PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Re: Public Utility Service Termination Moratorium
Proclamation of Disaster Emergency – COVID-19

EMERGENCY ORDER
DOCKET No: M-2020-3019244

On March 6, 2020, pursuant to subsection 7301(c) of the Emergency Management Services Code, 35 Pa. C.S. §§ 7101, *et seq.*, Governor Tom Wolf issued a Proclamation of Disaster Emergency proclaiming the existence of a disaster emergency throughout the Commonwealth for a period of up to ninety (90) days, unless renewed by the Governor. Shortly thereafter, on March 11, 2020, the World Health Organization declared COVID-19 – the coronavirus – a pandemic.

The Proclamation of Disaster Emergency authorizes and directs the suspension of "the provisions of any regulatory statute prescribing the procedures for conduct of Commonwealth business, or the orders, rules or regulations of any Commonwealth agency, if strict compliance with the provisions . . . would in any way prevent, hinder, or delay necessary action in coping with this emergency."

In addition, Section 1501 of the Public Utility Code, 66 Pa. C.S. § 1501, provides that every public utility has a duty to furnish and maintain adequate, efficient, safe, and reasonable service as is necessary for the accommodation, convenience, and safety of its patrons, employees, and the public. Section 1501 explicitly requires such service to be "reasonably continuous and without unreasonable interruptions." 66 Pa. C.S. § 1501.

Under the unique circumstances presented by the COVID-19 pandemic, establishing a termination moratorium for utility services –including electric, natural gas, water, wastewater, telecommunications, and steam – is consistent with the Governor's Proclamation of Disaster Emergency and the requirements of Section 1501.

Pursuant to the Commission's regulations governing emergency relief, an Emergency Order will be issued only when there exists a clear and present danger to life or property or when the relief requested is uncontested and action is required prior to the next scheduled public meeting. 52 Pa. Code §3.1.

Additionally, Commission regulations at 52 Pa. Code §3.2 provide that, in addition to the existence of an emergency, an emergency order is appropriate where the need for relief is immediate, there would be irreparable injury if relief is not granted, and the relief is not injurious to the public interest.

I believe that issuance of an emergency order is appropriate under the unique circumstances. It is beyond argument that the provision of public utility service is necessary for the safety of the public. This is especially the case under the current challenges that resulted in the Proclamation of a pandemic emergency. Irreparable injury to the public is likely to occur with disruption of service, creating a clear and present danger to life.

Therefore, all electric, natural gas, water, wastewater, telecommunications, and steam utilities subject to the Commission's jurisdiction are prohibited from terminating service during the pendency of the Proclamation of Disaster Emergency, unless to ameliorate a safety emergency, or unless otherwise determined by the Commission.

Finally, we encourage utilities to restore service to customers whose service has been terminated, to the extent they can do so safely.

THEREFORE, IT IS ORDERED:

That all electric, natural gas, water, wastewater, telecommunications, and steam utilities subject to the Commission's jurisdiction are prohibited from terminating service during the pendency of the Proclamation of Disaster Emergency consistent with this Emergency Order.

Date: March 13, 2020

Gladys Brown Dutrieuille, Chairman