

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1329 HB	<b>Title:</b> Utility shutoffs/heat
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## Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts						
Loc School dist-SPI						
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.					
Local Gov. Total						

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Department of Commerce	.2	49,641	49,641	49,641	.1	33,794	33,794	33,794	.1	33,794	33,794	33,794
Utilities and Transportation Commission	.2	0	0	57,438	.0	0	0	0	.0	0	0	0
<b>Total \$</b>	<b>0.4</b>	<b>49,641</b>	<b>49,641</b>	<b>107,079</b>	<b>0.1</b>	<b>33,794</b>	<b>33,794</b>	<b>33,794</b>	<b>0.1</b>	<b>33,794</b>	<b>33,794</b>	<b>33,794</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Department of Commerce	.0	0	0	.0	0	0	.0	0	0
Utilities and Transportation Commission	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

# Estimated Capital Budget Breakout

NONE

<b>Prepared by:</b> Gwen Stamey, OFM	<b>Phone:</b> (360) 790-1166	<b>Date Published:</b> Final
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1329 HB	<b>Title:</b> Utility shutoffs/heat	<b>Agency:</b> 103-Department of Commerce
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.2	0.1	0.2	0.1	0.1
<b>Account</b>					
General Fund-State      001-1	32,744	16,897	49,641	33,794	33,794
<b>Total \$</b>	32,744	16,897	49,641	33,794	33,794

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Robert Hatfield	Phone: 360-786-7117	Date: 01/17/2023
Agency Preparation: Marla Page	Phone: 360-725-3129	Date: 02/04/2023
Agency Approval: Jason Davidson	Phone: 360-725-5080	Date: 02/04/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 02/06/2023

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

The bill relates to preventing utility shutoffs for nonpayment during extreme heat.

The bill would prohibit electric or water utilities from involuntarily terminating service for nonpayment to residential users during extreme heat; prohibits landlords from involuntarily terminating electric utility or water service due to lack of payment to residential tenants during extreme heat; and creates a civil cause of action for involuntary termination of water service for nonpayment to residential users during extreme heat.

Section 1(4) is a new section added to chapter 23.86 RCW that any locally regulated utility as defined by RCW 23.86.400 with more than 25,000 customers in Washington must submit an annual report to the Department of Commerce (department) of the total number of disconnects that occurred on each day that exceeded 90 degrees Fahrenheit or higher, or on any day preceding a holiday or weekend when the forecasted temperature will be 90 degrees Fahrenheit or higher. Utilities with less than 25,000 customers in Washington must provide similar information upon request by the department.

Section 2(4) is a new section added to chapter 24.06 RCW that any locally regulated utility as defined by RCW 24.06.600 with more than 25,000 customers in Washington must submit an annual report to the department of the total number of disconnects that occurred on each day that exceeded 90 degrees Fahrenheit or higher, or on any day preceding a holiday or weekend when the forecasted temperature will be 90 degrees Fahrenheit or higher. Utilities with less than 25,000 customers in Washington must provide similar information upon request by the department.

Section 3(4) is a new section added to chapter 35.21 RCW that utility companies with more than 25,000 electric customers or 2,500 water customers in Washington must submit an annual report to the department of the total number of disconnects that occurred on each day that exceeded 90 degrees Fahrenheit or higher, or on any day preceding a holiday or weekend when the forecasted temperature will be 90 degrees Fahrenheit or higher. Utilities with less than 25,000 electric customers or 2,500 water customers in Washington must provide similar information upon request by the department.

Section 4 amending RCW 54.16.285 that a district providing utility service for residential heat cannot terminate the service between November 15 through March 15 if the customer provides self-certification of household income for the prior 12 month to a grantee of the department which administers federally funded energy assistance programs, has applied for heating assistance, has applied for low-income weatherization assistance, agrees to a payment plan and agrees to pay the moneys owed. Each district with more than 25,000 electric customers or 2,500 water customers in Washington must submit an annual report to the department of the total number of disconnects that occurred on each day that exceeded 90 degrees Fahrenheit or higher, or on any day preceding a holiday or weekend when the forecasted temperature will be 90 degrees Fahrenheit or higher. Utilities with less than 25,000 electric customers or 2,500 water customers in Washington must provide similar information upon request by the department.

Section 5(11) amending RCW 57.08.081 that a district with more than 2,500 water customers in Washington must submit an annual report to the department of the total number of disconnects that occurred on each day that exceeded 90 degrees Fahrenheit or higher, or on any day preceding a holiday or weekend when the forecasted temperature will be 90 degrees Fahrenheit or higher. Utilities with less than 2,500 water customers in Washington must provide similar information upon request by the department.

Section 6(4) amending RCW 80.28.010 that any gas company, electrical company, wastewater company, or water company for gas, electricity or water providing utility service for residential heat cannot terminate the service between November 15 through March 15 if the customer provides self-certification of household income for the prior 12 month to a grantee of the department which administers federally funded energy assistance programs, has applied for heating assistance, has applied for low-income weatherization assistance, agrees to a payment plan and agrees to pay the moneys

owed.

Section 7(13) amending RCW 87.03.015 that any irrigation district with more than 25,000 electric customers or 2,500 water customers in Washington must submit an annual report to the department of the total number of disconnects that occurred on each day that exceeded 90 degrees Fahrenheit or higher, or on any day preceding a holiday or weekend when the forecasted temperature will be 90 degrees Fahrenheit or higher. Utilities with less than 25,000 electric customers or 2,500 water customers in Washington must provide similar information upon request by the department.

Effective date is assumed to be 90 days after adjournment of the session in which this bill is passed.

**II. B - Cash receipts Impact**

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

**II. C - Expenditures**

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

**General Assumptions**

The bill requires the department to collect data on utility disconnections under the statute with exception to electric investor-owned utilities. The department assumes it would administer a survey. The data would be cleaned and aggregated before it would be posted on the department webpage. The department also assumes it will need to establish a survey, reporting procedures and a utility contact list of utilities in the first year of implementation, with minimal maintenance of the survey, reporting procedures, and contact list in later years.

To accomplish this work the department estimates:

0.20 FTE Management Analyst 4 (418 hours) in FY24 and 0.10 (209 hours) in FY25-FY29 for reporting to establish the annual survey, reporting procedures, utility contact list, and to clean, aggregate, and post data.

**Salaries and Benefits:**

FY24: \$23,195

FY25-FY26: \$11,992 per fiscal year

**Goods and Services:**

FY24: \$1,918

FY25-FY26: \$960 per fiscal year

**Intra-Agency Reimbursements:**

FY24: \$7,631

FY25-FY26: \$3,945 per fiscal year

Note: Standard goods and services costs include supplies and materials, employee development and training, Attorney General costs, central services charges and agency administration. Agency administration costs (e.g., payroll, HR, IT) are funded under a federally approved cost allocation plan.

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**Total Costs:**

FY24: \$32,744

FY25-FY29: \$16,897 per fiscal year

### Part III: Expenditure Detail

#### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	32,744	16,897	49,641	33,794	33,794
<b>Total \$</b>			32,744	16,897	49,641	33,794	33,794

#### III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.2	0.1	0.2	0.1	0.1
A-Salaries and Wages	17,242	8,880	26,122	17,760	17,760
B-Employee Benefits	5,953	3,112	9,065	6,224	6,224
C-Professional Service Contracts					
E-Goods and Other Services	1,918	960	2,878	1,920	1,920
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	7,631	3,945	11,576	7,890	7,890
9-					
<b>Total \$</b>	32,744	16,897	49,641	33,794	33,794

#### III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administrative Services - Indirect	111,168	0.0	0.0	0.0	0.0	0.0
Management Analyst 4	86,212	0.2	0.1	0.2	0.1	0.1
<b>Total FTEs</b>		0.2	0.1	0.2	0.1	0.1

#### III. D - Expenditures By Program (optional)

NONE

### Part IV: Capital Budget Impact

#### IV. A - Capital Budget Expenditures

NONE

#### IV. B - Expenditures by Object Or Purpose

NONE

#### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

#### IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1329 HB	<b>Title:</b> Utility shutoffs/heat	<b>Agency:</b> 215-Utilities and Transportation Commission
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.4	0.0	0.2	0.0	0.0
<b>Account</b>					
Public Service Revolving Account-State 111-1	57,438	0	57,438	0	0
<b>Total \$</b>	57,438	0	57,438	0	0

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Robert Hatfield	Phone: 360-786-7117	Date: 01/17/2023
Agency Preparation: Kim Anderson	Phone: 360-664-1153	Date: 01/20/2023
Agency Approval: Kim Anderson	Phone: 360-664-1153	Date: 01/20/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 01/20/2023



## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Section 6 applies to commission statute (RCW 80) and removes requirement for customers to pay security deposit and reconnection charges when customer is unable to pay utility bill between Nov. 15 through March 15. Be permitted to disconnect service if the customer fails to honor the payment program except between Nov. 15 through March 15.

Section 6 also adds language preventing electric, gas, or water shutoffs for nonpayment for residential customers during extreme heat of 90 degrees Fahrenheit. If a customer has been disconnected for nonpayment and would be without service when the temperature will be 90 degrees or higher, the utility must promptly contact the affected customers and make reasonable efforts to reconnect service. Upon expiration of national weather service's forecast of 90-degree temperature, the utility may disconnect service that was reconnect during this period without notice if an appropriate payment arrangement has not been established.

Section 6 also required each utility, on an annual basis, to submit a report to the commission that includes the total number of disconnections that occurred on each day, specifying whether the day exceeded 90 degrees Fahrenheit or higher, was a day preceding a holiday or weekend when a forecast indicates that the temperature will be 90 degrees Fahrenheit or above during the holiday or weekend, or was between November 15th and March 15th.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

No cash receipt impact.

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

To implement the provisions of section 6 of the bill, the UTC will conduct three simple rulemakings to revise WAC 480-90, WAC 480-100, and WAC 480-110.

Rulemaking to review gas disconnect rules for WAC 480-90  
FY2024 - total cost \$19,146

(Administrative Law Judge, 0.06 FTEs; Director/Regulatory Services, 0.02 FTEs; Policy Advisor, 0.02 FTEs, Deputy Asst. Director/Regulatory Services, 0.02 FTEs; Regulatory Analyst 2, 0.03 FTEs; Regulatory Analyst 3, 0.04 FTEs; Asst. Director/Policy, 0.02 FTEs)

Rulemaking to review electric disconnect rules for WAC 480-100  
FY2024 - total cost \$19,146

(Administrative Law Judge, 0.06 FTEs; Director/Regulatory Services, 0.02 FTEs; Policy Advisor, 0.02 FTEs, Deputy Asst. Director/Regulatory Services, 0.02 FTEs; Regulatory Analyst 2, 0.03 FTEs; Regulatory Analyst 3, 0.04 FTEs; Asst. Director/Policy, 0.02 FTEs)

Rulemaking to review water disconnect rules for WAC 480-110  
 FY2024 - total cost \$19,146

(Administrative Law Judge, 0.06 FTEs; Director/Regulatory Services, 0.02 FTEs; Policy Advisor, 0.02 FTEs, Deputy Asst. Director/Regulatory Services, 0.02 FTEs; Regulatory Analyst 2, 0.03 FTEs; Regulatory Analyst 3, 0.04 FTEs; Asst. Director/Policy, 0.02 FTEs)

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
111-1	Public Service Revolving Account	State	57,438	0	57,438	0	0
<b>Total \$</b>			57,438	0	57,438	0	0

**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.4		0.2		
A-Salaries and Wages	36,992		36,992		
B-Employee Benefits	12,947		12,947		
C-Professional Service Contracts					
E-Goods and Other Services	7,499		7,499		
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	57,438	0	57,438	0	0

**III. C - Operating FTE Detail:** *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administrative Law Judge	119,088	0.1		0.1		
Asst. Director, Policy	110,064	0.0		0.0		
Deputy Asst. Director   Regulatory Services	101,136	0.0		0.0		
Deputy Director   Regulatory Services	117,996	0.0		0.0		
Director, Regulatory Services	134,532	0.0		0.0		
Policy Advisor	100,008	0.0		0.0		
Regulatory Analyst 2	82,896	0.1		0.0		
Regulatory Analyst 3	93,840	0.1		0.0		
<b>Total FTEs</b>		0.4		0.2		0.0

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

To implement the provisions of section 6 of the bill, the UTC will need to conduct three simple rulemakings to revise WAC 480-90, WAC 480-100, and WAC 480-110 which should occur the beginning of FY2024.

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

**Bill Number:** 1329 HB

**Title:** Utility shutoffs/heat

## Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

- Cities: Cities that provide electric and water services to the public.
- Counties: Counties that provide electric and water services to the public.
- Special Districts: Municipal Electric Companies and Public Utility Districts, Irrigation Districts
- Specific jurisdictions only:
- Variance occurs due to:

## Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time: The number of customers impacted and the number of days per year that exceed 90 degrees Fahrenheit in each jurisdiction will vary.

### Estimated revenue impacts to:

**Non-zero but indeterminate cost and/or savings. Please see discussion.**

### Estimated expenditure impacts to:

**Non-zero but indeterminate cost and/or savings. Please see discussion.**

## Part III: Preparation and Approval

Fiscal Note Analyst: Chelsea Mickel	Phone: 518-727-3478	Date: 01/20/2023
Leg. Committee Contact: Robert Hatfield	Phone: 360-786-7117	Date: 01/17/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 01/20/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 01/20/2023

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

*Description of the bill with an emphasis on how it impacts local government.*

This bill prohibits utilities from imposing involuntarily shutoffs of water or electric services on residential customers during extreme heat.

The bill states that any locally regulated utility that owns or operates an electric utility may not terminate services due to non-payment by any residential user:

- On a day when, the local weather forecast indicates that the weather in the area of the residential user's service address will include temperatures that exceed 90 degrees Fahrenheit;
- If, by 8:00 a.m., the actual weather is 90 degrees Fahrenheit or higher; or
- On any day preceding a holiday or weekend when a forecast indicates that the temperature will be 90 degrees Fahrenheit or above during the holiday or weekend;

Utilities must contact affected customers and make reasonable attempts to reconnect service to customers that have been disconnected due to lack of payment. Utilities may disconnect service for nonpayment after the expiration of the forecast that the weather will exceed 90 degrees Fahrenheit. This includes tenants of metered apartment buildings and mobile home residents. Utility districts with more than 25,000 electric customers or 2,500 water customers in Washington must submit an annual report to the department of commerce (Commerce) detailing the total number of disconnections that occurred under the extreme heat conditions listed above. Utility districts with fewer customers must furnish similar information when requested by Commerce.

Section 8 prohibits landlords, under both the Residential Landlord-Tenant Act (RLTA) and the Manufactured and Mobile Home Landlord-Tenant Act (MMHLTA), from imposing involuntarily shutoffs of water or electric services due to lack of payment to any residential tenant during extreme heat events.

Section 10 creates a civil cause of action for involuntary termination for nonpayment of water service to any residential user during certain high temperature events. Residents who have had their water service involuntarily terminated for nonpayment under the previously mentioned weather conditions may file an action in superior court for recovery of damages and the costs of the suit, including reasonable investigative and attorneys' fees and costs. If the court finds a violation, in addition to the relief described above, a resident may seek up to \$1,000 per violation per day or actual damages, whichever is greater, as well as injunctive relief, reasonable attorneys' fees, and any other relief that the court determines appropriate.

### **B. SUMMARY OF EXPENDITURE IMPACTS**

*Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.*

This bill has an indeterminate, but likely de minimis, expenditure impact on local governments. It is unknown how many days would exceed the 90-degree Fahrenheit threshold, and how many customers would be impacted. Municipal Electric Companies and Public Utility Districts would incur de minimis costs when restarting and disconnecting residents to their services due to extreme heat.

The number of days per year that exceed 90-degree Fahrenheit is unknown and will vary by location. Residents living on the Eastern side of the state tend to experience hotter weather during the summer than jurisdictions on the Western side of the state. For example, 2022 data collected by the National Oceanic and Atmospheric Administration (NOAA), found that Seattle experienced eight days where the temperature exceeded 90 degrees, whereas Spokane had 34 days above 90 degrees, and Yakima 49 days.

Utilities that provide electric services would incur costs for reconnecting residents to their services. In Snohomish County,

the reconnection fee for electric services is \$80 for same-day services, and \$40 for next day services. In Lewis County, meter disconnect charges are \$100, whereas a reconnect charge outside of business hours is \$200. Since utilities would not accrue revenue from customers if they were disconnected, reconnecting them, but not receiving payment for services would not alter their expected revenue.

Utilities that provide water services would incur fees every time that they turn off or restart service, since there is no remote automated option to alter services, it requires on-site presence. The disconnect fee for water services in Snohomish County is \$40. Same-day reconnect fees are \$80, and next day reconnection fees are \$40. Since terminating and reconnecting services to customer's falls within the current scope of utility employees, the bill would be unlikely to substantially increase staff time.

Jurisdictions that do not comply with the actions outlined in this bill would incur indeterminate costs. If courts find utilities in violation of shutoff moratoriums, they could be liable for damages and attorney fees for customers that filed civil actions.

Utility districts with more than 25,000 electric customers or 2,500 water customers are required to submit an annual report to Commerce detailing their compliance with the shutoff moratorium. Utility districts with fewer customers must furnish similar information when requested by Commerce. There may be increased staff time associated with gathering the required data and reporting it to Commerce, but reporting requirements would likely be part of an annual survey, and thus increased costs would be minimal.

### **C. SUMMARY OF REVENUE IMPACTS**

*Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.*

This bill has an indeterminate, but likely de minimis, revenue impact on local governments. Since utilities would not be collecting revenue from customers disconnected from their services, the revenue impacts of keeping customers connected would likely be minimal. During past moratoriums, utilities have received federal and state grants for residential customer arrearages, which helped to offset lost or delayed revenue due to nonpayment. For example, in 2022, the legislature allocated \$100 million for public and private utilities to reduce residential customer arrearages accrued between March 1, 2020, and Dec. 31, 2021. The legislature could elect to allocate fund for accrued arrearages in the future, if loss of revenue is significant. At least 19 states have imposed similar moratoriums on utility shutoffs during extreme heat. These include; Arizona, Arkansas, California, Colorado, Delaware, Georgia, Illinois, Louisiana, Maryland, Minnesota, Mississippi, New Jersey, Oklahoma, Oregon, Rhode Island, Texas and Wisconsin. Washington, D.C. also has protections.

#### **SOURCES:**

Department of Commerce  
House Bill Analysis, HB 1329, Environment & Energy Committee (2023)  
Lewis County Public Utility District  
National Oceanic and Atmospheric Administration  
Oregon Public Utility Commission  
Snohomish County Public Utility District  
Washington Association of Public Utilities Districts