

Testimony of
People’s Counsel Sandra Mattavous-Frye
Before the Council of the District of Columbia
Committee on Business and Economic Development
on the
Office of the People’s Counsel Fiscal Year 2020
Agency Performance Oversight
March 3, 2021

Good afternoon Chairman McDuffie and thank you for the opportunity to report on the work of the Office of the People’s Counsel for Fiscal Year 2020. For the record, I am Sandra Mattavous-Frye, People’s Counsel for the District of Columbia.

2020 will be recorded as one of the most challenging periods experienced by utility consumers and ratepayers in District history. The COVID-19 pandemic has impacted the health, safety, and livelihood of all DC residents and changed the way we have lived, worked, and responded to crisis. During these desperate times, OPC vigorously advocated to ensure the continued provision of essential utility service to our consumers. I am immensely proud of how OPC staff seamlessly responded to our constituents during these difficult times.

Since October 2019 to date, OPC handled 1,768 utility consumer complaints; attended over 561 outreach events, including many virtual meetings; conducted

social services summits; aired a new radio podcast series on DC Radio; enhanced our social media platforms; litigated four multi-million dollar utility rate cases; actively participated in the Public Service Commission's Grid Modernization proceedings; represented DC consumers at the Federal Energy Regulatory Commission/FERC, PJM and DC Water; redesigned and implemented a new consumer complaint database; and created a Climate Change Section. And, we worked with the DC Council to draft utility disconnection moratorium legislation.

OPC's Action Plan

During the first half of the fiscal year, OPC maintained its traditional high-level performance by advancing system improvements in our standard operating procedures. Like everyone else, we were surprised by the COVID-19 pandemic when it hit in March 2020. However, our early preparation enabled our four divisions to quickly transition to a remote full-service operation and to provide uninterrupted service to our clients.

Consumer Advocacy

Water Services Division

In response to consumer needs during the pandemic, our Water Services Division, conducted 185 Outreach Events, including broad promotion of COVID-19 utility assistance to affected consumers.

When the September 10, 2020 rainfall flooded areas of the District, OPC assisted consumers with their claims for remediation and backwater valve rebates.

During FY20, the Water Services Division received 405 new consumer complaints and has received 144 additional complaints for FY21 to date.

Consumer Services Division

Although operating remotely, OPC maintained highly effective outreach efforts through countless virtual meetings, steady social media messages, and posts on the coronavirus page on OPC's website. We are using email alerts, and multilingual videos to educate consumers about bill payment assistance, conserving energy, managing utility accounts and where to get help through the crisis.

The Consumer Services Division received 1,258 new consumer complaints for FY20 to date.

We have already seen major increases in complaints in both divisions (Water Services and Consumer Services Divisions,) and expect consumer complaints to dramatically increase after the moratoria are lifted.

OPC's efforts to serve the limited and non-English proficient population continue to be recognized by the DC Office of Human Rights for exceptional compliance with the Language Access Act.

COVID-19 Consumer (Utility) Relief Actions

OPC took immediate action at the beginning of the pandemic. We reached out directly to top utility executives regarding suspension of service disconnections.

OPC staff worked with your staff and other Council staff members in framing the legislation adopted by the Council to protect utility consumers.

Additionally, OPC filed a petition with the Public Service Commission in May, recommending that it establish a task force to develop consumer assistance programs prior to the expiration of the public health emergency.

We created a coronavirus page on our website to assist consumers in finding available resources and continued aggressive outreach and community engagement

through social media, virtual community meetings, public space advertising, and radio. We have disseminated over 147,000 “OPC can help” post card mailers to consumers in Wards 4, 5, 7, and 8. Copies of the informational mailer are available in seven foreign languages.

We are monitoring state and federal COVID-19 policies, including those of the Biden Administration. OPC is a member of the National Association of State Utility Consumer Advocates/NASUCA COVID-19 Committee which enhances our knowledge of best practices across the country.

OPC is committed to participating on the DC Council’s “Special Committee on COVID-19 Pandemic Recovery” and maintaining strong collaborative relationships with the DC Council during and after the current crisis.

OPC is a partner in #Here2HelpDC. In June, we launched the public awareness campaign with the Public Service Commission, the Department of Energy and Environment, and the DC Sustainable Energy Utility/DCSEU. The campaign carries the primary message to consumers to make a plan now, pay what you can to control utility bills, and sign up for relief programs and payment plans to avert “bill shock,” when the disconnection moratoria are lifted. The messages are shared on [here2helpdc.dc.gov](https://www.here2helpdc.dc.gov), and in social media posts. Later, the initiative’s efforts to reach consumers were bolstered by the Executive Office of the Mayor, the Office of the Deputy Mayor for Operations and Infrastructure, and the DC 311 Call Center.

In the ensuing months, we will prepare consumers for recovery at the end of the public health emergency and advocate to ensure stability to households devastated

by the loss of jobs, businesses, personal health and loved ones.

Litigation Advocacy

During the fall, our Litigation Services Division was immersed in the Pepco and Washington Gas rate increase cases. The companies sought \$162 million and \$35.2 million, respectively. A PSC decision is pending on the Pepco rate case.

In the WGL case, OPC negotiated a settlement that reduces the company's original rate request from \$35.2 million to \$19.5 million, saving consumers from a much larger increase in monthly bills. A bill discount for low-income customers was doubled because of OPC's advocacy. The PSC approved the settlement proposal last week.

FERC and PJM Advocacy

OPC continues to fight to protect DC consumers from higher energy costs in the wholesale energy markets and has increased our litigation efforts at FERC. OPC remains a voting member of the PJM Interconnection LLC and participates in stakeholder meetings. An OPC assistant people's counsel serves as Chairman of the PJM Liaison Committee and Vice-Chairman of the PJM Members Committee.

DC Water Advocacy

OPC successfully advocated for greater transparency and public participation in DC Water operations in new legislation. We also supported new DC Water COVID-19 relief programs to aid consumers struggling due to the pandemic.

Climate Change Advocacy

OPC has been laser-focused on ensuring its policies and advocacy support the District's clean energy goals. OPC launched a new Climate Change section with the hiring of an environmental attorney to advance the Office's efforts to develop effective and consistent clean energy policies that benefit consumers and advance our statutory mandate to consider climate change in our policies.

In May we released a new study, **The Future of Solar PV in the District**, an outgrowth of our 2017 Value of Solar Study. The new analysis compared the potential solar deployment in all 8 wards as we continue to formulate how to equitably deliver the benefits of solar power to all residents.

Advocating for Equity in Utility Service

OPC is addressing racial equity in relation to affordability, access to advanced utility services, education, and jobs. It's evident there is a significant economic divide among consumers. We are using empirical data from our **Energy Affordability Study** to assist in developing policies and programs that make utility service and advanced technologies accessible and affordable for low-and moderate-income consumers. The study findings also will facilitate collaboration with other agencies such as DOEE on joint projects.

OPC has built racial equity through consumer education. Each of the four rate cases litigated included an extensive education campaign to inform consumers about the policies under consideration. Once informed, a broadly diverse group of lay consumer advocates were able to communicate their concerns to policymakers. In addition, we educate consumers in all eight wards about the benefits of renewable resources such as rooftop and community solar to widen access to underserved communities.

Utilities play an important role in the recovery of the District's economy. While moratoria have required utilities to keep the water running, the lights on and the gas burning, a long-term recovery plan that encompasses the comprehensive needs of the District's utility consumers is necessary to help navigate the months and years ahead.