

City Council action taken July 9, 2020

Adopted a resolution to create temporary COVID-19 related policies for the City's utility customers regarding utility shut-offs, late fees, and reconnection fees upon expiration of the Governor's Executive Order No. 124 & 142.

On March 31, 2020, Executive Order (EO) No. 124 was signed by the Governor of North Carolina. This order expired on June 1, 2020 and Executive Order 142 was issued to continue that order for 60 more days. Among other things, this order prohibited residential utility shut-offs, late fees, and reconnection fees. The order will expire in 120 days, or July 29, 2020. Staff is requesting that a resolution be adopted by City Council to be in effect upon the expiration of EO 142. This resolution will create the procedures for the City's utility customers that qualify for the 6 month agreement required by EO 124 and EO 142. The resolution will expire, for utility customers who are enrolled in a COVID -19 related payment agreements, no later than 6 months from the date the customer signs the agreement. The EO states that residential customers, who had a bill due date between the dates of March 30, 2020 and July 29, 2020, should be given at least 6 months to pay the amount due. This resolution will also continue to suspend penalties for customers until the six month period ends, which should be in February, 2021. The City plans to send the attached Pay Plan letter as an insert with the utility bills for all 3 billing cycles. This information will also be shared through social media and telephone calls.

Page 2: Payment Plan information going to all utility customers

Page 3: Staff summary and background information

Page 4: Adopted resolution

**CITY OF CONCORD
PAYMENT PLAN**

The City of Concord recognizes that the COVID-19 pandemic has created financial hardships for some of our residential customers. In an effort to assist with those hardships, the City of Concord will offer payment plans for customers unable to pay their bills with due dates between March 31, 2020 and July 29, 2020. Payment plans will require the following:

- 1. The amount included in the payment plan must be paid as agreed upon, in addition to your current monthly utility bill.**
- 2. Monthly consumption charges incurred after July 29, 2020 along with the payment plan amount must be paid by your due date each month.**
- 3. Any past due account balance accrued prior to the Executive Order will need to be paid immediately.**

Failure to follow a payment plan may result in disconnection of your utility services. The City of Concord reserves the right to disconnect service if you do not abide by the terms of the agreement.

If utility services are disconnected for failure to follow a payment plan, reconnection will only be possible after full payment of any outstanding account balance.

To enter a payment plan, please contact Customer Care at 704-920-5555 or visit the Customer Care page of the City of Concord’s website at www.concordnc.gov.

**Customer Care
City of Concord
704-920-5555
custcare@concordnc.gov**

City's Response to the Expiration of COVID 19 Executive Order 124 (EO 124) Amended by Executive Order 142 (EO 142)

As of March 31, 2020, Executive Order (EO 124) required the City to suspend disconnection of residential accounts for non-payment and the order also required the suspension of late payment penalties on residential accounts that came due during the period defined by the executive order. EO 124 was set to expire on June 1, 2020. On May 30, 2020, the Governor issued Executive Order 142 (EO 142) which amends EO 124 to extend its effective period 60 days. The order mandates that residential customers receive at least six months to pay off any delinquent utility bills that were the result of due dates that fell between March 31, 2020 and July 29, 2020.

Staff is recommending the following procedures:

- Customers that had an outstanding balance with a due date before March 31st, 2020 will be offered payment agreements per the City's adopted Customer Service Policies and Procedures. This policy allows the customer an additional 2 weeks to pay their outstanding past due bill. If the customer does not pay, their service will be disconnected. This is the City's normal operating procedures (per the City Council's adopted Customer Service Policies & Procedures) when dealing with customers who have delinquent past due balances.
- Customers that have a past due bill with a due date after July 29th, 2020, will be given the option to enter into a payment agreement per the City's existing adopted Customer Service Policies and Procedures. The current adopted policy will allow the customer an additional 2 weeks to satisfy the past due amount. Customers who do not pay their past due amount will be disconnected per the City's adopted Customer Service Policies and Procedures.
- Per EO 124, amended by EO142, any customer with an unpaid bill that has a due date between March 31, 2020, and July 29, 2020, will be given up to 6 months to satisfy those outstanding balances. The customer will be required to sign a payment agreement to ensure the terms of repayment plan are understood. The amount included in the payment plan must be paid each month in addition to the current monthly utility bill. The balances incurred between March 31, 2020 through July 29, 2020, will be divided into no more than 6 equal payments. A customer who does not meet the requirements of the signed payment plan will be disconnected.
- Penalties and late fees will continue to be waived during this 6-month period and will resume in February of 2021 when the 6 month pay plan period has expired.
- All normal cut off procedures will resume in February of 2021 (once the 6-month payment plan expires) and the guidelines regarding COVID-19 payment plans expire.
- Customers who wish to appeal staff decisions will follow the current appeal process which is documented in the City of Concord's adopted Customer Service Policies and Procedures.

RESOLUTION APPROVING CITY OF CONCORD'S RESPONSE TO THE EXPIRATION OF
COVID-19 EXECUTIVE ORDER (EO) 124 & 142 FOR UTILITY PAYMENT PLANS,
DISCONNECTIONS AND LATE FEES AND PENALITIES

WHEREAS, the City Council of the City of Concord, North Carolina has approved a Customer Service Policies and Procedures Manual; and

WHEREAS, the City desires to add additional procedures regarding customers with an unpaid bill that has a due date between March 31, 2020 and July 29, 2020; and

WHEREAS, all other unpaid bills that do not have a due date between March 31, 2020 and July 29, 2020, will be handled as stated in the City's adopted Customer Service Policies and Procedures Manual; and

WHEREAS, on March 31, 2020, the Governor of North Carolina approved Executive Order (EO) 124 that prohibited utilities from terminating service of residential customers for non-payment and charging residential service late fees and penalties; and

WHEREAS, EO 124 expired on June 1, 2020; and EO 142 was issued to extend EO 124 for 60 days; and

WHEREAS, upon expiration of EO 124 & 142, utilities must offer customers the opportunity to make reasonable payment arrangements to pay off over at least a 6-month period any arrearages accumulated during the effective period of EO124 and EO142.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Concord, North Carolina that the resolution attachment titled "City's Response to the Expiration of COVID-19 Executive Order (EO) No. 124 & 142" be adopted as follows:

- Customers that had an outstanding balance with a due date before March 31st, 2020 will be offered payment agreements per the City's adopted Customer Service Policies and Procedures. This policy allows the customer an additional 2 weeks to pay their outstanding past due bill. If the customer does not pay, their service will be disconnected. This is the City's normal operating procedures (per the City Council's adopted Customer Service Policies & Procedures) when dealing with customers who have delinquent past due balances.
- Customers that have a past due bill with a due date after July 29, 2020, will be given the option to enter into a payment agreement per the City's existing adopted Customer Service Policies and Procedures. The current adopted policy will allow the customer an additional 2 weeks to satisfy the past due amount. Customers who do not pay their past due amount will be disconnected per the City's adopted Customer Service Policies and Procedures.
- Per EO 124 & 142, any customer with an unpaid bill that has a due date between March 31, 2020, and July 29, 2020, will be given up to 6 months to satisfy those outstanding balances. The customer will be required to sign a payment agreement to ensure the terms of repayment plan are understood. The amount included in the payment plan must be paid each month in addition to the current monthly utility bill. The balances incurred during this 120-day period will be divided into no more than 6 equal payments. A customer who does not meet the requirements of the signed payment plan will be disconnected.
- Penalties and late fees will be waived during this 6-month period and will resume in February of 2021 upon expiration of the 6 month payment plan.
- All normal cut off procedures will resume in February of 2021 (once the 6-month payment plan expires).
- Customers who wish to appeal staff decisions will follow the current appeal process which is documented in the City of Concord's adopted Customer Service Policies and Procedures.

This Resolution shall be effective July 30, 2020 and shall remain in effect until the 6-month payment plan has been completed or canceled which will occur in February of 2021.

Adopted this 9th day of July, 2020.