

NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

NO. M-100, SUB 158

UTILITIES COMMISSION

- appropriate ) ORDER ACKNOWLEDGING
- ) EXPIRATION OF LATE FEE
- ) MORATORIUM

On March 10, 2020, Governor Roy Cooper issued a State of Emergency in North Carolina to prevent the spread of COVID-19. The EO stated it was effective immediately and "shall remain in effect until further order of the Commission." EO 116 at § 25.

Under the terms of EO No. 116, the Commission issued an Order of Nonpayment, Allowing Reconnection, and Waiving Penalties (Public Utility Waiver Order). Among other things, the Order required that "until the end of the State of Emergency," all jurisdictional electric, natural gas, water, and sewerage resellers — immediately (1) cease customer disconnection (2) waive the application of late fees for past due bills (3) provide appropriate notice to customers (4) provide a moratorium, and (3) provide appropriate notice to customers. The Public Utility Waiver Order at 2. Further, the Commission

Under the terms of the Public Utility Waiver Order, during the State of Emergency, customers having arrearages accrued shall be provided the opportunity to make a payment plan over no less than a six month period and shall be exempt from penalties for late payment for arrearages accrued during the State of Emergency.

The Commission held that "[n]o provision in this Order shall be construed to relieve a customer of their obligation to pay bills for receipt of any utility service."

With respect to various aspects of the Public Utility Waiver Order by which the Commission is currently allowing repayment plans to be implemented for certain utilities. On June 29, 2020, the Commission issued an Order of Nonpayment, Allowing Collection of Arrearages and Waiving Penalties, which among other things stated that "the Late Fee Waiver Order shall apply to all jurisdictional electric, natural gas, water, and sewerage resellers, including wastewater public utilities, through the end of the State of Emergency or until further order of the Commission."

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wastewater public utilities, including resellers, through the end of the State of Emergency or until further order of the Commission."