

March 24, 2020

The Honorable Chuck Schumer
Minority Leader
United States Senate
Washington, DC 20510

The Honorable Nancy Pelosi
Speaker of the house
United States House of Representatives
Washington, DC 20515

The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
Washington, DC 20515

Re: INCLUSION OF MORATORIUM ON ELECTRICITY, WATER, BROADBAND AND OTHER ESSENTIAL UTILITY SERVICES SHUT-OFFS AS PART OF COVID-19 STIMULUS PACKAGE

Dear Speaker Pelosi, Leader Schumer, Leader McConnell, and Leader McCarthy,

On behalf of our millions of members and supporters nationwide, we, the 141 undersigned organizations, urge you to include a national moratorium on the shut-offs of all electricity, water, broadband, and other essential utilities as part of the third COVID-19 stimulus package. As a threshold matter, we sincerely thank Speaker Pelosi and the House of Representatives for including **sections 199991 (Home Energy and Water Service Continuity) and 199992 (Low-Income Household Drinking Water and Wastewater Assistance), Division X, in H.R. 6379 Taking Responsibility for Workers and Families Act**, that address the nationwide moratorium on shut-offs and low-income household drinking water and wastewater assistance. **We urge for these House bill provisions to be included in the ultimate COVID-19 stimulus package.**

The need for a nationwide moratorium on utility shut-offs has received wide public support. Last week, nearly 600 organizations—including utility justice, environmental, and faith groups—released a **letter** demanding a nationwide moratorium on all electricity and water utility shut-offs, waiver of all late-payment charges, and reinstatement of any services that have already been cut off due to nonpayment. (See Attachment 1.) Following the demand from 600 NGOs, sixteen senators—Senators Merkley, Duckworth, Booker, Markey, Schatz, Sanders, Hirono, Gillibrand, Wyden, Warren, Durbin, Van Hollen, Whitehouse, Carper, Blumenthal, and Harris—similarly urged in another **letter** for the inclusion of the immediate national moratorium on utility shut-offs. (See Attachment 2.)

This is a matter of basic human rights and public health and thus requires urgent attention in the third COVID-19 stimulus package. The coronavirus pandemic is already resulting in the widespread loss of wages and jobs across the country and will disproportionately impact low-wealth households. As these losses impact the ability of families to pay for essential utility services, access to electricity and running water for handwashing are crucial to protect households and our communities from the spread of disease. Further, access to broadband is essential for students to continue virtual education and for families to receive up-to-date news on the pandemic. Families should never be put in the impossible position where they have lost their jobs due to the coronavirus and thus are also at risk of losing access to electricity, water, broadband, and basic services to survive.

Thank you for your consideration of this important request.

Sincerely,

1. IworkerIvote
2. 350 Seattle
3. 350 Triangle
4. ActionAid USA
5. Alabama Arise
6. Alabama Interfaith Power and Light
7. Alliance for a Green Economy
8. Alliance for Affordable Energy
9. Animals Are Sentient Beings, Inc.
10. Animas Valley Institute
11. Appalachian Voices
12. Athens County's Future Action Network (acfan.org, OH)
13. Beyond Nuclear
14. Binghamton (NY) Regional Sustainability Coalition
15. Blue Mountains Biodiversity Project
16. Cape Cod Democratic Socialists of America
17. Center for Neighborhood Technology
18. Center for Sustainable Communities
19. Center for Sustainable Economy
20. Center for Urban and Racial Equity
21. Citizens for Local Power
22. Climable, Inc.
23. Climate Defense Project
24. Columbia Law School Health Justice Advocacy Clinic
25. Community Health Councils, Inc.
26. Community Legal Services in East Palo Alto
27. Co-op Power
28. Cooperative Energy Futures
29. Corporate Accountability
30. DC Environmental Network
31. Deep Green Resistance New York
32. Dēmos
33. Detroit Community Technology Project
34. Detroiters Working for Environmental Justice
35. Down East Coal Ash Environmental and Social Justice Coalition
36. Earthjustice
37. EcoEquity
38. Education, Economics, Environmental, Climate and Health Organization (EEECHO)
39. Energy Alabama
40. EnvironmentalLEE
41. Extinction Rebellion Cape Cod
42. Fairbanks Climate Action Coalition, Alaska
43. Faithful America
44. Flint Rising
45. Food & Water Action
46. Freshwater Future
47. Friends of the Earth
48. Fund for Democratic Communities, Greensboro NC
49. Gas Free Seneca

50. George Wiley Center
51. Great Old Broads for Wilderness
52. Greater New Orleans Housing Alliance (GNOHA)
53. Green For All
54. Green State Solutions
55. Greenpeace USA
56. Greenvest
57. Harambee House/Citizens for Environmental Justice
58. Health Justice Innovations, LLC
59. Hometown Action
60. HousingLOUISIANA
61. HousingNOLA
62. Illinois Environmental Council
63. In the Public Interest
64. Indigenous Environmental Network
65. Institute for Local Self-Reliance
66. Institute for Policy Studies Climate Policy Program
67. Interfaith Oceans
68. Iowa Interfaith Power & Light
69. James and Grace Lee Boggs Center to Nurture Community Leadership
70. Jewish Climate Action Network NYC
71. Jewish Climate Action Network-MA
72. Kentuckians For The Commonwealth
73. Lady Freethinker
74. Live Fresh, Inc.
75. Long Beach 350
76. Long Island Progressive Coalition
77. Michigan Coalition for Human Rights
78. Michigan Environmental Justice Coalition
79. Michigan Unitarian Universalist Social Justice Network
80. Milwaukee Water Commons
81. Mississippi Center for Justice
82. Montana Environmental Information Center
83. Mothers & Others for Clean Air
84. National Council of Gray Panthers Networks
85. NC Climate Justice Collective
86. NC WARN
87. Northeast Sustainable Agriculture Working Group (NESAWG)
88. Northern Jaguar Project
89. Northwest Atlantic Marine Alliance
90. Nuclear Information and Resource Service
91. One Voice
92. Open Buffalo
93. OVEC-Ohio Valley Environmental Coalition
94. Partnership for Southern Equity
95. People's Justice Council
96. Petty Propolis
97. Physicians for Social Responsibility, ARIZONA CHAPTER
98. Pierce Delahunt
99. Popular Resistance
100. Public Citizen
101. Public Lands Project
102. Rachel Carson Council
103. Raritan Headwaters Association

104. Resource Generation
105. Restaurant Opportunities Centers (ROC) United
106. Restore the Delta
107. Rogue Climate
108. Safe Climate Campaign
109. Santa Cruz Climate Action Network
110. Saving Our Sons & Sisters International (SOSSI)
111. Science for the People
112. Seneca Lake Guardian, a Waterkeeper Affiliate
113. Sierra Club
114. Snake River Alliance
115. Solar United Neighbors
116. Solstice Initiative
117. Soulardarity
118. Southern Alliance for Clean Energy
119. Southface Institute
120. SPLC Action Fund
121. Stand.earth
122. Sullivan Alliance for Sustainable Development
123. Sustainable Energy & Economy Network
124. SustainUS
125. Syracuse Cultural Workers
126. The Climate Center
127. The Democracy Collaborative
128. Turtle Island Restoration Network
129. U.S. Federation of Worker Cooperatives
130. Unitarian Universalist Ministry for Earth
131. Unitarian Universalist Service Committee
132. Vermont Yankee Decommissioning Alliance
133. WE ACT for Environmental Justice
134. Wellstone Democratic Renewal Club Oakland/Berkeley
135. WESPAC Foundation, Inc.
136. West Atlanta Watershed Alliance
137. West End Revitalization Association WERA
138. WildEarth Guardians
139. Womens' International Leagues for Peace and Freedom, Triangle Branch
140. Work for Me, DTE
141. Young Democrats of America Environmental Caucus

Attachment 1
Letter from 600 NGOs

March 19, 2020

Governor Larry Hogan, Chair
National Governors Association
444 North Capitol Street, Suite 267
Washington, DC 20001

Mr. Brandon Presley, President
**National Association of Regulatory Utility
Commissioners**
1101 Vermont Ave, Suite 200
Washington DC 20005

Mayor Bryan K. Barnett, President
United States Conference of Mayors
1620 Eye Street Northwest
Washington, DC 20006

Mr. Jim Matheson, CEO
National Rural Electric Cooperative Association
4301 Wilson Blvd., ET9-201
Arlington, VA 22203

Ms. Joy Ditto, President and CEO
American Public Power Association
2451 Crystal Drive, Suite 1000
Arlington, VA 22202

Steve Schneider, President
Association of Metropolitan Water Agencies
1620 I Street, NW, Suite 500
Washington, DC 20006

Re: URGENT ACTIONS TO ADDRESS ELECTRIC AND WATER UTILITY SHUT-OFFS AND ACCESS ISSUES EXACERBATED BY THE CORONAVIRUS NATIONAL EMERGENCY

Dear Governor Hogan of the National Governors Association, Mayor Barnett of the United States Conference of Mayors, Mr. Presley of the National Association of Regulatory Utility Commissioners, Mr. Matheson of the National Rural Electric Cooperative Association, Ms. Ditto of the American Public Power Association, and Mr. Schneider of the Association of Metropolitan Water Agencies:

On behalf of our millions of members and supporters nationwide, we, the undersigned 577 organizations—including energy democracy and justice, environmental justice, utility justice, environmental, faith, labor, health advocate, consumer advocate, and legal educational organizations—write with deep concern about the impacts of the coronavirus national emergency on the access to electricity, water, and other basic utility services for millions of low-wealth households. The coronavirus pandemic is already resulting in the widespread loss of wages and jobs across the country and will disproportionately impact low-wealth households. As these losses impact the ability of families to pay for essential utility services, access to electricity and running water for handwashing are crucial to protect households and our communities from the spread of disease.

We request that your associations—and their member governors, mayors, utility regulators, and rural electric cooperative, public power and water utility boards—take steps to **implement a moratorium on all electricity and water utility shut-offs, waiver of all late-payment charges, and reinstatement of any services that have already been cut off due to nonpayment.** Further, while a moratorium provides a necessary temporary respite during this COVID-19 crisis, it does not tackle the systemic issues driving these all-too-common energy and water injustices across America. Therefore, we urge your associations to compel your members to **implement policies that both increase the deployment of and access to distributed clean energy systems and that establish percentage-of-income payment plans for water and other utility services,** which enhance the long-term energy and climate resilience for all low-wealth families, communities, and tribes across the country.

The global COVID-19 emergency has impacted and will continue to impact the economy—and in particular, will disproportionately harm low-wealth families, especially in communities of color and American Indian and Alaska Native communities. Everyday businesses and services are increasingly closing to safeguard the public health, with only one-third of the workforce able to work remotely, according to the Bureau of Labor Statistics. As a result, millions of low-wage jobs—including retail and restaurant service workers, security guards, nurse aides, education aides, and janitorial workers—are at risk of being reduced or lost over the course of this national emergency.

As Congress works on passing relief bills to assure enhanced unemployment benefits and paid sick leave for some Americans, it is essential that state and city governments and utility regulators and boards also act to prevent low-wealth families from facing the threat of losing their essential electricity and water during this turbulent period. Families should never be put in the impossible position where they must choose between getting care for the coronavirus or other illness and sustaining access to their power and water services.

Unfortunately, that is a trade-off that is commonly made across America, and the coronavirus emergency exacerbates and highlights the urgency of these issues. A national survey found that the average water utility disconnected 5 percent of households for nonpayment in 2016, affecting an estimated 15 million Americans.¹ Moreover, in recent years, hundreds of thousands of American families have been forced to discontinue their service because of their inability to pay electricity bills, as utilities continue to raise rates and fixed fees.² The consequences of poverty are literally fatal; without electricity access, lives have been lost due to extreme heat and cold, as well as disconnection from life-saving devices like respirators and medicines requiring refrigeration. Moreover, the climate emergency has exacerbated the country's extreme weather conditions—through unprecedented wild fires, heat waves, and increased frequency and intensity of storms—that necessitate a greater demand in electricity for survival and a basic standard of living, most especially in American Indian and Alaska Native and rural regions. That is why we request that your organizations take the following actions in this coronavirus emergency.

First, we request your associations call for an immediate moratorium on all electric and water utility shut-offs, waiver of late-payment charges, and reinstatement of disconnected service. Less than half of all state governments, including Connecticut, Louisiana, Massachusetts, Mississippi, New Jersey, New York, Ohio, and Wisconsin, have ordered disconnection suspensions statewide on either electricity or water utilities and in some cases both. A handful of cities have followed suit. In addition, several investor-owned and public utility companies have voluntarily suspended service disconnections for nonpayment, including ConEdison, Dominion Energy, Duke Energy, Georgia Power, and Southern California Edison. However, many of the country's 3,300 private, public, and rural cooperative electric utilities have not suspended disconnections. Similarly, 100 municipal water providers have already issued orders prohibiting utility companies from shutting service off during the coronavirus emergency, but

¹ Food & Water Watch, *America's Secret Water Crisis*, October 2018, <https://www.foodandwaterwatch.org/insight/americas-secret-water-crisis>.

² NAACP Environmental and Climate Justice Program, *Lights Out in the Cold: Reforming Utility Shut-Off Policies as if Human Rights Matter*, March 2017, <https://www.naacp.org/climate-justice-resources/lights-out-in-the-cold/>.

many have yet to.³ We ask you to urge your associations of governors, mayors, utility regulators, and rural electric cooperative and public power and water utility boards to immediately implement a blanket moratorium on electricity and water shut-offs, waiver of all late payment charges, and reinstatement of any disconnected services, as the proper response to the national emergency declared by President Trump last week.

Second, we request your associations call for systemic policies to prevent electricity and water shut-offs in the long-term by increasing the deployment of distributed clean energy systems for all low-wealth and other communities across the country. As detailed above, the immediate moratorium on utility shut-offs is a temporary band-aid for a far deeper energy and water justice crises facing low-wealth communities. In particular, the coronavirus outbreak has highlighted the reality that poverty, climate-induced weather events, and dependence on a centralized electric utility system that increases energy burdens on families to finance dirty energy plants is having fatal results. In addition to an immediate moratorium, we request an order addressing the deeper systemic issues that have led to the crisis of electricity shut-offs impacting the entire country. Specifically, we urge your members to commit to policies that transition communities to democratic and decentralized energy systems for a secure climate future—whereby low-wealth families are not beholden to utilities that continue to build more harmful and expensive fossil fuel plants and thwart efforts to establish cheap and clean distributed power systems. Distributed clean energy systems, especially rooftop and community solar, are vital to protecting families against these energy injustices. Community solar programs, for example, provide multiple community benefits in the form of energy cost savings, more predictable billing, local decision-making authority, and reliable jobs that pay family-sustaining wages and are unionized.⁴ Moreover, distributed energy systems, particularly in the form of micro-grids and solar plus storage, greatly enhance community, tribal and climate resilience. They provide resilient power when the grid is down or when centralized energy access is truncated, as is occurring in this epidemic, and can recover faster in severe climate-induced weather events, decreasing community dependence on centralized fossil power.⁵ Moreover, we urge your members to tackle our nation’s water affordability crisis head-on by establishing percentage-of-income payment plans for water, sewer and stormwater bills, with arrearage forgiveness for low-income households. In light of the coronavirus emergency, now is the time for your member governors, mayors, utility regulators and boards to tackle the greater systemic issues underlying the threat of electricity and water service cut-offs.

Thank you for your consideration of this important request.⁶

³ See Energy Policy Institute, *LIVE: Utilities that have and have not suspended disconnects amid COVID-19*, <https://www.energyandpolicy.org/utilities-disconnect-coronavirus/> (last updated March 18, 2020); Food & Water Watch, *Local/State Water Shutoff Moratoria Amidst Coronavirus* (last updated March 18, 2020), https://docs.google.com/spreadsheets/d/153Ze6RRZ-ZZ9oVkaSErhVHGMv3Z4laQD_s0GRO7UmYnQ/edit?usp=sharing.

⁴ See J.Farrell, *Community Solar Power: Obstacles and Opportunities*, The New Rules Project (2010), <https://ilsr.org/wp-content/uploads/files/communitysolarpower2.pdf>.

⁵ See National Renewable Energy Laboratory, *Distributed Energy Planning for Climate Resilience* (2018), <https://www.nrel.gov/docs/fy18osti/71310.pdf>.

⁶ For any questions regarding this letter, please reach out to Jean Su at the Center for Biological Diversity (jsu@biologicaldiversity.org) and Chandra Farley at the Partnership for Southern Equity (cfarley@psequity.org).

Sincerely,

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FOR THE ENVIRONMENT**

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THE DEMOCRACY COLLABORATIVE

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Policy & Advocacy Manager
TURTLE ISLAND RESTORATION NETWORK

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UPROSE

Della Duncan
Producer
UPSTREAM PODCAST

Sarah Fields
Program Director
URANIUM WATCH

Isra Hirsi
Co-Founder & Partnerships Director
US YOUTH CLIMATE STRIKE

Jonny Vasic
Executive Director
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HEALTHY ENVIRONMENT**

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Chair, Utah Valley Earth Forum
UTAH VALLEY EARTH FORUM

Wes Ernsberger
Chair, Green Sanctuary Committee
**UU CONGREGATION OF BINGHAMTON,
GREEN SANCTUARY**

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President
VALLEY WATCH, INC.

Debra Stoleroff
Organizer
**VERMONT YANKEE DECOMMISSIONING
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Nathan Phelps
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Climate Program & Advocacy Manager
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RESPONSIBILITY**

Jeff DeLuca
Executive Director
**WASHINGTON STATE COMMUNITY ACTION
PARTNERSHIP**

Randy Vonck
President
**WASHTENAW CALL TO ACTION OF
MICHIGAN**

Blair Nelsen
Executive Director
WATERSPIRIT

Kerene Tayloe
Director, Federal Legislative Affairs
**WE ACT FOR
ENVIRONMENTAL JUSTICE**

Jake Schlachter
Executive Director
WE OWN IT

Monica Lewis-Patrick
CEO
WE THE PEOPLE OF DETROIT

Jack Kurzweil
Administrative Coordinator
**WELLSTONE DEMOCRATIC
RENEWAL CLUB**

Nada Khader
Executive Director
WESPAC FOUNDATION

Erica Holloman-Hill, Ph.D.
Program Manager
**WEST ATLANTA
WATERSHED ALLIANCE**

Linda Parks
Founding Member
**WEST DRYDEN RESIDENTS
AGAINST THE PIPELINE**

Omega & Brenda Wilson
Co-Founder
WEST END REVITALIZATION ASSOCIATION

Ted Boettner
Executive Director
**WEST VIRGINIA
CENTER ON BUDGET AND POLICY**

Erik Molvar
Executive Director
WESTERN WATERSHEDS PROJECT

Helgaleena Healingline
Associate Director
WHITE RABBIT GROVE RDNA

Jeremy Nichols
Climate and Energy Program Director
WILDEARTH GUARDIANS

Andrew Johnson
Executive Director
WINNESHIEK ENERGY DISTRICT

Huda Alkaff
Founder and Director
WISCONSIN GREEN MUSLIMS

Michelle Naccarati-Chapkis
Executive Director
WOMEN FOR A HEALTHY ENVIRONMENT

Darien De Lu
President
**WOMEN'S INTERNATIONAL LEAGUE
FOR PEACE AND FREEDOM US**

Randa Solick
Co-chair
**WOMEN'S INTERNATIONAL LEAGUE FOR
PEACE AND FREEDOM,
EARTH DEMOCRACY COMMITTEE**

Lib Hutchby
Co-Chair, Eco Committee
**WOMENS INTERNATIONAL LEAGUE FOR
PEACE AND FREEDOM-TRIANGLE BRANCH**

Bridget Vial
Energy Democracy Organizer
WORK FOR ME, DTE

Fred Krueger
Board Director
WORLD STEWARDSHIP INSTITUTE

Igor Tregub
Chair
**YOUNG DEMOCRATS OF AMERICA
ENVIRONMENTAL CAUCUS**

Josue Martinez
Steering Committee Member
**YUCCA (YOUTH UNITED FOR CLIMATE
CRISIS ACTION)**

Attachment 2
Letter from 16 Senators

United States Senate

WASHINGTON, DC 20510

March 20, 2020

The Honorable Mitch McConnell
Majority Leader, U.S. Senate
U.S. Capitol, S-230
Washington, DC 20510

The Honorable Chuck Schumer
Minority Leader, U.S. Senate
U.S. Capitol, S-221
Washington, DC 20510

Dear Leader McConnell and Leader Schumer,

In the midst of the public health and economic emergency caused by the COVID-19 crisis, we urge you to protect the most vulnerable Americans from the dangers and insecurity that result from utility shut-offs. As closures and quarantines disrupt and eliminate income for many American families, low-wealth communities and communities of color are particularly at risk of being disconnected by utilities due to lack of payment. As part of a third COVID-19 package, Congress must protect at risk Americans by instituting a nationwide moratorium on all electricity, water, telecommunications, broadband and other utility-shut offs and providing financial assistance for low-wealth households. A moratorium would provide temporary relief during this COVID-19 crisis, but more needs to be done to address the systemic issues driving these injustices across America.

The continuation of utility services is critical in this COVID-19 emergency. Low-wealth communities and communities of color, including black and Indigenous peoples, are being disproportionately harmed by this emergency. Low-wage jobs are at greatest risk of being reduced or lost during this crisis. Our most vulnerable elderly populations need electricity to run life-saving medical equipment, keep medications refrigerated, and keep their homes at liveable temperatures. As many Americans are working from, or quarantined in, their homes, it is essential that utility services continue uninterrupted. This is the only way to ensure people have access to clean water for handwashing and disinfecting surfaces to slow the outbreak. Access to electricity ensures that families can turn the lights on, have refrigerated food to eat, and continue a basic standard of living. Continuity of broadband access is necessary to ensure employees who can work from home continue to do so and that children that are out of school can access educational resources online. Allowing people to be productive in their homes will facilitate the necessary social distancing required to mitigate the dire impacts of this pandemic.

It is admirable that some utilities have taken voluntary steps to prevent utility disconnections during this crisis and some states have taken orders. However, we need to recognize and reinforce these steps by requiring all utilities to provide robust protections to their customers and provide utilities support so they can do so. Both homeowners and businesses should be protected from utility disconnections. All utilities including electric, gas, water, telecommunications, and Internet Service Providers should be subject to the moratorium on shut-offs. In addition to preventing shut-offs, utility companies should be required to suspend late fees and all fees associated with reconnections indefinitely. Given the uncertainty in the length of the COVID-19

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WASHINGTON, DC 20510

pandemic, we should keep these policies in place at least until the pandemic threat has passed and the country's economy has stabilized.

The COVID-19 outbreak has highlighted the systemic problem of energy insecurity in the United States and its impacts on low-wealth communities. As Congress enacts legislation to speed the economic recovery of our country, we need policies to permanently increase economic security for black, Indigenous and other People of Color. The National Association for the Advancement of Colored People (NAACP) has called for the establishment of a universal right to uninterrupted energy service. The NAACP advocates for policies to prevent utility disconnection due to non-payment, including an end to power shut-offs during extreme temperatures, and for programs to help customers pay their bills and improve energy efficiency in their homes.¹ These circumstances are particularly exacerbated in light of the climate emergency and increased climate-induced weather events, including extreme heat waves and flooding, which necessitate the uninterrupted access to electricity and other utilities.

Legislation must also build infrastructure to support distributed renewable energy and provide incentives to expand broadband access in rural areas. Distributed energy systems decrease community dependence on dirty fossil fuels and provide resilient power during extreme climate related weather events. Now is the time for our country to take bold action to protect communities most at risk by promoting energy democracy for all communities.

Sincerely,

Jeffrey A. Merkley
United States Senator

Tammy Duckworth
United States Senator

Cory A. Booker
United States Senator

Edward J. Markey
United States Senator

¹ https://www.naacp.org/wp-content/uploads/2017/04/Lights-Out-in-the-Cold_NAACP-ECJP-4.pdf

United States Senate

WASHINGTON, DC 20510

Brian Schatz
United States Senator

Bernard Sanders
United States Senator

Mazie Hirono
United States Senator

Kirsten Gillibrand
United States Senator

Ron Wyden
United States Senator

Elizabeth Warren
United States Senator

Richard J. Durbin
United States Senator

Chris Van Hollen
United States Senator

Sheldon Whitehouse
United States Senator

Tom Carper
United States Senator

Richard Blumenthal
United States Senator

Kamala D. Harris
United States Senator