



Oregon

Kate Brown, Governor

Public Utility Commission

201 High St SE Suite 100

Salem, OR 97301-3398

Mailing Address: PO Box 1088

Salem, OR 97308-1088

503-373-7394

December 1, 2020



BY EMAIL

Avista Corporation, dba Avista Utilities

Shawn.bonfield@avistacorp.com

dockets@avistacorp.com

RE: Advice No. 20-12-G

At the public meeting on December 1, 2020, the Commission adopted Staff's recommendation in this matter docketed as ADV 1193. The Staff Report and a receipted copy of the sheets in your advice filing are attached.

Nolan Moser

Chief Administrative Law Judge

Public Utility Commission of Oregon

(503) 378-3098

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: December 1, 2020**

REGULAR CONSENT EFFECTIVE DATE December 6, 2020

DATE: November 20, 2020

TO: Public Utility Commission

FROM: Kathy Zarate

THROUGH: Bryan Conway, John Crider, and Matthew Muldoon **SIGNED**

SUBJECT: AVISTA CORPORATION:
(Docket No. ADV 1193/Advice No. 20-12-G)
Requests revisions to Rule 11 – Discontinuance and Restoration of Service.

STAFF RECOMMENDATION:

The Public Utility Commission of Oregon (Commission) should approve the request by Avista Corporation (Avista or Company) to adjust the language regarding disconnection and reconnection of service in the Company's tariff Rule No. 11, Discontinuance and Restoration of Service, to become effective with service on and after December 6, 2020.

DISCUSSION:

Issue

Whether the Commission should approve the Company's Advice No. 20-12-G, revisions to Rule 11 – Discontinuance and Restoration of Service.

Applicable Rule

The Company's filing involves tariff sheets that are governed by ORS 757.205 and OAR 860-022-0025. Under ORS 757.205(1), a public utility must file schedules showing all rates, tolls, and charges for service that have been established and are in force at the time. Tariff revisions or corrections may be made by filing revised sheets with the information required under the Commission's administrative rules, including OAR 860-022-0005 and OAR 860-022-0025. Filings that make any change in rates,

tolls, charges, rules, or regulations must be filed with the Commission at least 30 days before the effective date of the changes.

Analysis

On November 6, 2020, Avista submitted this filing to clarify the language as it relates to the discontinuance and restoration of service for Residential Rule 11, P.U.C OR. No 5.

Pursuant to Order No. 20-401 of Docket No. UM 2114, the company proposes changes to the following tariff sheet, P.U.C. OR No. 11:

- First Revision Sheet 11 Canceling Original Sheet 11
- First Revision Sheet 11A Canceling Original Sheet 11A
- First Revision Sheet 11D Canceling Original Sheet 11D
- First Revision Sheet 11G Canceling Original Sheet 11G
- First Revision Sheet 11H Canceling Original Sheet 11H

Order No. 20-401 adopts the stipulation entered into by numerous parties, including Avista to address the effects of the COVID-19 pandemic on energy utility customers. Under paragraph 11 of the stipulation, utilities agree not to assess disconnection or reconnection fees for residential customers until October 1, 2022. The parties will consider whether to adjust this date in October 2021. Staff noted in the Staff report submitting the stipulation in Docket No. UM 2114 that Avista may need to revise its tariff Rule No. 11.

The primary purpose of this filing is to adjust the language regarding disconnection and reconnection of service in the Company's tariff Rule No. 11, Discontinuance and Restoration of Service, to allow Avista flexibility and leniency when the disconnection of natural gas service is required along with the assessment of reconnection charges. The language in Rule No. 11 requires the Company to disconnect natural gas service for nonpayment and to charge a customer a reconnection charge prior to restoration of service. The company proposes to replace "will" on Page 2 of 2 with "may" in multiple instances to better align its tariff language with the COVID-19 Stipulation.

Conclusion

After review, Staff concludes that the revisions filed by Avista are appropriate. By their nature, none of the revisions affect customers' rates or tariff eligibilities. Staff reviewed the proposed schedule changes to ensure that they were consistent with the rates approved by the Commission. Staff also reviewed the entire tariff file to ensure no other schedules were affected by the recent changes. Staff identified no issues or errors with the filing and recommends the Commission approve the adjusted the language regarding disconnection and reconnection of service in the Company's tariff Rule No. 11, Discontinuance and Restoration of Service.

PROPOSED COMMISSION MOTION:

Approve Avista's Advice No.20-12-G for service on and after December 6, 2020.

AVISTA CORPORATION
dba Avista Utilities

RULE NO. 11

DISCONTINUANCE AND RESTORATION OF SERVICE

A. Service may be disconnected:

1. For failure to establish credit by:
 - a. Failing to pay a deposit or make payments in accordance with the terms of a deposit payment arrangement; or
 - b. Providing false identification or verification of identity; or
2. Where facilities provided are unsafe or do not comply with state and municipal codes governing service or the rules and regulations of the Company; or
3. For failure of the customer to cooperate in providing access to the meter; or
4. When the customer requests the Company to disconnect service or close an account or where a co-customer fails to reapply for service within 20 days after a joint account is closed by the other co-customer, so long as the Company has provided a notice of pending disconnection; or
5. For failure to pay within 15 days after bills are presented, Oregon tariff or price listed charges for services rendered; or
6. For meter-tampering, diverting service, or theft of service; or
7. For failure to abide by the terms of a time-payment agreement; or
8. Where the Commission approves the disconnection of service; or
9. Where dangerous or emergency conditions exist at the service premises.
10. For return of a dishonored check, or draft, presented for payment of a deposit or monthly bill, from the Customers respective financial institution.

B. Voluntary Discontinuance of Service

Every customer who is about to vacate any premises supplied with service by the Company, or who for any reason wishes to have such service discontinued, shall

Advice No. 20-12-G
Issued November 6, 2020

(continued)

Effective For Service On & After
December 6, 2020

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By



Patrick Ehrbar, Director of Regulatory Affairs

(C)

AVISTA CORPORATION
dba Avista Utilities

RULE NO. 11 (continued)

DISCONTINUANCE AND RESTORATION OF SERVICE

give five working days notice in advance of specified date of discontinuance of service to the Company. Until the Company shall have such notice, the customer shall be held responsible for all service rendered.

C. Restrictions on Residential Service Termination

1. Emergency Medical Certificate For Residential Service - The Company will not disconnect residential service if the customer submits certification from a qualified medical professional stating that disconnection would significantly endanger the physical health of the customer or a member of the customer's household. "Qualified Medical Professional" means a licensed physician, nurse-practitioner, or physician's assistant authorized to diagnose and treat the medical condition described without direct supervision by a physician.
2. An oral certification may be confirmed in writing within 14 days by the qualified medical professional prescribing medical care. Written certifications must include:
 - a. The name of the person to whom the certificate applies and relationship to the customer;
 - b. A complete description of the health condition;
 - c. An explanation how the health of the person will be significantly endangered by the termination of service;
 - d. A statement indicating how long the health condition is expected to last;
 - e. A statement specifying the particular type of utility service required (e.g., electricity for respirator); and
 - f. The signature of the qualified medical professional prescribing medical care.

(C)

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Advice No. 20-12-G
Issued November 6, 2020

Effective For Service On & After
December 6, 2020

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AVISTA CORPORATION
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RULE NO. 11 (continued)

DISCONTINUANCE AND RESTORATION OF SERVICE

- a. The monthly installment plan may be reviewed by the Company periodically. If necessary, due to changing rates or variations in the amount of service used by the customer, the installment amount will be adjusted in order to bring the account into balance within the time period specified in the original agreement. (C)
- b. If a customer changes service address at any time during the period of a time-payment agreement, provided that payments are then current and the customer pays other tariff charges associated with the change in residence, the Company may recalculate the customer's deposit and/or monthly installment. The recalculated amount will reflect the balance of the account at the previous service address and the average annual bill at the new service address for the months remaining in the original time-payment agreement. When installments on a time-payment agreement have not been kept current, a customer is required to pay all past-due installments together with any other applicable charges before service is provided at the new residence. (C)
3. A customer who selects an equal-pay arrearage plan will pay a down payment equal to one-twelfth the amount owed for past utility service (including the overdue amount and any amounts owed for a current bill or a bill being prepared but not yet delivered to the customer). Each month, for the next 11 months, an amount equal to the down payment will be added to, and payable with, the current charges due for utility service. If a customer changes service address at any time during the period of an equal-pay arrearage plan, the plan continues. However, the customer must pay any past-due charges and all other applicable charges before the Company provides service at the new address.
4. The Company and customer may agree in writing to an alternate payment arrangement, provided the Company first informs the customer of the availability of the payment terms set forth in Sections D.2. and D.3. of this rule.

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Advice No. 20-12-G
Issued November 6, 2020

Effective For Service On & After
December 6, 2020

AVISTA CORPORATION
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RULE NO. 11 (continued)

DISCONTINUANCE AND RESTORATION OF SERVICE

J. Revocation to Use Property

If the Company's service facilities and/or a customer's facilities to the meter are installed on property other than the customer's property and the owner of such property revokes his permission to use it, the Company will have the right to discontinue service upon the date of such revocation. If service is discontinued under these conditions, the customer may have service re-established under the provisions of Rules Nos. 15 and/or 16.

K. Non-liability of Company for Discontinuance or Refusal of Service

If the Company refuses or discontinues service to a person or customer for any of the reasons or upon any of the grounds specified in this rule, it shall incur no liability whatsoever to said person or customer or any other persons or customers.

L. Restoration of Service

1. Compliance with Tariff Schedules

As a condition for restoration of service, the customer shall comply with all applicable tariff schedules.

2. Reconnection Charge

The Company may require a reconnection charge before restoring service which has been discontinued pursuant to this rule. (See Rule No. 20) In addition, the Company may charge and collect any unusual costs incident to the discontinuance or restoration of service which has resulted from the customer's action or negligence.

M. Refusal of Service

1. Except as provided in Section M.2. below, the Company may refuse to provide service to an applicant until it receives full payment of any overdue amount and any other obligation related to an Oregon prior account.

(continued)

Advice No. 20-12-G
Issued November 6, 2020

Effective For Service On & After
December 6, 2020

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RULE NO. 11 (continued)

DISCONTINUANCE AND RESTORATION OF SERVICE

2. Except for consumers who were disconnected for theft of service, the Company will provide service to an applicant upon receipt of payment equal to at least one-half of any overdue amount and any other obligation related to a prior account, except deposits which must be paid in full, provided that the person has made reasonable partial payment on the account during the time service has been discontinued. The balance of the amount owed to the Company must be paid within 30 days of the date service is initiated. Upon failure to pay, the Company may disconnect service after providing a five-day notice. The notice will contain the information set forth in Rule 8, Section C.1., 2., 3., 6. and 7. and will be served in the manner set forth in Rule 8, Section D.3. In the event a customer whose service was terminated applies for service within 20 days of the termination, provisions of this rule apply. (C)
3. If service is disconnected for failure to comply with the payment terms set forth in Section M.2. above, the Company may refuse to restore service until it receives full payment of any overdue obligation, including any reconnection fee, late payment fee, and past due bill. (C)
4. The Company may refuse to provide service until payment is received where the following circumstances exist:
 - a. An overdue balance has been incurred by a person at a service address;
 - b. An applicant for service resided at the service address described in Section M.4.a. of this rule during the time the overdue balance was incurred; and
 - c. The person described in Section M.4.a. of this rule will reside at the location to be served under the new application. (C)
5. The Company may refuse to provide service if a customer or applicant has not complied with state and municipal codes and regulations governing service and with the rules and regulations of the Company.

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Advice No. 20-12-G
Issued November 6, 2020

Effective For Service On & After
December 6, 2020