

## SENATE BILL NO. \_\_\_\_\_ HOUSE BILL NO. \_\_\_\_\_

1 A BILL to require certain utilities to develop an Emergency Debt Repayment Plan.

2 **Be it enacted by the General Assembly of Virginia:**

3 1. § 1. Notwithstanding any other provision of law, if the Governor has declared a state of  
4 emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of  
5 public health threat as defined in § 44-146.16 of the Code of Virginia, every utility providing electric, gas,  
6 or water service ("utility") shall develop an Emergency Debt Repayment Plan (EDRP) for residential  
7 customers. Utilities may collaborate or partner with third-party organizations, institutions, or agencies for  
8 the purpose of successful compliance and implementation of its EDRP.

9 An EDRP shall be designed to ensure that debt payments along with regular monthly payments  
10 are sustainable and affordable for the customer and shall allow for (i) an up to 24-month repayment period,  
11 (ii) a customer to roll over remaining debt with any debt accrued under a subsequent state of emergency;  
12 and (iii) monthly payments that do not exceed, per utility, \$ 45.50 or, at the option of the utility, four  
13 percent of the customer's household income provided the utility or a third-party verifies the customer's  
14 income in a manner consistent with any applicable state or federal privacy laws. A utility shall not require  
15 any deposit or application fee or any other type of advance payment before enrolling a customer in an  
16 EDRP and shall not charge any interest or finance charges on the unpaid debt while the customer is  
17 enrolled in an EDRP. A utility shall coordinate its EDRP with any other relevant financial assistance  
18 programs, energy assistance and weatherization programs, or percentage of income payment programs  
19 and shall not enroll a customer in an EDRP until after all other available methods of debt mitigation or  
20 payment plans are exhausted or do not result in providing a sustainable and affordable payment plan for  
21 the customer.

22 Prior to the expiration of the state of emergency every utility shall provide its residential customers,  
23 in the same manner the customer receives billing information, with information detailing its EDRP  
24 including eligibility and enrollment information. Prior to discontinuing service for any customer who has  
25 an overdue balance accumulated during the state of emergency, a utility shall offer to enroll the customer

26 into the EDRP. The utility shall not discontinue service for any customer enrolled in the plan provided the  
27 customer remains in compliance with the terms of the EDRP. Payments under the EDRP shall not begin  
28 until after the expiration of the state of emergency.

29 For the purposes of this act and for any utility that is subject to an order or any extension thereof  
30 issued by the State Corporation Commission ("the Commission") suspending disconnection of service in  
31 response to the state of emergency that extends beyond the state of emergency, such state of emergency  
32 shall be considered to remain in effect until the expiration of the disconnection of service order.

33 Following the implementation of an EDRP, each utility shall submit a monthly report to the  
34 Commission that contains the following anonymized information: (a) the number of accounts remaining  
35 in the EDRP; (b) the total amount of and average of debt for accounts remaining in the EDRP; (c) the  
36 number of accounts removed from the EDRP, categorized by reason; (d) the amount of and average of  
37 debt still remaining for accounts removed from the EDRP; and (e) the utility's anticipated bad debt write-  
38 off from the EDRP compared with any non-EDRP bad debt write-off. The Commission shall provide the  
39 chairs of the House Committees on Labor and Commerce and Appropriations and the Senate Committees  
40 on Commerce and Labor and Finance and Appropriations an aggregated anonymized report by utility type  
41 containing such compiled information within three months of the expiration of the state of emergency and  
42 annually thereafter for the following two years.

43 Debt recovered by an EDRP shall not be recognized as an asset for regulatory purposes and any  
44 associated costs shall not be recoverable through base rates or a rate adjustment clause.

45 Nothing in this act shall be construed to grant any additional jurisdiction or authority to the  
46 Commission over any utilities not otherwise conferred by law.

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