JAY INSLEE
Governor

STATE OF WASHINGTON
OFFICE OF THE GOVERNOR
P.O. Box 40002 • Olympia, Washington 98504-0002 • (360) 902-4111 • www.governor.wa.gov

PROCLAMATION BY THE GOVERNOR
AMENDING PROCLAMATION 20-05

20-23
UTC – Ratepayer Assistance

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, 20-07, 20-08, 20-09, 20-10, 20-11, 20-12, 20-13, 20-14, 20-15, 20-16, 20-17, 20-18, 20-19, 20-20, 20-21, and 20-22, 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 is expected to cause a sustained global economic slowdown, which is anticipated to cause an economic downturn in Washington State resulting in layoffs and reduced work hours for a significant percentage of our workforce and 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 expected to suffer 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 our 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, 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 (DOH) 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 DOH 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 Proclamation 20-05 is amended to waive or suspend specified statutes that prevent, hinder or delay necessary action in coping with the economic impacts to utility customers throughout the state of Washington resulting from the COVID-19 State of Emergency, and to help preserve and maintain life, health, property or the public peace by prohibiting certain utility low income accounts from being used during this crisis for any purpose other than to support community action agencies in providing services to address the consequences of the COVID-19 pandemic.

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.

FURTHERMORE, based on the above situation and under the provisions of RCW 43.06.220(2)(d), RCW 80.04.130(8), and RCW 80.28.060(2), I hereby waive and suspend the following statutory obligations and limitations concerning tariff changes until midnight on April 17, 2020:

1. RCW 80.04.130(1); and
2. RCW 80.28.060(1)

FURTHERMORE, based on the above situation and under the provisions of RCW 43.06.220(2)(g), I also find that strict compliance with the following statutory obligations or limitations will prevent, hinder or delay action in providing relief to utility customers throughout the state of Washington that is necessary for coping with the COVID-19 State of Emergency under Proclamation 20-05, and that the specific provisions of each statute listed below are hereby waived and suspended until midnight on April 17, 2020:

1. RCW 80.04.110(1)(a); and
2. 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 prohibit 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.

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 prohibit 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 in providing services intended to address the consequences of the COVID-19 pandemic in Washington State.

ADDITIONALLY, In recognition of the following: (1) that many local governments have issued emergency declarations regarding the COVID-19 pandemic, (2) that municipal utilities, public utility districts, and water and sewer districts impacted by the COVID-19 pandemic are authorized under Title 35 RCW, Title 54 RCW, and Title 57 RCW to provide essential services, and (3) that preserving and maintaining essential services to vulnerable populations during this crisis supports the fundamental public purpose of protecting public health and welfare; **I hereby strongly encourage** all utilities 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: acting to prevent disconnection of services due to non-payment during the term of the statewide emergency declaration; waiving late payments and fees; using payment plans to fulfill customer outstanding balances; 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.

Violators 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 18th day of March, A.D., Two Thousand and Twenty at Olympia, Washington.

By:

/s/
Jay Inslee, Governor

BY THE GOVERNOR:

/s/
Secretary of State