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STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

July 14, 2020 - 1:55 p.m.

[Remote Hearing conducted via Webex]

RE: IR 20-089
NEW HAMPSHIRE PUBLIC UTILITIES:
Investigation into Effects of the
COVID-19 Emergency on Utilities
and Utility Customers.
(Public Hearing)

PRESENT: Chairwoman Dianne Martin, Presiding
Cmsr. Kathryn M. Bailey
Cmsr. Michael S. Giaimo

Doreen Borden, Clerk
Eric Wind, PUC Remote Hearing Host

APPEARANCES: (No appearances taken)

Court Reporter: Steven E. Patnaude, LCR No. 52

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P R O C E E D I N G

1
2 CHAIRWOMAN MARTIN: We're here this
3 afternoon in Docket IR-20-089, which is the
4 investigation into the effects of the COVID-19
5 emergency on utilities and utility customers. We
6 received comments and argument regarding
7 rate-regulated utilities and New Hampshire
8 Electric Cooperative's agreement regarding
9 collection activities, payment plans, late fees,
10 and customer disconnections.

11 Because this is a remote hearing, I
12 have to make the required findings.

13 As Chairwoman of the Public Utilities
14 Commission, I find that due to the State of
15 Emergency declared by the Governor as a result of
16 the COVID-19 pandemic and in accordance with the
17 Governor's Emergency Order Number 12 pursuant to
18 Executive Order 2020-04, this public body is
19 authorized to meet electronically.

20 Please note that there is no physical
21 location to observe and listen contemporaneously
22 to this hearing, which was authorized pursuant to
23 the Governor's Emergency Order. However, in
24 accordance with the Emergency Order, I am

1 confirming that we are utilizing Webex for this
2 electronic hearing. All members of the
3 Commission have the ability to communicate
4 contemporaneously during this hearing through
5 this platform. And the public has access to
6 contemporaneously listen and, if necessary,
7 participate.

8 We previously gave notice to the public
9 of the necessary information for accessing the
10 hearing in the Order of Notice. If anybody has a
11 problem during the hearing, please call
12 (603)271-2431. In the event the public is unable
13 to access the hearing, the hearing will be
14 adjourned and rescheduled.

15 Okay. Let's start by taking a roll
16 call attendance of the Commission.
17 Commissioners, when you state your presence,
18 please state whether there is anyone in the room
19 with you and, if so, please identify them.

20 My name is Dianne Martin. I am the
21 Chairwoman of the Public Utilities Commission.
22 And I am alone.

23 Commissioner Bailey.

24 CMSR. BAILEY: Commissioner Kathryn

1 Bailey. And I am alone.

2 CHAIRWOMAN MARTIN: Commissioner

3 Giaimo.

4 CMSR. GIAIMO: Good afternoon. Michael
5 Giaimo. I am alone.

6 CHAIRWOMAN MARTIN: Okay. So, I have a
7 list of people who would like to speak on the
8 issue. And then I have a list of what I
9 understand to be utilities who are present, if
10 the need to reply exists.

11 For the people who want to speak in the
12 first instance, I have Mr. Kreis, from the OCA; I
13 have Angela Zhang, who is a member of the public;
14 and I have Mr. Burke, who is from NHLA. For
15 utilities, I have Eversource, Unitil, New
16 Hampshire Electric Corporation, Pennichuck,
17 Aquarion, and Lakes Region. Do I have it correct
18 that the utilities will only speak in response or
19 do any of you want to be heard in the first
20 instance?

21 If you want to be heard in the first
22 instance, just put your hand up and I'll add you
23 to the list?

24 Okay. So, we will start with Mr.

1 Kreis.

2 MR. KREIS: Thank you, Chairwoman
3 Martin, and good afternoon, everybody.

4 As far as the Office of the Consumer
5 Advocate is concerned, we are here today because
6 of a email that I received -- excuse me -- on
7 June 30th, which was a Tuesday, at 3:23 p.m.,
8 from the Commission's Director of Consumer
9 Services and Public Affairs. And that message
10 said: "Below is the agreement for managing
11 receivables and collections, which the utilities
12 agreed to on Friday." And it lists a set of
13 bullet points that relate to commercial
14 customers, and then it recites a series of bullet
15 points that relate to residential customers.

16 The first bullet says "Soft collections
17 until September 15th." It states that
18 "Disconnection notices could start on September
19 16th." It said that there would be "No late
20 payment charges through October 1st." And then,
21 there are several other conditions laid out, the
22 last of which is -- the second to last of which
23 is a "12-month minimum payment arrangement [and]
24 at least one opportunity to catch up missed

1 payment and retain payment arrangement but,
2 depending on the circumstances, more than one
3 opportunity could be reasonable."

4 Now, based on various phone
5 conversations and other communications that I
6 received before, during, and after that email on
7 June 30th, it's my understanding that those terms
8 and conditions were worked out between the
9 utilities and the Staff of the Public Utilities
10 Commission, and possibly even representatives of
11 the Governor's Office. And I would like to say,
12 on behalf of the state's residential ratepayers,
13 that I am extremely disappointed if that is, in
14 fact, a correct understanding of what has
15 happened.

16 And the order that the Commission
17 issued recently scheduling this hearing suggests
18 that I may be correct. And it referenced
19 language from the Governor's Emergency Order
20 Number 58, which lifted his previously imposed
21 disconnection moratorium, and seems to have
22 authorized exactly what I just described, a
23 non-public agreement among the utilities and the
24 Staff of the Commission.

1 I have never seen anything like this
2 happen before. I'm used to the Commission making
3 its determinations after providing my Office and
4 any other interested party a reasonable
5 opportunity to be heard on the matters to be
6 decided.

7 I looked at the statute that describes
8 the Governor's emergency powers. That statute is
9 RSA 4, Section 45. And the only thing I could
10 come up with in that statute that would suggest
11 that the Governor has the power to resolve
12 questions like this, that would normally be
13 resolved publicly by the Public Utilities
14 Commission, is the language in that statute that
15 says the Governor is authorized "to perform and
16 exercise such other functions, powers, and duties
17 as are necessary to promote and secure the safety
18 and protection of the civilian population."

19 And I guess what I have to say about
20 that is, with all due respect to the Governor,
21 and with all due respect to the Commissioners,
22 and with all due respect to the Staff of the
23 Commission, and with all due respect to the
24 utilities, I think that stretches -- it stretches

1 the language I just quoted to near or beyond its
2 breaking point to suggest that the Governor's
3 Executive Order, and the Commission's Staff
4 having entered an agreement with the utilities is
5 consistent with New Hampshire law.

6 So, again, I am disappointed. And what
7 I'm urging the Commission to do is to do what I
8 thought it was planning on doing when we all last
9 convened in this docket. Which would be to
10 reconvene all the parties and have all of us be
11 heard on the question of what we need to do, now
12 that the Governor has, I think validly, lifted
13 his disconnection moratorium.

14 When we last were all together in this
15 docket, I laid out a series of terms and
16 conditions that I regard as significantly more
17 ratepayer-favorable than the ones that appear to
18 have been negotiated.

19 I am concerned, because I read the
20 national news, that the pandemic that we're all
21 trying to live through is anything but over, and
22 there is every reason to expect and assume
23 another surge of COVID-19 cases that may, and
24 probably will, require the state to ease up, and

1 maybe even move backward, on the return to
2 normalcy path that we're currently on.

3 And, so, therefore, in my respectful
4 opinion, it is far too early to put the
5 disconnection and collection practices of the
6 utility back on a path to normalcy. I agree that
7 we do need to do that eventually. I agree that
8 allowing arrearages to pile up, particularly for
9 consumers who can afford to pay their utility
10 bills, is bad public policy. But, on the other
11 hand, the number of New Hampshire utility
12 customers who are stressed economically,
13 unemployed, and are unable to pay their electric
14 bills is, I believe, significantly larger than it
15 would have been had we been talking about this
16 subject a year ago. So, again, I'm very
17 concerned.

18 I received a lot of useful information
19 about the state of our economy and the state of
20 affairs that apply to the low-income community in
21 New Hampshire from my distinguished colleague,
22 Mr. Burke, of New Hampshire Legal Assistance.
23 And I would respectfully suggest to the
24 Commission that, rather than have me lay that out

1 for you, that you give him an opportunity to do
2 that, because I think the information that he has
3 is extremely compelling.

4 So, I think that's all I want to say in
5 the first instance.

6 CHAIRWOMAN MARTIN: Okay. We'll take
7 questions from the Commissioners before we move
8 on to Mr. Burke.

9 Commissioner Bailey?

10 *(Cmsr. Bailey indicating in the*
11 *negative.)*

12 CHAIRWOMAN MARTIN: Commissioner
13 Giaimo?

14 CMSR. GIAIMO: No. No questions at
15 this time.

16 CHAIRWOMAN MARTIN: I do have a
17 question, Mr. Kreis. You said that you "received
18 an email on 6/30, at 3:23 p.m." Was that the
19 first communication you received about this
20 agreement?

21 MR. KREIS: No. I received a phone
22 call from Ms. Noonan, I believe, earlier that
23 day.

24 CHAIRWOMAN MARTIN: And was that the

1 first communication you received?

2 MR. KREIS: Yes.

3 CHAIRWOMAN MARTIN: Okay. I have no
4 other questions at this time. Thank you.

5 Mr. Burke.

6 MR. BURKE: Apologies. It took a
7 second to come off mute.

8 Good afternoon, Commissioners, and to
9 all the participants. For the record, my name is
10 Raymond Burke. And I'm an attorney with New
11 Hampshire Legal Assistance. I would like to
12 thank the Commission for providing the
13 opportunity to offer some additional comments in
14 this docket with respect to the end of the
15 moratorium on disconnections. As before, our
16 comments will address concerns primarily related
17 to low-income residential customers of the
18 electric and gas utilities.

19 To start, I would just like to say that
20 NHLA does appreciate the efforts of the
21 Commission Staff and the utilities to reach an
22 agreement that provides some important
23 protections to Granite Staters who are still
24 struggling to pay their utility bills during the

1 crisis. These additional protections are
2 necessary given the limited scope of the
3 protections in Emergency Order Number 58. But,
4 through our comments today, we would ask that the
5 Commission and the utilities consider modifying
6 the agreement to better account for the needs and
7 concerns of low-income ratepayers.

8 As my comments will discuss in more
9 detail, we believe these changes and additions
10 should include, first, creating a mechanism for
11 further modifying the agreement should conditions
12 in New Hampshire change as a result of the
13 pandemic; creating more flexible repayment
14 arrangements for low-income customers that better
15 account for their ability to pay; allowing
16 customers to take advantage of the more flexible
17 repayment arrangements to repay arrears that
18 accrue even after July 15th that were still
19 nonetheless caused by the effects of the
20 pandemic; allowing customers to modify and
21 renegotiate a repayment arrangement if they
22 experience a loss of income due to the pandemic
23 that occurs after initially entering into a
24 repayment plan; we also believe it would be

1 important to create a plan for customer outreach
2 and communication so that customers are properly
3 informed of their rights under the agreement and
4 how to appeal to the Commission should a dispute
5 arise about the application of those additional
6 protections; the plan should also include
7 outreach and communication and informing
8 low-income customers of the different assistance
9 programs available to them; and the parties
10 should commit to continue investigating ways to
11 ensure access to affordable utility service
12 during this crisis, which we believe should
13 include, but is not limited to, a statewide
14 arrearage management program.

15 Before I address these points in more
16 detail, I would like to provide some additional
17 information about some of the comments I made in
18 the status conference that was held on June 17th
19 in this docket. And I think this information is
20 what the Consumer Advocate was just alluding to.

21 At NHLA, we are also still concerned
22 that it's too soon to make decisions about how to
23 adequately respond to the effects of the crisis,
24 at least with respect to our low-income clients

1 or utility customers. We know that some of our
2 neighboring states are waiting longer before
3 resuming disconnections, we think it would be
4 wise to do the same here in New Hampshire.

5 While we can't predict whether New
6 Hampshire will experience a second wave of COVID
7 cases, we do know that many Granite Staters are
8 about to lose approximately two-thirds of their
9 income. As I mentioned to you at the status
10 conference, on July 25th, people receiving
11 unemployment benefits will lose the extra \$600
12 per week, which was authorized by the CARES Act.

13 And I'd just like to take a moment to
14 highlight some data about these benefits that I
15 didn't have available to me on June 17th at that
16 status conference. Through June, the extra \$600
17 per week of unemployment benefits, which are
18 known as "FPUC benefits", represented
19 approximately 70 percent of all unemployment
20 benefits paid to recipients here in New
21 Hampshire. This totaled approximately \$644
22 million. Through June, there were about 75,000
23 individuals receiving some form of unemployment
24 benefits that would have included this extra

1 \$600. And, based on these numbers, the estimated
2 loss of FPUC benefits to the state after July
3 25th totals approximately \$45 million. This loss
4 means that the average unemployment recipient
5 will experience about a 70 percent reduction in
6 benefits beginning the week of July 27th.

7 This data highlights that we're asking
8 people to start entering in repayment plans to
9 pay arrearages at a time when they will
10 experience more difficulty paying their monthly
11 bills. And, just to give you two examples, in
12 the last couple of weeks, we were contacted by
13 two clients who receive unemployment benefits and
14 were asking us for assistance.

15 One is an elderly woman, over sixty,
16 who was working prior to the pandemic, and she
17 has not been able to return to work. And she is
18 currently receiving \$838 per week in unemployment
19 benefits. Starting July 27th, that will drop
20 down to \$238 per week.

21 Similarly, a single mother contacted us
22 recently. She hasn't been able to return to
23 work, because she had no child care for her young
24 child, even though her employer has work

1 available to her. So, she's still receiving
2 unemployment benefits, and right now is getting
3 \$788 per week. But, after July 25th, that will
4 drop down to \$188 per week.

5 We recognize that the current terms of
6 the agreement between the Staff and the utilities
7 state that the utilities cannot begin to send
8 disconnection notices to residential ratepayers
9 until September 16th. But we're concerned that
10 this doesn't provide sufficient time for
11 analyzing the change in payment patterns that
12 will occur once these crucial benefits end. It's
13 reasonable to believe that many customers might
14 still be able to make payments in the beginning
15 of August based on the amount of unemployment
16 benefits they received in July. So, the real
17 concern is what's going to happen one or two
18 months down the road, after they experience the
19 substantial loss of income, especially if they
20 aren't able to return to work because of the
21 pandemic.

22 Since that status conference, when I
23 initially raised some of these concerns, NHLA has
24 become more convinced that the aid provided in

1 the CARES Act was the main reason that we did not
2 see more alarming trends in the data that we
3 discussed during the status conference. There
4 have since been reports in the media about
5 studies that show the CARES Act programs were
6 crucial in avoiding a more significant increase
7 in the national poverty rate. One study reported
8 on by the New York Times showed that the
9 poverty -- the national poverty rate actually
10 decreased slightly from April to May, despite the
11 shutdown of many state economies. The
12 researchers in that study estimated that 12
13 million more people across the country would have
14 fallen into poverty if it were not for the
15 approximately \$1,200 stimulus checks provided to
16 each adult, as well as the supplemental
17 unemployment benefits provided by the CARES Act
18 that I highlighted a moment ago.

19 Despite this positive news about the
20 poverty rate, other data does show that hardship
21 has nevertheless increased, including evidence
22 that the food insecurity rate is twice its
23 pre-pandemic level. Experts warn that we haven't
24 yet felt the full economic impact of this crisis,

1 especially as the aid from the CARES Act program
2 ends or has already been spent. In light of this
3 information, we still believe the Commission
4 should carefully review the customer data that we
5 requested during the status conference as it
6 continues to monitor the effects of this
7 pandemic, and we believe that this data should
8 inform the response.

9 But, if the Commission does decide to
10 proceed based on the timeline outlined in the
11 agreement, we believe the Commission should
12 create a procedure for quickly modifying any
13 decisions that it makes now, should the
14 circumstances in New Hampshire change, as we're
15 seeing in other states across the country, or
16 should the data reveal that different responses
17 are required as we learn more about the ongoing
18 impacts of the crisis.

19 We also believe that low-income
20 customers should be offered repayment
21 arrangements over a minimum period of 24 months.
22 As we heard during the status conference,
23 low-income customers have been hit the hardest by
24 this crisis, and we believe more flexibility is

1 necessary to adequately respond to their
2 financial circumstances and ability to pay. Even
3 prior to the pandemic, the Commission rules and
4 the utilities's practices recognized that a
5 one-size-fits-all approach doesn't work, and that
6 low-income customers should be offered more
7 flexibility. We think this is even more
8 important right now during this crisis.

9 In addition, as I highlighted in my
10 opening remarks, we believe that customers should
11 be offered these more flexible repayment
12 arrangements to repay any arrears that accrue
13 after July 15th that were caused by the crisis.
14 The biggest concern for us, as I said, is that
15 many customers are going to struggle to pay their
16 bills after July 25th, when they lose those
17 unemployment benefits. This loss of unemployment
18 benefits and increased financial strain is
19 through no fault of their own and is a direct
20 result of this crisis. We don't think that these
21 customers should be punished by the unfortunate
22 timing of the end of the disconnection moratorium
23 and the loss of this aid. It's also reasonable
24 to expect that some customers, who maybe aren't

1 struggling right now, could end up struggling,
2 depending on how this crisis evolves here in our
3 state.

4 Similarly, customers, and this is
5 perhaps more important, our customers should have
6 the right to modify or renegotiate the repayment
7 arrangement, if they experience a change in their
8 financial circumstances due to the pandemic. The
9 provision of the current agreement that gives
10 customers at least one opportunity to catch up if
11 they miss a payment is not sufficient to address
12 these concerns. We recognize that the language
13 in the agreement that indicates "more than one
14 opportunity to catch up" could be reasonable, but
15 the ability to make up one or two missed payments
16 doesn't help a low-income customer who can no
17 longer afford the terms of the agreement, because
18 their situation has significantly changed. And,
19 again, changes are foreseeable during this
20 pandemic. For example, we don't yet know the
21 full extent of the impact that this crisis will
22 have on the opening of schools and daycare
23 centers, or if sectors of our economy or certain
24 businesses will have to shut down again if we

1 experience a second wave.

2 But, whatever the Commission approves,

3 we think it's crucial that customers be

4 adequately notified about the additional

5 protections and flexibilities. We believe the

6 parties should agree and the Commission should

7 approve a plan for notifying customers of their

8 rights during this crisis, and the process for

9 appealing to the Commission should a dispute

10 arise, as is provided for under certain

11 circumstances in the current PUC rules. We know

12 that customers are regularly informed of their

13 rights during the normal of course of business,

14 but we think additional steps should be taken to

15 implement effective customer outreach and

16 education during this crisis. We have found

17 through our work that our low-income clients

18 often don't understand their rights with respect

19 to disconnections and repayment arrangements, or

20 how to contact the PUC or appeal should they

21 disagree with the terms.

22 We also believe that parties should

23 commit to developing a plan for increasing

24 outreach to low-income customers about the

1 different assistance programs available to them
2 and explore ways to streamline enrollment in
3 these programs. In addition to the Electric
4 Assistance Program, the Low-Income Gas Discount,
5 and the Fuel Assistance Program, outreach could
6 include information about the new housing relief
7 program, which is being administered by the
8 Community Action Agencies, and which can provide
9 assistance with paying utility costs. This
10 additional outreach is crucial, because many
11 customers are experiencing financial hardship for
12 the first time due to the public health crisis,
13 and they might not be familiar with the programs
14 or how to enroll in them. The Customer
15 Assistance Working Group created in Massachusetts
16 during this crisis is a model we could look to
17 for developing this plan.

18 We also think the Commission should
19 work with stakeholders and other agencies to
20 explore ways to streamline enrollment in these
21 programs. We know that other states have more
22 sophisticated data matching that is done between
23 the utilities and state agencies that administer
24 other public benefits programs. And we think we

1 should explore opportunities here in New
2 Hampshire to decrease the administrative burden
3 that comes with verifying eligibility and
4 enrolling low-income customers into the
5 assistance programs available to them.

6 Finally, we know that payment plans are
7 an important consumer protection, but even more
8 flexible payment plan arrangements are not likely
9 to provide relief for the very lowest income
10 customers. An arrearage forgiveness program may
11 be the most feasible way to protect those living
12 in severe poverty. And, as I mentioned earlier,
13 we continue to believe that the Commission, the
14 utilities, and other stakeholders should explore
15 whether a statewide arrearage management program
16 is feasible in New Hampshire.

17 Again, thank you for the opportunity to
18 provide these comments to you this afternoon, and
19 would be happy to answer any questions you may
20 have.

21 CHAIRWOMAN MARTIN: Okay. Thank you,
22 Mr. Burke.

23 Commissioner Bailey, do you have any
24 questions?

1 *(Cmsr. Bailey indicating in the*
2 *negative.)*

3 CHAIRWOMAN MARTIN: Commissioner
4 Giaimo?

5 CMSR. GIAIMO: I do, but if I could
6 have one second?

7 *[Short pause.]*

8 CMSR. GIAIMO: Mr. Burke, you had
9 mentioned that some of the neighboring states
10 around us has more lax requirements. Can you
11 state which states you think had -- which states
12 are acting quicker than New Hampshire is?

13 MR. BURKE: Well, I'm not sure that all
14 of them are acting more quicker. But I believe,
15 and the Consumer Advocate might be able to better
16 speak to this, I believe, in Vermont, they are
17 not resuming disconnections at least until the
18 end of the calendar year. And I tried to look
19 this up, but I believe Massachusetts has not yet
20 announced when it will be resuming
21 disconnections. But perhaps the utilities who
22 work in Massachusetts can better speak to that.

23 But I do know they created what I
24 believe is called a "Customer" -- sorry, let me

1 find it -- a "Customer Assistance Working Group".
2 And my understanding, from the limited documents
3 I've looked at, they have been developing a
4 phased approach to how to best do outreach to
5 customers to inform them about their rights
6 during this time, even though there is a
7 moratorium on disconnections. And I think that
8 outreach includes information about repayment
9 plans. And, unfortunately, I just didn't have
10 time to review it, as there seems to be a lot of
11 documents about this in that docket. But I think
12 that working group was created perhaps sometime
13 in May or June. But, again, the utilities that
14 work in Massachusetts might be able to speak to
15 more of the details, just given the limited time
16 I had to look at it.

17 CMSR. GIAIMO: Do you know who was
18 included in that group? Who the stakeholders
19 are?

20 MR. BURKE: I believe the National
21 Consumer Law Center is involved, and they may
22 represent a client of theirs; the Attorney
23 General's Office; and perhaps the Community
24 Action Agencies, but I'm not 100 percent sure

1 about that.

2 CMSR. GIAIMO: One of your suggestions
3 was to have up to 24 months for repayment. Do
4 you know if the utilities are, and they can
5 respond themselves, but are they opposed to that?
6 If there were extenuating circumstances or people
7 in severe poverty, would they be amenable to the
8 24 months you propose or you don't know?

9 MR. BURKE: I don't know what is being
10 considered under the agreement. What I can say
11 is that pre-pandemic, what was typical for us is
12 that if we, or another social services agency,
13 like the Community Action Agencies or Catholic
14 Charities, or a local welfare administrator, if
15 one of those entities were to get involved, the
16 utility, in my experience, at least the ones I'm
17 familiar with, were almost always willing to
18 offer more flexibility.

19 But, you know, we know that only a
20 fraction of the people end up connecting with us.
21 So, I can't speak to what happens when someone
22 just contacts a customer service agency and isn't
23 aware that they could request more flexibility
24 and what they need to do to try to make that

1 happen.

2 CMSR. GIAIMO: But, to the best of your
3 knowledge, and the parties to the agreement can
4 talk later, can talk to it as well, but nothing
5 precludes -- nothing in the agreement precludes
6 the ability to go 24 months for certain
7 circumstances?

8 MR. BURKE: Nothing that I am aware of,
9 no.

10 CMSR. GIAIMO: Okay.

11 MS. CAIN: Commissioner? Jess Cain,
12 from Eversource. Did you want us to respond on
13 the Massachusetts piece? Is that helpful? Or,
14 not yet?

15 CMSR. GIAIMO: I'll look to the Chair,
16 but I'm guessing maybe they can respond after my
17 questions.

18 CHAIRWOMAN MARTIN: Commissioner
19 Giaimo, if you want to recognize anyone who
20 raised their hand during your questioning, please
21 feel free.

22 MR. KREIS: If you're going to do that,
23 then I would like to speak to the situation in
24 Vermont, with which I am familiar.

1 CMSR. GIAIMO: Then, maybe I'll just
2 finish my questions, and then we can go back. If
3 that's okay, Chairwoman?

4 CHAIRWOMAN MARTIN: Okay. I will
5 recognize them after.

6 CMSR. GIAIMO: Okay. Yes. I think
7 that might be best.

8 Mr. Burke, one of your -- it seemed
9 like one of your concerns is a lack of outreach
10 and a lack of education with respect to
11 opportunities that exist. I'm sure you'd like to
12 hear the utilities explain what their thinking
13 might be. But is there -- do you have a
14 suggestion specifically about what that outreach
15 would look like? And maybe if your suggestion --
16 if you articulate your suggestions, when we turn
17 to the utilities, we can hear if they're amenable
18 to those suggestions.

19 MR. BURKE: Sure. Yes. And I haven't
20 spoken to any of the utilities about this yet.
21 But I think, you know, the most obvious things
22 that come to mind are perhaps looking at what
23 they're already doing or -- and maybe suggest
24 some additional things to have in bill inserts.

1 Also, perhaps exploring scripts for the customer
2 service representative, when someone calls in
3 with an issue, and what questions could be asked
4 to try to hone in and identify those customers.

5 And I think, I know it doesn't sound
6 like they're here today, but I think any
7 coordination that might already be happening or
8 that could happen with entities like Community
9 Action Agencies and others. I know the
10 utilities, at least prior to the pandemic, were
11 convening regular meetings with some stakeholders
12 in the communities about customer service issues.
13 But, to be honest, if those still happen
14 virtually, I might have missed it. It's been
15 hard to keep up with email and things. But I'm
16 not sure if those are still happening. But, to
17 the extent they do, and continuing those and
18 engaging with other stakeholders just to spread
19 the word would be another obvious one that comes
20 to mind. But there may be more that would come
21 up in the conversation.

22 CMSR. GIAIMO: Mr. Burke, thank you for
23 your thoughtful comments. I'm going to turn the
24 proverbial mike back to Chairwoman Martin. Thank

1 you.

2 MR. BURKE: You're welcome. Thank you.

3 CHAIRWOMAN MARTIN: Okay. Thank you.

4 I think we'll go back now to the question of the
5 working group in Mass., and it sounds like for
6 Vermont as well. Why don't we start with Mr.
7 Kreis on Vermont.

8 MR. KREIS: Just have to find the
9 unmute button.

10 So, I looked at both Vermont and Maine.
11 And Maine hasn't taken any action yet. But
12 Vermont has a open docket, and by "Vermont", I
13 mean the "Vermont Public Utility Commission", has
14 an open docket that is similar to this one.

15 But what the Vermont PUC did was it
16 instructed every utility in the state to file an
17 individual proposal for potentially resuming
18 disconnections. The deadline for doing that was
19 June 30th, and parties had an opportunity to
20 respond to those plans by July 10th.

21 I didn't have time to look at every
22 utility in Vermont. But I did look at the
23 state's two biggest utilities, which are Green
24 Mountain Power and Vermont Gas Systems. They

1 both happen to have a common parent company, and
2 they both adopted a similar approach, which is
3 each of those companies said that they do not
4 intend to resume any disconnection activity until
5 the end of the year at the very earliest.

6 CHAIRWOMAN MARTIN: Mr. Kreis, in
7 Vermont, was the moratorium on disconnections
8 created by a governor's order, as it was in New
9 Hampshire?

10 MR. KREIS: I believe that in both
11 Vermont and Maine, the disconnection moratorium
12 was imposed by the commission, rather than the
13 governor.

14 CHAIRWOMAN MARTIN: Okay. Thank you.
15 Ms. Cain.

16 MS. CAIN: All right. Thank you.
17 Thank you, Chairman -- Chairwoman.

18 So, we have been active participants as
19 well in all three states. But, in the
20 Massachusetts Customer Assistance Working Group,
21 we're also active participants. Every other
22 Friday, EEI has a call nationally with all the
23 utilities, as right out of the gate to share, you
24 know, the impact of the pandemic, in a number --

1 what practices are being shut down, and then how
2 we could restart eventually in a way that -- in a
3 way that overcommunicates to customers compared
4 to normal, in a significant and meaningful way,
5 but without causing scammers to take advantage
6 and prey on, you know, some of our most
7 vulnerable customers and small businesses, which
8 we know they do.

9 So, our plan is pretty much the same
10 across our three states, and we brought that
11 across the three and brought the best, learning
12 from each one to the other states. Specifically,
13 in Massachusetts, the current joint utility, like
14 Massachusetts Customer Assistance Working Group,
15 had proposed a September 1 beginning for business
16 disconnects, similar to what New Hampshire is
17 coming around to, and a November 15th start for
18 residential. And then, the one outstanding
19 question there is "is that the date of
20 notifications versus disconnects?"

21 I will share that, in all three states,
22 we had teased out that, for low-income
23 residential customers, that we are proposing hold
24 off on that group until after the winter

1 moratorium. And that's been a part of our New
2 Hampshire discussion as well. And part of the
3 reason there, like Mr. -- Attorney Kreis and
4 Mr. Burke have shared, that low-income customers,
5 we know they're still out there, but for
6 information we have, because that is one of our
7 key metrics that we're tracking, is there has
8 been a 35 percent decrease in customers
9 identified as "financial hardship" in New
10 Hampshire. So, it was about 28,000 customers
11 last June. It's down to 19,000. And we know
12 that many of the Community Action Agencies are
13 working remotely. But we don't believe there are
14 fewer customers who should be identified as
15 "hardship". So, that would give a longer period
16 of time for them to get access to those hardship
17 protections and programs. Like Attorney Kreis
18 had mentioned as well, we do work very closely
19 with Charlie Harak at the National Consumer Law
20 Center, in Massachusetts.

21 And, as far as the 24-month payment
22 arrangement, I think the reason why we all
23 achieved agreement to not to offer that in
24 Massachusetts is they -- things work a little

1 differently. What's similar is New Hampshire and
2 Massachusetts both have a low-income rate,
3 whereas Connecticut does not. But Massachusetts
4 and Connecticut have an arrears forgiveness
5 program for income-eligible customers only, and
6 allows them to sign up for a payment plan. And,
7 for each -- each payment they make, they're
8 forgiven a part of that past due balance. I
9 think that's a part of our regulatory proceeding
10 coming up in New Hampshire, and it may or may not
11 fit for New Hampshire.

12 But, with that, and then we knew that
13 the data has shown, and I think the National
14 Consumer Law Center has shared this as well, that
15 the longer the payment arrangement, the more
16 likely they are -- customers are to fail. And
17 there's about a 70 percent failure rate during
18 normal, non-COVID times, of customers failing out
19 of payment arrangements. So, you want to give
20 customers something that can eliminate the back
21 balance, and, at the same time, we want to give
22 them more time to get access to the, you know,
23 the resources they need. I think, you know,
24 similar to the discussion around, you know, the

1 end of July those \$600 going away, and, in
2 addition, we know evictions are going to be
3 starting. So, we're trying to be very, very
4 cognizant of that.

5 And that our plan for the customer
6 outreach has been comprehensive, across all
7 customer channels. And, really, you know,
8 similar to tax season, we're not expecting right
9 now, or so far, for customers to be engaged.
10 Most winter moratoriums, across the entire
11 industry who has a winter moratorium, customers
12 do not respond until very close to their
13 disconnect date. If they don't have any threat
14 of disconnect, there is just inertia. And,
15 especially right now, with COVID, people have
16 other, you know, people are focused on other
17 things. So, our goal has been to proactively and
18 directly contact all customers across all of our
19 multiple communication channels, including the
20 bill inserts, but those are probably the least
21 effective, to increase their awareness and engage
22 them to participate in the most flexible payment
23 plans and protections that we've ever had
24 available.

1 So, that includes in New Hampshire,
2 which mirrors Connecticut, and our proposal in
3 Massachusetts, Massachusetts is on the verge of
4 approving the content for that first
5 communication, which we've now -- we're sending a
6 second one in New Hampshire now, and it's
7 actually been very effective.

8 But, if the communication to like those
9 customers who are delinquent now, "We know you're
10 behind on your payments. We've got the most
11 flexible payment arrangements ever. There is no
12 down payment. You are protected. All customers
13 all the time, if you sign up for a payment
14 arrangement and you stay on it, you're protected
15 from shutoff, and you're protected from late
16 payment fees or interest fees." So, we're
17 encouraging them to take action.

18 And that said, our initial
19 communication, which would have been Web and more
20 email to all customers, that was less effective
21 than across the whole industry. Our more recent
22 communication, which went out it would be --
23 about a little over a month ago, has had a very
24 strong response. And this is just a few days

1 into seeing those results. But we had about a --
2 an improvement of about 4,600 customers,
3 significantly, the payment arrangements in June
4 more than doubled, customers engaging in payment
5 arrangements in June from the prior month. But
6 it's still 29 percent lower than last year in
7 June. And, again, that's consistent across, you
8 know, across the industry, that that larger
9 impact is for businesses, versus residential.

10 But, without -- customers wait until
11 the last minute, every year, the week before the
12 disconnect starts, that's when they call. So,
13 we're really trying, we called -- knowing that
14 business disconnections start first, we called
15 every single business customer who was
16 delinquent, to ask them for a payment -- a
17 payment arrangement. We don't ask for payments
18 on the live call, because we don't want them to
19 be -- we don't want scammers to get the upper
20 hand there. So, we're asking for payment
21 arrangements, not payments. But we got five
22 customers, of the 2,000 that we called live, in
23 the business side, to actually take action on
24 those.

1 I think the letters will start to have
2 more effect as we get closer to a real date.
3 But, without the absence of that, of that date
4 coming, customers just don't take action. And,
5 so, that it's the balance of how do we keep that
6 back balance small enough, or manage it, so that,
7 when that turns into rate impact for all
8 customers, it doesn't, you know, it doesn't bring
9 everyone, you know, everyone down.

10 And, for low-income customers,
11 absolutely, we've been -- already had our plans
12 to have special treatment for them, because we
13 know that that's really important. And they're
14 not yet showing up, as what we'd expect. I think
15 the recommendation or the idea of just
16 Massachusetts has a file that comes from the
17 Department of Transitional Assistance. So, every
18 month and quarterly, the State of Massachusetts,
19 and this has been in place for two decades, they
20 will give us a file of everyone who is low
21 income, and then we can specially market to those
22 customers. And, if they call us, we know that
23 they're eligible for the Arrearage Forgiveness
24 Program.

1 They have some other programs that New
2 Hampshire doesn't have. But that, you know, that
3 would be an option. We do have some different
4 mechanisms, though, in Massachusetts and
5 Connecticut, versus New Hampshire.

6 But I'll pause there, because I just
7 said a lot, and you might have questions.

8 CHAIRWOMAN MARTIN: I have a question,
9 sort of back to the prior question.

10 The Massachusetts -- and this is for
11 Mr. Burke or Ms. Cain, if either of you know. In
12 the Massachusetts Customer Assistance Working
13 Group, what is -- so, it sounds like they're
14 meeting and covering a lot of the topics. What
15 is the mechanism for that, it sounds like an
16 agreement to be -- is it adopted by the PUC? How
17 is it working down there?

18 MS. CAIN: So, in Massachusetts, on May
19 29th, we had a joint utility filing that we had
20 responded to the DPU with what our plan would be.
21 And it was a plan including the "soft collection"
22 phase, like that terminology is new to the
23 industry, but a soft collection phase, which
24 would basically be letting customers know we've

1 got ways to help them on payment arrangements,
2 but just targeting that message to those who are
3 delinquent. And then, a few different types of
4 communication, a lot of different channels in
5 that phase, prior to turning on -- re-turning on
6 the system-generated notifications that would
7 happen across, like, email, letter, text, for us.

8 It also -- that we've had a few side
9 organizations or side working groups that have
10 been spawned from that, from that larger one,
11 including we've considered and proposed, but
12 haven't received approval on, a business arrears
13 forgiveness type of program, that may or may not
14 pass there, but that was -- that's a different
15 working group that we've got in Massachusetts
16 with joint utilities.

17 Did that answer the question or did I
18 miss in the past --

19 CHAIRWOMAN MARTIN: I want to make sure
20 I understand. So, the group or the side working
21 groups reached some sort of consensus, and then
22 that's filed with the DPU?

23 MS. CAIN: Yes.

24 CHAIRWOMAN MARTIN: For approval?

1 MS. CAIN: Yes.

2 CHAIRWOMAN MARTIN: Okay. Got it. All
3 right. I think the other Commissioners had
4 questions related to what Ms. Cain had to say,
5 and then I'll circle back because I have
6 questions for Mr. Burke.

7 Commissioner Bailey.

8 CMSR. BAILEY: Thank you. I wanted to
9 ask Ms. Cain what you thought about Mr. Burke's
10 argument that customers are going to be in the
11 hardest position in September, when this all
12 takes effect? Is there any -- did you consider
13 that? And is there anything that you can do to
14 help with that?

15 MS. CAIN: So, for residential, I mean,
16 New Hampshire was the first to open up
17 businesses. What we've seen so far is we have a
18 monthly COVID dashboard that we shared just some
19 of at the last PUC section like this a few weeks
20 ago. And we just now have, you know, the June
21 results for that. And we're seeing some
22 improvement on the residential side. So, I
23 think, with New Hampshire being the first of the
24 three states to start opening up businesses,

1 we're not seeing residential -- residential
2 have improved over the last three months
3 slightly, compared to what they were prior.

4 I mean, what I would say is, you know,
5 Connecticut's date to disconnect to businesses
6 had been July 1st, until the last few days of
7 June. In the last few days of June, they moved
8 it from July 1st to August 1st. So, as of now,
9 Connecticut's date for businesses is August 1st.

10 I do think that all of COVID has been
11 pretty fluid. Like, if we see what California --
12 what's happened in California and other states,
13 with COVID ramping back up in hot location
14 states, you know, hitting high levels or just
15 *[inaudible]*, we've got to continue to adapt. And
16 small businesses are the backbone of our
17 community. And, if people don't have the ability
18 to -- there's "can't pay", "won't pay", and
19 "don't pay". And the ones who can't pay, you
20 know, those are the low-income customers that we
21 were proposing across all three states don't
22 start until next spring.

23 CMSR. BAILEY: So, a couple of things
24 that you just said.

1 MS. CAIN: Okay.

2 CMSR. BAILEY: The low-income proposal
3 that you're not going to start until next spring,
4 can you elaborate on that? What do you mean by
5 that?

6 MS. CAIN: Yes. In each of our three
7 states, we have a population of customers who are
8 low income. It's about 5 percent of the total
9 residential customers in Massachusetts; about --
10 I mean, sorry, New Hampshire; about 6 percent in
11 Massachusetts; and 7 percent in Connecticut.
12 That population, and we have them identified, in
13 New Hampshire, they're identified, they have got
14 the low-income rate. Right? So, we have --
15 that's the primary indicator. For those
16 customers, we would keep them protected, likely,
17 you know, keep them protected until after the
18 winter moratorium. So, basically, exclude those.
19 It would be, what we proposed in each of the
20 three states, is start with businesses, and then
21 non-low-income residential, and then, after the
22 winter, low-income residential. So, that was the
23 phasing that we've been consistent in the three
24 states we're proposing.

1 CMSR. BAILEY: So, the collection -- I
2 forget the term, the collection arrangements that
3 are allowed to begin on August 15th will not
4 apply to low-income customers until next year?

5 MS. CAIN: I did a bad job there. So,
6 for disconnects, disconnects, in particular, is
7 what we're talking about, don't have any
8 disconnects for low-income residential customers
9 until, like, after the winter moratorium 2021.

10 For the payment arrangements, we want
11 the customers to take advantage of that now, and
12 they can now, period. So, but they're just not
13 yet, because there's no incentive to do it.

14 CMSR. BAILEY: I understand that. But
15 what if you called a low-income customer, and
16 they refused to make a payment arrangement after
17 August 15th, do they get disconnected in
18 September?

19 MS. CAIN: No. And someone can help
20 correct me if I'm wrong. So, mid-August is when
21 notifications would begin for business
22 disconnects, I believe, like the first business
23 day of September. And, for residential, the
24 proposal was to start those notifications

1 mid-September, for beginning residential
2 non-hardship disconnects in the beginning of
3 October, but not --

4 CMSR. BAILEY: And, so --

5 MS. CAIN: -- not for hardship
6 customers. Hardship customers, financial
7 hardship or low-income customers, they wouldn't
8 be -- they're not included in that until -- they
9 would get no disconnect notifications, no
10 nothing, until after the winter moratorium 2021.

11 CMSR. BAILEY: Okay. So, what happens
12 to a low-income customer, who, in September,
13 refuses to negotiate a payment arrangement?

14 MS. CAIN: Same thing that would happen
15 now, which is pretty much nothing. I mean, they
16 know they don't have to pay. There's no late
17 payment -- right now, there's no late payment
18 charges, there's no interest, there's no
19 disconnect, there's no collections activity. So,
20 there would be no -- just that would continue.

21 CMSR. BAILEY: Okay. And what about
22 the customers who Mr. Burke suggested are, for
23 the first time, short, and may qualify as low
24 income, because they're unemployed, because they

1 can't go back to work because there's no daycare,
2 or school -- they have to stay home from school,
3 and their \$600 a week unemployment benefit goes
4 away? What about those customers?

5 MS. CAIN: Yes. It's that population,
6 is that the first-timers, you know, basically
7 perfect payers or really good payers, who have
8 just been, for the first time, and they might
9 be -- many are embarrassed to be in this
10 situation, so, they're hard to reach. So, we
11 might not have them, like, they wouldn't be in
12 our existing population, but that outreach, we
13 agree as well, and I think about April, the end
14 of June, June 29th, we had done an outreach
15 about -- for all of our residential customers, to
16 let them know we've got special payments, special
17 protections, and then here are the Community
18 Action Agencies in New Hampshire that can help.
19 And, also, we advocated for, it's not the -- the
20 payment protection plan program we trained our
21 people in, promoted that to businesses, on the
22 residential side, there were similar new programs
23 and protections for low-income customers that we
24 tried to push out to our residential customers.

1 We just -- we didn't see much take-up that
2 translated to the identification as low-income to
3 us.

4 So, that's a hard-to-reach, and we need
5 the Community Action Agencies to help with that,
6 because they've got data. The state has data
7 about income that we don't. We don't have -- we
8 don't store any of that income data. We just
9 know that they're income-eligible by rate.

10 CMSR. BAILEY: Okay. Do you -- you
11 mentioned the Arrearage Forgiveness Program in
12 Massachusetts. What funding -- what source of
13 funding is covering that?

14 MS. CAIN: So, that is in -- in
15 Massachusetts, and I don't know we have some of
16 our rate folks on the call from Eversource as
17 well, but it's a cost that's passed through to
18 the customers. It's a tracked cost. I don't
19 know if there's a similar wording in New
20 Hampshire. But we have -- that passes through,
21 outside of rate cases, just regularly through a
22 tracker. Oh, and that's the same -- we have the
23 same mechanism in Connecticut and Massachusetts.
24 But it does -- it rewards positive payment, that

1 behavior. And I think that the National Consumer
2 Law Center and my boss, Penni Conner, has been
3 the champions of that seven or eight years ago,
4 getting, you know, getting the Arrearage
5 Forgiveness Program, or AMP [sic] program, off
6 the ground. But we don't have that, those
7 financial mechanisms in New Hampshire. And New
8 Hampshire does have the lowest cost per customer,
9 as far as bad debt and the credit programs that
10 we've got that you have available.

11 CMSR. BAILEY: Well, it's not an
12 Arrearage Forgiveness Program that came from
13 COVID?

14 MS. CAIN: Correct. Correct.

15 CMSR. BAILEY: It's an incentive for
16 people to make some kind of payments, and then
17 they get some arrearages forgiven, and other
18 customers pay the difference?

19 MS. CAIN: Correct. Correct.

20 CMSR. BAILEY: Okay. Thank you.
21 That's all I have, Madam Chair.

22 CHAIRWOMAN MARTIN: Commissioner
23 Giaimo, do you have questions?

24 CMSR. GIAIMO: I do have a couple quick

1 ones.

2 So, the arrearage program funding, is
3 that -- what I was hearing was, is that like a
4 System Benefits Charge? It's -- okay, your head
5 is nodding "yes".

6 MS. CAIN: Yes. Yes. It's a tracked
7 cost that passes straight through, and then all
8 customers subsidize that.

9 CMSR. GIAIMO: Yes. That's perfect.
10 I'm not going to be able to articulate this
11 question properly, but I'll try anyway.

12 What I heard, Ms. Cain, what I heard
13 you say was "the longer the payment arrangement,
14 the more likely it is that there will be failure
15 to pay." So, I just want to make sure, because I
16 think there's a subtle distinction. In which
17 situation does the utility find itself less
18 harmed? I understand that they may fail to pay,
19 but you may actually get more money collected
20 over 24 months, is that right? Could that be --
21 could there be less bad debt, even though the
22 probability of failure is higher with the longer
23 payment arrangement?

24 MS. CAIN: That's a good question. I

1 don't have the financial analysis on that. I
2 know it's one that the National Consumer Law
3 Center has, you know, stood behind as well, that
4 the longer the payment duration, the more a
5 person got back balance. But I wasn't thinking
6 from a utility perspective, it's just more "can
7 the customers follow through?" And the longer it
8 is, the harder, perversely, like it's unexpected,
9 right? You'd think that the lower the payment
10 amount, the more likely you would be able to stay
11 with it. But it's not the data that we've seen.

12 CMSR. GIAIMO: Okay.

13 MS. CAIN: I don't have the answer on
14 the impact to customers.

15 CMSR. GIAIMO: But you understand my
16 question there? Where you may actually be
17 getting money you would never otherwise have
18 gotten, just even if they only go 12 months, it's
19 still better than nothing?

20 *(Ms. Cain indicating in the*
21 *affirmative.)*

22 CMSR. GIAIMO: Is that something you
23 could do a follow-up on, you think?

24 MS. CAIN: I've got some folks

1 supporting us on the call. I think we could do
2 some analysis on that, based on the payment
3 duration, you know, the likelihood to pay. But
4 you're talking about, like, the money. Forget
5 the duration, is that which one do you get a
6 higher dollar value in for? And I think it's
7 still the shorter payment arrangement. But let
8 me test that. So, let's test that with some
9 data. Yes.

10 CMSR. GIAIMO: Okay. And I was asking
11 Mr. Burke, again, not -- I didn't state it well,
12 but I'm interested in comparing states, because,
13 well, a month ago I think you provided us some
14 dates when collection could start up again. And
15 I thought at the time you said Connecticut could
16 start up in mid-July, and Massachusetts was
17 mid-August.

18 But what I've just heard you say now
19 is, it sounds like Connecticut is more like
20 August, and Mass. is September. Am I
21 misremembering or have they just pushed their
22 times out a month each?

23 MS. CAIN: Is that -- that's for me,
24 Commissioner?

1 CMSR. GIAIMO: Yes.

2 MS. CAIN: So, Connecticut has pushed
3 their date out once, from July 1 to August 1, for
4 business disconnects. I think we feel like
5 Connecticut might push it out again, to September
6 1, but we don't have that order in.

7 Massachusetts is, and has been, they
8 gave a response to our May 29th filing supporting
9 that beginning of the business disconnects on
10 September 1st. And that said, something might
11 change again, if COVID ramps up. But that's --
12 we've been monitoring it daily, things are
13 changing, or at least weekly.

14 CMSR. GIAIMO: Thank you, Ms. Cain.
15 Connecticut has pushed out. Massachusetts seems
16 like it's consistent with what they were when you
17 first presented the information to us a month
18 ago. Thank you.

19 Madam Chair, that's all the questions I
20 have right now.

21 CHAIRWOMAN MARTIN: Okay. I have one
22 clarifying question for Ms. Cain.

23 You said that Eversource was proposing
24 a phased approach in all three states with the

1 three phases. And that disconnects for the
2 low-income or hardship customers would not happen
3 until after the winter moratorium in 2021.

4 Is that something that all of the
5 utilities have agreed to as part of the agreement
6 we're hearing about today? Or, is that something
7 that just Eversource is going to be putting in
8 place, in addition to the agreement?

9 MS. CAIN: Thank you, Chairwoman
10 Martin. So, in Connecticut, all the utilities
11 agreed to that. In Massachusetts, all the
12 utilities agreed to that and filed that. In New
13 Hampshire, we've had great, like, collaborative
14 utility discussions. I think there is conceptual
15 agreement on it, but no decision. It feels like
16 what might, you know, what is evolving as most
17 prudent is make a decision on the first phase,
18 which is businesses, and then residential, and
19 then non-hardship [sic], but one, you know, kind
20 of one phase at a time, which is where they are
21 in Massachusetts. Like, they have confirmed for
22 the business plan, but not yet the residential or
23 residential hardship.

24 CHAIRWOMAN MARTIN: But does Eversource

1 plan to implement that in New Hampshire
2 regardless of agreement from the other utilities?

3 MS. CAIN: We would take the PUC
4 guidance to us on that. We've had a great
5 collaborative working group. And I think we've
6 just gotten to agreement on the language for our
7 second outreach. So, I would expect, based on
8 the discussions, and maybe Liberty and Unitil can
9 answer their thoughts on it, but, in our working
10 group, there was conceptual agreement that "yes,
11 that would make sense for low-income customers",
12 but I should let the other utilities speak on
13 that. Because, generally, I think, when we can
14 communicate across the state consistently, it
15 helps prevent customer confusion. And we've been
16 able to get alignment in the other, I think, in
17 each of the areas.

18 CHAIRWOMAN MARTIN: Thank you. And
19 thank you for that. Because I think a big part
20 of what we're trying to do today is to facilitate
21 having some uniform approaches to this for the
22 ratepayers in New Hampshire.

23 So, I would love to hear from other
24 utilities on that proposal. Who would like to be

1 heard first?

2 MR. BURKE: Madam Chair, sorry to
3 interrupt. This is Raymond Burke, from NHLA.
4 Just there were a couple of things that came in
5 up in this discussion that, had I known of in
6 advance, would have offered some additional
7 comments. So, I'm happy to wait. I just wanted
8 to let you know before we go too far.

9 I was working off of the agreement as
10 outlined in Attorney Kreis's petition. So, I can
11 offer a couple of helpful comments, I think, on
12 some of the other things.

13 CHAIRWOMAN MARTIN: Why don't we do
14 this. Why don't you give your additional
15 comments, and I still have my original questions
16 for you. So, we'll finish with those, and then
17 we'll go back to the utilities to hear more about
18 other proposals that may be on the table.

19 Go ahead.

20 MR. BURKE: Sure. So, perhaps the
21 first thing that I think might be most helpful,
22 in regard to the difficulty identifying hardship
23 customers, I don't know for certain, but I think
24 one of the things that might be contributing to

1 that is this extra \$600 per week in unemployment
2 benefits actually made people ineligible for many
3 of the programs that are out there for them.

4 So, right now, when you look in, you
5 know, April through July, many of those
6 households are not going to be eligible for
7 programs like food stamps, like fuel assistance.
8 There were some different programs that treat
9 that money differently. So, depending on, and I
10 believe they would be over -- many households
11 would be over the income limit for the Electric
12 Assistance Program as well. It all depends on
13 the household size and, you know, are there other
14 income sources coming in in addition.

15 But, for a lot of the typical
16 households that we see, they're over the income
17 limit. So, they won't show up as hardship right
18 now. That's one of the key things about this
19 July date and end point.

20 A big part of what we're doing right
21 now is getting outreach to customers who are
22 still receiving benefits, that they need to start
23 reapplying for things like the Electric
24 Assistance Program, for food stamps. We're

1 anticipating there's going to be an influx of
2 requests to both the Community Action Agencies
3 and to the Department of Health & Human Services
4 once this July date passes, because people will
5 then be eligible.

6 And we're having similar conversations
7 with those folks to try to figure out how to
8 address this possible surge and streamline
9 enrollment, because there's time periods for, you
10 know, providing information, and there's a lot of
11 confusion about that. And with a lot of -- with
12 everyone still working remotely, it can be hard.

13 We haven't had -- haven't had a chance
14 to review this closely, but it looks like some
15 data that has come in about the Electric
16 Assistance Program, there was an increase in
17 denials for failure to provide the requested
18 verification during this time period when
19 Community Action Agencies were working remotely.
20 And we haven't had a chance to talk to them yet
21 about that and what they think is happening.
22 But, you know, it seems reasonable to expect
23 that, during this time, it's going to be more
24 difficult to access documents that they need, and

1 then to try to get them in, if they can't
2 physically go to an office to get them.

3 So, in terms of what Ms. Cain was
4 saying, I think, you know, I agree that I think
5 the numbers are probably unrepresentative of the
6 current situation here in New Hampshire. And we
7 may see an uptick in those numbers going forward
8 after July, but outreach to those customers will
9 be key.

10 The other thing I just wanted to
11 comment on, in terms of the -- my recommendation
12 about a 24-month -- minimum 24-month repayment
13 arrangement for low-income utility customers, I
14 actually got this directly from a filing that the
15 National Consumer Law Center made in the
16 Massachusetts docket on April 10th, 2020. So, I
17 can't speak to whether -- how things have evolved
18 in that docket. But, in that initial filing,
19 they called for "For anyone who was previously
20 identified as hardship or newly identified,
21 including those who self-certified as low-income,
22 that they should be offered a payment plan of up
23 to 24 months duration or longer, and should be
24 commensurate with the customer's ability to pay."

1 So, to the extent that the utilities
2 have more data about the appropriate length, we
3 would certainly be willing to look at that and
4 review it. But, you know, I just wanted to note
5 that that was the National Consumer Law Center's
6 recommendation, since they had come up in the
7 discussion.

8 And then, finally, you know, again, as
9 I mentioned when I interrupted here a moment ago,
10 you know, it's very encouraging to hear some of
11 this conversation. But I think your last
12 questions there highlight our concern that we
13 share with the Consumer Advocate about this
14 process. It's important that this be a public
15 process, and that we figure out how to clearly
16 communicate to customers, because our concern is
17 that our low-income clients, all they know is
18 that the moratorium on disconnections is ending
19 tomorrow. And I believe there was at least one
20 maybe article in the news about the Consumer
21 Advocate's position, which outlined the
22 agreement.

23 But, you know, hearing that greater
24 protections were being discussed for our

1 low-income clients, I mean, I was not a part of
2 that and we were not aware of that. But
3 certainly appreciate it, and would welcome it,
4 and would be happy to continue discussions in the
5 technical session or in another appropriate
6 forum. But I really think it underscores the
7 need for us to act quickly and consistently, as I
8 mentioned at the start.

9 Thank you.

10 CHAIRWOMAN MARTIN: Ms. Cain, did you
11 want to respond to that?

12 MS. CAIN: I did. Thank you. So,
13 thank you, Mr. Burke. And it could be that, in
14 Massachusetts, for all low-income customers, the
15 best deal that they get is that Arrearage
16 Forgiveness Program, which goes twelve months.
17 So, Charlie and his folks have always pushed
18 customers to that arrearage forgiveness, because
19 you're getting an additional discount on your
20 bill.

21 I would say if there -- and my boss
22 might have worked together on that filing that
23 came out for the -- if it was the white paper
24 that came out earlier this year, the 24-month

1 payment arrangement. So, I'm happy to look at
2 that. I know that we've heard him say "the
3 longer the arrangement, and the lower the payment
4 amount up front, the harder that is."

5 But I would say we wouldn't push
6 against it. So, low-income customers, especially
7 because New Hampshire has no arrearage
8 forgiveness program, you know, during COVID,
9 we're doing -- we're being flexible. And
10 Connecticut is requiring, they're the only state,
11 that Massachusetts is not, are requiring a
12 24-month payment arrangement for businesses and
13 residential customers. So, we're not pushing
14 against that, but we just want to make sure we
15 always share that. And we're very influenced by
16 data. So, whenever -- and, if Charlie has
17 defended it, then we're happy to look at that and
18 see what he says. That's a different insight
19 than what we heard or understood.

20 CHAIRWOMAN MARTIN: Okay. I have some
21 questions for Mr. Burke.

22 You have advocated for a low-income
23 treatment or program that was different during
24 the sort of follow on to the moratorium for

1 low-income folks. It sounds like some of those
2 things are being discussed. But do you have a
3 particular idea about what that would look like,
4 as distinguished from the program for everyone
5 else?

6 MR. BURKE: I'm sorry. When you say
7 "program", are you specifically referring to the
8 arrearage program or --

9 CHAIRWOMAN MARTIN: No. Just the
10 procedures following the end of the moratorium on
11 disconnection. So, what procedures specifically
12 do you think low-income customers need that are
13 in addition to what is already in the agreement?

14 MR. BURKE: Well, I would certainly say
15 I would -- I would like to learn more, but I
16 think some of what Ms. Cain highlighted, I think
17 we would definitely be open to. I think, to the
18 extent that customers identified as low-income or
19 financial hardship will be given additional time
20 before resuming disconnections, I think we would
21 be supportive of that. Of course, more
22 flexibility in repayment arrangements is key.

23 And then, I'm not sure that I have
24 anything new to add. I think, you know, figuring

1 out a plan for identifying those customers, and
2 then helping them get access to the programs, as
3 I already mentioned, I think is of importance to
4 us.

5 And then, the last one that I already
6 spoke on would be, you know, to the extent that
7 this crisis evolves, as Ms. Cain mentioned, the
8 need to be fluid and respond as things arise.
9 Should the circumstances change in New Hampshire,
10 that we figure out if a change in response is
11 needed, which I would include, you know, if
12 someone loses income going forward, because they
13 fall ill or a family member falls ill, or their
14 business closes, because of a response to COVID,
15 that they would be given the opportunity to, you
16 know, renegotiate a repayment arrangement, and,
17 of course, access any programs that they might be
18 eligible for.

19 But I'm not sure that I have -- at
20 least I'm not sure if that answers your question
21 or not.

22 CHAIRWOMAN MARTIN: No, it did. It
23 did. Thank you.

24 You mentioned that we should look at

1 creating a mechanism to quickly modify the
2 agreement in response to a change in the
3 pandemic. Do you have thoughts on what that
4 would look like?

5 MR. BURKE: You know, I would be
6 interested to hear what the other parties think
7 about that. My initial reaction is probably
8 informed by my experience in the energy
9 efficiency docket. And, to the extent that the
10 utilities, the Staff, and others, Consumer
11 Advocate, agree that some sort of working group
12 is appropriate here in New Hampshire, like it
13 sounds like it's happened in other states, then
14 perhaps that working group could, you know, make
15 a recommendation with the Commission, as needed,
16 in this docket. I'm not sure if this docket
17 is -- what the plans are, if this is going to
18 remain open throughout the course of the crisis.
19 But that's just an initial reaction, that's an
20 initial thought. But, if others have ideas, I
21 mean, you know, I'd be willing to listen to other
22 thoughts on that matter.

23 I guess the main thing is just that
24 there be some docket or procedure for either a

1 consensus to be found or a party to come in and
2 say "This has happened. Should we reconsider our
3 approach?"

4 CHAIRWOMAN MARTIN: Okay. Thank you.
5 Have you heard from your low-income clients that
6 they're not experiencing outreach? Is that a
7 concern you raised, something that you heard
8 complaints about? Or, is it just a concern that
9 you expect?

10 MR. BURKE: I would say not so much
11 complaints. It's just -- it's just a concern
12 about, you know, when clients contact us, they
13 may be contacting us about one issue that they're
14 immediately concerned about, but we always try to
15 screen them to see, you know, what -- if they're
16 accessing all of the programs that might be able
17 to help their situation. That, you know, they're
18 often contacting us when they're experiencing
19 significant financial strain. And, so, we just
20 find that sometimes there's a lack of awareness
21 on some of our clients about what's out there,
22 who to contact.

23 You know, maybe they -- they know about
24 the Department of Health & Human Services, but

1 they're maybe not as well connected through the
2 Action Agencies and the programs that they
3 facilitate. Or, you know, one concern we have is
4 that folks sometimes go to apply for local
5 welfare assistance from their town, and they may
6 get something, but then the town sends them
7 somewhere else, and they kind of get lost in the
8 shuffle. And, so, I think, you know, as Ms. Cain
9 said, there's just people who are really hard to
10 reach sometimes.

11 And, so, we think, during this crisis,
12 it may be worthwhile to have a discussion and
13 brainstorm what additional methods could we
14 employ to try to help get the word out about the
15 programs and the additional flexibilities that
16 are going to be offered.

17 CHAIRWOMAN MARTIN: Okay. Thank you
18 for that. I think those are all my questions
19 related to your comments initially.

20 Commissioners, do you have any other
21 questions for Mr. Burke?

22 *[No verbal response.]*

23 CHAIRWOMAN MARTIN: Okay. Otherwise, I
24 think I'll move to Ms. Zhang, before we hear from

1 the utilities.

2 Ms. Zhang, would you like to speak?

3 MS. ZHANG: Yes. Hello. Can you hear
4 me?

5 CHAIRWOMAN MARTIN: Yes.

6 MS. ZHANG: Hello, everyone. Thank you
7 so much for your time today.

8 My name is Angela Zhang, and I am the
9 Programs Director at LISTEN Community Services.
10 We are a social services agency based in Lebanon,
11 New Hampshire, which serves the critical needs of
12 our residents --

13 *[Court reporter interruption due to*
14 *inaudible audio.]*

15 CHAIRWOMAN MARTIN: Ms. Zhang, could
16 you hold just for a minute. Mr. Patnaude is
17 having trouble.

18 *[Brief off-the-record discussion*
19 *ensued.]*

20 MS. ZHANG: Hello, everyone. My name
21 is Angela Zhang. I am the Programs Director at
22 LISTEN Community Services. We are a social
23 service agency based in Lebanon, which services
24 the critical needs of New Hampshire residents in

1 the lower Grafton County to Upper Valley region.
2 So, I am in charge of overseeing all of our
3 social services, including rental assistance,
4 utility assistance, and our food pantry. Last
5 year alone we served 600 families with utility
6 assistance.

7 Since mid-March, LISTEN's staff has
8 mobilized multiple resources to help our
9 neighbors struggling to make ends meet during
10 this global crisis. We have quickly launched new
11 programs, adapted existing ones, and scaled up
12 other efforts to respond where we could. As a
13 result, we have been able to serve over 1,700
14 people, 30 percent of whom have never needed to
15 ask LISTEN for assistance before. And many of
16 them are new to the general landscape for folks.
17 Those are folks who have never been, you know,
18 never applied for food stamps, who are really
19 unfamiliar with the process today.

20 So, in that vein, I'd like to share a
21 few stories about what our clients are seeing and
22 facing with regards to their electric bills. I
23 have changed all their names to preserve their
24 privacy.

1 *[Court reporter interruption due to*
2 *inaudible audio. Brief off-the-record*
3 *discussion ensued.]*

4 CHAIRWOMAN MARTIN: All right. Go
5 ahead, Ms. Zhang.

6 MS. ZHANG: So, James was working
7 full-time, but his hours were cut from 40 hours
8 to 20 hours per week, due to COVID-19. He used
9 his entire stimulus check to pay for his rent.
10 James uses a local food pantry and contacted us
11 for assistance with his electric bill, as he does
12 not want to fall too far behind, making it
13 impossible to catch up before receiving a
14 disconnection notice.

15 Another couple, Eddie and Katherine,
16 had already come earlier in the season to LISTEN
17 for electric assistance. Katherine is severely
18 immunocompromised and is having a high-risk
19 pregnancy. Eddie had to leave his job in order
20 to homeschool their daughter due to COVID. They
21 are now several months behind on their electric
22 bill.

23 Mary is a retail employee in Lebanon,
24 who was able to return to work in June, but only

1 on a very part-time basis. Her hours is eight
2 hours per week. Because the process of
3 unemployment was slow, this young woman was
4 already behind rent when she received her first
5 check. She has used all of her resources to pay
6 for her rent and her car payments, which she
7 needs to get to work, and her weekly unemployment
8 benefit was reduced as she returned to work. And
9 she expects that she will soon fall behind on
10 electricity.

11 Allison is a mother of three young
12 children who reached out to us for help with her
13 electric bill. Prior to COVID-19, this mom had
14 been working full-time. When her children's
15 school closed, her employer would not grant her
16 request to stay home to manage their remote
17 school needs, and instead cut her hours. She
18 used her stimulus check to pay for rent and food
19 for her kids. She paid as much of her electric
20 bill as she was able, but will be falling behind.

21 Susan is a single mom in Grafton
22 County, recently diagnosed with a chronic health
23 condition, who reached out to community services
24 for assistance with a past due electric bill.

1 She works part-time and is waiting for her
2 disability claim to be processed through delayed
3 courts slowed because of COVID, so she will have
4 the ability to pay her household bills. She has
5 not been able to work full-time due to increased
6 symptoms of her medical condition. And this mom
7 is also caring for school-aged children on her
8 own.

9 And these are just the tip of the
10 iceberg. We hear dozens of stories like this
11 every week, people who are falling behind,
12 despite their best efforts. And they're very,
13 very scared.

14 And, for most of the people we work
15 with, things are only going to get better before
16 -- things are only going to get worse before they
17 get better. Every week we hear about more
18 storefronts here that are closing permanently, or
19 other businesses that are planning layoffs. We
20 know of many people who are still waiting to
21 receive unemployment. Many of our clients have
22 permanently lost their jobs, and those who have
23 returned to work are seeing their pay cut and
24 their hours slashed. The stimulus checks were

1 very quickly used up to pay for rent and food.
2 We're seeing more and more people coming through
3 our doors, like I said 30 percent, who have never
4 asked for help before. And without further
5 action on a federal level in the next two weeks,
6 we will lose those pandemic unemployment
7 benefits, which are really the only things
8 keeping many families out of homelessness.

9 It is not going to get any easier for
10 them to catch up on their past due electric bill.
11 It would be a travesty if these folks lost their
12 support and protections and began getting
13 disconnected in the fall and winter, when they
14 need electricity and heat the most.

15 We applaud the quick action that
16 Governor Sununu took in order to prevent people
17 from being disconnected during the earliest
18 phases of the pandemic, but this crisis isn't
19 over. We're still in the middle of the first
20 wave of the pandemic, and given how the rest of
21 the country is doing, things may get much, much
22 worse this winter. We are not in the recovery
23 phase yet, and New Hampshire residents deserve
24 more protections and support as the pandemic

1 continues, not fewer.

2 For these reasons, we urge the utility
3 companies here, the Public Utilities Commission,
4 and the Governor's Office to continue to postpone
5 disconnections. Consumers need as much
6 flexibility and support as possible in paying
7 back their past due balances, including waiving
8 any late fees; extending the length of repayment
9 plans beyond twelve months; allowing
10 modifications to any payment plan without penalty
11 due to changes in a consumer's financial
12 situation; and debt forgiveness for consumers who
13 will never be able to repay their past due
14 balances.

15 We also support more education and
16 outreach about consumer rights to city and town
17 welfare and other social services, so that we can
18 better help our neighbors. We also hope that the
19 state will make more funding available for direct
20 COVID relief. We need these protections and
21 support now more than ever.

22 Thank you for your time.

23 CHAIRWOMAN MARTIN: Thank you.

24 Commissioner Bailey, do you have any questions?

1 *(Cmsr. Bailey indicating in the*
2 *negative.)*

3 CHAIRWOMAN MARTIN: Commissioner
4 Giaimo?

5 CMSR. GIAIMO: I don't. But thank you
6 very much for the time and the comments.

7 CHAIRWOMAN MARTIN: Ms. Zhang, did you
8 have any response to the question about outreach,
9 and whether low-income clients are receiving
10 outreach?

11 MS. ZHANG: I'm going to be honest.
12 The first that I think most of the folks had ever
13 heard of the pending disconnects coming was in a
14 local newspaper article, in which all it said
15 was, you know, "June 15th" -- or, "July 15th is
16 the day that disconnections are going to start
17 coming."

18 People really have not known. One
19 thing that we're really struggling with, as
20 social service agencies, is that many of our
21 clients are now adjusting to remote services,
22 like telehealth, local social services had
23 shifted to phone appointments and delivering
24 services remotely. Many of our clients are, you

1 know, they need help with phones. We literally
2 have been giving phones to people, so that they
3 are able to get information. So, like, it's been
4 harder, more than, you know, more now than ever,
5 in order to even get information out to people.

6 In my experience, with a lot of, you
7 know, low income consumers, is that they're very
8 intimidated to contact an electric company. And
9 they're very worried about it. And they're
10 afraid that, if, you know, and I -- you know, and
11 we do a lot of myth-busting about it, that if
12 they tell their electric company they're
13 struggling, you know, there's going to be no help
14 for them, and they might be disconnected even
15 sooner.

16 So, I think it's really important that
17 as many outreach efforts as there can be to help
18 get the resources out to them to let them know
19 what their rights are, I think it's really
20 important. And social services need to know
21 that, you know, as we're often the first point of
22 contact, you know, so, listed as a private
23 nonprofit is often one of the first places that
24 you go to, if they have never reached out for

1 services before, because we don't have a
2 hard-and-fast income requirement. Because,
3 really, right now, because a lot of families have
4 just either seen their wages slashed or layoffs,
5 so it's not like, you know, they're not -- they
6 have never been on food stamps before and they
7 don't know how to advocate for themselves.

8 So, it's really important that, even
9 beyond like the Community Action Program, we need
10 as much information as we can out there. There
11 is so much fear right now, whenever we are
12 answering the phones, who are really panicking
13 and desperate right now. And they want to stay
14 caught up. You know, they really are trying to
15 do their best.

16 But, you know, because, obviously, rent
17 comes first. I mean, if don't have a house, you
18 don't have anything that, you know, you don't
19 need electricity. So, rent comes first, and
20 there is support coming down for that, for rent,
21 but not for utilities. And, so, that's where
22 people are really struggling. And it's hard to
23 know what's available to them, the resources,
24 their rights.

1 You know, I'm very happy to be in this
2 conversation today, because I've learned so much
3 more about what's going on. But, you know, this
4 is the first that any of the local social service
5 nonprofits will hear about it. I'm planning to
6 take this back to some of other nonprofits that
7 we're working with. But, yes, this is very new.

8 CHAIRWOMAN MARTIN: Okay. Thank you
9 for that. And I just wanted to say, on your
10 comment about their being no assistance on the
11 utility side, I did specifically ask the
12 Governor, on the Housing Assistance Program that
13 was created through the CARES Act, if that
14 provided some assistance for utilities, and I
15 understand that it does. So, that might be
16 something you want to look into for your clients.

17 MS. ZHANG: We are looking at, you
18 know, we have been following very closely the
19 rollout of it, but it's so far, like, to be
20 totally frank, you know, we're all learning about
21 how to apply it. So far as I know, no client
22 that we supported applying for the rental funding
23 through the Community Action Program has actually
24 even gotten a positive response to their

1 application. So, that's adding to a lot of the
2 confusion.

3 I think it's really important for us to
4 remember that, you know, for someone who just is
5 a family, who is like dealing with all these
6 financial issues and, you know, all these crises
7 that are kind of starting to come up, that this
8 is very opaque to them. You know, we have
9 personally done a lot of education to people
10 about the Public Utilities Commission and things
11 likes that, or social services. But it's very
12 opaque, and doesn't help with, you know, we help
13 people apply for and putting in an application
14 for rental assistance from the CARES Act, I
15 haven't heard anything yet. So, --

16 CHAIRWOMAN MARTIN: Okay. Thank you.
17 Commissioner Bailey.

18 CMSR. BAILEY: Thank you.

19 Ms. Zhang, is there an organization
20 that the utilities could provide the outreach
21 information that they're sending to customers to
22 that organization that would get it to the social
23 services agencies? Is that something Community
24 Action Agencies do? Or, do you have some kind of

1 statewide organization that you can distribute
2 information through?

3 MS. ZHANG: I can only speak for our
4 experiences with our local Community Action
5 Program, which is Tri-County CAP. And, as you
6 can imagine, they serve a very, very large
7 service area. So, you know, that's been an
8 ongoing challenge, even pre-COVID, about making
9 sure that we're able to network with them
10 effectively, because their head office is very
11 far away.

12 I'm actually glad that I learned a lot
13 more about some statewide efforts going on. We,
14 within the Upper Valley, have organized a group
15 called the "Energy Advocacy Council", which is
16 intended to bring organizations, including social
17 service organizations and Community Action, as
18 well as just, you know, city welfare, town
19 welfare, and local advocates, more information.

20 But, you know, so far, we've not heard
21 from any utilities. I'd be happy to help make
22 that connection with our local group, but I can't
23 speak for any others that might be interested.

24 CMSR. BAILEY: Okay. Thank you.

1 CHAIRWOMAN MARTIN: Ms. Cain.

2 MS. CAIN: Thanks. So, just recently,
3 we did do a small businesses webinar that we
4 pushed out in New Hampshire through the local
5 Chambers of Commerce. But we have done -- if a
6 webinar would help, I know we often train the
7 Community Action Agencies in a partnership. And,
8 you know, for this period, we have the capacity
9 to do the outbound calls, because nobody, you
10 know, is taking action.

11 So, if there are unique one-time only
12 COVID partnerships, we have been open to that,
13 and that's where we've been, you know, doing the
14 outreach related to stimulus funding that's
15 unique in each state. But I would -- I would
16 offer that.

17 And we've got our new Manager of Credit
18 Hardship Protections and Programs, who is in the
19 audience listening on this, but we've already
20 disconnected [*sic*]. Because we want to help that
21 as well and flatten the peak for you guys as
22 well. You know, nobody wants customers to wait
23 on line for a long period of time.

24 I just wanted to also share that 100

1 percent of customers who call us on the inbound
2 call, they hear that "we've got special payment
3 protections and programs, please ask us." And
4 then, "whether you're in" -- "whether you're
5 delinquent or not", they hear that, and,
6 specifically, it's "Would you like to learn about
7 payment assistance programs available to help
8 customers during this time?", as well, for
9 inbound customers.

10 So, on the inbound and the outbound,
11 we're trying to really tell customers, connect
12 them to where there's -- where there's help. And
13 that will change over time, like when the PPP ran
14 out, for instance, on the business side. But
15 we're happy to partner.

16 MS. ZHANG: Thank you.

17 CHAIRWOMAN MARTIN: Okay. Other
18 questions for Ms. Zhang?

19 *[No verbal response.]*

20 CHAIRWOMAN MARTIN: All right. Seeing
21 none. I think, let's move to the utility
22 response. I had a couple open requests for
23 responses.

24 *[Court reporter interruption.]*

1 CHAIRWOMAN MARTIN: Why don't we take a
2 ten-minute break, is that enough, Mr. Patnaude?

3 MR. PATNAUDE: Yes.

4 CHAIRWOMAN MARTIN: Okay. We'll come
5 back at 3:35.

6 *[Recess taken at 3:25 p.m. and the*
7 *hearing reconvened at 3:42 p.m.]*

8 CHAIRWOMAN MARTIN: All right. Then,
9 let's go back on the record. And proceed, and
10 just to give an idea of I think where we may be
11 going, I just heard Mr. Fossum say that there may
12 be some comments. And, so, it sounds like we
13 need to have a time for utilities to make
14 comments, if they want to.

15 I was going to ask, just prior to us
16 going on break, for responses on a couple items
17 before we do that. So, I'll do that now. And
18 then, I'll give the Commissioners the ability to
19 ask questions of those, if they would like to,
20 then we'll go to comments, and see where we are
21 after that.

22 So, I had two areas that I thought
23 would be helpful to hear from other utilities,
24 one related to the Eversource proposal for the

1 phased -- phased procedures related to
2 disconnections. I wondered whether other
3 utilities had similar proposals or were
4 considering implementing similar things? So,
5 that's one thing that I was looking for a
6 response on.

7 And the second was, Mr. Burke had
8 raised the idea of creating a mechanism to modify
9 the agreement, because the one that exists or one
10 that ultimately occurs, and he had suggestions
11 for how to do that quickly. I wonder if the
12 utilities had thought about something like that,
13 and whether they have proposals or
14 recommendations related to that?

15 So, those are the two things I'd like
16 to hear about that came from the prior
17 discussions. Are there utilities who have
18 responses to those? If you could just put your
19 hand up?

20 Mr. Epler.

21 MR. EPLER: Thank you, Chairwoman
22 Martin and Commissioners.

23 Let me just preface this by saying that
24 Unitil and Northern Utilities, we do recognize

1 that these are uniquely challenging times. And
2 our sympathies really are with our customers and
3 our communities. And, so, we are certainly
4 willing to work with them directly, to work with
5 others within the state, to try to assist
6 everyone in getting through this crisis for as
7 long as it goes on.

8 Our employees live locally, so many of
9 our customers are our friends, our neighbors, are
10 our families. So, we do understand and
11 appreciate the challenges that we're all facing.

12 We do agree, generally, that it would
13 be helpful to have a uniform position on this,
14 that it does help in terms of getting the message
15 out to customers. So, we are very much willing
16 to engage in whatever efforts are undertaken,
17 either under the direction of the Commission or
18 indirectly among the parties to try to foster
19 that. We are -- and also to look at our
20 neighboring states and regions, to see if there
21 are some lessons that can be learned, we're
22 always willing to try to bring that back or to
23 hear results from other regions, other states,
24 just the things that may work best here.

1 And, so, with that, just generally, if
2 there are more specific responses, in terms of
3 phased procedures? Yes. Generally, we're very
4 much in agreement. We could try to accommodate
5 that, in terms of mechanisms to modify the
6 agreements. I do think it is worthwhile to
7 establish some kind of ongoing working group or
8 technical sessions or something, so that data can
9 be provided on a regular basis, members can be in
10 touch on a regular basis, and so we can keep
11 everyone abreast about what we're seeing, in
12 terms of our customers, what we're experiencing
13 in terms of where our arrearages are, and whether
14 they're growing or subsiding, and what other
15 unique challenges we might be facing, to be able
16 to discuss those among the parties.

17 So, we would encourage those efforts,
18 and we will participate vigorously in anything
19 that is set up.

20 And, either Carole or Mark, if there's
21 anything you want to add to that? Or, if you
22 have some more specific questions, please. We're
23 available to respond.

24 CHAIRWOMAN MARTIN: Okay. Anything

1 further from Unutil on that? Anybody else?

2 Mr. Dean.

3 MR. DEAN: Chairwoman Martin, Mark
4 Dean, representing the New Hampshire Electric
5 Cooperative. I think my comments are fairly
6 similar to Gary's. My guess, from sort of a
7 30,000 foot level, I'd just like to maybe put the
8 discussion of this agreement into some context.
9 At least as far as I understand it, there were
10 some level of discussions going on, once folks
11 realized that Emergency Order Number 3 would soon
12 be experiencing and how it should be dealt with.
13 I know that the Co-op was contacted and informed
14 that some discussions had occurred, and an
15 outline that the email that the OCA described was
16 provided. And the Co-op viewed that as "well,
17 these are minimum consumer protections that can
18 just, you know, we can all agree should go into
19 place right away." So, the Co-op had no
20 objection to it.

21 But also said that we may, you know,
22 with the understanding, we may go a lot slower.
23 That may not be -- this isn't our step-by-step
24 plan. We understand there's a concern that the

1 Emergency Order will expire, and people want to
2 make sure there is no rush to have things happen
3 in collections and disconnections.

4 So, again, the Cooperative, in
5 principle, is agreeable that, as minimum
6 protections, what has been outlined is
7 acceptable. It's currently the Co-op's intention
8 to move slower than that. And we're more to
9 happy to work, whether it's in this docket or any
10 other forum, to work on processes that include
11 some of the proposals we have heard today. I
12 can't really speak to the substance of them.

13 But, as I say, we viewed this not as
14 some kind of agreement that are locked-in
15 procedures that we were going to have to follow,
16 but this was the baseline to work off of.

17 CHAIRWOMAN MARTIN: Okay. Thank you
18 for that, Mr. Dean.

19 Mr. Sheehan.

20 MR. SHEEHAN: Thank you. Mike Sheehan,
21 for the Liberty Utilities entities.

22 I concur with what both Mr. Epler and
23 Mr. Dean said. And the conversation that was had
24 between the various utilities, we did

1 participate. Ms. Arnold is on the call now, and
2 ready to speak, participated in those. And,
3 although, as Mr. Dean said, it was that we all
4 "signed on" to those principles circulated, it
5 really wasn't a formal agreement. It's more of,
6 as Mark said, we can all -- this all makes sense
7 to us and we're willing to follow that. But it's
8 not carved in stone.

9 We're certainly looking to the
10 Commission for guidance. I think that by the
11 end, we may do something different, as Mark has
12 suggested.

13 So, some of the proposals, some of the
14 conversations that Eversource -- statements
15 Eversource made about the phasing in, we're
16 acceptable to the concept. We're not sure we can
17 do exactly the same thing, just based on the
18 systems, I don't know how customers are
19 identified. Low-income customers are easier or
20 harder to identify, depending on various factors,
21 and some of them, whatever factor you use to
22 identify them as low-income, they change
23 month-to-month. So, there are some mechanical
24 issues there. But, certainly, the concepts are

1 generally agreeable.

2 So, and as far as the mechanisms or
3 changing whatever comes out of this process, I
4 believe that it makes sense to have a regular
5 session of some kind with the appropriate people.
6 And it can be as broad as we wish to make it, to
7 keep everyone informed. And, if there needs to
8 be something that the Commission signs off on on
9 short order, the recommendation of such could be
10 acted on for these purposes.

11 CHAIRWOMAN MARTIN: Okay. One
12 clarification. That you said the agreement, that
13 something different could be done. I would just
14 want to be sure that you're not saying that
15 Liberty is not agreeing to do what it said, it
16 thinks it might do more?

17 MR. SHEEHAN: Exactly.

18 CHAIRWOMAN MARTIN: Okay. Perfect.
19 Anything more from Liberty on that?

20 *[No verbal response.]*

21 CHAIRWOMAN MARTIN: All right. Anyone
22 else?

23 Mr. Epler.

24 MR. EPLER: Yes. And if I can just

1 echo that. We see this as kind of minimal
2 protections. And we are certainly willing to do
3 more, and to work with our customers as
4 necessary.

5 CHAIRWOMAN MARTIN: Great. Thank you.
6 Anybody else who wants to be heard from?

7 *[No verbal response.]*

8 CHAIRWOMAN MARTIN: All right. Then, I
9 think I want to open it up for opportunities for
10 the utilities to make comments generally, if you
11 have other things you wanted to comment on.

12 Mr. Fossum, did you have something to
13 say?

14 MR. FOSSUM: I'm sorry. I think I may
15 have jumped the gun. I was only going to
16 indicate that I believe Aquarion does have some
17 additional comments to offer, specific to the
18 issues pertaining to a water utility, which
19 aren't necessarily the same as those that are
20 affecting the gas and electric side.

21 CHAIRWOMAN MARTIN: Okay. Great. Does
22 Eversource have anything else to comment on? I'm
23 just going to go through the list, to make sure I
24 get them all.

1 MR. FOSSUM: No. I believe we are all
2 set on the PSNH side. Thank you.

3 CHAIRWOMAN MARTIN: Okay. Until,
4 anything more?

5 MR. EPLER: Yes. And I will touch on
6 this very gingerly.

7 But the costs and the revenue side is
8 kind of a closed loop. Utilities don't have
9 other sources of revenue, and don't have other
10 areas that they can serve, other than their
11 service territories. So, certainly, as I
12 indicated, we are willing and very, very much
13 interested in working with our customers.
14 Keeping our customers, making things work for our
15 customers.

16 There is an impact on cash working
17 capital. There is an impact on meeting our
18 expenses. And, so, whether it's in this forum,
19 or some other forum, that may need to be
20 addressed as we move along.

21 And, so, I would be remiss if I didn't
22 mention that. I don't want to take up more time
23 on that. Basically, just to flag it as an issue.

24 And, again, even in that, indicate a

1 tremendous willingness to work with all parties
2 in trying to come up with something that's
3 equitable and workable for all.

4 Thank you.

5 CHAIRWOMAN MARTIN: Okay. Thank you
6 for that.

7 Commissioners, do you have questions
8 you needed to get comments on from the utilities
9 now?

10 CMSR. BAILEY: I do not.

11 CMSR. GIAIMO: Nope. Nor do I.

12 CHAIRWOMAN MARTIN: Okay. Thank you.
13 New Hampshire Electric Co-op, do you have other
14 comments to make?

15 MR. DEAN: None. Thank you.

16 CHAIRWOMAN MARTIN: Okay. Pennichuck?
17 Do we have someone from Pennichuck?

18 MR. WARE: Yes. No. We don't have any
19 comments at this time.

20 CHAIRWOMAN MARTIN: Mr. Ware, okay.
21 Sorry, I didn't see you.

22 Okay. Aquarion? Mr. Fossum.

23 MR. FOSSUM: And I'll turn it over
24 to -- Lucy, are you still on? And you are muted.

1 MS. TIEXEIRA: Can you hear me now?

2 MR. FOSSUM: All right. There you go.

3 I'll turn it over to you.

4 MS. TIEXEIRA: All right. Thank you.

5 With regards to the water utilities, I
6 just want to note that our rate structures are,
7 you know, significantly different than the
8 electrics, which has been the major contributors
9 to the discussion today. And, when we're talking
10 about low income programs, where the rates are
11 lower, and you're able to segment that, those
12 customers, in the water states that we --
13 specifically to Aquarion, we aren't able to
14 segment that customer.

15 So, I would ask for consideration, if
16 we're going to be changing the program to address
17 customers that are enrolled in a low income
18 program, it would be difficult for us to
19 administer that.

20 However, we are open to a phased
21 procedure for disconnections, and are willing to
22 work with the regulators and the other utilities
23 in the best interest of the customers.

24 So, I just wanted that noted, just

1 because, as we're developing, you know, different
2 channels of communications for actions that the
3 utilities might take, we may have to address that
4 in a different way, because our systems and
5 programs are not segmented at that level.

6 CHAIRWOMAN MARTIN: All right. Thank
7 you. Do you have other comments?

8 MS. TIEXEIRA: That's all. Thank you.

9 CHAIRWOMAN MARTIN: Okay.
10 Commissioners, any questions?

11 Commissioner Bailey.

12 CMSR. BAILEY: Thank you.

13 Do you have any thoughts on whether it
14 would be appropriate to allow customers to
15 self-certify that they're low income? I mean, I
16 don't think many people are going to want to say
17 that they're low income, if they really aren't.

18 MS. TIEXEIRA: Well, we have -- we had
19 a relationship with an agency, if a customer
20 calls and asks for assistance, we give them the
21 information, and they certify, you know, with the
22 customer. So, we have been in constant
23 communication during this time with those
24 agencies. Wellspring serves New Hampshire and

1 Massachusetts for us. And these agencies serve
2 customers that are particularly looking for help
3 with the electric and gas. And what -- we have a
4 customer assistance program that provides a flat
5 dollar amount to assist customers in need. And
6 it's paid through our shareholder. It's not, you
7 know, included in our rates at this time.

8 So, we can communicate with them
9 through that. But we can't send systematic
10 notices to those customers, because we don't have
11 that information in our system, is my point.

12 CMSR. BAILEY: But, if a customer
13 called and said that they had a financial
14 hardship, you would send them to Wellspring, and
15 Wellspring could certify whether or not that they
16 were -- they qualified as low income?

17 MS. TIEXEIRA: Yes.

18 CMSR. BAILEY: Is that -- is that based
19 on another program that they would have to be on
20 or just income?

21 MS. TIEXEIRA: It's based on their
22 income. And, during the COVID, this period of
23 time, we have eliminated that. So, that benefit
24 is available to anyone who is experiencing

1 financial difficulties without actually
2 certifying. Under normal circumstances, they
3 would have to pass the income test as
4 administered by Wellspring.

5 CMSR. BAILEY: Okay. But, for right
6 now, if a customer calls and just says they're
7 having financial difficulty, you will help them
8 out?

9 MS. TIEXEIRA: Yes. Absolutely.

10 CMSR. BAILEY: Okay. Thank you.

11 CHAIRWOMAN MARTIN: Commissioner
12 Giaimo, any questions?

13 CMSR. GIAIMO: I do not. Thank you.

14 CHAIRWOMAN MARTIN: Okay. Thank you.
15 All right. That leaves Lakes Region? Anyone
16 want to speak for Lakes Region? Okay.

17 MS. VALLADARES: Can I speak?

18 CHAIRWOMAN MARTIN: Yes. Please.

19 CMSR. BAILEY: I think that may be Ms.
20 Valladares?

21 MS. VALLADARES: Yes. Can you hear me
22 okay?

23 CMSR. BAILEY: Now we can.

24 CHAIRWOMAN MARTIN: Now we can.

1 MS. VALLADARES: Okay. Sorry. Thank
2 you.

3 No. Lakes Region is all set for right
4 now. We haven't noticed any increase in new
5 customers to our disconnection list. But, after
6 this conversation today, we are going to start
7 reaching out to our customers that are coming on
8 the list that are brand new, and sort of check
9 and see why their status may have changed in the
10 past.

11 Most of our customers are seasonal.
12 And we don't really see the low-income. And I
13 don't have a system that has us set up that way
14 to distinguish between the two. And, so, I'm
15 just watching and seeing kind of what everybody
16 else is doing.

17 What was put out for the offer as
18 minimal would work for us, only because we
19 haven't had a big increase in delinquencies. And
20 that might change in the next couple of months,
21 but we'll keep monitoring that.

22 CHAIRWOMAN MARTIN: Okay. Thank you
23 for that.

24 Any questions, Commissioners?

1 CMSR. GIAIMO: This is Commissioner
2 Giaimo. You do bill monthly?

3 MS. VALLADARES: Quarterly.

4 CMSR. GIAIMO: Okay. Thank you.

5 CHAIRWOMAN MARTIN: Okay. And that is
6 everyone I have on my list. Is there anyone else
7 who wants to speak and has not had the
8 opportunity?

9 Mr. Dexter.

10 MR. DEXTER: Yes. Chairwoman Martin,
11 I'm not sure what happened, but my computer
12 froze, and I missed about fifteen minutes of the
13 conversation. And I understand, from text
14 messages from colleagues, that you were asking if
15 Staff had comments during that fifteen minutes.
16 So, I apologize.

17 I would like to make just a very few
18 comments. And I didn't hear the electric
19 companies' response. So, I'm at a bit of a
20 disadvantage.

21 The first thing I would like to do
22 would be to add some details to the answer from
23 the Consumer Advocate to your question about
24 communications between the Consumer Division and

1 the Consumer Advocate. And I wanted to rely that
2 Amanda Noonan, the Director of the Consumer
3 Affairs Division, called Mr. Kreis, Attorney
4 Kreis, on Monday, June 29th, and again Tuesday
5 morning, June 29th [sic], sent an email in the
6 morning, on Tuesday, June 30th. And then,
7 finally connected with Mr. Kreis, as he noted,
8 just before noon on Tuesday, June 30th.

9 And the reason I bring this up is just
10 to add a little context to the very direct answer
11 that, yes, he did have a phone call with Amanda
12 Noonan around noon on the 30th.

13 My screen has gone blank again. Are
14 people able to hear me?

15 CHAIRWOMAN MARTIN: Yes. I can see you
16 and hear you.

17 MR. DEXTER: Okay. Now it's come back.

18 With respect to what we've learned
19 today, it appears to Staff, and this is -- I
20 bring this up by means of what we plan to raise
21 in the tech session that will follow this
22 session, it appears to Staff that we ought to
23 discuss in the tech session adding a third
24 section to the bulleted list of items that Mr.

1 Kreis referenced early on in the so-called
2 "agreement". And that third section would be
3 entitled "Low-Income Customers", because it's
4 clear from this discussion that there are
5 different policies in place and contemplated for
6 low-income customers. So, we want to explore
7 adding that as a third section.

8 And we think we heard from all sides
9 that outreach is key, and I don't think I heard
10 anyone say that they're opposed to outreach. So,
11 it seems like everybody in the room is interested
12 in improving outreach. And, by "outreach", from
13 what I gather from the session, is making all
14 customers aware of the various opportunities
15 there are to take care of arrearages and avoid
16 disconnects and things of that nature. So, we
17 want to discuss outreach at the tech session.

18 And, thirdly, Attorney Burke mentioned,
19 you know, what's the right mechanism for changes
20 to this, as things unfold? And we want to
21 explore that as well in the tech session.

22 One suggestion was made about a working
23 group, as a way to raise issues and kick ideas
24 around, and get them up to the Commission for

1 review and approval. So, that's something that
2 we want to explore in the tech session as well.

3 Well, those are my comments at this
4 time. And I apologize for not being here when
5 you were looking for me a minute ago. I actually
6 was here, but just not electronically.

7 CHAIRWOMAN MARTIN: No worries. I
8 actually wasn't looking for you to make you speak
9 at that time. I just wanted to make sure that if
10 we needed to stop, because I couldn't see you.
11 So, it was fine.

12 MR. DEXTER: Thank you.

13 CHAIRWOMAN MARTIN: Now, any questions
14 from the Commissioners to Mr. Dexter?

15 *(Cmsr. Giaimo indicating in the*
16 *negative.)*

17 CMSR. BAILEY: None from me.

18 CHAIRWOMAN MARTIN: Okay. Well, then,
19 I think, given that we've run pretty long, we
20 better get you all moving to the tech session.

21 Thank you, everyone, for your comments,
22 for your arguments, for the clear willingness and
23 effort around these important issues. And,
24 hopefully, this will be productive for you all.

1 The hearing is adjourned.

2 ***(Whereupon the public hearing was***
3 ***adjourned at 4:05 p.m., and a technical***
4 ***session was held thereafter.)***

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