

April 7, 2020

Office of the Governor
State Insurance Building
1100 San Jacinto
Austin, Texas 78701

Re: Executive order requested to ensure all Texas residents have electricity and water service during the ongoing statewide and national COVID-19 emergency

Dear Governor Abbott,

We are calling on you to issue an executive order prohibiting any electric and water utility disconnections during this unprecedented crisis and requiring utilities to reconnect any residential customers who were previously disconnected. These policies should remain in effect for the duration of the COVID-19 emergency.

States, cities, utility commissions, and utilities around the nation are demonstrating leadership and compassion by ensuring that customers have electric and water service during the coronavirus emergency. We applaud the Public Utility Commission of Texas for taking action on March 26 to suspend electricity disconnections in the competitive market, as well as suspending water disconnections. However, the PUC's order does not apply to the 72 municipal electric utilities and 67 electric cooperatives serving a significant number of Texas residents. While some of these municipal utilities and co-ops have voluntarily suspended disconnections for nonpayment and are reconnecting customers who were previously disconnected, many more have not done so leaving a patchwork of inconsistent policies and processes.

NAACP's "Lights Out in the Cold" report highlights the serious and sometimes tragic impact of utility shut-offs in low-income communities.¹ Low-income communities, communities of color, and vulnerable persons, including those who are sick, disabled or elderly, pay the highest proportion of their incomes to energy and they are most vulnerable to disconnection.

"Whether it is extremes in heat, extremes in cold, or the need for electricity to power life saving devices like respirators or medicines requiring refrigeration not to mention just providing light, electricity/heating/cooling is essential, not just for quality of life, but also for maintenance of life!"²

¹ NAACP, Lights Out in the Cold, Reforming Utility Shut-Off Policies as If Human Rights Matter (Mar. 2017), available at: https://www.naacp.org/wp-content/uploads/2017/12/Lights-Out-in-the-Cold_NAACP.pdf.

² NAACP Report at viii.

The secondary effects of this national crisis will have the greatest impact on low-wage earners who are already at risk for falling behind on bills.³ Many low wage hourly earners will not receive paychecks because of business closures or because they do not have paid sick leave. Utility shutoffs are devastating and would be even more severe in the midst of this public health emergency. It is vital that people have access to electricity for refrigeration of food and medicines and for cooling and water for drinking, cooking and cleaning. Without these essential services, it will be very difficult for people to remain in their homes and adhere to recommended social distancing and self-isolation protocols that you have called for.

Other states have suspended utility disconnections for these reasons, including: Connecticut, Louisiana, Massachusetts, New Jersey, New York, Wisconsin, Ohio and Wisconsin. A number of Texas cities have suspended disconnections, including: Austin, Bryan, Dallas, Denton, El Paso, Fort Worth, Garland, Lubbock, New Braunfels, and San Antonio.

These other states and Texas local governments and utilities understand the gravity and risk with leaving low-income and vulnerable residents without basic utilities, but Texas needs a uniform policy that will restore power and water to people previously disconnected and protect all Texans during this public health emergency. We ask you for an executive order suspending utility disconnections and requiring anyone disconnected to be immediately re-connected statewide. We call on you to do so immediately.

Sincerely,

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³ Roughly 33.6 million people, or 24% of U.S. civilian workers, do not have access to paid sick leave, according to the Bureau of Labor Statistics (BLS). See <https://abcnews.go.com/Business/companies-protect-vulnerable-hourly-workersamid-coronavirus-outbreak/story?id=69555759>.

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