



Control Number: 47552



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Kenneth W. Anderson, Jr.
Commissioner

Brandy Marty Marquez
Commissioner

Brian H. Lloyd
Executive Director



Greg Abbott
Governor

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Public Utility Commission of Texas

POLICY & COMPLIANCE DIVISION
FILING CLERK

TO: Central Records

FROM: Brian H. Lloyd
Executive Director

RE: Correspondence related to Docket No. 47552 – *Issues Related to Disaster From Hurricane Harvey*

DATE: September 12, 2017

Please file the attached correspondence in the project referenced above.



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1701 N. Congress Avenue PO Box 13326 Austin, TX 78711 512/936-7000 Fax: 512/936-7003 web site: www.puc.texas.gov

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Long, Mick

From: DeAnn Walker <DeAnn.Walker@gov.texas.gov>
Sent: Monday, September 11, 2017 7:31 AM
To: Lloyd, Brian
Cc: Long, Mick; BPP Support Staff; Christopher Smith
Subject: RE: PUCT Request for Rules Suspension Related to Water/Sewer Disconnections for Non-payment

WARNING: EXTERNAL SENDER. Always be cautious when clicking links or opening attachments. NEVER provide your user ID or password.

Dear Mr. Lloyd:

The Office of the Governor is in receipt of the Public Utility Commission of Texas' request to temporarily suspend the following sections of the rules of the Commission: 16 TAC § 24.88(a)(2)(A) and 16 TAC § 24.114(a) to the extent they authorize disconnection of water or sewer service for non-payment or non-use for residential water or sewer customers and 16 TAC §24.87(c) to the extent that it authorizes the assessment of penalty for a delinquent bill for a water or sewer utility customers. The Public Utility Commission of Texas asserts these laws could prevent, hinder or delay restoration efforts and impact the health and safety of residents in relation to the Tropical Depression Harvey disaster response operations.

In accordance with section 418.016 of the Texas Government Code, the Office of the Governor grants the Public Utility Commission of Texas' request.

This suspension is in effect until terminated by the Office of the Governor or until the Tropical Depression Harvey disaster declaration is lifted or expires.

Thank you,
DeAnn Walker
Senior Policy Advisor
Office of Governor Greg Abbott

From: Lloyd, Brian [<mailto:Brian.Lloyd@puc.texas.gov>]
Sent: Thursday, September 07, 2017 11:42 AM
To: DeAnn Walker <DeAnn.Walker@gov.texas.gov>
Cc: Long, Mick <Mick.Long@puc.texas.gov>
Subject: PUCT Request for Rules Suspension Related to Water/Sewer Disconnections for Non-payment

Deanne,

The Public Utility Commission of Texas respectfully requests Governor Abbott to temporarily suspend certain Public Utility Commission of Texas rules that would potentially permit water and sewer utilities to disconnect service to residential customers in the counties affected by Hurricane Harvey or assess late fees on delinquent bills. The PUCT asserts that rules permitting these activities may prevent or hinder the protection of life and property for customers who may have difficulty accessing bills or financial resources and records due to the disaster. Disconnection of these services during recovery efforts will complicate efforts to make residences habitable and safe, and may create life-threatening health conditions during high temperatures. Suspension of these rules for water and sewer utilities will ensure consistent treatment of affected customers and prevent disconnect orders in these counties.

16 TAC § 24.88(a)(2)(A) and 16 TAC § 24.114(a) provide the authority for retail public utilities to disconnect water and/or sewer service for non-payment and nonuse. Only these subsections of the rules should be suspended, as these rules also contain important customer protection provisions unrelated to these sorts of disconnections.

16 TAC §24.87(c) allows utilities to assess late fees on customers for delinquent bills. Only this particular subsection should be suspended, as the remainder of the rule contains necessary protections for customers.

If you have questions, please feel free to contact Mick Long at 512-936-7294(ofc) or 512-497-9316 (cell) or me at 512-936-7040 (ofc) or 512-608-7957(cell).

Brian

Brian H. Lloyd
Executive Director
Public Utility Commission of Texas
1701 N. Congress Avenue
Austin, Texas 78711