May 20, 2020

The Honorable Tom Wolf Governor of Pennsylvania 508 Main Capitol Building Harrisburg, PA 17120

## Re: Urgent Action Needed to Extend Mandatory Moratorium on Utility Terminations

Dear Governor Wolf,

We, the undersigned agencies, organizations, and associations, write with great urgency. June 4 is just two weeks away, and with it will come the expiration of your March 6, 2020 Proclamation of Disaster Emergency. As you are undoubtedly aware, the current moratorium on utility terminations for regulated utilities enacted by the Pennsylvania Public Utility Commission is dependent on the effectiveness of this Emergency Proclamation – and will expire on June 4 without further action.<sup>1</sup>

Even if action were taken to extend the current Emergency Proclamation, thereby extending the PUC's Emergency Order, Pennsylvania's *unregulated* utility customers will remain unprotected from termination – including those served by Pennsylvania's 1200 municipal water and wastewater utilities and rural electric cooperatives that provide electricity to many of Pennsylvania's rural communities. With pressure on these unregulated entities to improve revenue, we are concerned that the current voluntary moratoria initiated by these agencies may soon be lifted on an ad hoc, individual basis.

On May 7, 2020, you issued an Executive Order halting evictions and foreclosures in Pennsylvania until at least July 10, 2020, to protect vulnerable Pennsylvanians from being removed from their homes during the pandemic. But without additional action to also extend and expand the current moratorium on utility terminations, many Pennsylvanians will nevertheless face housing destabilization that results from the loss of utility services. Thus, we urge you to issue an Executive Order to halt utility terminations statewide through at least July 10, 2020, to prevent the loss of critical utility services to Pennsylvania families. Issuing a stand-alone, statewide Executive Order that applies to both regulated and unregulated Pennsylvania utilities, aligned with the timeline for eviction and foreclosure protections in your May 7 Executive Order, will help provide clarity and certainty to Pennsylvanians in a time of great instability and uncertainty.

Without immediate and decisive action to extend the termination moratorium, tens of thousands of vulnerable Pennsylvania households may face imminent loss of water, wastewater, electricity, and natural gas service to their home. Uninterrupted utility service is critical to help families shelter in place, and to prevent further spread of the virus. Indeed, without

these services, a family cannot wash their hands, sanitize surfaces, or cook food in their homes – all of which are critical to compliance with CDC guidelines and to the continued safety of Pennsylvanians.

Failure to act now to protect economically vulnerable households from the imminent loss of utility service through the current emergency will exacerbate the undeniably disparate impact that the virus has had on low income and minority communities, who are less able to practice safe social distancing at work and at home.<sup>ii</sup>

We are grateful for your clear and decisive leadership through these difficult times, and urge you to take swift and decisive action to ensure that Pennsylvania families remain connected to vital utility services throughout the ongoing crisis.

Respectfully,

Elizabeth R. Marx, Esq. Executive Director

Pennsylvania Utility Law Project

emarxpulp@palegalaid.net

Patrick Cicero, Esq. Executive Director

Pennsylvania Legal Aid Network

Labora K. Manx.

pcicero@palegalaid.net

Hon. Michael A. Snyder (Ret.)

Chancellor

**Philadelphia Bar Association** 

msnyder@adrdri.com

Mark Schwartz, Esq.

**Executive Director** 

**Regional Housing Legal Services** 

mark.schwartz@rhls.org

Marielle Macher, Esq.

**Executive Director** 

**Community Justice Project** 

mmacher@cjplaw.org

Josep. H. Picters

Josie B.H. Pickens, Esq. Co-Director, Energy Unit

**Community Legal Services** 

jpickens@clsphila.org

David E. Schwager, Esq.

President

Pennsylvania Bar Association

des@csmlawoffices.com

Levana Layendecker

**Deputy Director** 

**Housing Alliance of Pennsylvania** 

levana@housingalliancepa.org

Susan Moore, CEO

**Community Action Association of** 

Pennsylvania

susan@thecaap.org

Peri Jude Radecic

Chief Executive Officer

**Disability Rights Pennsylvania** 

pradecic@disabilityrightspa.org

Laval Miller-Wilson, Esq.

**Executive Director** 

Pennsylvania Health Law Project

<u>lmillerwilson@phlp.org</u>

Julie Bancroft

Chief Public Affairs Officer

Pa. Coalition Against Domestic Violence

jbancroft@pcadv.org

Charles Harak, Esq Managing Attorney

National Consumer Law Center, on behalf of its low income clients

charak@nclc.org

Ronda B. Goldfein, Esq. Executive Director

**AIDS Law Project of Pennsylvania** 

goldfein@aidslawpa.org

Raymond Nevo

State Policy and Equity Advocate

**National Housing Trust** 

rnevo@nhtinc.org

Tobey Oxholm, Esq. Executive Director

Philadelphia Lawyers for Social Equity

tobeyoxholm@gmail.com

Lynn A. Marks & Janet Stotland

Co-Chairs

**Public Interest Alumns Network** 

lynnmarks49@gmail.com

stotland@msn.com

Thomas W. Ude, Esq.

Legal and Public Policy Director

**Mazzoni Center** 

tude@Mazzonicenter.org

Su Ming Yeh, Esq. Executive Director

Pennsylvania Institutional Law Project

smyeh@pailp.org

Karen C. Buck, Esq. Executive Director

SeniorLAW Center

Molly Callahan, Esq.

kbuck@seniorlawcenter.org

Legal Center Director

Women Against Abuse Legal Center

mcallahan@womenagainstabuse.org

Cathryn Miller-Wilson, Esq.

**Executive Director** 

**HIAS Pennsylvania** 

cmillerwilson@hiaspa.org

Laura Handel Schwartz, Esq.

Managing Attorney

Health, Education and Legal Assistance

**Project: A Medical Legal Partnership** 

lhandel@helpmlp.org

Marsha I. Cohen, Esq.

**Executive Director** 

**Homeless Advocacy Project** 

marsha@haplegal.org

Stephen P. Chawaga

**Executive Director** 

**Episcopal Legal Aid of the Diocese of** 

Pennsylvania

schawaga@episcopallegalaid.org

Ann Sanders

Public Policy Advocate

**Just Harvest** 

anns@justharvest.org

Linda Peyton
Executive Director

The Legal Clinic for the Disabled (LCD)

lpeyton@lcdphila.org

Terry L. Fromson Managing Attorney **Women's Law Project** 

tfromson@womenslawproject.org

Mark Szybist, Esq. Senior Attorney

**National Resources Defense Council** 

mszybist@nrdc.org

Gene Brady Chairman

Pa. Weatherization Providers Task Force

genebradyceo@gmail.com

Jaimee L. Hatcher, Esq., LLM

Executive Director

**Christian Legal Clinics of Philadelphia** 

jhatcher@clcphila.org

Ryan W. Morris, Esq. Executive Director

Philadelphia Volunteer Lawyers for the Arts

rmorris@pvla.org

Anna Brickman Legal Center Director

Face to Face

anna.brickman@facetofacegermantown.org

Kelly J. Gastley Managing Attorney **Philadelphia VIP** kgastley@phillyvip.org

Joseph L. Vullo, Esq.

Chairman

**Housing Development Corporation of** 

NEPA

hdcnepa@epix.net

David L. Ritter Director of Housing

Commission on Economic Opportunity dritter@ceopeoplehelpingpeople.org

Nan Feyler

**Executive Director** 

Pennsylvania Innocence Project

nan.feyler@temple.edu

Sherry Hoban, Esq. Executive Director

**Consumer Bankruptcy Assistance Project** 

shoban@cbap-phl.org

## CC: Office of Pennsylvania Governor Tom Wolf

Sam Robinson, Deputy Chief of Staff Erin Smith Wachter, Deputy Secretary of Policy and Planning

<sup>&</sup>lt;sup>1</sup> <u>See Pa. PUC, Public Utility Service Termination Moratorium, Proclamation of Disaster Emergency – COVID-19, Docket No. M-2020-3019244 (issued March 13, 2020).</u>

<sup>&</sup>quot; <u>See</u> Stephanie Deluca et al., Johns Hopkins Univ. of Medicine, <u>The Unequal Cost of Social Distancing</u>, <u>https://coronavirus.jhu.edu/from-our-experts/the-unequal-cost-of-social-distancing</u>.