



# County of Los Alamos

Los Alamos, NM 87544  
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## Council Meeting Staff Report

March 25, 2020

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<b>Agenda No.:</b>	5.A.
<b>Indexes (Council Goals):</b>	DPU FY2020 - 3.0 Be a Customer Service Oriented Organization that is Communicative, Efficient, and Transparent
<b>Presenters:</b>	Bob Westervelt
<b>Legislative File:</b>	12648-19

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### Title

Modification of Department of Public Utilities Rules & Regulations - Rule GR-13, Disconnection and Reconnection of Service.

### Recommended Action

**I move the Board of Public Utilities approve revisions to Department of Public Utilities Rules & Regulations, Rule GR-13, Disconnection and Reconnection of Service, as presented.**

### Staff Recommendation

Staff recommends approval as presented.

### Body

In December 2019 the Board of Public Utilities considered and approved a change to rule GR-13 to allow service disconnection of water instead of electricity as an initial disconnect action during winter months for non-payment for services. During discussion, staff advised the Board of the department's practice of following the guidelines of the PRC Rule known as "The LIHEAP Moratorium", whereby during the winter heating season, defined as November 15 through March 15 of the following calendar year, accounts that were current on November 15 would not be disconnected for non-payment. While this is an established "standard of practice" for the Department, it has not been formalized in a rule. The Board requested staff return with a proposed rule change to define and formalize the practice and incorporate it into the BPU Rules and Regulations. Suggested is insertion of a new section 13.06 and renumbering of the existing GR-13.06 as Section GR-13.07. The rule change adopted in December would be utilized for households that do not qualify under this winter moratorium because the accounts were not current on November 15, or payment arrangements established as of that date have not been complied with.

The proposed language is based on the PRC rule 17.5.410.30, which is applicable to regulated utilities, modified slightly to reflect our historical practice. The PRC rule specifies that only households qualified under LIHEAP income limitations ("LIHEAP Qualified Households") benefit from the Winter Moratorium. Our historical practice has been to afford that protection to all residential households. Otherwise the language and implementation are essentially the same. Requirements for notification of Winter Moratorium protections as the season approaches and notice of the end of winter moratorium protections are included, as are actual implementation guidelines.

It is important to note that this Winter Moratorium does not relieve a customer of responsibility for payment for services, but merely provides protection from disconnection during the coldest months of the year. As March 15 approaches staff will work with customers to bring accounts current or enter into payment arrangements to avoid disconnect on March 15. However, if customers do not cooperate in such efforts, a household may be subject to disconnection for non-payment when the

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moratorium expires on that date.

### **Alternatives**

This proposed rule change formalizes what is currently established practice. If this item is not approved staff would have to either discontinue the practice or continue as an operational action without formal guidance from a rule.

### **Fiscal and Staff Impact**

Again, because this proposed rule change simply formalizes existing practice, there is negligible fiscal or staff impact.

### **Attachments**

A - GR13 proposed revision 02-19-20