JAY INSLEE
Governor

STATE OF WASHINGTON
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PROCLAMATION BY THE GOVERNOR
AMENDING AND EXTENDING EMERGENCY
PROCLAMATIONS 20-05, 20-23, 20-23.1 and 20-23.2

20-23.3
Ratepayer Assistance and Preservation of Essential Services

WHEREAS, on February 29, 2020, I issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout Washington State of as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, as a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations, I have subsequently issued amendatory Proclamations 20-06, through 20-53 exercising my emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations; and

WHEREAS, the COVID-19 disease, caused by a virus that spreads easily from person to person which may result in serious illness or death and has been classified by the World Health Organization as a worldwide pandemic, has broadly spread throughout Washington State, significantly increasing the threat of serious associated health risks statewide; and

WHEREAS, the COVID-19 pandemic has caused a global economic slowdown and an economic downturn in Washington State, resulting in layoffs and reduced work hours for a significant percentage of our workforce and significant reductions in business activity impacting our commercial sectors that support our state's economic vitality, including severe impacts to the large number of small businesses that make Washington State's economy thrive; and

WHEREAS, the available financial resources of many of our people and businesses are becoming limited with many of them suffering considerable economic hardship as a result of the economic impacts of the COVID-19 pandemic on our economy, resulting in a significant threat of utility services being disconnected and late payment fees being imposed; and

WHEREAS, maintaining provision of utility services during this crisis is an essential tool in sustaining and protecting the health and welfare of our people and businesses as a critical part of the overall response to the COVID-19 pandemic; and

WHEREAS, the Washington State Utilities and Transportation Commission regulates the rates and services of investor-owned utilities in Washington State and is coordinating with utilities throughout the State to protect the availability and affordability of essential utility services for those economically impacted by the COVID-19 pandemic through a variety of measures, including: suspending disconnection of utilities for nonpayment, waiving late fees, working with affected utility customers to establish payment arrangements, and improving access to energy assistance for affected customers; and

WHEREAS, on March 18, 2020, I issued Proclamation 20-23, which was amended on March 24, 2020, by Proclamation 20-23.1, in which I prohibited certain activities and ordered the following statutory waivers and suspensions for 30 days subject to Legislative extension: (1) I waived and suspended RCW 80.04.130(1) and RCW 80.28.060(1) pursuant to the provisions of RCW 43.06.220(2)(d), RCW 80.04.130(8), and RCW 80.28.060(2), and (2) I waived and suspended RCW 80.04.110(1)(a) and RW 80.28.068 under the provisions of RCW 43.06.220(2)(g), until midnight on April 17, 2020; and

WHEREAS, on April 15, 2020, under the provisions of RCW 43.06.220(4), these statutory waivers and suspensions were extended by the leadership of the Washington State Senate and House of Representatives to May 4, 2020; and

WHEREAS, on May 4, 2020, under the provisions of RCW 43.06.220(4), the statutory waivers and suspensions of Proclamation 20-23, 20-23.1, and 20-23.2 were again extended by the leadership of the Washington State Senate and House of Representatives until the termination of the COVID-19 State of Emergency or May 31, 2020, whichever occurs first; and

WHEREAS, the worldwide COVID-19 pandemic and its progression throughout Washington State continues to threaten the life and health of our people as well as the economy of Washington State, and remains a public disaster affecting life, health, property or the public peace; and

WHEREAS, the Washington State Department of Health continues to maintain a Public Health Incident Management Team in coordination with the State Emergency Operations Center and other supporting state agencies to manage the public health aspects of the incident; and

WHEREAS, the Washington State Military Department Emergency Management Division, through the State Emergency Operations Center, continues coordinating resources across state government to support the Washington State Department of Health and local health officials in alleviating the impacts to people, property, and infrastructure, and continues coordinating with the Department of Health in assessing the impacts and long-term effects of the incident on Washington State and its people.

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, as a result of the above-noted situation, and under Chapters 38.08, 38.52 and 43.06 RCW, do hereby proclaim that a State of Emergency continues to exist in all counties of Washington State, that Proclamation 20-05 and all amendments thereto remain in effect, and that Proclamations 20-05, 20-23, 20-23.1, and 20-23.2 are amended to (1) recognize the extension of statutory waivers and suspensions therein by the leadership of the Washington State Senate and House of Representatives to May 31, 2020, (2) extend my order prohibiting certain utility low income accounts from being used during this crisis for any purpose other than to support community action agencies or otherwise provide services to address the consequences of the COVID-19 pandemic until May 31, 2020, and (3) under RCW 43.06.220(1)(h), to help preserve and maintain life, health, property or the public peace, prohibit all energy, telecommunications, and water utilities in Washington State from disconnecting certain residential utilities and from charging related late payment and reconnection fees until May 31, 2020.

I again direct that the plans and procedures of the Washington State Comprehensive Emergency Management Plan be implemented throughout state government. State agencies and departments are directed to continue utilizing state resources and doing everything reasonably possible to support implementation of the Washington State Comprehensive Emergency Management Plan and to assist affected political subdivisions in an effort to respond to and recover from the COVID-19 pandemic.

I continue to order into active state service the organized militia of Washington State to include the National Guard and the State Guard, or such part thereof as may be necessary in the opinion of The Adjutant General to address the circumstances described above, to perform such duties as directed by competent authority of the Washington State Military Department in addressing the outbreak. Additionally, I continue to direct the Washington State Department of Health, the Washington State Military Department Emergency Management Division, and other agencies to identify and provide appropriate personnel for conducting necessary and ongoing incident related assessments.

IT IS HEREBY RECOGNIZED that, pursuant to RCW 43.06.220(4), the leadership of the Washington State Senate and House of Representatives has extended my statutory waivers and suspensions of the following statutes in Proclamations 20-23, 20-23.1, and 20-23.2 to May 31, 2020:

1. RCW 80.04.130(1); and
2. RCW 80.28.060(1)
3. RCW 80.04.110(1)(a); and
4. RCW 80.28.068

FURTHERMORE, based on the above situation and under the provisions of RCW 43.06.220(1)(h), to help preserve and maintain life, health, property or the public peace in addressing the COVID-19 State of Emergency, I extend Proclamations 20-23, 20-23.1, and 20-23.2 prohibiting the Washington State Utilities and Transportation Commission from applying the waiver and suspension of RCW 80.04.110(1)(a) and RCW 80.28.068 for any

purpose other than providing relief to members of the public affected directly or indirectly by the COVID-19 pandemic while this Proclamation remains in effect. Expenses and lost revenues as a result of rate assistance or discounts shall be included in the company's cost of service and recovered in rates to other customers, provided that the utilities making a request for such recovery demonstrate to the satisfaction of the commission that such expenses and lost revenues occurred as a result of providing rate assistance or discounts.

FURTHERMORE, based on the above situation and under the provisions of RCW 43.06.220(1)(h), to help preserve and maintain life, health, property or the public peace, and while the statutory waivers and suspensions of this Proclamation remain in effect, I hereby extend Proclamations 20-23, 20-23.1, and 20-23.2 prohibiting the Washington State Utilities and Transportation Commission or any other person or entity from using or otherwise relying upon the waiver or suspension of any statutory provisions identified herein for any purpose other than assisting utility customers throughout Washington State impacted by the economic consequences of the COVID-19 pandemic and using surplus balances from electric and natural gas utility low income accounts to support community action agencies or otherwise provide services intended to address the consequences of the COVID-19 pandemic in Washington State.

FURTHERMORE, I make the following findings:

(1) Many local governments have issued emergency declarations regarding the COVID-19 pandemic.
(2) The following entities are authorized to provide essential utility services in Washington State:
    a) Municipal utilities, public utility districts, and water and sewer districts authorized under Title 35 RCW, Title 54 RCW, and Title 57 RCW;
    b) Electrical, natural gas, telecommunications, and water companies regulated by the Utilities and Transportation Commission under Title 80 RCW;
    c) Cooperatives formed under Chapter 23.86 RCW; and
    d) Mutual corporations or associations formed under Chapter 24.06 RCW.
    e) Public water systems formed under Chapter 70.119A RCW.
(3) Preserving and maintaining essential utility services to vulnerable populations during this crisis supports the fundamental public purpose of protecting public health and welfare.

FURTHERMORE, in recognition of the above findings, and to help preserve and maintain life, health, property or the public peace under RCW 43.06.220(1)(h), I prohibit all energy, telecommunications, and water providers in Washington State from conducting the following activities from March 23, 2020, the date Proclamation 20-25 was signed, until May 31, 2020: (1) disconnecting any residential customers from energy, telecommunications, or water service due to nonpayment, except at the request of the customer; (2) refusing to reconnect any residential customer who has been disconnected due to nonpayment; and (3) charging fees for late payment or reconnection of energy, telecommunications, or water service.

Additionally, I strongly encourage all entities providing utility services in Washington State to take reasonable actions to mitigate the economic impacts of the COVID-19 pandemic on their utility customers caused by this crisis, including but not limited to: enacting flexible credit and collection procedures, such as using payment plans to fulfill customer outstanding balances; coordinating with the Department of Commerce to help eligible customers gain access to federal funding for energy bill assistance; employing internal processes and procedures to facilitate social distancing and proper hygiene practices; and closing facilities to the public. **I also strongly encourage** municipal and public utility boards and commissions to delegate authority to senior utility executives to take any and all actions necessary or appropriate to mitigate the economic impacts to their utility customers to address the COVID-19 crisis.

Additionally, these prohibitions do not relieve a utility customer from the obligation to pay for utility services.

Violators of this of this order may be subject to criminal penalties pursuant to RCW 43.06.220(5).

Signed and sealed with the official seal of the state of Washington on this 5th day of May, A.D., Two Thousand and Twenty at Olympia, Washington.

By:

/s/
Jay Inslee, Governor

BY THE GOVERNOR:

/s/
Secretary of State