



Dianne M. Triplett  
DEPUTY GENERAL COUNSEL

September 29, 2020

**VIA ELECTRONIC FILING**

Adam J. Teitzman, Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: *Petition to Initiate Emergency Rulemaking to Prevent Electric Utility Shutoffs, by League of United Latin American Citizens, et al.*; Docket No. 20200219-EI

Dear Mr. Teitzman:

Enclosed for filing on behalf of Duke Energy Florida, LLC ("DEF") is a letter from DEF State President Catherine Stempien to Chairman Clark, that includes some comments on the Petition.

Thank you for your assistance in this matter. Please feel free to call me at (727) 820-4692 should you have any questions concerning this filing.

Sincerely,

*/s/ Dianne M. Triplett*

Dianne M. Triplett

DMT/cmck  
Enclosures

cc: Parties of Record



Catherine S. Stempien  
State President - Florida

Duke Energy Florida:  
299 First Avenue North  
St. Petersburg, FL 33701

Catherine.Stempient@duke-energy.com

September 29, 2020

Re: *Petition of League of United Latin American Citizens, Zoraida Santana, and Jesse Moody to Initiate Emergency Rulemaking to Prevent Electric Utility Shutoffs; Docket No. 20200219-EI*

Dear Chairman Clark:

I appreciate the opportunity to provide comments regarding this Petition on behalf of Duke Energy Florida (DEF) and all our employees.

We fully recognize this has been, and continues to be, a time of hardship for many of our customers. Our thoughts are with families who have lost loved ones and with those that have experienced economic loss. Because of our aggressive efforts on behalf of our customers, we believe the extraordinary relief the Petitioners seek is not warranted at this time. A number of the recommended provisions in Petitioners' proposed emergency rule are already being practiced voluntarily by DEF and others would provide less flexibility than what the Company is already offering to customers in need. We welcome the opportunity to update the Commission on our experience since the last workshop.

DEF recognized early in the pandemic that it would have significant impacts to our customers, even if the full and lasting impact could not be known at that time. This is why, on March 13<sup>th</sup> DEF voluntarily suspended disconnections for non-payment, and shortly thereafter, within 3 weeks of the Governor's declaration of a public health emergency within the state, DEF asked this Commission for emergency authority to waive certain tariff-based charges and fees (i.e., late-payment and returned check fees.), which the Commission then granted on an expedited basis. The Company also began waiving other discretionary fees. Finally, in April, the Company petitioned for, and was granted, a mid-course correction to flow back the fuel cost over-recovery as a one-month reduction in bills, even though DEF's over-recovery was not great enough to trigger the mandatory mid-course filing under the Commission's Rule.

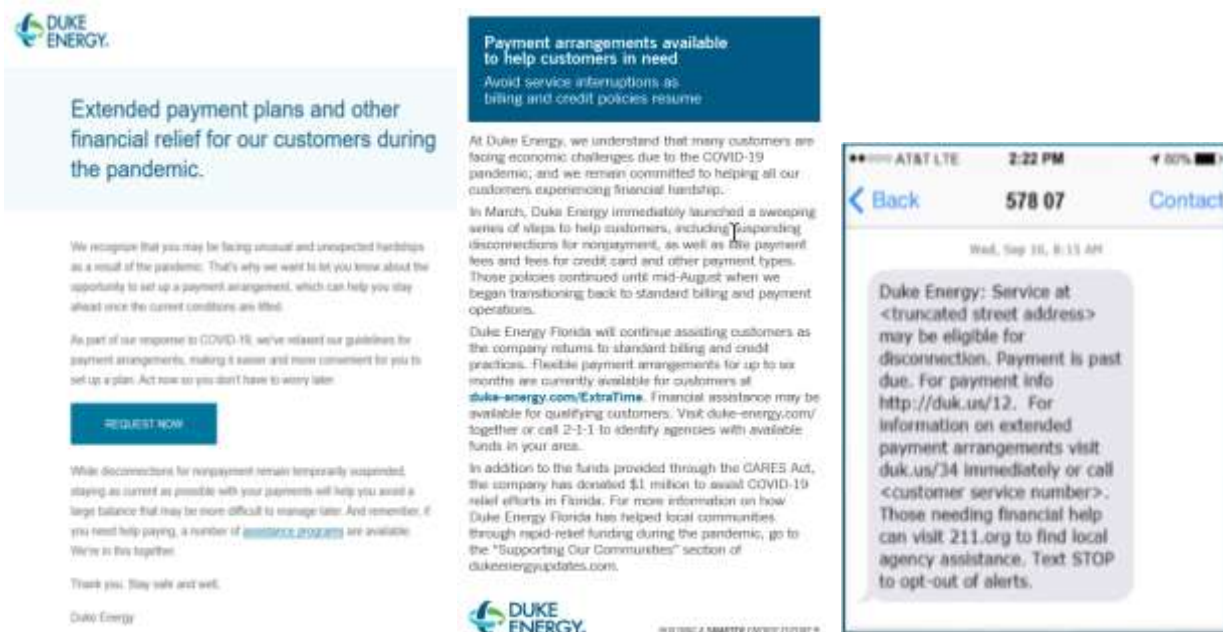
In addition to this direct action for customers, in April, DEF also contributed \$450,000 in COVID-19-related grants to address immediate social service and hunger relief needs resulting from the virus pandemic. Disbursed through 50 organizations, the funds will support more than 2,000 families by helping to pay gas or electric utility bills and will support programs that address food needs for all ages, children to seniors. DEF also made grants of over \$1 million to educational and work-force development organizations to help them address longer term needs to address COVID-19 impacted communities. Then in July, before the opening of the MLB season, the Company made an additional contribution of \$1,000 per home run hit by the Tampa Bay Rays (with a minimum of \$50,000) directly to Tampa Bay 211.org to help more families in need. The Tampa Bay Rays won the AL East and DEF has extended its commitment into the post-season. As of September 28, the team has hit 80 homeruns.

DEF has made exceptional efforts to communicate with our customers during these unprecedented times. Lesley Quick, Duke Energy Vice President of Customer Care, appeared before this Commission on July 29 to share some of these experiences. Since March, DEF has sent multiple communications to our customers with content including ways to manage cost with energy efficiency, links to agencies who provide bill assistance, and information about extended payment plans. We have utilized a wide variety of media channels and communication platforms, including: bill messages; emails; text messages; social media;

Public Service Announcements; and conversations with non-profit partners, business groups and elected officials. As a result of the feedback from the Commission in the July workshop regarding making sure we were trying a multitude of different channels to reach our customers, we increased our communication efforts in DEF communities.

Our goal has always been to make disconnections for non-payment a last resort for our customers. Since we announced that DEF was resuming standard billing and payment practices on July 14, we have engaged in the following outreach:

- Customer Communications:
  - o Over 21 million touch points customer-wide regarding COVID-related mass communications (paper, email, phone calls, social media, website updates etc.)
  - o Over 675 thousand targeted COVID-related communications to delinquent customers (paper, email, phone calls, text, etc.)
    - Examples:



- Media examples include the following:
  - o Op-ed:
    - <https://www.orlandosentinel.com/opinion/guest-commentary/os-op-duke-energy-delinquent-power-bills-20200902-shwdfrhrg5f4jb6oyyfdg5ea-story.html>
  - o DEF and Rays website for Powering Through Together:
    - <https://www.duke-energy.com/home/campaigns/powering-through-together>
  - o DEF offers payment plans as billing resumes article:
    - [https://www.midfloridanewspapers.com/highlands\\_news-sun/corona\\_coverage/duke-energy-offers-payment-plans-as-billing-resumes/article\\_61ac069e-e625-11ea-b7c1-a75502713c9d.html](https://www.midfloridanewspapers.com/highlands_news-sun/corona_coverage/duke-energy-offers-payment-plans-as-billing-resumes/article_61ac069e-e625-11ea-b7c1-a75502713c9d.html)
  - o Radio:

- <https://mms.tveyes.com/Transcript.asp?StationID=6695&DateTime=9%2F22%2F2020+8%3A58%3A57+AM&Term=%22Duke+Energy%22+%2Dcenter&PlayClip=TRUE>
- Other communication tactics to ensure our most vulnerable customers were informed of our timelines and also made aware of financial assistance options included:
  - Partnerships with local non-profits, Chambers, city managers, and elected officials to get payment and assistance information to their community network via email, social media and meetings;
  - Video chats and webinars to get information out – including a webinar with the Hispanic Chamber of Metro Orlando, Zoom call with Prospera members, video with Leadership Seminole, and webinar with Kissimmee Chamber of Commerce;
  - Partnership with the Energy Neighbor Fund agencies and other assistance agencies to understand what funds are available and share that information with our customers;
  - Utilized existing sponsorships to share information in unique ways and reach broader community – [Powering Through Together campaign](#) with the Tampa Bay Rays and social media, email and the event marquee of the Mahaffey Theater;
    - One of the more unique outreach opportunities includes working with partners like the Mahaffey Theatre in St. Petersburg. The theatre shared information about payment options through its social media channels, email distribution list of over 110,000 members, scrolling information on its marquee and inserting fliers into outdoor events hosted by the venue, including at the COVID-19 testing site established at the theatre parking lot.
  - Collaboration with the AARP of Florida, Council on Aging, and Senior Resource Alliance to get information to seniors and connect them with the Emergency Home Energy Assistance Program and other assistance programs.

As part of our return to normal business processes, and in compliance with Rule 25-6.105, our first 5-day disconnection notifications were sent out on August 24, and depending on the billing cycle, the first customers were subject to disconnection on September 2. Our experience once we started sending out delinquency notifications is that the vast majority of customers are in fact paying their past due bills, many of them in full.

The good news is that recent data indicates the majority of our residential customers who could have been disconnected have acted on these opportunities and avoided a service interruption. For example, as of last week, of the nearly 270,000 customers that were sent 5-day disconnection notices, only approximately 10,000 still meet the threshold to potentially be disconnected. Close to 100,000 customers have signed up for a short-term or long-term payment arrangement to avoid disconnection. Thus, the Petition’s claim that “over 1 million people” may have their electricity shut-off vastly over-estimates the current situation.

However, even if the number of customers at risk of disconnection is substantially less than 1 million, DEF continues to encourage customers to engage with us, either through our website or our customer care centers, to prevent service disruptions by establishing arrangements and to begin bringing their accounts

current. We are giving all customers who need additional time to pay the opportunity to establish an extended payment plan to catch up on any balance that built up during the suspension of disconnections.

We are committed to helping our customers with customized, interest-free payment arrangements that meet their specific needs as well as connecting them with local organizations that can offer support by providing funding to assist with payment of utility bills.

Also, we are using an abundance of caution as we move forward with any disconnections. While we're always attentive to the disconnection processes, the challenges posed by the pandemic require us to be especially careful that no customer is disconnected in error.

It is helpful to show specifically, in the instance of the customers at issue in the Petition, how DEF's processes are working and helping to find customers the help they need. Our records show that the customers, Mr. Jesse Moody and Ms. Zoraida Santana, received communications from DEF on June 10 and July 16 offering a 3- or 6-month payment arrangement. On September 1, 2020, the customer accepted 6-month payment arrangement with no down payment. The customer then contacted DEF on September 14 and requested a longer payment term. DEF granted the customer's request and put them on a 12-month payment arrangement with no down payment. We have no further records of the customer asking for additional assistance, including asking for a reference to any social service agency.

However, after receiving media inquiries regarding the Petition, DEF immediately began investigating the resources available and reached out to the customer via phone. DEF representatives spoke with representatives from Mid-Florida Community Action in Pasco County, who had no record of the customer seeking assistance, and indicated that they had plenty of CARES Act funding available. DEF customer care also spoke with Mr. Moody and offered to reach out to assistance agencies on his behalf. The customer was reluctant to provide any information and said he would like to call DEF directly – we are more than pleased that the customer was cautious responding to a direct message regarding his bill, as we have heard of increased fraudulent calls from scam artists under the guise of utilities seeking to extract payments from vulnerable individuals. Thus, DEF provided him our Customer Care number and instructed him to ask for the Agency Guarantee Department. Mr. Moody did call our customer care team directly, and a DEF representative offered to contact Mid-Florida on his behalf, which Mr. Moody accepted. Later that same day, a DEF representative contacted Mid-Florida to see if they can provide assistance to Mr. Moody; Mid-Florida subsequently contacted Mr. Moody and is working with him on the application process. In addition to this agency help, DEF also offered a restructured payment arrangement to include the new bill, with no down payment, which he also accepted.

In addition to helping Mr. Moody and Ms. Santana, DEF also reached out to various social service agencies in our service territory to inquire about whether there was “no money left” as the Petition alleges. DEF contacted seven separate agencies (representing the following counties: Pasco, Pinellas, Orange, Volusia, Lake, Alachua, Levy, Marion, Seminole, Polk, Citrus, Hernando, and Sumter) and each one indicated that they have funds available. Moreover, when asked what DEF can do to support the agencies' work, each of them requested that we continue to get the word out to customers that the agencies are there to help.

Petitioners acknowledge the need for customers to pay their utility bills. Our experience tells us that the greater the amount in arrears, the harder it will be for customers to pay off that debt. By being proactive with our customers by helping them come up with flexible payment arrangements, connecting them with agencies that can help, but starting to resume our standard billing and payment practices, we are focused on balancing customer accommodations and financial stewardship – getting those customers who can pay to pay, stopping the accumulation of more debt, and connecting customers with agencies who can help before CARES Act funding may in fact start running out. Finally, it is worth noting that the Petition's requested relief would put customers in a worse situation than DEF's current flexible approach. The proposed Emergency Rule states that utilities may require full payment within 90 days after the lifting of

the rule. At this point, DEF is giving customers up to 12 months to pay off their past due amounts, significantly more than the 90 days suggested by the Petition.

DEF extended assistance to our customers quickly at the onset of the COVID-19 pandemic and we have continued to adjust our processes as needed. I want to assure this Commission: we are still here to help our customers through this challenging time.

Sincerely,

A handwritten signature in blue ink that reads "Catherine Stempien". The signature is fluid and cursive, with the first name being more prominent.

Catherine Stempien  
Duke Energy Florida, State President