



THE COMMONWEALTH OF MASSACHUSETTS
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November 6, 2020

Mark D. Marini, Secretary
Department of Public Utilities
One South Station, 5th Floor
Boston, Massachusetts 02110

Re: *Inquiry of the Department of Public Utilities into Establishing Policies and Practices for Electric and Gas Companies Regarding Customer Assistance and Ratemaking Measures in Connection to the State of Emergency Regarding the Novel Coronavirus (COVID-19), D.P.U. 20-58*

Dear Secretary Marini:

On May 11, 2020, the Department of Public Utilities (the “Department”) opened an inquiry into establishing policies and practices regarding customer assistance and ratemaking measures for investor-owned electric and gas companies (collectively, the “Distribution Companies”) in response to the effects of the novel coronavirus (“COVID-19”) pandemic, D.P.U. 20-58 (“NOI”). As part of its NOI, the Department established a Working Group to assist the Department in establishing policies and practices. NOI, at 4. The Working Group consists of members representing each of the Distribution Companies, the Attorney General’s Office (“AGO”), the Department of Energy Resources (“DOER”), the National Consumer Law Center (“NCLC”), the Low-Income Energy Affordability Network (“LEAN”), and the Associated Industries of Massachusetts (“AIM”).

The inquiry in this proceeding does not apply to investor-owned water distribution companies, and the Working Group excludes such companies. NOI, at 1 n.1, 4 n.7. Consequently, the investor-owned water distribution companies have not participated in the Working Group discussions that informed the Customer Assistance Report filed on May 29, 2020 and subsequent updates to that report. Nevertheless, the Department has stated that the “results of this inquiry will inform the Department concerning policies and practices for water companies.” NOI, at 1 n.1.

Today, the Working Group files its Fifth Updated Report of the Customer Assistance Working Group. In advance of that report, the AGO, NCLC, and Distribution Companies discussed the end of the moratorium for residential shut-offs, which had been scheduled through November 15. Chairman Fifth Set of Orders Under G.L. c. 25, § 4B (Sept. 10, 2020) (attached as Attachment A). The AGO, NCLC, and Distribution Companies all recognized in those

discussions that the coronavirus pandemic in Massachusetts has intensified since the end of the summer and that utility customers face continuing and increasing health risks and financial hardships.¹ As indicated in the Fifth Updated Report, the Distribution Companies agreed not to shut off service to their electric and gas residential customers until April 1, 2021.

Given the exclusion of the investor-owned water distribution companies from the Working Group process, however, this agreement does not extend the moratorium as to residential water customers. Water service is vital for the health and well-being of every Massachusetts family, and no customer should fear losing access to clean, running water because of the financial strain posed by the pandemic and associated restrictions required to protect Massachusetts lives. The public-safety concerns that make extension of the moratorium appropriate for residential electric and gas service are equally pertinent to residential water service. Thus, the AGO and NCLC respectfully request that the Department issue an order extending the moratorium on residential utility shut-offs until April 1, 2021 that includes the investor-owned water distribution companies within its jurisdiction.

Respectfully submitted,

NATIONAL CONSUMER LAW
CENTER

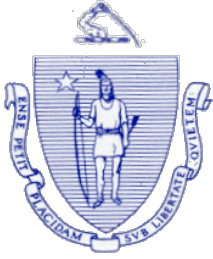
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¹ Massachusetts is experiencing significant increases of reported cases of COVID-19 and associated increases in hospitalizations and positive test rates. According to the November 3, 2020 Massachusetts Department of Public Health COVID-19 Dashboard of Public Health Indicators (available at <https://www.mass.gov/doc/covid-19-dashboard-november-3-2020/download>), the 7-day average of reported COVID-19 cases exceeded 900 from October 22 through November 1, with a high of 1,155 on October 28. This recent trend is roughly a five-fold increase from the lower reported averages in July. The 7-day average number of hospitalizations has recently been over 400, while the lowest observed value during the summer was under 200. The average number of positive molecular tests has also doubled recently. Citing similar data, Governor Baker issued COVID-19 Order No. 53, tightening the restrictions already imposed on the public, in order to stem these increases in reported cases and hospitalizations. Order No. 53 is available at <https://www.mass.gov/doc/covid-19-order-53/download>.

Attachment A



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES

CHARLES D. BAKER
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MATTHEW H. NELSON
CHAIRMAN

ROBERT E. HAYDEN
COMMISSIONER

CECILE M. FRASER
COMMISSIONER

September 10, 2020

All Investor-Owned Gas Distribution
Companies Regulated by the Department
of Public Utilities (Exhibit A)

All Investor-Owned Electric Distribution
Companies Regulated by the Department
of Public Utilities (Exhibit B)

All Investor-Owned Water Distribution
Companies Regulated by the Department
of Public Utilities (Exhibit C)

RE: Chairman's Fifth Set of Orders under G.L. c. 25, § 4B

Dear All,

On March 10, 2020, Governor Baker declared a state of emergency in response to the Coronavirus ("COVID-19"). Additionally, on March 24, 2020, pursuant to section 4B of chapter 25 of the General Laws, Governor Baker has granted me the authority to take such action as I consider necessary to assure public safety and welfare through the priority restoration or continuing availability of gas, electric, and water utility services.

In response to this public-safety issue and consistent with my previous letters, I address this letter to the investor-owned gas distribution companies, the investor-owned electric distribution companies, and the investor-owned water distribution companies (collectively, the "Companies") regulated by the Department of Public Utilities (the "Department"). In this letter, I issue the following orders that I deem necessary to assure

public safety and welfare through the priority restoration and continuing availability of gas, electric, and water service during the state of emergency related to COVID-19:

- Until November 16, 2020, or you receive further communication under section 4B of chapter 25 of the General Laws, whichever comes first, the Companies shall not shut off gas, electric, or water service to any of their residential customers for failure to pay a bill or any portion of a bill the Companies issued to a customer.
- Until October 15, 2020, or you receive further communication under section 4B of chapter 25 of the General Laws, whichever comes first, the Companies shall not send communications that threaten to shut off gas, electric, or water service to any of their residential customers for failure to pay a bill or any portion of a bill the Companies issued to a customer.

Any of the Companies that fail to carry out any of these orders may be assessed penalties as provided for in section 4B of chapter 25 of the General Laws.

Sincerely,

/s/ Matthew H. Nelson

Matthew H. Nelson
Chairman

Exhibit A

(Investor-Owned Gas Distribution Companies)

President Carrie J. Hightman
Bay State Gas Company
d/b/a Columbia Gas of Massachusetts
4 Technology Drive, Suite 250
Westborough, MA 01581

President Peter Eichler
Liberty Utilities
36 5th Street
Fall River, MA 02722-0911

President Franklyn Reynolds
Berkshire Gas Company
115 Cheshire Road
Pittsfield, MA 01202

President Marcy Reed
Boston Gas Company & Colonial Gas Company,
each d/b/a National Grid
40 Sylvan Road
Waltham, MA 02451

President James Wojcik
Blackstone Gas Company
61 Main Street
Blackstone, MA 01504

President Thomas Meissner
Unitil
6 Liberty Lane West
Hampton, NH 03842

President William Akley
NSTAR Gas Company
d/b/a Eversource Energy
247 Station Drive
Westwood, MA 02090

Exhibit B

(Investor-Owned Electric Distribution Companies)

President Thomas Meissner
Unitil
6 Liberty Lane West
Hampton, NH 03842

President Marcy Reed
Massachusetts Electric Company, & Nantucket
Electric Company, each d/b/a National Grid
40 Sylvan Road
Waltham, MA 02451

President Craig Hallstrom
NSTAR Electric Company
d/b/a Eversource Energy
247 Station Drive
Westwood, MA 02090

Exhibit C

(Investor-Owned Water Distribution Companies)

Agawam Springs Water Company
158 Tihonet Road
Wareham, MA 02751

Andrews Farm Water Company
c/o Mark J. Favaloro, Esq.
Favaloro Law
159 Haven Street, Suite 1
Reading, MA 01867

Aquaria Water Company
170 Aquaria Drive
P.O. Box 1000
North Dighton, MA 02764

Aquarion Water Company of MA
900 Main Street
Hingham, MA 02043

Ashmere Water Supply
P.O. Box 843
Hinsdale, MA 02135-0834

Butterworth Water Company
300 Salisbury Street
Worcester, MA 01609

Colonial Water Company
27 Northwest Drive
Plainville, CT 06062

East Northfield Water Company
One Lamplighter Way
Northfield, MA 01360

Granville Centre Water Company
c/o John Stevenson
29 Locust Drive
Bedford, NY 10506

Housatonic Water Company
80 Maple Avenue
Great Barrington, MA 01230

Hutchinson Water Company
c/o Matthew Hutchinson
P.O. Box 446
Grafton, MA 01519

Kings Grant Water Company
839 Newport Avenue
S. Attleboro, MA 02703

Milford Water Company
66 Dilla Street
Milford, MA 01757

Monterey Water Company
P.O. Box 65
Monterey, MA 01245

Mountain Water Systems
27 Northwest Drive
Plainville, CT 06062

Pinehills Water Company
33 Summerhouse Drive
Plymouth, MA 02360

Whitinsville Water Company
44 Lake Street
Whitinsville, MA 01588