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ISSUES RELATED TO THE STATE OF §
DISASTER FOR THE CORONAVIRUS §
DISEASE 2019 §

PUBLIC UTILITY COMMISSION
OF TEXAS

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10/13/2020

**SECOND ORDER DIRECTING CERTAIN ACTIONS AND
GRANTING EXCEPTIONS TO CERTAIN RULES**

On March 13, 2020 pursuant to Texas Government Code § 418.014, in response to the growing threat of the coronavirus disease (COVID-19), Governor Greg Abbott issued a Declaration of State of Disaster for all counties in Texas. On April 12, 2020, Governor Abbott renewed the disaster proclamation for all counties in Texas. Pursuant to 16 Texas Administrative Code (TAC) §§ 25.480(j)(1)(B) and 25.498(i)(1)(B), the Commission on March 26, 2020 directed all retail electric providers to offer a deferred payment plan to customers, upon request. Through this Order, the Commission renews this directive to all retail electric providers.

Furthermore, on March 26, 2020, under the authority found in 16 TAC § 22.5(a), the Commission found that there existed a public emergency and imperative public necessity that constitutes good cause for granting exceptions to certain rules. Good cause continues to exist, and the Commission through this Order renews the exception to the following rules until May 15, 2020 to the extent that these rules apply to residential customers:

- Water and Sewer Rules
 - 16 TAC § 24.165(c), which relates to assessment of late fees on residential customers for delinquent bills.
 - 16 TAC § 24.165(d), which authorizes a water utility to charge interest on residential customers on a deferred payment plan.
 - 16 TAC § 24.165(i), which relates to requirements for estimated bills.
 - 16 TAC § 24.167(a)(2)(A), which allows a retail public utility to disconnect water or sewer service for nonpayment of a residential customer.
 - 16 TAC § 24.167(a)(2)(F), which authorizes a utility to disconnect water service for non-payment of a solid waste charge of a residential customer.
 - 16 TAC § 24.167(e), which requires a retail public utility to disconnect water service for nonpayment of sewer charges of a residential customer.

- Electric Rules
 - 16 TAC § 25.28(b), which relates to assessment of late fees on residential customers for delinquent bills.
 - 16 TAC § 25.29(b)(1), which allows an electric utility to disconnect electric service of a residential customer for nonpayment.
 - 16 TAC § 25.480(c), which relates to assessment of late fees on residential customers for delinquent bills.

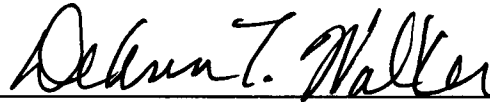
These exceptions will best serve the public interest and will not prejudice the rights of any party.

Accordingly, the following is ordered:

1. All retail electric providers must continue to offer a deferred payment plan to customers, upon request during the state of disaster declared by Governor Abbott.
2. Until May 15, 2020, exceptions are granted to the following water and sewer rules to the extent that these rules apply to residential customers: 16 TAC § 24.165(c), which relates to assessment of late fees on residential customers for delinquent bills; 16 TAC §24.165(d), which authorizes a water utility to charge interest on residential customers on a deferred payment plan; 16 TAC § 24.165(i), which relates to requirements for estimated bills; 16 TAC § 24.167(a)(2)(A), which allows a retail public utility to disconnect water or sewer service for nonpayment of a residential customer; 16 TAC §24.167(a)(2)(F), which authorizes a utility to disconnect water service for non-payment of a solid waste charge of a residential customer; and 16 TAC § 24.167(e), which requires a retail public utility to disconnect water service for nonpayment of sewer charges of a residential customer.
3. Until May 15, 2020, exceptions are granted to the following electric rules to the extent that these rules apply to residential customers: 16 TAC § 25.28(b), which relates to assessment of late fees on residential customers for delinquent bills; 16 TAC § 25.29(b)(1), which allows an electric utility to disconnect electric service of a residential customer for nonpayment; and 16 TAC § 25.480(c), which relates to assessment of late fees on residential customers for delinquent bills.

Signed at Austin, Texas the 17th day of April 2020.

PUBLIC UTILITY COMMISSION OF TEXAS



DEANN T. WALKER, CHAIRMAN



ARTHUR C. D'ANDREA, COMMISSIONER



SHELLY BOTKIN, COMMISSIONER