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Susan K. Duffy, Chair
Shari Feist Albrecht, Commissioner
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Laura Kelly, Governor

April 23, 2020

The Honorable Pat Roberts
United States Senate
Washington, DC 20515

The Honorable Jerry Moran
United States Senate
Washington, DC 20515

The Honorable Roger Marshall
United States House of Representatives
Washington, DC 20515

The Honorable Steven Watkins
United States House of Representatives
Washington, DC 20515

The Honorable Sharice Davids
United States House of Representatives
Washington, DC 20515

The Honorable Ron Estes
United States House of Representatives
Washington, DC 20515

Re: Nationwide moratorium on utility disconnects due to COVID-19

Dear Senator Roberts, Senator Moran, Representative Marshall, Representative Watkins, Representative Davids, and Representative Estes:

On behalf of the Kansas Corporation Commission (Commission), we write to express our concerns over recent congressional proposals to impose federally mandated debt collection requirements and a service disconnection moratorium on utilities regulated by state public service commissions. While Congress's desire to assist customers by curtailing utility collection and disconnection actions during the health and economic crisis resulting from the COVID-19 pandemic is laudable, we strongly urge you not impose prescriptive federal mandates on state regulated utilities. The Commission has already issued orders prohibiting regulated utilities from disconnecting customers until at least May 15, 2020. Governor Kelly has issued a similar executive order that covers non-jurisdictional utilities in Kansas. Therefore, we feel it is unnecessary for Congress to issue a federal mandate to address disconnections.

The Commission believes a federal "one-size-fits-all" approach could severely restrict or eliminate the ability of state commissions and utilities to work with customers on acceptable payment plans. Any proposals that dictate how utilities contact and work with customers to make payment arrangements will complicate state efforts to help customers through this crisis and into the future. State commissions are best positioned to understand how the coronavirus pandemic is impacting customers in their states and to promote good working relationships between utilities

and customers as they navigate different stages of recovery from the pandemic at time schedules unique to each state. Therefore, we urge Congress to reject proposals that would preempt or intrude upon the jurisdiction of state public service commissions to continue regulating utility retail service issues in the best interests of their own state's utility customers.

One area where federal action makes sense is telecommunications because state regulatory commissions have limited jurisdiction over telecommunications carriers, including no jurisdiction over broadband. Therefore, the Commission would appreciate some guidance from either Congress or the Federal Communications Commission on how to handle payment arrangements for customers after the pandemic passes.

Sincerely,

Susan K. Duffy
Chair

Shari Feist Albrecht
Commissioner

Dwight D. Keen
Commissioner