

## **Reporting Information for Utility Service Providers**

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#### **Instructions to Utility Service Providers**

Thank you for the service that you provide to utility consumers, especially during the COVID-19 emergency.

By completing the on-line reporting form that is available on the North Carolina Utilities Commission's website ([www.ncuc.net](http://www.ncuc.net)), you will help track the extra assistance provided to utility customers during the Emergency, as required by [Executive Order No. 124](#), and extended in [Executive Order No. 142](#), and provide valuable data about the impact on your operations. The same form is used for hundreds of Utility Service Providers large and small, and some of the questions seek information that does not line up well with the billing cycles many of you use. Please do your best to estimate the impact during the period as if a snapshot were taken, and use the last box for "other information" to explain how you calculated the responses, as needed.

Originally, E.O. 124 was intended to collect information weekly, but that requirement was later waived and changed to a monthly report in E.O. 142.

#### **FAQs**

Questions and Answers about Reporting Requirements for E.O. 124 and E.O. 142

**Q:** What reporting requirements apply to Utility Service Providers in North Carolina pursuant to the Governor's Executive Orders 124, Section 1 and 142, Section 2?

**A:** Utility Service Providers are required to file monthly reports about the implementation of provisions to assist utility customers (e.g., by prohibiting shut-offs and late fees for nonpayment or late payment of utility bills) during the COVID-19 public health emergency. The second monthly report is for the monthly period ending May 31. It will be accepted starting June 3 and is due by the end of the day June 9.

Q: What entities are subject to Executive Order 124, Section 1 and Executive Order 142, Section 2?

A: Utility Service Providers include political subdivisions, organizations, quasi-governmental entities or businesses that provide utility service directly to end-user residential customers, including electric, natural gas, water, or wastewater service or a combination of those services, regardless whether they are investor-owned public utilities, are private companies, are member-owned cooperatives or are owned or operated by a political subdivision of the State or a quasi-governmental agency or other organizations, and include all local government utility providers that are subject to the Local Government Budget and Fiscal Control Act, codified in Article 3 of Chapter 159 of the North Carolina General Statutes.

Q: Where is the reporting form available, and how is the form turned in?

A: The reporting form is completed on-line, and is available until the filing deadline on the website for the North Carolina Utilities Commission ([www.ncuc.net](http://www.ncuc.net)). Users will fill in the blanks and hit a “submit” button. Some of the questions are optional; please provide this information, even if it is just an estimate, if you are able.

Q: My Utility Service Provider’s billing cycle does not line up with the monthly period (e.g., the second monthly period ending May 31) and the information about the number of accounts eligible to be disconnected and the amount of late fees that will not be charged do not reflect the impact of the emergency order. How should I count those items in the report?

A: We understand that the monthly reporting period does not line up with the billing cycles for many Utility Service Providers, and there are variations in the data each utility has available for reporting. Please do your best to estimate the impact during the period as if a snapshot were taken, and use the “other information” box to explain how you calculated your responses if that is useful.

Q: The form asks for information about residential accounts and separately asks for information about non-residential accounts. But my records do not distinguish between information for residential and non-residential accounts. Is it okay to provide a combined response?

A: Yes. Respond “no” to question 7 in the survey if you do not have the ability to respond separately for residential versus non-residential customer accounts, enter all the information as residential and enter 0 for non-residential.

Q: Where can I see the information submitted by Utility Service Providers?

A: The NCUC will use the monthly data to report to the Governor and will file its reports to the Governor in Docket No. [M-100 Sub 158](#), which can also be accessed from [www.ncuc.net](http://www.ncuc.net).

Q: Can information be submitted jointly with the assistance of associations for Utility Service Providers?

A: Yes. For associations that want to report on behalf of their members, there are two alternatives. First, they can complete the on-line form described above for a member utility. Or, the NCUC will make available an Excel spreadsheet for submitting the information for several utility service providers at the same time. However, each Utility Service Provider’s data must be reported as a separate line item on the spreadsheet. Associations can collect data, put it into the spreadsheet, and then forward the spreadsheet to this mailbox: [NCUCEO124@ncuc.net](mailto:NCUCEO124@ncuc.net)

Q: The form asks for information about non-residential accounts. Am I required to provide that information?

A: Please provide this information if you are able. If not able, simply input 0 instead.

Q: The form asks for the Utility Service Provider's NCUC Docket No. Prefix. What is that?

A: The NCUC Docket No. Prefix only applies to utilities that are regulated by the Commission, and is not a required field.

Q: How should the form be completed by Utility Service Providers if they provide more than one type of service, such as if they provide both electricity and natural gas?

A: If possible, the form should be completed separately for each service, but one form may be used for information about combined water and wastewater service. If you report for several utility service types simultaneously, please note that in the "other information" section at the end.

Q: How should I report late fees if they are charged on some services but not on others?

A: If you do not have the ability to report the late fees separately, report the total fees and state in the box for "other information" the approximate percentage attributable to each type of service.

Q: How should I report the number of disconnections that have been suspended if one service would normally be disconnected but not another?

A: Please provide the answer to the best of your ability, and you can use the last box for "other information" to explain.

Q: Do Telephone Member Corporations have to file reports?

A: No. Telephone Member Corporations are not addressed in Section 1 of Executive Order 124 or Section 2 of Executive Order 142 and are not required to file reports.

Q: If a late fee was applied to charges that were already overdue before March 31, can the late fee be recovered from customers?

A: Late fees that applied to charges that were already overdue before March 31 can be recovered, but no new late fees or interest on the arrearage may be applied after March 31 through the time when the payoff period ends.

Q: Can landlords disconnect utility services to residential customers for nonpayment?

A: No. Landlords who resell utility services to their residential tenants are always prohibited from terminating utility service as a remedy for nonpayment.

Q: What form of notice should be provided to customers about the suspension of shut-offs and late fees during the COVID-19 Emergency?

A: The Emergency Orders do not specify. Notice may be provided in the text of the bill or by a letter included with the bill or by separate correspondence. Notice should also be posted on the Utility Service Provider's website and at any payment office.

Other questions about E.O. 124 and E.O. 142

Q: Do E.O. 124 and E.O. 142 limit the impact of the NCUC Order issued on March 19, 2020 so that shut-offs and late fees are only prohibited for residential accounts?

A: No. The Executive Orders do not limit the impact of the NCUC Order with respect to the utilities regulated by the Commission. Although E.O. 124 and E.O. 142 only require the suspension of disconnections and late fees for residential end users, regulated utilities must continue to suspend disconnections and late fees for all customer accounts as required by the Commission's orders. The NCUC orders can be found in [Docket No. M-100 Sub 158](#).

Q: If the landlord includes service in rent, without charging metered rates, can they terminate utility services?

A: No. E.O. 124 and E.O. 142 prohibit disconnection and late fees for nonpayment or late payment of utility charges, and do not distinguish between services included in rent from services that are metered.

Q: Do E.O. 124 and E.O. 142 prohibit shut-off when theft of utility services is involved?

A: No.

Q: Do E.O. 124 and E.O. 142 prohibit shut-off when a customer paid by check and the check was returned for insufficient funds?

A: Yes. The Utility Service Provider may pursue other actions or remedies applicable to the issuance of bad checks.

Q: Should consumers complain to the NCUC-Public Staff if their service was shut-off for nonpayment?

A: Consumers should contact the utility first and request that their service be re-connected. If this fails, and the Utility Service Provider is regulated by the NCUC (for example, Duke or Carolina Water Service), and service was shut-off on or after March 19, 2020, then the answer is yes, contact the [Consumer Services Division of the Public Staff](#).

But if the service is provided by a government utility or member cooperative or another entity that is not an investor-owned “public utility” subject to NCUC regulation, and was shut off on or after March 31, 2020, then the complaint should be made to the Attorney General’s Office by filing an on-line complaint [here](#).

You may also call one of these numbers:

- **Toll-free within North Carolina:** 1-877-5-NO-SCAM
- **From outside North Carolina:** (919) 716-6000
- **En Espanol:** (919) 716-0058