP), to be administered by the CSD;  
5 and

6 WHEREAS, The 2022 CAPP authorizes utilities to apply for CAPP funds on behalf of  
7 their customers, and requires the utility to use any funds received to offset residential electric  
8 customer arrearages that were incurred between March 4, 2020, and December 31, 2021;  
9 and

10 WHEREAS, The State Budget Act of 2022 appropriated \$1.2 billion in state General  
11 Fund dollars to support the implementation of 2022 CAPP; and

12 WHEREAS, The Hetch Hetchy Power municipal utility and the CleanPowerSF  
13 Community Choice Aggregator were eligible to apply for 2022 CAPP funding; and

14 WHEREAS, In August 2022, the SFPUC applied to the CSD for the 2022 CAPP and  
15 submitted surveys to the State in early October 2022 with information on eligible residential  
16 arrearages; and

17 WHEREAS, On September 13, 2022, by Resolution No. 22-0157, the SFPUC  
18 extended its fourth suspension of shutoffs on water and power service ending in October 2022  
19 to June 30, 2023, for residential customers benefiting from the 2022 CAPP as provided under  
20 Government Code, Section 16429.10.; and

21 WHEREAS, The State released final allocations to electric utilities for CAPP funds on  
22 November 22, 2022, allocating \$1,244,798.66 for CleanPowerSF and \$103,243.80 for Hetch  
23 Hetchy Power; and

24  
25



1           WHEREAS, The SFPUC received the funds for Hetch Hetchy Power on December 5,  
2 2022, and is required to apply these 2022 CAPP bill credits to their residential customer  
3 accounts by February 5, 2023; and

4           WHEREAS, Funds for CleanPowerSF were provided directly to PG&E for application to  
5 CleanPowerSF accounts; and

6           WHEREAS, Some accounts originally eligible for relief at the time of application  
7 submission have paid off their arrearages or have become inactive and as a result, any  
8 allocated amounts not applied to customer accounts will be returned to the State; and

9           WHEREAS, The SFPUC disbursed all funds for Hetch Hetchy Power in early January  
10 2023 to ensure adherence to State guidelines, given the 60-day window of disbursement, and  
11 the timely issuance of much needed debt relief to customers; and

12           WHEREAS, Due to this program rule, this item is being brought to the Board of  
13 Supervisors retroactively and a delay or denial in approving the resolution will require the  
14 SFPUC to reverse credits given to customers to pay off eligible customer electric  
15 arrearages, resulting in continued debt owed to the SFPUC and burden on customers  
16 impacted by the COVID-19 pandemic; and

17           WHEREAS, This grant does not include an Annual Salary Ordinance (ASO)  
18 Amendment, and does not include funding for new staff members; and

19           WHEREAS, On January 24, 2023, the SFPUC Commission, by Resolution No. 23-  
20 0022, recommended that the Board of Supervisors accept this grant; now, therefore, be it

21           RESOLVED, That the Board of Supervisors authorizes the SFPUC to retroactively  
22 accept and expend grant funds in the amounts of \$1,244,798.66 and \$103,243.80, to pay off  
23 residential customer arrears accrued between March 4, 2020, and December 31, 2021, under  
24 Administrative Code, Section 10.170-1; and, be it

25           FURTHER RESOLVED, That the SFPUC General Manager is hereby authorized

1 and empowered to execute, deliver, and perform, in the name of the City and County of San  
2 Francisco, all applications, contracts, agreements, amendments and payment requests  
3 necessary to secure the State grant funds and implement and carry out the purposes  
4 specified in the applicable grant application; and, be it

5 FURTHER RESOLVED, That the Board of Supervisors ratifies any administrative  
6 action taken to date with respect to these grants and grant funds.

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RECOMMENDED:

/s/\_\_\_\_\_

DENNIS HERRERA  
General Manager of the SFPUC

APPROVED: /s/\_\_\_\_\_

LONDON BREED

APPROVED: /s/\_\_\_\_\_

BEN ROSENFELD  
Controller

# **Accept and Expend Grant – 2022 California Arrearage Payment Program**

Kristin Avenis

*SFPUC Financial Planning Team*

April 12th, 2023

## CAPP 2021

- Dedicated **\$1 billion** in federal American Rescue Plan Act funding
- Unpaid bills incurred **March 2020 – June 2021** were eligible
- Program was oversubscribed

## CAPP 2022

- Dedicated **\$1.2 billion** in 2022 State Budget funding
- Extended eligibility timeline to **March 2020 – December 2021**
- Only **residential accounts** qualified for benefits

- Created to address Californian's energy debts accrued due to the COVID-19 pandemic
- Administered by CA Dept of Community Services & Development
- Applies to municipal utilities (Hetch Hetchy), Community Choice Aggregators (CleanPowerSF), and investor-owned utilities

# 2022 CAPP Timeline

October 2022

SFPUC submitted its application for \$1.35M

December 2022

SFPUC was allocated the full amount requested and received checks on December 5th, 2022

January 2023

The SFPUC Commission approved the Accept & Expend

February 2023

Credits applied to customer accounts within the 60 day deadline

April 2023

Request retroactive Accept and Expend approval from the Board of Supervisors



# Power Accept & Expend (\$)

Enterprise	Funding Received	Funding Disbursed	Benefiting Accounts
Hetch Hetchy Power	\$103,244	\$92,959	220
CleanPowerSF	\$1,244,798	\$1,244,798	14,707
<b>Total</b>	<b>\$1,348,042</b>	<b>\$1,336,817</b>	<b>14,919</b>

- CleanPowerSF funds were sent directly to PG&E
- Discrepancies between received funds and applied funds occurred due to changes in customer balances and eligibility

**File Number:** 230262  
(Provided by Clerk of Board of Supervisors)

**Grant Resolution Information Form**  
(Effective July 2011)

Purpose: Accompanies proposed Board of Supervisors resolutions authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying resolution:

1. Grant Title: **2022 California Arrearage Payment Program (2022 CAPP)**
2. Department: **San Francisco Public Utilities Commission (SFPUC), CleanPowerSF**
3. Contact Person: **Michael Hyams** Telephone: **(415) 554-1590**
4. Grant Approval Status (check one):  
 Approved by funding agency                       Not yet approved
5. Amount of Grant Funding Approved or Applied for: **\$1,244,798.66**
6. a. Matching Funds Required: \$0  
b. Source(s) of matching funds (if applicable):
7. a. Grant Source Agency: **California Department of Community Services & Development**  
b. Grant Pass-Through Agency (if applicable):
8. Proposed Grant Project Summary:

The California Department of Community Services & Development is administering funds to energy utilities for the 2022 California Arrearage Payment Program (Program) during Fiscal Year 2022, sourced by the 2022 State Budget's General Fund. The Program was created to provide relief for unpaid energy bills related to the COVID-19 pandemic.

The SFPUC submitted an application to the Department of Community Services & Development in October 2022, stating that Hetch Hetchy Power is eligible for \$103,243.80 and CleanPowerSF is eligible for \$1,244,798.66. Eligibility for CleanPowerSF was determined by reconciling PG&E's report and CleanPowerSF's analysis on eligible arrearages. The data is ultimately provided by PG&E's records, the utility who processes CleanPowerSF customer bills.

The application was approved, and both Hetch Hetchy Power and CleanPowerSF were allocated the full amount of their requested funds. Funds were dispersed on November 28<sup>th</sup>, 2022. CleanPowerSF funds were sent directly to PG&E for credit application. PG&E began applying CAPP funds to individual customer accounts on behalf of CleanPowerSF on January 17<sup>th</sup>, 2023. Per 2022 CAPP instructions, utilities have 60 days to apply credits to accounts.

9. Grant Project Schedule, as allowed in approval documents, or as proposed:

Start-Date: **December 5, 2022**

End-Date: **February 5, 2023**

10. a. Amount budgeted for contractual services: \$0



- b. Will contractual services be put out to bid?
- c. If so, will contract services help to further the goals of the Department's Local Business Enterprise (LBE) requirements?
- d. Is this likely to be a one-time or ongoing request for contracting out?

11. a. Does the budget include indirect costs?

Yes       No

- b. 1. If yes, how much? \$
- b. 2. How was the amount calculated?
- c. 1. If no, why are indirect costs not included?  
 Not allowed by granting agency       To maximize use of grant funds on direct services  
 Other (please explain):
- c. 2. If no indirect costs are included, what would have been the indirect costs?

The allocated funds from 2022 CAPP are explicitly for providing relief for energy arrearages accrued by customers due to ramifications of the COVID-19 pandemic. The CAPP statute did not provide an accommodation to utility applicants to use CAPP funds to cover administrative costs as per Assembly Bill 205. If indirect costs were included, funding would have been utilized to support outreach messaging to customers (printing and mailing), as well as costs for labor to apply for the program and apply credits to benefiting customers.

12. Any other significant grant requirements or comments:

San Francisco Administrative Code Sec. 10.170-(d) states that if indirect costs are not allowed by the funding agency, this reason shall be stated in the authorizing resolution and upon approving the acceptance and expenditure, the Board of Supervisors may waive the requirement for inclusion of reimbursed costs; and, FURTHER RESOLVED, that the Board of Supervisors waives the requirement for inclusion of reimbursement due to indirect costs, given that the funding agency does not allow for this reimbursement under the circumstances of this grant award.

This grant does not include an Annual Salary Ordinance (ASO) Amendment.

**\*\*Disability Access Checklist\*\*\*(Department must forward a copy of all completed Grant Information Forms to the Mayor's Office of Disability)**

13. This Grant is intended for activities at (check all that apply):

- |                                                |                                                     |                                                                       |
|------------------------------------------------|-----------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> Existing Site(s)      | <input type="checkbox"/> Existing Structure(s)      | <input checked="" type="checkbox"/> Existing Program(s) or Service(s) |
| <input type="checkbox"/> Rehabilitated Site(s) | <input type="checkbox"/> Rehabilitated Structure(s) | <input type="checkbox"/> New Program(s) or Service(s)                 |
| <input type="checkbox"/> New Site(s)           | <input type="checkbox"/> New Structure(s)           |                                                                       |

14. The Departmental ADA Coordinator or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local disability rights laws and regulations and will allow the full inclusion of persons with disabilities. These requirements include, but are not limited to:

1. Having staff trained in how to provide reasonable modifications in policies, practices, and procedures;
2. Having auxiliary aids and services available in a timely manner in order to ensure communication access;
3. Ensuring that any service areas and related facilities open to the public are architecturally accessible and have been inspected and approved by the DPW Access Compliance Officer or the Mayor's Office on Disability Compliance Officers.

If such access would be technically infeasible, this is described in the comments section below:

Comments:

Departmental ADA Coordinator or Mayor's Office of Disability Reviewer:

Nicole Bohn  
(Name)

Director, Mayor's Office on Disability  
(Title)

Date Reviewed: January 26, 2023

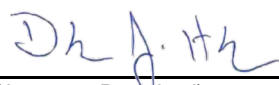
  
\_\_\_\_\_  
(Signature Required)

Department Head or Designee Approval of Grant Information Form:

Dennis J. Herrera  
(Name)

General Manager  
(Title)

Date Reviewed: 2/1/2023

  
\_\_\_\_\_  
(Signature Required)

**File Number:** 230262  
(Provided by Clerk of Board of Supervisors)

**Grant Resolution Information Form**  
(Effective July 2011)

Purpose: Accompanies proposed Board of Supervisors resolutions authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying resolution:

1. Grant Title: **2022 California Arrearage Payment Program (2022 CAPP)**
2. Department: **San Francisco Public Utilities Commission (SFPUC), Hetch Hetchy Power**
3. Contact Person: **Deidre Andrus** Telephone: **415-551-4707**
4. Grant Approval Status (check one):  
 Approved by funding agency                       Not yet approved
5. Amount of Grant Funding Approved or Applied for: **\$103,243.80**
6. a. Matching Funds Required: \$0  
b. Source(s) of matching funds (if applicable):
7. a. Grant Source Agency: **California Department of Community Services & Development**  
b. Grant Pass-Through Agency (if applicable):
8. Proposed Grant Project Summary:

The California Department of Community Services & Development is administering funds to energy utilities for the 2022 California Arrearage Payment Program (Program) during Fiscal Year 2022, sourced by the 2022 State Budget's General Fund. The Program was created to provide relief for unpaid energy bills related to the COVID-19 pandemic.

The SFPUC submitted an application to the Department of Community Services & Development in October 2022, stating that Hetch Hetchy Power is eligible for \$103,243.80 and CleanPowerSF is eligible for \$1,244,798.66. The application was approved, and both Hetch Hetchy Power and CleanPowerSF were allocated the full amount of their requested funds. Funds were dispersed on November 28<sup>th</sup>, 2022, and the SFPUC received Hetchy Hetchy Power's funds for energy arrearage relief on December 5<sup>th</sup>, 2022. The agency began applying credits to Hetch Hetchy customer bills on January 10<sup>th</sup>, 2023. Per 2022 CAPP instructions, utilities have 60 days to apply credits to accounts.

9. Grant Project Schedule, as allowed in approval documents, or as proposed:

Start-Date: **December 5, 2022**

End-Date: **February 5, 2023**

10. a. Amount budgeted for contractual services: \$0  
b. Will contractual services be put out to bid?  
c. If so, will contract services help to further the goals of the Department's Local Business Enterprise (LBE) requirements?  
d. Is this likely to be a one-time or ongoing request for contracting out?

11. a. Does the budget include indirect costs?  
 Yes  No
- b. 1. If yes, how much? \$
- b. 2. How was the amount calculated?
- c. 1. If no, why are indirect costs not included?  
 Not allowed by granting agency  To maximize use of grant funds on direct services  
 Other (please explain):
- c. 2. If no indirect costs are included, what would have been the indirect costs?

The allocated funds from 2022 CAPP are explicitly for providing relief for energy arrearages accrued by customers due to ramifications of the COVID-19 pandemic. The CAPP statute did not provide an accommodation to utility applicants to use CAPP funds to cover administrative costs as per Assembly Bill 205. If indirect costs were included, funding would have been utilized to support outreach messaging to customers (printing and mailing), as well as costs for labor to apply for the program and apply credits to benefiting customers.

12. Any other significant grant requirements or comments:

San Francisco Administrative Code Sec. 10.170-(d) states that if indirect costs are not allowed by the funding agency, this reason shall be stated in the authorizing resolution and upon approving the acceptance and expenditure, the Board of Supervisors may waive the requirement for inclusion of reimbursed costs; and, FURTHER RESOLVED, that the Board of Supervisors waives the requirement for inclusion of reimbursement due to indirect costs, given that the funding agency does not allow for this reimbursement under the circumstances of this grant award.

This grant does not include an Annual Salary Ordinance (ASO) Amendment.

**\*\*Disability Access Checklist\*\*\*(Department must forward a copy of all completed Grant Information Forms to the Mayor's Office of Disability)**

13. This Grant is intended for activities at (check all that apply):

- |                                                |                                                     |                                                                       |
|------------------------------------------------|-----------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> Existing Site(s)      | <input type="checkbox"/> Existing Structure(s)      | <input checked="" type="checkbox"/> Existing Program(s) or Service(s) |
| <input type="checkbox"/> Rehabilitated Site(s) | <input type="checkbox"/> Rehabilitated Structure(s) | <input type="checkbox"/> New Program(s) or Service(s)                 |
| <input type="checkbox"/> New Site(s)           | <input type="checkbox"/> New Structure(s)           |                                                                       |

14. The Departmental ADA Coordinator or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local disability rights laws and regulations and will allow the full inclusion of persons with disabilities. These requirements include, but are not limited to:

1. Having staff trained in how to provide reasonable modifications in policies, practices and procedures;
2. Having auxiliary aids and services available in a timely manner in order to ensure communication access;
3. Ensuring that any service areas and related facilities open to the public are architecturally accessible and have been inspected and approved by the DPW Access Compliance Officer or the Mayor's Office on Disability Compliance Officers.

If such access would be technically infeasible, this is described in the comments section below:

Comments:

Departmental ADA Coordinator or Mayor's Office of Disability Reviewer:

Nicole Bohn  
(Name)

Director, Mayor's Office on Disability  
(Title)

Date Reviewed: January 26, 2023



(Signature Required)

**Department Head or Designee Approval of Grant Information Form:**

Dennis J. Herrera  
(Name)

General Manager

(Title)

Date Reviewed: 2/1/2023



(Signature Required)

**Grant Budget for California Arrearage Payment Program (CAPP)**

	<b>Allocation</b>
<b>CleanPowerSF</b>	\$1,244,798.66
<b>Hetch Hetchy Power</b>	\$ 103,243.80
<b>Total</b>	<b>\$1,348,042.46</b>

Amounts shown above refer to total funds received by the SFPUC from the 2022 California Arrearage Payment Program. Actual funds applied to benefiting eligible customers will vary based off updated information on account statuses. Unused funds will be returned to the State.

**Funds Breakdown:**

Residential CAPP Credit 1/10/2023	\$92,019.07
Residential CAPP Credit	
TOTAL CAPP CREDIT	\$92,019.07
Check Amount	\$103,243.80
Available Amount	\$11,224.73
Remaining Amount	\$11,224.73

**Credits applied to**

No. of Accounts	212
No. of Service Agreements	367
\$\$ CEC SA credits	(\$91.21)
\$\$ Utility SA credits	(\$91,927.86)

**Credits Applied to**

No. of Accounts	8
No of Service Agreements	16
\$\$ of CEC SA Credits	(\$1.26)
\$\$ of Utility SA Credits	(\$939.05)

**Funds Breakdown Including 8 Accounts**

CAPP Credit Fund Breakdown	
Residential CAPP Credit 1/10/2023	\$92,019.07
Total CAPP Credit	\$92,019.07
Check Amount	\$103,243.80
Remaining Amount	\$11,224.73
Residential CAPP Credit 2/2/2023 (8 Accounts)	\$940.31
Remaining Amount	\$10,284.42



**Funds Breakdown:**

Residential CAPP Credit (1/17 &18/2023)	\$1,173,544.56
TOTAL CAPP CREDIT	\$1,173,544.56
Available CAPP 2.0 Amount	\$1,244,798.66
Remaining Amount	\$71,254.10

**Credits applied to**

No. of Service Agreements	14707
---------------------------	-------

Case  
**San Francisco Public Utilities Commission - 2022 CAPP Application**

Priority Status Case Number  
Medium Allocation Check Issued 00001203

▼ Case Information

Case Number  
00001203

CAPP Application Submitted Date<sup>1</sup>  
10/18/2022, 5:00 PM

Date Approved<sup>1</sup>

Application Version  
2022 CAPP

Total Requested Amount  
\$103,243.80

Total CAPP Allocation

Contact Name  
[Deidre Andrus](#)

Contact Phone

Contact Email  
[dandrus@sfwater.org](mailto:dandrus@sfwater.org)

▼ Section 1 - Utility Information

Authorized Rep First Name<sup>1</sup>  
Deidre

Account Name  
[San Francisco Public Utilities Commission](#)

Authorized Rep Last Name<sup>1</sup>  
Andrus

Verified Accurate Data

▼ Section 2 - Funding Request Details

Application Dataset: Customers Group 1  
249

Application Dataset: Customers Group 2  
0

Total Application Dataset: Accounts  
249

Application Dataset: Arrearages Group 1  
\$103,243.80

Application Dataset: Arrearages Group 2  
\$0.00

Total Application Dataset: Arrearages  
\$103,243.80

▼ Section 3 - Proportional Distribution (IOU's ONLY - Auto populated by system)

Attestation Uploaded  
No

IOU Acknowledgement  
No

▼ Section 4 - Authorized Representative Signature

Authorized Signature First Name<sup>1</sup>  
Deidre

Authorized Rep Title<sup>1</sup>  
Customer Service Bureau Director

Authorized Rep Phone  
(415) 551-4707

TAC Acknowledged<sup>1</sup>  
Yes

Authorized Signature Last Name<sup>1</sup>  
Andrus

Authorized Rep Email<sup>1</sup>  
[dandrus@sfwater.org](mailto:dandrus@sfwater.org)

Date Signed<sup>1</sup>  
10/19/2022

▼ Additional Information

Subject  
San Francisco Public Utilities Commission - 2022 CAPP Application

Status  
Allocation Check Issued

Priority  
Medium

Description

Case Origin  
Web

Type  
CAPP Application


▼ Web Information


Date/Time Opened  
10/14/2022, 11:48 AM


Web Email

Date/Time Closed  
11/29/2022, 12:58 PM

▼ System Information

Case Owner  
 [Deidre Andrus](#)

Created By  
 [Deidre Andrus](#), 10/14/2022, 11:48 AM

Last Modified By  
 [Deidre Andrus](#), 12/19/2022, 12:57 PM

Released: November 22, 2022

CALIFORNIA DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT

2022 CALIFORNIA ARREARAGE PAYMENT PROGRAM (2022 CAPP)

2022 CAPP PROGRAM NOTICE NO. 05

The purpose of this official correspondence is to provide implementation information and guidance to state energy utility service providers regarding the 2022 California Arrearage Payment Program (2022 CAPP) administered by the Department of Community Services and Development (CSD).

## **2022 CAPP PROGRAM NOTICE NO. 05**

TO: ALL ENERGY UTILITY COMPANIES

SUBJECT: 2022 CALIFORNIA ARREARAGE PAYMENT PROGRAM (2022 CAPP) ALLOCATIONS AND CUSTOMER ARREARAGES

DATE: November 22, 2022

REFERENCE: [Government Code Section 16429.8 - 16429.10](#)  
[Assembly Bill 205 \(Chapter 61, Statutes of 2022\)](#)

The purpose of this 2022 CAPP Program Notice No. 05 (22CAPP-PN-05) is to communicate to state Energy Utility companies the results of the 2022 CAPP Application Phase and confirm individual Energy Utility 2022 CAPP Allocations.

### **BACKGROUND**

As outlined in 22CAPP-PN-01, there are three phases of 2022 CAPP implementation: (1) 2022 CAPP Application; (2) 2022 CAPP Allocation Awards; and (3) 2022 CAPP Close-Out Reporting. This 22CAPP-PN provides the results of the 2022 CAPP Application Phase and confirms methods used by the Department of Community Services and Development (CSD) to determine the allocation of 2022 CAPP funds to Utility Applicants.

California Government Code Section 16429.10 provides specific guidance to CSD regarding the 2022 CAPP Application and distribution of 2022 CAPP funds to Energy Utility companies based on the reporting of Pandemic Relief Period arrearages for eligible residential customers by individual Utility Applicant.

Subdivision (g) establishes 2022 CAPP allocations based on utility type:

- \$239,400,000 – for financial assistance to customers of Publicly Owned Utilities (POUs) and Electric Cooperatives; and
- \$957,600,000 – for Investor-Owned Utilities (IOUs), including customers served by Community Choice Aggregators (CCAs).

Additionally, Government Code Section 16429.10(c)(1) stipulates that Utility Applicants shall prioritize the issuance of 2022 CAPP assistance in the following order:

1. Active residential customers with past due bills and who, absent the 2022 CAPP assistance or any other protection or assistance provided by the Utility Applicant, might be subject to service disconnection due to nonpayment of balances incurred during the COVID-19 pandemic bill relief period; then
2. Active residential customers with past due bills incurred during the COVID-19 pandemic bill relief period.

## **2022 CAPP APPLICATION RESULTS**

With the release of 22CAPP-PN-04, the 2022 CAPP Application was open for Utility Applicant responses between September 26, 2022 and October 27, 2022. A total of 33 Energy Utilities participated in the application process by completing a 2022 CAPP Application.

The following summarizes the types of Energy Utility companies participating in the 2022 CAPP Application process:

- Nine (9) IOUs<sup>1</sup>; and
- 24 POUs and Electric Cooperatives.

NOTE: 24 Energy Utilities declined to participate in 2022 CAPP and did not submit a 2022 CAPP Application.

In total, the 2022 CAPP Application results indicate that 1,431,682 residential customers statewide accrued \$647,641,850.76 in energy utility debt during the pandemic bill relief period of March 4, 2020 through December 31, 2021. The following offers a breakdown of total customers and total energy debt for each of the two major Energy Utility categories:

- \$97,701,505.49 accrued by 192,217 residential customers of POUs/Electric Cooperatives; and
- \$549,940,345.27 accrued by 1,239,465 residential customers of IOUs/CCAs.

Please refer to the Appendix for a spreadsheet offering a complete summary of reported arrearages and 2022 CAPP Allocations for each state energy utility that participated in the 2022 CAPP Application Phase.

## **2022 CAPP ALLOCATION METHODOLOGY**

Per Government Code Section 16429.10(h), CSD calculated each Utility Applicant's 2022 CAPP Allocation based on its proportional share of the total reported statewide Energy Utility arrearages by utility category (either IOUs/CCAs or POUs/Electric Cooperatives). 2022 CAPP Allocations were determined based on the following formula:

---

<sup>1</sup> Three IOUs partner with CCAs and Direct Access Service Load Serving Entities (DAS LSEs) and reported arrearages on behalf of these entities in their 2022 CAPP Applications. Per Government Code Section 16429.10 (j), IOUs are required to issue 2022 CAPP benefits to customer accounts for past due bills owed to the IOU and CCAs/DAS LSEs serving the residential customer in proportion to their respective shares of customer arrearages.

$$\begin{aligned} & \text{Energy Utility Allocation} = \\ & \text{(Energy Utility's Total Arrearages/Total Statewide Arrearages Within Energy} \\ & \text{Utility Category)} \\ & \quad \times \\ & \text{(Total Allocation for that Energy Utility Category)} \end{aligned}$$

2022 CAPP Allocations for each of the three IOUs that partner with CCAs and DAS LSEs were determined using the calculation described above and included arrearages for each CCA and DAS LSE (within the IOU service area) reported in the 2022 CAPP Application. To calculate a CCA's or DAS LSE's allocation share of an IOU allocation, CSD divided each CCA's or DAS LSE's reported arrearages by the partner IOU's total arrearages to determine the percent of CCA/DAS LSE-to-IOU arrearages, then multiplied the IOU's allocation by this percentage to establish each CCA's or DAS LSE's allocation share of an IOU allocation. Because the total amount of funds requested in 2022 CAPP Applications was less than the amount of funding available, all Utility Applicants were allocated the full amount requested in their 2022 CAPP Application.

Please refer to the Appendix for the spreadsheet which contains each Utility Applicant's allocation determination and reported arrearages.

\* \* \*

All 22CAPP-PNs, along with release dates of crucial CAPP implementation phases and energy utility responses are posted on CSD's public-facing [website](#).

**General Program Support:**

If you have general program questions or require program guidance, please direct these inquiries via email to [CAPP@csd.ca.gov](mailto:CAPP@csd.ca.gov).

**Technical Support:**

If you have technical questions, please direct these inquiries via email to [CAPP.ITSupport@csd.ca.gov](mailto:CAPP.ITSupport@csd.ca.gov).

Sincerely,



DAVID SCRIBNER, ESQ.  
Director

## APPENDIX: 2022 CAPP Utility Arrearages & Allocations as of 11/22/2022

### *Investor Owned Utility Arrearages & Allocations (Includes CCA and DAS LSE Arrearages)*

Utility Reporting	Priority 1 Arrears	Priority 2 Arrears	Total Arrears	% of Total Arrears (Rounded %0.0000)	Investor Owned Utilities and Community Choice Aggregators Allocation
Bear Valley Electric Service	139,841.82	12,144.72	151,986.54	0.02764%	151,986.54
Liberty Utilities	0.00	904,975.25	904,975.25	0.16456%	904,975.25
Pacific Gas and Electric Company	218,894,899.79	0.00	218,894,899.79	39.80339%	218,894,899.79
PacifiCorp	173,955.80	0.00	173,955.80	0.03163%	173,955.80
San Diego Gas and Electric Company	51,381,278.98	0.00	51,381,278.98	9.34306%	51,381,278.98
Southern California Edison Company	218,353,585.01	0.00	218,353,585.01	39.70496%	218,353,585.01
Southern California Gas Company	58,868,003.53	0.00	58,868,003.53	10.70443%	58,868,003.53
Southwest Gas	1,205,578.83	0.00	1,205,578.83	0.21922%	1,205,578.83
West Coast Gas	6,081.54	0.00	6,081.54	0.00111%	6,081.54
Alpine Natural Gas	-	-	-	0.00000%	-
<b>Totals</b>	<b>549,023,225.30</b>	<b>917,119.97</b>	<b>549,940,345.27</b>	<b>100.00000%</b>	<b>549,940,345.27</b>

### *Public Utility and Electric Cooperative Arrearages & Allocations*

Utility Reporting	Priority 1 Arrears	Priority 2 Arrears	Total Arrears	% of Total Arrears (Rounded %0.0000)	Total Public and Electric Cooperative Allocation
Anza Electric Cooperative	45,999.58	16,419.01	62,418.59	0.06389%	62,418.59
Burbank Water and Power	637,838.06	0.00	637,838.06	0.65284%	637,838.06
City of Anaheim	1,742,488.68	0.00	1,742,488.68	1.78348%	1,742,488.68
City of Banning	214,561.16	0.00	214,561.16	0.21961%	214,561.16
City of Corona	22,205.28	0.00	22,205.28	0.02273%	22,205.28
City of Healdsburg Electric Department	98,276.24	0.00	98,276.24	0.10059%	98,276.24
City of Lompoc Electric Division	460,752.26	0.00	460,752.26	0.47159%	460,752.26
City of Long Beach	1,212,880.28	0.00	1,212,880.28	1.24141%	1,212,880.28
City of Needles	30,311.67	13,088.02	43,399.69	0.04442%	43,399.69
City of Palo Alto Utilities Department	140,540.73	0.00	140,540.73	0.14385%	140,540.73
City of Pittsburg	7,092.45	0.00	7,092.45	0.00726%	7,092.45
City of Ukiah	478,531.17	0.00	478,531.17	0.48979%	478,531.17
City of Vernon	1,315.88	0.00	1,315.88	0.00135%	1,315.88
Glendale Water and Power	1,528,053.21	0.00	1,528,053.21	1.56400%	1,528,053.21
Imperial Irrigation District	10,878.06	14,559.54	25,437.60	0.02604%	25,437.60

Utility Reporting	Priority 1 Arrears	Priority 2 Arrears	Total Arrears	% of Total Arrears (Rounded %0.0000)	Total Public and Electric Cooperative Allocation
Lodi Electric Utility	263,112.81	0.00	263,112.81	0.26930%	263,112.81
Los Angeles Department of Water and Power	76,495,695.74	82,610.57	76,578,306.31	78.37986%	76,578,306.31
Modesto Irrigation District	1,270,673.12	557,910.36	1,828,583.48	1.87160%	1,828,583.48
Moreno Valley Electric Utility	399,621.67	0.00	399,621.67	0.40902%	399,621.67
Pasadena Water and Power	1,717,380.66	0.00	1,717,380.66	1.75778%	1,717,380.66
Rancho Cucamonga Municipal Utility	8,564.49	0.00	8,564.49	0.00877%	8,564.49
Sacramento Municipal Utility District	9,402,316.33	539,858.19	9,942,174.52	10.17607%	9,942,174.52
San Francisco Public Utilities Commission	103,243.80	0.00	103,243.80	0.10567%	103,243.80
Turlock Irrigation District	184,726.47	0.00	184,726.47	0.18907%	184,726.47
Alameda Municipal Power	-	-	-	0.00000%	-
Azusa Light and Water	-	-	-	0.00000%	-
Biggs Municipal Utilities	-	-	-	0.00000%	-
City of Cerritos	-	-	-	0.00000%	-
City of Colton	-	-	-	0.00000%	-
City of Industry	-	-	-	0.00000%	-
City of Riverside	-	-	-	0.00000%	-
City of Shasta Lake	-	-	-	0.00000%	-
Colorado River Agency	-	-	-	0.00000%	-
Gridley Electric Utility	-	-	-	0.00000%	-
Kirkwood Meadows Public Utility District	-	-	-	0.00000%	-
Lassen Municipal Utility District	-	-	-	0.00000%	-
Lathrop Irrigation District	-	-	-	0.00000%	-
Merced Irrigation District	-	-	-	0.00000%	-
Plumas-Sierra Rural Electric Cooperative	-	-	-	0.00000%	-
Redding Electric Utility	-	-	-	0.00000%	-
Roseville Electric	-	-	-	0.00000%	-
Shelter Cove Resort Improvement District	-	-	-	0.00000%	-
Silicon Valley Power	-	-	-	0.00000%	-
Surprise Valley Electric Cooperative	-	-	-	0.00000%	-
Trinity Public Utility District	-	-	-	0.00000%	-
Truckee Donner Public Utility District	-	-	-	0.00000%	-
Valley Electric Association	-	-	-	0.00000%	-
<b>Totals</b>	<b>96,477,059.80</b>	<b>1,224,445.69</b>	<b>97,701,505.49</b>	<b>100.00000%</b>	<b>97,701,505.49</b>



*Community Choice Aggregator Arrearages & Allocations (By Investor Owned Utility)*

Investor Owned Utility (IOU) Name Community Choice Aggregator (CCA)	Total Arrears Reported to The Department	Percent of Total Arrearage Within Applicable IOU (Rounded to 0.0000%)	Total IOU Allocation	CCA Allocation Based on Percentage of Total Arrearage
<b>Pacific Gas and Electric Company &amp; CCA</b>	<b>218,894,899.79</b>		<b>218,894,899.79</b>	
Central Coast Community Energy	1,505,602.81	0.68782%		1,505,602.81
CleanPowerSF	1,244,798.66	0.56867%		1,244,798.66
East Bay Community Energy	4,276,742.16	1.95379%		4,276,742.16
King City Community Power	30,969.45	0.01415%		30,969.45
Marin Clean Energy	4,363,184.84	1.99328%		4,363,184.84
Peninsula Clean Energy Authority	846,365.59	0.38665%		846,365.59
Pioneer Community Energy	1,096,071.04	0.50073%		1,096,071.04
Redwood Coast Energy Authority	977,599.14	0.44661%		977,599.14
San José Clean Energy	2,241,936.31	1.02421%		2,241,936.31
Silicon Valley Clean Energy Authority	767,779.76	0.35075%		767,779.76
Sonoma Clean Power	2,074,685.71	0.94780%		2,074,685.71
Valley Clean Energy Alliance	564,981.09	0.25811%		564,981.09
<b>San Diego Gas and Electric Company &amp; CCA</b>	<b>51,381,278.98</b>		<b>51,381,278.98</b>	
Clean Energy Alliance	282,005.75	0.54885%		282,005.75
San Diego Community Power	1,610.02	0.00313%		1,610.02
<b>Southern California Edison Company &amp; CCA</b>	<b>218,353,585.01</b>		<b>218,353,585.01</b>	
Apple Valley Choice Energy	721,426.96	0.33039%		721,426.96
Baldwin Park Resident Owned Utility District	304,471.58	0.13944%		304,471.58
Central Coast Community Energy	32,038.84	0.01467%		32,038.84
Clean Power Alliance	10,525,994.18	4.82062%		10,525,994.18
Desert Community Energy	476,423.11	0.21819%		476,423.11
Lancaster Choice Energy	2,226,212.06	1.01954%		2,226,212.06
Pico Rivera Innovative Municipal Energy	247,852.14	0.11351%		247,852.14
Pomona Choice Energy	932,695.36	0.42715%		932,695.36
Rancho Mirage Energy Authority	102,098.32	0.04676%		102,098.32
Santa Barbara Clean Energy	48,734.46	0.02232%		48,734.46
San Jacinto Power	557,488.84	0.25531%		557,488.84

*Direct Access Service Load Serving Entity Arrearages and Allocations (By Investor Owned Utility)*

Utility Name DAE LSE Name	Total Arrears Reported to The Department	Percent of Total Arrearage Within Applicable IOU (Rounded to 0.0000%)	Total IOU Allocation	DAE LSE Allocation Based on Percentage of Total Arrearage
<b>Pacific Gas and Electric Company &amp; CCA</b>	<b>218,894,899.79</b>		<b>218,894,899.79</b>	
Just Energy Solutions	837.89	0.00040%		837.89
Pilot Power Group, Inc.	7,909.06	0.00360%		7,909.06
Direct Energy Business Marketing, LLC	-	0.00000%		-
Tiger, Inc.	-	0.00000%		-
<b>San Diego Gas and Electric Company &amp; CCA</b>	<b>51,381,278.98</b>		<b>51,381,278.98</b>	
Pilot Power Group, Inc.	1,437.93	0.00280%		1,437.93
Three Phases Renewables LLC	-	0.00000%		-
<b>Southern California Edison Company &amp; CCA</b>	<b>218,353,585.00</b>		<b>218,353,585.00</b>	
Pilot Power Group	2,787.07	0.00130%		2,787.07
Just Energy Solutions	-	0.00000%		-
Three Phases Renewables, Inc.	-	0.00000%		-

**From:** [Avenis, Kristin](#)  
**To:** [Oliveros Reyes, Jennifer](#)  
**Subject:** FW: CAPP Funding  
**Date:** Tuesday, January 17, 2023 9:40:55 AM

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**From:** Corvinova, Erin E <[ECorvinova@sfwater.org](mailto:ECorvinova@sfwater.org)>  
**Sent:** Friday, January 13, 2023 7:08 PM  
**To:** Avenis, Kristin <[KAvenis@sfwater.org](mailto:KAvenis@sfwater.org)>  
**Subject:** FW: CAPP Funding

FYI

**Erin Corvinova** (Franks)  
Acting Financial Planning Director, Financial Services  
415-487-5227

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**From:** Gonzales Jr., Eddie <[FAG9@pge.com](mailto:FAG9@pge.com)>  
**Sent:** Friday, January 13, 2023 7:04 PM  
**To:** Alexia Retallack <[AlexiaR@PioneerCommunityEnergy.org](mailto:AlexiaR@PioneerCommunityEnergy.org)>; Brad Koehn <[Brack@PioneerCommunityEnergy.org](mailto:Brack@PioneerCommunityEnergy.org)>; Rebecca Boyles <[rebecca.boyles@valleycleanenergy.org](mailto:rebecca.boyles@valleycleanenergy.org)>; Edward Burnham <[Edward.Burnham@valleycleanenergy.org](mailto:Edward.Burnham@valleycleanenergy.org)>; SRegli@redwoodenergy.org; Lori Biondini <[LBiondini@redwoodenergy.org](mailto:LBiondini@redwoodenergy.org)>; [sdixit@peninsulacleanenergy.com](mailto:sdixit@peninsulacleanenergy.com); Bevington, Andrew S <[ABevington@sfwater.org](mailto:ABevington@sfwater.org)>; Annie Henderson <[ahenderson@ebce.org](mailto:ahenderson@ebce.org)>; 'Kelly Birdwell Brezovec' <[kbrezovec@ebce.org](mailto:kbrezovec@ebce.org)>; Danny Kelly <[dkelly@ebce.org](mailto:dkelly@ebce.org)>; [gruxin@ebce.org](mailto:gruxin@ebce.org); Zae Perrin <[zperrin@mcecleanenergy.org](mailto:zperrin@mcecleanenergy.org)>; Heather Shepard <[hshepard@mcecleanenergy.org](mailto:hshepard@mcecleanenergy.org)>; Erica Torgerson <[etorgerson@sonomacleanpower.org](mailto:etorgerson@sonomacleanpower.org)>; Danielle Baker <[dbaker@sonomacleanpower.org](mailto:dbaker@sonomacleanpower.org)>; Rebecca Schleimer <[rschleimer@edms-llc.com](mailto:rschleimer@edms-llc.com)>; [rle@edms-llc.com](mailto:rle@edms-llc.com); [Don.Bray@svcleanenergy.org](mailto:Don.Bray@svcleanenergy.org); Pamela Leonard <[pamela.leonard@svcleanenergy.org](mailto:pamela.leonard@svcleanenergy.org)>; Struyk, Zachary <[Zachary.Struyk@sanjoseca.gov](mailto:Zachary.Struyk@sanjoseca.gov)>; Flores, Joe <[Joe.Flores@sanjoseca.gov](mailto:Joe.Flores@sanjoseca.gov)>; J.R. Killigrew <[jkilligrew@3ce.org](mailto:jkilligrew@3ce.org)>; Owen Lee <[olee@mbcommunitypower.org](mailto:olee@mbcommunitypower.org)>; Leslie Brown <[lbrown@peninsulacleanenergy.com](mailto:lbrown@peninsulacleanenergy.com)>; Cc: Tiffany Law <[tlaw@3ce.org](mailto:tlaw@3ce.org)>; Danielle McCants <[dmccants@sonomacleanpower.org](mailto:dmccants@sonomacleanpower.org)>; [jbartlett@ebce.org](mailto:jbartlett@ebce.org); Samantha Weaver <[sweaver@ebce.org](mailto:sweaver@ebce.org)>; Corvinova, Erin E <[ECorvinova@sfwater.org](mailto:ECorvinova@sfwater.org)>; Hayne, Isobel <[IHayne@sfwps.mail.onmicrosoft.com](mailto:IHayne@sfwps.mail.onmicrosoft.com)>; Santiago, Marcos <[Marcos.Santiago@sanjoseca.gov](mailto:Marcos.Santiago@sanjoseca.gov)>; Mary Federico <[mfederico@3ce.org](mailto:mfederico@3ce.org)>; Josh Brock <[Josh.Brock@calpinesolutions.com](mailto:Josh.Brock@calpinesolutions.com)>; Tara Porter <[Tara.Porter@smud.org](mailto:Tara.Porter@smud.org)>; Julien Gattaciecca <[Julien.Gattaciecca@calpinesolutions.com](mailto:Julien.Gattaciecca@calpinesolutions.com)>; Rachel Madain <[Rachel.Madain@calpinesolutions.com](mailto:Rachel.Madain@calpinesolutions.com)>; Lina Williams <[lwilliams@3ce.org](mailto:lwilliams@3ce.org)>; Peyton Parks <[peyton.parks@svcleanenergy.org](mailto:peyton.parks@svcleanenergy.org)>; [dponce@ebce.org](mailto:dponce@ebce.org); [jross@ebce.org](mailto:jross@ebce.org); Patricia Pacheco <[Patricia.Pacheco@smud.org](mailto:Patricia.Pacheco@smud.org)>; Liz Dunsmoor <[ldunsmoor@3ce.org](mailto:ldunsmoor@3ce.org)>; Lucas Lira <[Lucas.Lira@calpinesolutions.com](mailto:Lucas.Lira@calpinesolutions.com)>  
**Cc:** Peck, Whitnay <[WxG9@pge.com](mailto:WxG9@pge.com)>; Gutierrez, David <[D1G9@pge.com](mailto:D1G9@pge.com)>; Uriza, Sarina <[SCU1@pge.com](mailto:SCU1@pge.com)>; Mendoza, Rene <[R9MQ@pge.com](mailto:R9MQ@pge.com)>; Wang, Kai <[k1we@pge.com](mailto:k1we@pge.com)>; Brooks, Ledelldra (Dee) <[L3B8@pge.com](mailto:L3B8@pge.com)>

**Subject:** CAPP Funding

**CAUTION:** This email originated from **outside** of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Classification: Public

Good evening CCA Partners,

Next Tuesday and throughout next week, we will begin applying CAPP funds to individual customer accounts. Once all funding is applied we will be sending an email to each CCA which will include the total funds applied and we will send detailed reconciliation file through the ESFT process which will include the amounts applied to the individual accounts/SA IDs.

We appreciate the partnership as we've worked through securing these funds for our customers and we're thrilled to be applying the funds to their individual accounts.

Please let us know if you have any questions.

Thank you,

PG&E Credit Team and CCA Relations Team

We respect your privacy. Please review our privacy policy for more information.

<http://www.pge.com/en/about/company/privacy/customer/index.page>

You can read about PG&E's data privacy practices [here](#) or at [PGE.com/privacy](http://PGE.com/privacy).



# AGENDA ITEM

## Public Utilities Commission

*City and County of San Francisco*



DEPARTMENT Business Services AGENDA NO. 10  
 MEETING DATE January 24, 2023

**Public Hearing:** Accept and Expend The California Arrearage Payment Program 2022 Funds for SFPUC Ratepayer COVID-19 Debt Relief

**Project Manager:** Deidre Andrus and Kristin Avenis

<b>Summary of Proposed Commission Action:</b>	<b>Accept and expend</b> state funds sourced from the State Budget Act of 2022 and administered by the California Community Services Department (CSD) to provide assistance to eligible Hetch Hetchy Power (Hetchy Power) and CleanPowerSF residential customers who accrued customer account arrears during the COVID-19 pandemic, from March 4, 2020 to December 31, 2021.
<b>Background:</b>	<p>While the COVID-19 pandemic has above all presented unprecedented public health concerns, San Franciscans have also suffered from economic hardships as a result of the shelter-in-place order beginning in March 2020. Residents were forced to stay home, businesses closed, and many lost their jobs.</p> <p>In response to the growing public health and economic crisis that arose from the COVID-19 pandemic, the San Francisco Public Utilities Commission (SFPUC) implemented a collections and shutoff moratorium, which has been extended multiple times. For Power customers, both Hetchy Power and CleanPowerSF resumed collection and severance for commercial accounts as of October 2022, but have extended their moratorium to June 30, 2023 for residential customers benefiting from the California Arrearage Payment Program, as per Government Code Section 16429.10.</p> <p>Additionally, the agency administered emergency credits and discounts for customers in all enterprises. In May 2020, through Resolution No. 20-0099, the SFPUC provided an emergency bill discount for residential customers receiving SFPUC water and wastewater services and Hetch Hetchy Power electrical utility services. In October 2020, CleanPowerSF implemented a one-time customer assistance bill credit for single-family, master-metered multi-family, and small commercial customers who were enrolled in the California Alternate Rates for Energy (CARE) or Family Electric Rate Assistance (FERA) low income programs by September 30, 2020. In accordance with the Program Rules set by the CARE and FERA</p>

**APPROVAL:** \_\_\_\_\_  
 COMMISSION SECRETARY Donna Hood

programs, single-family residential customers received \$50 in credits, multi-family residential customers received \$3,000 in credits, and non-profit small-commercial customers received \$750 in credits, totaling approximately \$3,221,050 in assistance for low-income customers. Despite these various SFPUC interventions to support customers during these challenging times, many continue to fall behind on their bill payments, accruing debt that in many cases has yet to be paid off. The number of delinquent customers and total overdue balances owed across all customer types have increased substantially since March 2020, when the shelter-in-place order was announced and many San Franciscans were laid off from work.

From March 16 to June 29, 2020, there was a 52% increase in the number of CleanPowerSF electricity customers with an outstanding account balance relative to the pre-COVID average (January 1 through March 16). In addition, SFPUC identified 744 residential and commercial delinquent power utility accounts in need for COVID-19 arrearage relief in 2021.

As part of its integrated response to help customers in arrears, the SFPUC championed a legislative strategy to secure significant state and federal funds for arrearages. SFPUC was instrumental in ensuring that the nearly \$3.2 billion allocated through the 2021-22 and 2022-23 California State Budgets reflected the agency's priorities including: (1) broad distribution of funds to ensure that ratepayers in every region—including low-income customers in urban areas with high median incomes—would receive some benefit; (2) ensuring the inclusion of wastewater customers; and (3) securing dedicated funding for customers of publicly-owned electric utilities and community choice aggregators so that both Hetchy Power and CleanPowerSF customers are eligible. The agency has worked extensively internally, with industry associations, and with the administering California State departments to ensure the successful execution of these funding programs. Additionally, the SFPUC is actively advocating at the federal level for more funding and to create a permanent program for water and wastewater bill assistance, similar to the longstanding Low-Income Home Energy Assistance Program in the energy sector. Through these successful advocacy efforts, the agency has secured funds for arrearages accumulated during the pandemic in all three Enterprises—water, wastewater and power.

In early 2022, the California Water and Wastewater Arrearages Payment Program (2021 CWWAPP) granted SFPUC \$7.3 million to pay down the accrued arrearages of and provide discounts to 15,198 residential and commercial water accounts and \$9.3 million for 13,841 residential and commercial wastewater accounts. Hetchy Power customers received \$1.9 million and CleanPowerSF customers received \$5.4 million in relief for energy bill arrearages through the California Arrearage Payment Program

(2021 CAPP). The funds for both these 2021 programs were provided by the federal American Rescue Plan Act of 2021.

As the statewide need for energy bill assistance exceeded the funding available in the 2021 CAPP, the State Budget Act of 2022 appropriated \$1.2 billion in state General Fund dollars to support the adoption of 2022 CAPP, as per Assembly Bill 205. Customers of both Hetchy Power and the CleanPowerSF are eligible. In the first iteration of the program, both commercial and residential customers were eligible for relief on debt accrued between March 4, 2020 to June 15, 2021. In 2022, only residential accounts qualified to receive CAPP benefit, but the timeline for debt accrual extended to December 31, 2021. The CAPP program offers an opportunity for the SFPUC to greatly assist customers struggling to afford their power bills.

In early October 2022, the SFPUC submitted eligible customer arrearage information to the State along with its formal application. The State announced final allocations to electric utilities on November 22, 2022 through 2022 Program Notice 01 (22CAPP-PN-05); both CleanPowerSF and Hetchy Power were allocated the full amount of funds requested (see table below). Funds for Hetchy Power were received by SFPUC on December 5, 2022 and funds for CleanPowerSF were provided directly to PG&E for application to CleanPowerSF accounts. Credits must be applied within 60 days – by February 5, 2023.

Some accounts originally eligible for relief at the time of application submission have paid off their arrearages or have become inactive. As a result, the total relief applied to customer accounts will vary from the amount included in the application. Based on currently available information, the expected funds applied will be as follows:

	<b>Allocated Funds</b>	<b>Expected Credits to Customers</b>	<b>Expected Benefitting Accounts</b>
<b>CleanPowerSF</b>	\$1,244,798.66	N/A	N/A
<b>Hetchy Power</b>	\$103,243.80	\$92,262.78	219
<b>Total</b>	<b>\$1,348,042.46</b>		

Any allocated amounts not applied to customer accounts must be returned to the state.

The approval requested of this Commission will then be subject to approval by the Board of Supervisors for the SFPUC to accept and expend funds for both programs. Due to the short mandatory timeframe to apply funds to customer accounts, we are submitting this approval request to

**Accept and Expend American Rescue Plan Act of 2021 Funds for SFPUC Ratepayer COVID-19 Debt Relief**  
**Commission Meeting Date:** January 24, 2023

	accept and expend funds concurrently with our request for administration and application of credits to customer bills.
<b>Results of Inaction:</b>	A delay or denial in approving this agenda item will prevent the SFPUC from distributing funds to pay off eligible customer arrearages, resulting in continued debt owed to the SFPUC and customers not provided with much needed relief.
<b>Recommendation:</b>	SFPUC staff recommends that the Commission adopt the attached resolution.
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Grant Budget</li> <li>2. 2022 CAPP Program Notice No. 01 (22CAPP-PN-05)</li> </ol>



**PUBLIC UTILITIES COMMISSION**

City and County of San Francisco

RESOLUTION NO. \_\_\_\_\_

WHEREAS, On February 25, 2020, the Mayor declared San Francisco to be in a local state of emergency due to the threat of a novel (new) coronavirus (COVID-19), posing serious health threats to the population. On March 4, 2020, Governor Gavin Newsom declared a state of emergency for all of California to protect against the threat of COVID-19; and

WHEREAS, On March 13, 2020, the Mayor mandated that the San Francisco Public Utilities Commission (SFPUC) suspend shutoffs of water and power service due to late or non-payments and the issuance of associated late penalties and fees; 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; and

WHEREAS, On June 15, 2021 Governor Gavin Newsom signed Executive Order N-07-21 and N-08-21 rescinding the Stay At Home Order and implementing the Blueprint for a Safer Economy; and

WHEREAS, On June 13, 2022, the SFPUC extended the suspension of shutoffs on power service due to late or non-payment and the issuance of associated late penalties and fees through October 2022 for retail customers and through June 30, 2023 for 2022 CAPP benefiting residential customers by adopting Resolution 22-0157; and

WHEREAS, COVID-19 has and continues to harm the local and state economies due to job loss, business closure, wage decreases, and other negative economic impacts. These challenges have made it more and more challenging for customers to afford utility bills; and

WHEREAS, As customers struggle to afford utility bills due to this economic hardship cause by COVID-19, there has been a rise in the numbers of total arrearages across all customer types, burdening customers with the financial strain of piling bills and resulting in loss of revenues for the SFPUC; and

WHEREAS, In January 2022, The SFPUC received and distributed \$1.9 million to Hetch Hetchy Power customers and \$5.4 million to CleanPowerSF customers in need of arrearage relief through the 2021 California Arrearage Payment Program (2021 CAPP), funded by the American Rescue Plan of 2021; and

WHEREAS, As part of the Fiscal Year 2022-23 State Budget Act, \$1.2 billion was appropriated from the State General Fund to the State of California Department of Community Services (CSD) to electric utilities to forgive residential and commercial customers arrearages that accrued during the COVID-19 pandemic relief bill period (March 4, 2020 through December 31, 2021); and

WHEREAS, On July 1, 2022, as part of Assembly Bill 205, the requirements of the California Arrearage Payment Program (CAPP) were established; and

WHEREAS, SFPUC submitted a CAPP application with data on eligible customers in October 2022 for customer account arrears and discount program funding; and

WHEREAS, The SFPUC was notified in November 2021 that it will receive its full requested allocation of \$1,244,798.66 for CleanPowerSF and \$103,243.80 for Hetch Hetchy Power customer arrearages; and

WHEREAS, The State CSD has processed the SFPUC's application, and funds arrived on December 5, 2022, with a 60-day window in which they must be dispersed to customers; now, therefore, be it

RESOLVED, That this Commission hereby authorizes the accept and expend of \$1,348,042.46 in funds from the 2022 California Arrearage Payment Program to cover the arrearages for eligible Hetch Hetchy Power and CleanPowerSF residential customers accumulated between March 4, 2020 and December 31, 2021.

*I hereby certify that the foregoing was adopted by the Public Utilities Commission at its meeting of January 24, 2023.*

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Secretary, Public Utilities Commission

**Grant Budget for California Arrearage Payment Program (CAPP)**

	<b>Allocation</b>
<b>CleanPowerSF</b>	\$1,244,798.66
<b>Hetch Hetchy Power</b>	\$ 103,243.80
<b>Total</b>	<b>\$1,348,042.46</b>

Amounts shown above refer to total funds received by the SFPUC from the 2022 California Arrearage Payment Program. Actual funds applied to benefiting eligible customers will vary based off updated information on account statuses. Unused funds will be returned to the State.



**PROCLAMATION BY THE MAYOR DECLARING  
THE EXISTENCE OF A LOCAL EMERGENCY**

**WHEREAS**, California Government Code Sections 8550 et seq., San Francisco Charter Section 3.100(13) and Chapter 7 of the San Francisco Administrative Code empower the Mayor to proclaim the existence of a local emergency, subject to concurrence by the Board of Supervisors as provided in the Charter, in the case of an emergency threatening the lives, property or welfare of the City and County or its citizens; and

**WHEREAS**, The United States has confirmed cases of individuals who have a severe acute respiratory illness caused by a novel (new) coronavirus (“COVID-19” or “the virus”) first detected in Wuhan, Hubei Province, People’s Republic of China (“China”). The virus was first reported in China on December 31, 2019. As of February 24, 2020, the World Health Organization (“WHO”) has reported approximately 77,262 confirmed cases of COVID-19 in China, more than the number of confirmed cases of Severe Acute Respiratory Syndrome (SARS) during its 2003 outbreak. An additional 2,069 cases have been confirmed across 29 other countries; in many of these cases, the infected individuals had not visited China. More than 2,500 people have died from the virus, including 23 outside of China. The number of confirmed cases has continued to escalate dramatically over a short period of time; and

**WHEREAS**, WHO officials now report that sustained human-to-human transmission of the virus is occurring. Transmission from an asymptomatic individual has been documented. Although the majority of individuals infected with COVID-19 recover from the disease without special treatment, approximately 1 in 6 may become seriously ill. Manifestations of severe disease have included severe pneumonia, acute respiratory distress syndrome, septic shock, and multi-organ failure. Approximately 2% of the people confirmed infected with COVID-19 have died; and

**WHEREAS**, On January 30, 2020, WHO declared the COVID-19 outbreak a public health emergency of international concern, and on January 31, 2020, the U.S. Department of Health and Human Services declared a Public Health Emergency for the United States; and

**WHEREAS**, The Centers for Disease Control and Prevention (“CDC”) has determined that the virus presents a serious public health threat, requiring coordination among state



and local health departments to ensure readiness for potential health threats associated with the virus; and

**WHEREAS**, The CDC has issued guidance to local and State health departments, including San Francisco's Department of Public Health ("DPH"), concerning risk assessment and public health management of persons with potential exposure to COVID-19. These guidelines require DPH to make extraordinary efforts to monitor ongoing communicable disease threats and prepare for management of individuals who may have been exposed to COVID-19; and

**WHEREAS**, DPH, the Department of Emergency Management, and other City partners have been working successfully and diligently to implement CDC guidelines, but now require additional tools and resources to protect the public health given the current state of the epidemic and the need for a sustained response; and

**WHEREAS**, The City's Director of Public Health has determined that DPH cannot comply with the CDC's guidance without immediate action beyond the City's ordinary response capabilities, including directing personnel and resources from other City departments to assist with the ongoing and developing threat of COVID-19; and

**WHEREAS**, Conditions of extreme peril to the safety of persons and property have arisen; and

**WHEREAS**, The Mayor does hereby proclaim that the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency,

**NOW, THEREFORE,**

I, London N. Breed, Mayor of the City and County of San Francisco, proclaim the existence, effective immediately on February 25, 2020, of an emergency within the City and County threatening the lives, property or welfare of the City and County and its citizens;

**It is further ordered that:**

(1) All City and County officers and employees take all steps requested by the Director of Public Health to prevent the spread of COVID-19 and to prevent or alleviate illness or death due to the virus; and



(2) All City and County officers and employees take all steps requested by the Director of Public Health to qualify the City for reimbursement from the Federal Emergency Management Agency and for other state and federal relief as may be available to reimburse the City for the expenses it incurs in addressing this emergency; and

**I further proclaim and order that:**

By the terms of this emergency declaration the government of the City and County of San Francisco is organized under the provisions of the Incident Command System (ICS), which system forms an essential part of the City's Emergency Operations Plan. The head of each City department and agency shall observe his or her proper relationship in the command structure outlined by the system and shall respond to the orders and requests of the Lead Department designated to exercise supervision over his or her department during the course of this emergency;

Because of the extreme peril to its residents and visitors, the Governor of the State of California is hereby requested to include the area of the City and County of San Francisco in any emergency declaration by the State, and is further requested to ensure that the City and County is included in any emergency declaration that may be issued by the President of the United States.

**And I further proclaim and order that:**

This declaration of a local emergency shall continue to exist until it is terminated by the Mayor or the Board of Supervisors. All departments of the City and County of San Francisco are strictly ordered to cooperate with the requests for material and personnel resources that may emanate from the Incident Command Staff of the City and County which is located in the Emergency Command Center of the City and County of San Francisco.

DATED: 2/25/2020

A handwritten signature in black ink that reads "London Breed".

London N. Breed  
Mayor of San Francisco



LONDON N. BREED  
RE MAYOR  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2020 MAR 13 PM 4:47

BY

*eu*

**SECOND SUPPLEMENT TO MAYORAL PROCLAMATION DECLARING THE  
EXISTENCE OF A LOCAL EMERGENCY DATED FEBRUARY 25, 2020**

**WHEREAS**, California Government Code Sections 8550 et seq., San Francisco Charter Section 3.100(14) and Chapter 7 of the San Francisco Administrative Code empower the Mayor to proclaim the existence of a local emergency, subject to concurrence by the Board of Supervisors as provided in the Charter, in the case of an emergency threatening the lives, property or welfare of the City and County or its citizens; and

**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 6, 2020, the Local Health Officer declared a local health emergency under Section 101080 of the California Health and Safety Code, and the Board of Supervisors concurred in that declaration on March 10, 2020; and

**WHEREAS**, On March 6, 2020, the City issued public health guidance to encourage social distancing to disrupt the spread of COVID-19 and protect community health; and

**WHEREAS**, On March 7, 2020, the Local Health Officer ordered certain City facilities not to hold non-essential group events of more than 50 people for the two weeks from the date of the order and prohibited visitors from Laguna Honda Hospital; and

**WHEREAS**, On March 7, 2020, the Department of Human Resources issued guidance to minimize COVID-19 exposure risk for City employees who provide essential services to the local community, in particular during the current local emergency; and

**WHEREAS**, On March 11, 2020, the Local Health Officer issued an order prohibiting most public gatherings of 1,000 people or more for a period of two weeks; and



**WHEREAS**, On March 11, 2020, the Mayor issued a supplement to the Proclamation, ordering additional measures to respond to the emergency; and

**WHEREAS**, On March 13, 2020, the Local Health Officer issued an order prohibiting most mass gatherings in any space with a maximum occupant load of 100 people or more; and

**WHEREAS**, There are currently 21 confirmed cases of COVID-19 within the City, more than 250 confirmed cases in California, and five COVID-19-related deaths in California; and

**WHEREAS**, COVID-19 is causing and is expected to continue to cause serious negative impacts on 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**, Workers who experience a loss of income as a result of illness, layoffs, reduced hours, or the need to care for a sick or otherwise dependent family member are more likely to be unable to stay current on rent payments; and

**WHEREAS**, There is a severe shortage of affordable rental housing in the City, people who are evicted are at risk of homelessness, and homeless individuals are less equipped to mitigate risks related to COVID-19; and

**WHEREAS**, Displacing renters who are unable to pay rent due to these types of financial impacts will worsen the present crisis by making it difficult for them to follow the health guidance of social distancing and isolation, which will put tenants and many others at great risk; and

**WHEREAS**, It is in the public interest to take steps to ensure that people remain housed during this public health emergency; and

**WHEREAS**, Loss of income as a result of the global COVID-19 pandemic may inhibit San Francisco residents and businesses from fulfilling their financial obligations including public utility payments such as water and sewer 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 San Francisco Public Utilities Commission 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**, Private donors have expressed an interest in donating funds to the City to support the COVID-19 response efforts, and the City intends to use those funds in an expeditious manner to provide grants to small business and for other purposes related to the emergency response; and

**WHEREAS**, Many City employees have been reassigned from their normal duties or deployed as Disaster Service Workers to assist in the emergency response effort; other City employees must prioritize and for many employees devote all their work time to work related to the emergency response; City departments have been directed to support telecommuting to the extent possible and telecommuting employees may not have access to City records; these changes to the typical functioning of the City workforce and workplace have burdened the City's ability to respond to requests for public records; temporarily suspending the immediate disclosure request provision of the Sunshine Ordinance will allow the City to devote limited staff resources to emergency services and providing services to the public; the regular response deadlines contained in the California Public Records Act will apply; and

**WHEREAS**, The Mayor does hereby proclaim that the conditions of extreme peril exist and continue to warrant and necessitate the existence of a local emergency,

**NOW, THEREFORE,**

I, London N. Breed, Mayor of the City and County of San Francisco, proclaim that there continues to exist an emergency within the City and County threatening the lives, property or welfare of the City and County and its citizens;



**In addition to the measures outlined in the Proclamation and in the March 11, 2020 Supplement to the Proclamation, it is further ordered that:**

(1) A temporary moratorium on eviction for non-payment of rent by residential tenants directly impacted by the COVID-19 crisis is imposed as follows:

(a) Notwithstanding Section 37.9(a)(1) of the Administrative Code, if a residential tenant has not timely made a rent payment that was due on or after March 13, 2020, the landlord may not recover possession of the unit under Section 37.9(a)(1) if the tenant has provided notice to the landlord within 30 days after the date that rent was due that the tenant is unable to pay rent due to financial impacts related to COVID-19.

(b) For purposes of this Order, “financial impacts” means a substantial loss of household income due to business closure, loss of compensable hours of work or wages, layoffs, or extraordinary out-of-pocket medical expenses. A financial impact is “related to COVID-19” if it was caused by the COVID-19 pandemic, the Mayor’s Proclamation, the Local Health Officer’s Declaration of Local Health Emergency, or public health orders or recommended guidance related to COVID-19 from local, state, or federal authorities.

(c) Within one week of providing notice under subsection (a), the tenant shall provide the landlord documentation or other objectively verifiable information that due to financial impacts related to COVID-19, the tenant is unable to pay rent. If the tenant does not provide evidence of financial impacts related to COVID-19, the landlord may attempt to proceed under Section 37.9(a)(1).

(d) This Order shall last for a period of 30 days, until the Proclamation of Local Emergency is terminated, or upon further Order from the Mayor, whichever occurs sooner. The Mayor may extend this Order by an additional period of 30 days if conditions at that time warrant extension. The Mayor shall provide notice of the extension through an Executive Order posted on the Mayor’s website and delivered to the Clerk of the Board of Supervisors.

(e) Upon expiration or termination of this Order, a tenant who provided the notice required under subsection (a) shall have up to six months to pay the rent owed to the landlord, before the landlord may recover possession due to those missed rent payments



under Section 37.9(a)(1). The tenant shall pay the rent in one month if able to do so; however, if the tenant remains unable to pay the rent due to the financial impacts related to COVID-19, the tenant may provide the landlord another notice and additional documentation pursuant to subsections (a) and (c) and thereby extend the payment date by an additional one month. The tenant may provide additional notices and documentation each month to further extend the deadline, but under no circumstances shall the landlord be required to extend the deadline beyond six months after the expiration or termination of this Order. At the end of the applicable extension period, if the tenant still has not paid all outstanding rent, Section 37.9(a)(1) shall apply.

(f) The Director of the Mayor's Office of Housing and Community Development or the Director's designee, in consultation with the San Francisco Rent Board as appropriate, is delegated authority to develop and publish guidelines consistent with this Order, including developing forms and recommendations of the types of documentation that may show financial impacts related to COVID-19; and

(2) The San Francisco Public Utilities Commission ("SFPUC") shall suspend for 60 days: (a) 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 or fees for delinquent water and/or sewer bills, (c) the discontinuation or shut off of power service for SFPUC Hetch Hetchy Power Customers in San Francisco for non-payment of power bills, (d) the imposition of late payment penalties or fees for delinquent Hetch Hetchy Power Customer accounts, and (e) the return of delinquent CleanPowerSF Customers to PG&E generation service for failure to pay CleanPowerSF charges; and

(3) Sections 150.4, 150.5, and 150.6 of the Public Works Code regarding the initiation of lien proceedings for delinquent water and sewer bills are suspended for the duration of the local emergency; and

(4) The Controller is authorized to accept and expend funds in any amount contributed by individuals or entities for the purposes of assisting the City's efforts to respond to the COVID-19 emergency. Notwithstanding any authorization in the Administrative Code or other City laws to accept and expend funds, all donations, grants, gifts and bequests of money to the City for the purpose of responding to the emergency shall be accepted by the Controller, and expenditures of such funds shall be subject to the Controller's direction. Funds accepted by the Controller may be expended by the City to provide



shelter, food, financial assistance including but not limited to loans, grants, or rent, mortgage and utility payments, and other assistance to individuals and families in the City who are impacted by the emergency; to replace, repair, and rebuild public buildings, infrastructure, and other assets for use in the City's efforts to respond to the emergency; to issue and administer grants and/or interest-free loans to small businesses in the City to compensate for economic harms resulting from COVID-19; and for other City efforts to address the impacts of COVID-19. The Controller may coordinate with or delegate responsibility to any other department or agency to develop criteria for and administer the expenditure of funds. Provisions of existing agreements and of local law are suspended to the extent they would impede the disbursement of funds to outside entities for the purposes described above; and

(5) Sections 67.25(a) and 67.25(b) of the Administrative Code are suspended for the duration of the local emergency.

DATED: March 13, 2020

A handwritten signature in cursive script, reading "London Breed".

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London N. Breed  
Mayor of San Francisco

EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA

PROCLAMATION OF A STATE OF EMERGENCY

**WHEREAS** in December 2019, an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19), was first identified in Wuhan City, Hubei Province, China, and has spread outside of China, impacting more than 75 countries, including the United States; and

**WHEREAS** the State of California has been working in close collaboration with the national Centers for Disease Control and Prevention (CDC), with the United States Health and Human Services Agency, and with local health departments since December 2019 to monitor and plan for the potential spread of COVID-19 to the United States; and

**WHEREAS** on January 23, 2020, the CDC activated its Emergency Response System to provide ongoing support for the response to COVID-19 across the country; and

**WHEREAS** on January 24, 2020, the California Department of Public Health activated its Medical and Health Coordination Center and on March 2, 2020, the Office of Emergency Services activated the State Operations Center to support and guide state and local actions to preserve public health; and

**WHEREAS** the California Department of Public Health has been in regular communication with hospitals, clinics and other health providers and has provided guidance to health facilities and providers regarding COVID-19; and

**WHEREAS** as of March 4, 2020, across the globe, there are more than 94,000 confirmed cases of COVID-19, tragically resulting in more than 3,000 deaths worldwide; and

**WHEREAS** as of March 4, 2020, there are 129 confirmed cases of COVID-19 in the United States, including 53 in California, and more than 9,400 Californians across 49 counties are in home monitoring based on possible travel-based exposure to the virus, and officials expect the number of cases in California, the United States, and worldwide to increase; and

**WHEREAS** for more than a decade California has had a robust pandemic influenza plan, supported local governments in the development of local plans, and required that state and local plans be regularly updated and exercised; and

**WHEREAS** California has a strong federal, state and local public health and health care delivery system that has effectively responded to prior events including the H1N1 influenza virus in 2009, and most recently Ebola; and

**WHEREAS** experts anticipate that while a high percentage of individuals affected by COVID-19 will experience mild flu-like symptoms, some will have more serious symptoms and require hospitalization, particularly individuals who are elderly or already have underlying chronic health conditions; and

**WHEREAS** it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases in California, to implement measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care and hospitalization; and

**WHEREAS** if COVID-19 spreads in California at a rate comparable to the rate of spread in other countries, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the people of California, and limits the spread of infection in our communities and within the healthcare delivery system; and

**WHEREAS** personal protective equipment (PPE) is not necessary for use by the general population but appropriate PPE is one of the most effective ways to preserve and protect California's healthcare workforce at this critical time and to prevent the spread of COVID-19 broadly; and

**WHEREAS** state and local health departments must use all available preventative measures to combat the spread of COVID-19, which will require access to services, personnel, equipment, facilities, and other resources, potentially including resources beyond those currently available, to prepare for and respond to any potential cases and the spread of the virus; and

**WHEREAS** I find that conditions of Government Code section 8558(b), relating to the declaration of a State of Emergency, have been met; and

**WHEREAS** I find that the conditions caused by COVID-19 are likely to require the combined forces of a mutual aid region or regions to appropriately respond; and

**WHEREAS** under the provisions of Government Code section 8625(c), I find that local authority is inadequate to cope with the threat posed by COVID-19; and

**WHEREAS** under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19.

**NOW, THEREFORE, I, GAVIN NEWSOM**, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in California.



**IT IS HEREBY ORDERED THAT:**

1. In preparing for and responding to COVID-19, all agencies of the state government use and employ state personnel, equipment, and facilities or perform any and all activities consistent with the direction of the Office of Emergency Services and the State Emergency Plan, as well as the California Department of Public Health and the Emergency Medical Services Authority. Also, all residents are to heed the advice of emergency officials with regard to this emergency in order to protect their safety.
2. As necessary to assist local governments and for the protection of public health, state agencies shall enter into contracts to arrange for the procurement of materials, goods, and services needed to assist in preparing for, containing, responding to, mitigating the effects of, and recovering from the spread of COVID-19. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of COVID-19.
3. Any out-of-state personnel, including, but not limited to, medical personnel, entering California to assist in preparing for, responding to, mitigating the effects of, and recovering from COVID-19 shall be permitted to provide services in the same manner as prescribed in Government Code section 179.5, with respect to licensing and certification. Permission for any such individual rendering service is subject to the approval of the Director of the Emergency Medical Services Authority for medical personnel and the Director of the Office of Emergency Services for non-medical personnel and shall be in effect for a period of time not to exceed the duration of this emergency.
4. The time limitation set forth in Penal Code section 396, subdivision (b), prohibiting price gouging in time of emergency is hereby waived as it relates to emergency supplies and medical supplies. These price gouging protections shall be in effect through September 4, 2020.
5. Any state-owned properties that the Office of Emergency Services determines are suitable for use to assist in preparing for, responding to, mitigating the effects of, or recovering from COVID-19 shall be made available to the Office of Emergency Services for this purpose, notwithstanding any state or local law that would restrict, delay, or otherwise inhibit such use.
6. Any fairgrounds that the Office of Emergency Services determines are suitable to assist in preparing for, responding to, mitigating the effects of, or recovering from COVID-19 shall be made available to the Office of Emergency Services pursuant to the Emergency Services Act, Government Code section 8589. The Office of Emergency Services shall notify the fairgrounds of the intended use and can immediately use the fairgrounds without the fairground board of directors' approval, and

notwithstanding any state or local law that would restrict, delay, or otherwise inhibit such use.

7. The 30-day time period in Health and Safety Code section 101080, within which a local governing authority must renew a local health emergency, is hereby waived for the duration of this statewide emergency. Any such local health emergency will remain in effect until each local governing authority terminates its respective local health emergency.
8. The 60-day time period in Government Code section 8630, within which local government authorities must renew a local emergency, is hereby waived for the duration of this statewide emergency. Any local emergency proclaimed will remain in effect until each local governing authority terminates its respective local emergency.
9. The Office of Emergency Services shall provide assistance to local governments that have demonstrated extraordinary or disproportionate impacts from COVID-19, if appropriate and necessary, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and California Code of Regulations, Title 19, section 2900 et seq.
10. To ensure hospitals and other health facilities are able to adequately treat patients legally isolated as a result of COVID-19, the Director of the California Department of Public Health may waive any of the licensing requirements of Chapter 2 of Division 2 of the Health and Safety Code and accompanying regulations with respect to any hospital or health facility identified in Health and Safety Code section 1250. Any waiver shall include alternative measures that, under the circumstances, will allow the facilities to treat legally isolated patients while protecting public health and safety. Any facilities being granted a waiver shall be established and operated in accordance with the facility's required disaster and mass casualty plan. Any waivers granted pursuant to this paragraph shall be posted on the Department's website.
11. To support consistent practices across California, state departments, in coordination with the Office of Emergency Services, shall provide updated and specific guidance relating to preventing and mitigating COVID-19 to schools, employers, employees, first responders and community care facilities by no later than March 10, 2020.
12. To promptly respond for the protection of public health, state entities are, notwithstanding any other state or local law, authorized to share relevant medical information, limited to the patient's underlying health conditions, age, current condition, date of exposure, and possible contact tracing, as necessary to address the effect of the COVID-19 outbreak with state, local, federal, and nongovernmental partners, with such information to be used for the limited purposes of monitoring, investigation and control, and treatment and coordination of care. The



notification requirement of Civil Code section 1798.24, subdivision (i), is suspended.

13. Notwithstanding Health and Safety Code sections 1797.52 and 1797.218, during the course of this emergency, any EMT-P licensees shall have the authority to transport patients to medical facilities other than acute care hospitals when approved by the California EMS Authority. In order to carry out this order, to the extent that the provisions of Health and Safety Code sections 1797.52 and 1797.218 may prohibit EMT-P licensees from transporting patients to facilities other than acute care hospitals, those statutes are hereby suspended until the termination of this State of Emergency.
14. The Department of Social Services may, to the extent the Department deems necessary to respond to the threat of COVID-19, waive any provisions of the Health and Safety Code or Welfare and Institutions Code, and accompanying regulations, interim licensing standards, or other written policies or procedures with respect to the use, licensing, or approval of facilities or homes within the Department's jurisdiction set forth in the California Community Care Facilities Act (Health and Safety Code section 1500 et seq.), the California Child Day Care Facilities Act (Health and Safety Code section 1596.70 et seq.), and the California Residential Care Facilities for the Elderly Act (Health and Safety Code section 1569 et seq.). Any waivers granted pursuant to this paragraph shall be posted on the Department's website.

**I FURTHER DIRECT** that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this proclamation.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 4th day of March 2020.



\_\_\_\_\_  
GAVIN NEWSOM  
Governor of California

**ATTEST:**

\_\_\_\_\_  
ALEX PADILLA  
Secretary of State

## PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 20-0238

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, 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 October 20, 2020, 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 June 30, 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 November 17, 2020; now, therefore, be it

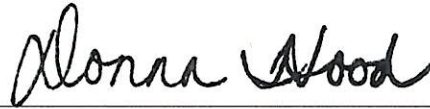
RESOLVED, That this Commission hereby authorizes the General Manager to extend the Emergency Residential Customer Assistance Program until June 30, 2021, allowing discounts of 15% on water, 35% on sewer, and 30% on Hetch Hetchy Power, for residential customers who meet the eligibility criteria set forth in attached Program Rules; 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 to allow the acceptance of applications until June 30, 2021 and 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; and be it

FURTHER RESOLVED, That this Commission hereby extends through June 30, 2021 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.

*I hereby certify that the foregoing was adopted by the Public Utilities Commission at its meeting of December 8, 2020.*

A handwritten signature in black ink that reads "Alonna Wood". The signature is written in a cursive style with a horizontal line underneath it.

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. Customers may be subject to eligibility audits and must provide income documentation upon request or be



December 8, 2020

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

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 June 30, 2021. Customers who apply will receive discounts beginning from the date their application is approved. Customers whose applications are approved will receive discounts through June 30, 2021. Approved applicants are guaranteed at least one month of discounts, which may be applied after June 30, 2021.

## 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;
- 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.



December 8, 2020

### 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 June 30, 2021.

**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

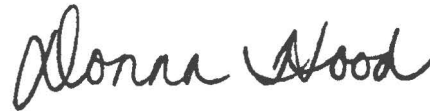
FURTHER RESOLVED, That this Commission hereby authorizes the General Manager to extend the application deadline for the Small Business and Nonprofit Discount Program for COVID-19 Relief until March 31, 2022 to provide a 20% discount off water and sewer bills for six (6) months from the date of application 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.*

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

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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

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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;



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- 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.

## PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 21-0178

WHEREAS, On February 25, 2020, the Mayor declared San Francisco to be in a local state of emergency due to the threat of a novel (new) coronavirus (COVID-19), posing serious health threats to the population. On March 4, 2020, Governor Gavin Newsom declared a state of emergency for all of California to protect against the threat of COVID-19; and

WHEREAS, On March 13, 2020, the Mayor mandated that the San Francisco Public Utilities Commission (SFPUC) suspend shut-offs of water and power service due to late or non-payments and the issuance of associated late penalties and fees; and

WHEREAS, On March 16, 2020, the City's Health Officer issued an order (Health Officer Order No. C19-07) requiring all San Francisco residents to shelter-in-place. Residents were forced to stay at home, resulting in the closure of all nonessential businesses. This order, which was extended through May 31, 2020, put significant economic strain on San Francisco residents; and

WHEREAS, On April 27, 2021, by Resolution No. 21-0063, the San Francisco Public Utilities Commission extended the suspension of shut-offs on water and power service due to late or non-payment and the issuance of associated late penalties and fees through March 31, 2022; and

WHEREAS, COVID-19 has and continues to harm the local and state economies due to job loss, business closure, wage decreases, and other negative economic impacts. These challenges have made it more and more challenging for customers to afford utility bills; and

WHEREAS, As customers struggle to afford utility bills due to this economic hardship cause by COVID-19, there has been a rise in the numbers of total arrearages across all customer types, *burdening customers with the financial strain of piling bills and resulting in loss of revenues for the SFPUC*; and

WHEREAS, On July 13, 2021, as part of the Fiscal Year 2021-22 State Budget Act (SB 129), \$985 million was appropriated from the Coronavirus Fiscal Recovery Fund, established by the American Rescue Plan Act of 2021, to the State of California Water Resources Control Board (SWRCB) for payments to community water systems and \$1 billion was appropriated from the same Fund to the State of California Department of Community Services (CSD) to electric utilities to forgive residential and commercial customers arrearages that accrued during the COVID-19 pandemic relief bill period (March 4, 2020 through June 15, 2021); and

WHEREAS, On July 16, 2021, as part of Assembly Bill 135, the requirements of the California Arrearage Payment Program (CAPP) were established, and on July 23, 2021, as part of Assembly Bill 148, the requirements of the California Water Wastewater Arrearages Program (CWWAPP) were established; and

WHEREAS, SFPUC submitted surveys to the State in September of 2021 with information on eligible residential and commercial water and electric arrearages; and

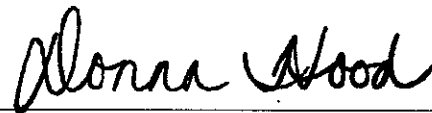
WHEREAS, The SFPUC expects to submit a CWWAPP application in November or December 2021 for customer account arrears and discount program funding, and has received preliminary notice it will receive the full amount requested to cover eligible customer water arrearages and bill discounts; and

WHEREAS, The SFPUC expects to submit a CAPP application in November or December 2021 for customer account arrears funding and has been notified that it will receive up to \$2,423,598 for CleanPowerSF and \$1,218,136 for Hetch Hetchy customer arrearages; and

WHEREAS, Once the State agencies have processed the SFPUC applications, funds are expected to arrive by mid-December, with a 60 day window in which they must be disbursed to customers; now, therefore, be it

RESOLVED, That this Commission hereby authorizes the accept and expend of up to \$11,188,097 in funds from the Coronavirus Fiscal Recovery Fund, established by the American Rescue Plan Act of 2021, to cover the arrearages for eligible SFPUC Water, Hetch Hetchy Powr, and CleanPowerSF residential and commercial customers accumulated between March 4, 2020 and June 15, 2021, discounts applied to water customer bills during the same time period, and program administration costs.

*I hereby certify that the foregoing was adopted by the Public Utilities Commission at its meeting of November 23, 2021.*



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Secretary, Public Utilities Commission

## **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

**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

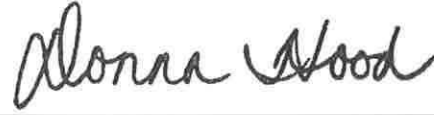
RESOLVED, That this Commission hereby extends through June 30, 2023 the temporary suspension of the following for residential customers, including residential customers enrolled in Customer Assistance Program (CAP) discounts and residential customers not enrolled in CAP discounts: the provisions in Section 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 style with a horizontal line underneath it.

Secretary, Public Utilities Commission

**PUBLIC UTILITIES COMMISSION**

City and County of San Francisco

RESOLUTION NO. 23-0022

WHEREAS, On February 25, 2020, the Mayor declared San Francisco to be in a local state of emergency due to the threat of a novel (new) coronavirus (COVID-19), posing serious health threats to the population. On March 4, 2020, Governor Gavin Newsom declared a state of emergency for all of California to protect against the threat of COVID-19; and

WHEREAS, On March 13, 2020, the Mayor mandated that the San Francisco Public Utilities Commission (SFPUC) suspend shutoffs of water and power service due to late or non-payments and the issuance of associated late penalties and fees; 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; and

WHEREAS, On June 15, 2021 Governor Gavin Newsom signed Executive Order N-07-21 and N-08-21 rescinding the Stay At Home Order and implementing the Blueprint for a Safer Economy; and

WHEREAS, On June 13, 2022, the SFPUC extended the suspension of shutoffs on power service due to late or non-payment and the issuance of associated late penalties and fees through October 2022 for retail customers and through June 30, 2023 for 2022 CAPP benefiting residential customers by adopting Resolution 22-0157; and

WHEREAS, COVID-19 has and continues to harm the local and state economies due to job loss, business closure, wage decreases, and other negative economic impacts. These challenges have made it more and more challenging for customers to afford utility bills; and

WHEREAS, As customers struggle to afford utility bills due to this economic hardship cause by COVID-19, there has been a rise in the numbers of total arrearages across all customer types, burdening customers with the financial strain of piling bills and resulting in loss of revenues for the SFPUC; and

WHEREAS, In January 2022, The SFPUC received and distributed \$1.9 million to Hetch Hetchy Power customers and \$5.4 million to CleanPowerSF customers in need of arrearage relief through the 2021 California Arrearage Payment Program (2021 CAPP), funded by the American Rescue Plan of 2021; and

WHEREAS, As part of the Fiscal Year 2022-23 State Budget Act, \$1.2 billion was appropriated from the State General Fund to the State of California Department of Community Services (CSD) to electric utilities to forgive residential and commercial customers arrearages that accrued during the COVID-19 pandemic relief bill period (March 4, 2020 through December 31, 2021); and

WHEREAS, On July 1, 2022, as part of Assembly Bill 205, the requirements of the California Arrearage Payment Program (CAPP) were established; and

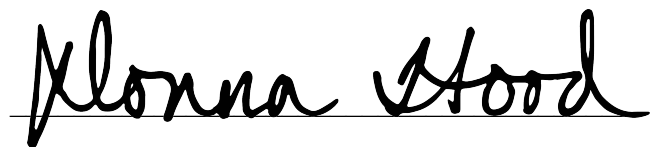
WHEREAS, SFPUC submitted a CAPP application with data on eligible customers in October 2022 for customer account arrears and discount program funding; and

WHEREAS, The SFPUC was notified in November 2021 that it will receive its full requested allocation of \$1,244,798.66 for CleanPowerSF and \$103,243.80 for Hetch Hetchy Power customer arrearages; and

WHEREAS, The State CSD has processed the SFPUC's application, and funds arrived on December 5, 2022, with a 60-day window in which they must be dispersed to customers; now, therefore, be it

RESOLVED, That this Commission hereby authorizes the accept and expend of \$1,348,042.46 in funds from the 2022 California Arrearage Payment Program to cover the arrearages for eligible Hetch Hetchy Power and CleanPowerSF residential customers accumulated between March 4, 2020 and December 31, 2021.

*I hereby certify that the foregoing was adopted by the Public Utilities Commission at its meeting of January 24, 2023.*

A handwritten signature in black ink that reads "Monna Hood". The signature is written in a cursive style and is positioned above a horizontal line.

Secretary, Public Utilities Commission



**TO: Supervisor Connie Chan, Chair, Budget & Finance Committee**

**FROM: Jeremy Spitz, Policy and Government Affairs**

**DATE: March 2, 2023**

**SUBJECT: [Accept and Expend Grant - Retroactive - California Department of Community Services and Development - \$1,244,798.66 and \$103,243.80]**

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Dear Supervisor Chan,

The San Francisco Public Utilities is proposing a resolution retroactively authorize the San Francisco Public Utilities Commission to accept and expend federal funds sourced by the State Budget Act and administered by the California Department of Community Services and Development, in the total amounts of \$1,244,798.66 and \$103,243.80 respectively, to assist eligible CleanPowerSF and Hetch Hetchy Power residential customer accounts who accrued customer account arrears due to the COVID-19 pandemic between March 4, 2020, through December 31, 2021.

The resolution is retroactive due to the mandatory disbursement guidelines set forth by the 2022 California Arrearage Payment Program and because the PUC wanted to apply the credits to customer accounts to clear debt as quickly as possible. The program requires all awarded agencies to disburse their awarded amount to eligible customer accounts by February 5, 2023. The SFPUC received funding for Hetch Hetchy Power on December 5, 2022 and finalized their disbursement on February 3, 2023. PG&E manually disbursed the awarded amount to CleanPowerSF customer accounts on January 16, 2023. The PUC applied the funds immediately upon receipt to pass the debt relief on to our ratepayers. After the PUC received the checks, we began working on the accept and expend process. Putting together the legislative packet and working through the review process with the Mayor’s Office of Disability, the Controller’s Office, and the Mayor’s Budget Office took about two months.

Thank you for considering this item. Please let me know if you have any questions.

- London N. Breed**  
Mayor
- Newsha Ajami**  
President
- Sophie Maxwell**  
Vice President
- Tim Paulson**  
Commissioner
- Tony Rivera**  
Commissioner
- Kate Stacy**  
Commissioner
- Dennis J. Herrera**  
General Manager



**TO: Angela Calvillo, Clerk of the Board of Supervisors**

**FROM: Jeremy Spitz, Local Policy & Government Affairs Manager**

**DATE: March 3, 2023**

**SUBJECT: Accept and Expend Resolution for COVID-19 Utility Debt Relief**

**GRANT TITLES: 2022 California Arrearage Payment Program (2022 CAPP)**

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Attached please find electronic copies of each of the following:

Proposed grant resolution; original signed by PUC General Manager, Mayor, and Controller

Grant information forms, including disability checklist, for each grant

Grant budget

Grant application

Grant award letter from funding agency

Ethics Form 126 (if applicable)

Contracts, Leases/Agreements (if applicable)

Other (Explain): Local Emergency Proclamations, PUC Resolutions, Commission Agenda Item, and Account Disbursement Data

**Special Timeline Requirements: N/A**

**Departmental representative to receive a copy of the adopted resolution:**

Name: Jeremy Spitz

Phone: (628) 724-7573

Interoffice Mail Address:

Certified copy required: Yes

No

**London N. Breed**  
Mayor

**Anson Moran**  
President

**Newsha Ajami**  
Vice President

**Sophie Maxwell**  
Commissioner

**Tim Paulson**  
Commissioner

**Dennis J. Herrera**  
General Manager



(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).