PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF EMERGENCY RULEMAKING

RM3-2021-01, IN THE MATTER OF THE INVESTIGATION INTO THE CONSUMER RIGHTS AND RESPONSIBILITIES,

1. The Public Service Commission of the District of Columbia (Commission), pursuant to its authority under D.C. Official Code § 2-505 (2016 Repl.), including its emergency rulemaking authority under § 2-505 (c) (2016 Repl.), and § 34-802 (2019 Repl.), hereby gives notice of the adoption of the following amendment, on an emergency basis, to Chapter 3 (Consumer Rights and Responsibilities) of Title 15 (Public Utilities and Cable Television) of the District of Columbia Municipal Regulations (DCMR), whereby the Commission adopts revisions to Commission Rule 311.3 and requires utilities to provide forty-five (45) days' notice to residential customers after the Mayor of the District of Columbia lifts the public health emergency before terminating or disconnecting service.

2. This emergency rulemaking is necessary to provide additional protections to residential customers as we continue to respond to the impact of the COVID-19 global pandemic after the Mayor lifts the public health emergency. The Coronavirus Support Temporary Amendment Act of 2020, effective October 9, 2020 (D.C. Law 23-130; 67 DCR 8622 (July 17, 2020) requires utilities to provide customers with fifteen (15) days' notice after the lifting of the emergency before disconnecting utility service. However, to protect the health, safety, and welfare of customers, the Commission believes that some residential customers impacted by the pandemic may need more than fifteen (15) days. Therefore, the Commission is amending Subsection 311.3 on an emergency basis to require utilities to give residential customers forty-five (45) days' notice before disconnecting service. Additions are shown in bold and underline text; deletions are shown in bold and strikethrough text.

3. This emergency rulemaking was adopted on March 3, 2021, and became effective immediately. This emergency rulemaking will remain in effect for up to one hundred twenty (120) days from the date of adoption, expiring July 1, 2021, unless superseded beforehand.

Chapter 3, CONSUMER RIGHTS AND RESPONSIBILITIES, of Title 15 DCMR, PUBLIC UTILITIES AND CABLE TELEVISION, is amended as follows:

Section 311, PROCEDURES FOR UTILITY DISCONNECTION, is amended by amending § 311.3 as follows:

311.3 A utility shall not disconnect Residential Service unless a Disconnection notice has been sent to the Customer at the billing address by either first class mail or other technological means at least **~~fifteen (15)~~** **forty-five (45)** days prior to the date of proposed Disconnection. The Utility providing telecommunications services shall not suspend Residential Service unless a suspension notice has been sent to the Customer at the billing address by either first class mail or other technological means at least **~~ten (10)~~ forty-five (45)** days prior to the date of proposed suspension.

Any notice required to be sent to a Customer prior to Disconnection or suspension of service may be sent along with the Bill for service; however, the notice of Disconnection or suspension of service must be on the first page of the Bill and shall be in bold print. Upon request of the Customer, a duplicate copy of the notice shall be sent by either first class mail or Internet or other technological means to a designated third party. The third party assumes no obligation for the Customer's Account.