ICC Approves Landmark COVID-19 Utility Relief Agreements

Press Release - Thursday, June 18, 2020

Chicago, IL - An extraordinary consumer protection effort, initiated by the Illinois Commerce Commission, helps ensure eligible residential and small business utility customers can continue to receive life-saving electric, gas, water and sewer services once the moratorium on disconnections for non-payment and late payment fees expires. On Thursday, the ICC voted unanimously in favor of a stipulated agreement negotiated by Commission Staff, the Attorney General's Office and other consumer advocate groups, and the state's largest utilities, offering temporary, more flexible credit and collection procedures to customers financially hard hit by COVID-19. A separate agreement was also approved with smaller electricity, gas and water utilities that serve Illinois residents.

"More than one million unemployment claims have been filed in Illinois since the start of the coronavirus pandemic, and even as Illinois begins the process of reopening, uncertainty remains. The terms of this agreement acknowledge that families and small businesses across Illinois are hurting and may need additional help managing their utility bills to stay connected once the moratorium on shutoffs is lifted," said ICC Chairman Carrie Zalewski. "Reaching this agreement was no easy task. I would like to thank all of the parties involved for their time, compassion and hard work."

On March 18, 2020, at the request of Governor JB Pritzker and Attorney General Kwame Raoul, the ICC formalized a moratorium on utility disconnections and late payment fees to ensure the continuation of essential services during the COVID-19 public health emergency in Docket No. 20-0309. As part of the order, the Commission also directed the utilities to implement plans to offer temporary flexible credit and collection practices during the recovery process which launched negotiations into the stipulated agreement.

"At the onset of the COVID-19 pandemic, at my request, Chairman Zalewski led the Commission's work to end utility shutoffs and late payment fees to ease the burden and provide peace of mind for residents during this unprecedented crisis. The collaborative agreement finalized today takes a step further in that same spirit and will provide much needed relief and bill assistance to families throughout our recovery," said Illinois Governor JB Pritzker.

The large utility stipulated agreement covers eight of the state's major utility companies, including: Aqua Illinois, Illinois-American Water Company, Utility Services of Illinois, Inc., Ameren Illinois Company, Northern Illinois Gas Company (Nicor Gas), North Shore Gas Company, The Peoples Gas Light & Coke Company (Peoples Gas), and Commonwealth Edison (ComEd). The terms of the stipulated agreement with the large utilities include extending the moratorium on disconnections and suspension of late payment fees until Illinois enters Phase 4 of Governor Pritzker's Restore Illinois

plan, or August 1, 2020, whichever comes first, and for an additional 30 days beyond that for most customers. The large utilities will then have 30 days to notify residential consumers with past due balances on their account about the more flexible payment and bill assistance options available and how to enroll before disconnection notices are sent.

Other meaningful provisions of the large utility agreement will allow residential customers struggling to pay their utility bills to pay back accrued balances over an extended period of time depending on financial hardship. The customer's expression of financial hardship can be verbal and not require documentation. Additionally, reduced down payments on deferred payment arrangements (DPAs) will be available, and for those eligible for the Low Income Home Energy Assistance Program (LIHEAP) or other bill payment assistance, DPAs will be offered with no down payment.

Among other terms of the stipulated agreement with the state's largest utilities are:

- Deposits associated with late or non-payment arrearages or credit related issues for new or existing customers shall be waived for at least six months for residential customers who express financial hardship.
- Utilities must reconnect customers previously disconnected for nonpayment and waive any reconnection fees for a period of at least six months for LIHEAP-qualified customers and customers experiencing financial hardship.
- Reconnection information and temporary credit and collection policies must be displayed on utility websites.
- Utility companies will continue their current practice of not reporting late payments and nonpayment for active customers to credit bureaus and reporting agencies.
- Extensive reporting by the utility companies is required to ensure compliance with the stipulated agreement and monthly disconnection, credit and collections data must be reported by zip code or service region or district so that the commission may evaluate the impact on various communities.

The Commission also approved a similar consumer protection focused agreement with five of Illinois' smaller utility companies, namely Consumers Gas Company, Illinois Gas Company, Liberty Utilities Corp., MidAmerican Energy Company, and Mt. Carmel Public Utility Company. In alignment with the large utility agreement, the agreement with the small utilities suspends disconnections and late fees for nonpayment until Illinois enters Phase 4 of Governor Pritzker's Restore Illinois plan, or August 1, 2020, whichever comes first. Among a variety of independent commitments, the small utility agreement further provides protections for residential customers through temporary waivers of reconnection fees and new deposit requirements, as well as more flexible DPA terms.

"We are all spending more time at home due to COVID-19, and must rely heavily on essential services to heat and cool our homes, and keep us connected to school, work and family. With so many out of work as we deal with this unprecedented global pandemic, now is not the time to cut services. The agreement we approved today is significant in that it will help many families from falling too far behind, and places Illinois in a leading role for other states to follow as they develop plans of their own," said Commissioner Sadzi Martha Oliva.

"The order by the Illinois Commerce Commission recognizes an important agreement reached by several entities that benefits consumers, many of whom have endured serious financial hardships during the COVID-19 pandemic," said NARUC President and Mississippi Commissioner Brandon Presley. "Their process to address specific challenges, such as consumer protections and a cost recovery mechanism for utilities to provide reliable and safe service without interruption, may serve as a model or point of discussion for other commissions grappling with similar issues."

In addition to the utility companies named above, the stipulated agreement participants include the Office of the Illinois Attorney General, the City of Chicago, Community Organizing and Family Issues, the Citizens Utility Board, Legal Aid Society of Metropolitan Family Services, Allen Cherry, and Staff of the Illinois Commerce Commission.

These agreements compliment other recent efforts by the Commission to protect consumers. In March, the Commission opened a Notice of Inquiry as a vehicle to examine and evaluate the issue of utility affordability for all Illinois customers. In April, the Commission opened an investigation into an annual process and formula for calculating rebate values for customers with solar, wind or other renewable energy systems on their property in Ameren Illinois' territory; and lastly, the Commission recently imposed a $1 million dollar fine on an alternative electric retail supplier for failing to comply with state marketing and sales rules.

To read the full orders, please click **here**.

Press Releases

- **IDNR, state fire marshal urge public to leave fireworks displays to licensed, trained professionals**

  Thursday, June 30

- **Lanes reopening where possible for July Fourth travel**

  Thursday, June 30

- **Secretary of State Offices to Close for Independence Day**

  Thursday, June 30

VIEW MORE›