

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Edison, The Cleveland Electric Illuminating Company, and The Toledo Edison Company to Safely Resume Activities to Pre-COVID-19 Levels and Requests for Waivers	)	Case No. 20-1344-EL-UNC
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	)	Case No. 20-1345-EL-WVR
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**TRANSITION PLAN AND REQUEST FOR WAIVERS OF OHIO EDISON  
COMPANY, THE CLEVELAND ELECTRIC ILLUMINATING COMPANY, AND  
THE TOLEDO EDISON COMPANY**

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**I. INTRODUCTION**

In response to the COVID-19 pandemic and in compliance with directives from Governor DeWine, the Ohio Department of Health, and the Commission, Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (“Companies”) have implemented a number of key measures to help customers and employees weather the state of emergency. To avoid service continuity or restoration hardships for customers, the Companies discontinued service shutoffs for past-due customers and have been reconnecting customers upon request. The Companies are currently waiving late payment and reconnection fees and are working with customers on a case-by-case basis to establish payment arrangements, assist with accessing funding to help pay electric bills, and identify other options that may be available to support customers. Further, the Companies are not dropping customers from the Percentage of Income Payment Plan Plus (“PIPP Plus program”) when their payments are not current as of their anniversary dates.

In accordance with Commission directives to take precautions to prevent the spread of COVID-19, the Companies have suspended in-home meter readings, as well as all other non-essential functions that create unnecessary COVID-19 risks associated with social contact. To further avoid the risks associated with social contact, the Companies have modified protocols and taken other appropriate safety measures, including as part of their advanced meter deployment efforts, such as social distancing and the use of additional personal protective equipment (“PPE”).

The Commission has recognized that, “even in light of the emergency, service disconnections for non-payment cannot be suspended indefinitely.”<sup>1</sup> Therefore, the Commission has instructed utilities to submit comprehensive plans describing their expectations for safely resuming activities to a pre-COVID-19 basis, “including operations that will necessarily involve at least the potential for an expanded level of social contact.”<sup>2</sup> The comprehensive plan should be developed with Staff and should address “the resumption of activities and operations previously prohibited by the *Emergency Case* in furtherance of a safe return to pre-COVID-19 operations.”<sup>3</sup> The plan should discuss activities considered for resumption (e.g., meter reading and service disconnections) and include timelines, provisions for safety adaptations for residential and non-residential customers, and extended payment plans for residential and non-residential customers impacted by the emergency.<sup>4</sup>

Now, recognizing the need to resume normal business operations while continuing to implement protections for the health and safety of employees, customers and the general public, the Companies propose the following comprehensive Transition Plan (the “Plan”). The Plan

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<sup>1</sup> See, e.g., Finding and Order, *In the Matter of the Application of Ohio Power Company*, Case Nos. 20-602-EL-UNC, *et al.* (May 6, 2020) (“AEP Order”) at ¶ 25.

<sup>2</sup> See, e.g., Finding and Order, *In the Matter of the Application of Duke Energy Ohio*, Case Nos. 20-599-GE-UNC, *et al.* (June 17, 2020) (“Duke Order”) at ¶ 24.

<sup>3</sup> *Id.* (“*Emergency Case*” refers to PUCO Case No. 20-0591-AU-UNC.)

<sup>4</sup> Duke Order at ¶ 25; AEP Order at ¶ 25. See also, Finding and Order, *In the Matter of the Application of The Dayton Power and Light Company*, Case Nos. 20-650-EL-AAM, *et al.* (May 20, 2020) (“DP&L Order”) at ¶¶ 25, 50.

contemplates the resumption of disconnections for nonpayment and other normal business activities on or after September 15, 2020. As described further below, certain activities necessary to implement the Plan will require the resumption of various activities suspended by the Commission's prior entries regarding the COVID-19 emergency. Through this Plan, the Companies request authorization to resume activities and operations previously prohibited by the Commission's entries related to the COVID-19 emergency. In addition, the Companies foresee the need for relief from certain requirements of the Commission's rules which will impede proper implementation of the Plan or are necessary for the safe and proper resumption of pre-COVID-19 activities.

The Companies are filing this Plan now in accordance with the Commission's directive that a utility file its comprehensive plan 45 days prior to resuming normal disconnection practices.<sup>5</sup> This Plan, however, necessarily requires flexibility in implementation, as the State of Ohio works to control the spread of COVID-19, and as this Commission, the Governor, and the Department of Health issue further orders. An activity that today appears reasonable to resume may, closer to September 15, 2020, need to be postponed, based on new information. The Companies need to be able to postpone implementation of provisions of this Plan to respond to new developments and information. Therefore, the Companies will monitor developments and governmental directives and they reserve the right, in consultation with Staff, to postpone implementation of some or all of the provisions of this Plan as necessary to ensure the safety of employees, customers and the general public.

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<sup>5</sup> Duke Order at ¶ 24; AEP Order at ¶ 25; DP&L Order at 25.

## **II. COMPANIES' TRANSITION PLAN**

### **A. Resumption of disconnections for non-payment**

In response to the Commission's March 12, 2020 Entry,<sup>6</sup> the Companies suspended service shutoffs for nonpayment for residential and non-residential customers. Under this Plan, the Companies will resume disconnections for past due customers on or after September 15, 2020.

The Companies have begun communicating to customers, through their website and bill messages as well as their interactive voice response ("IVR") system, that they will resume disconnections for nonpayment no sooner than September 15, 2020, subject to Commission orders or other State orders. Under this Plan, no later than 21 days prior to the resumption of disconnections for non-payment, the Companies will begin communicating additional information to customers, including that:

- Disconnect notices with a termination date of September 15, 2020 or later are actionable, meaning that they can lead to actual disconnection of service. This will distinguish notices with a termination date of September 15, 2020 or later from non-actionable disconnect notices the Companies sent during the state of emergency for customers to use in qualifying for payment assistance.
- They should contact the Companies to learn about options for payment assistance and for avoiding disconnection of service.
- Company personnel will take COVID-19 precautions in accordance with state and local guidelines, including the use of PPE and social distancing.
- When disconnecting service, the Companies will take precautions against the spread of COVID-19.

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<sup>6</sup> Case No. 20-591-AU-UNC, Entry (Mar. 12, 2020).

- The Companies will no longer accept payments in the field, subject to Commission approval which is requested in Section III below.

Starting with the August 2020 billing cycle, the Companies will follow normal disconnection procedures consistent with Commission rules.<sup>7</sup> Communication to residential customers will include the following: (1) the Companies' automated system will place an outbound call to residential customers when their bills are seven days past due, (2) residential customers who are subject to disconnection for non-payment will receive a disconnection notice on their bills at least 14 days before the scheduled disconnection and a bill message will advise that the disconnection notice is actionable, (3) residential customers will also receive an outbound call from the Companies' automated system at least two days prior to disconnection, and this call will remind customers that the disconnection is actionable, and (4) personal notice on the day of disconnection as described below.<sup>8</sup> Non-residential customers who are subject to disconnection for non-payment will receive a disconnection notice on their bills 21 days before the scheduled disconnection and a bill message will advise that the disconnection notice is actionable. Non-residential customers may also receive an outbound phone call prior to disconnection. The communications will direct both residential and non-residential customers to call the Companies' toll-free phone number to learn about options for avoiding disconnection of service.

Additionally, in accordance with Commission rules, on the day of disconnection, the Companies, while utilizing PPE and taking appropriate social distancing measures, will attempt to provide residential customers with personal notice by knocking on the door and providing a written notice of disconnection. If personal notice is not feasible, the written notice of disconnection will

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<sup>7</sup> See O.A.C. Sections 4901:1-18-06 and 4901:1-10-17.

<sup>8</sup> Beginning November 1, 2020 and through April 15, 2021, the Companies will also make contact with residential customers or another adult consumer at the premises 10 days prior to disconnection of service by personal contact, telephone, or hand-delivered written notice pursuant to Ohio Administrative Code 4901:1-18-06(B).

be conspicuously posted at the premises. In addition to other information, the notice will direct customers to contact the Company's toll-free phone number for information about programs that offer payment assistance. In all cases, the Companies will follow the guidance of health authorities and this Commission and implement COVID-19 precautions, including social distancing and the use of PPE.

**B. Resumption of requirements for service restoration**

In response to the Commission's March 13, 2020 Entry,<sup>9</sup> and to avoid service restoration hardships for residential and non-residential customers, the Companies immediately began reconnecting customers upon request and without requiring payment of reconnection charges. On or after September 15, 2020, the Companies will resume their normal requirements for reconnecting service.

For residential customers, the Companies will require proof of payment of the delinquent amount or of an amount sufficient to cure the default on an extended payment plan or the PIPP Plus program. The Companies will also require payment of reconnection charges pursuant to the Companies' Commission-approved tariffs, as well as payment of a security deposit, as applicable under Commission rules and the Companies' tariffs. For non-residential customers, the Companies will require payment of the full amount in arrears for which service was disconnected, or the amount in default on any agreed-upon deferred payment plan. In addition, the Companies will require payment of any security deposit and reconnection charges pursuant to Commission rules and the Companies' Commission-approved tariffs.

Customers who were reconnected prior to September 15, 2020, and for whom the Companies suspended the normal requirements for service restoration in accordance with the

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<sup>9</sup> Case No. 20-591-AU-UNC, Entry (Mar. 13, 2020).

Commission's March 13, 2020 Entry, will still be responsible for their past arrearages, but will not be subsequently billed for those reconnection charges.

The Companies will implement the Winter Reconnect Order for the 2020-2021 heating season (beginning in approximately mid-October 2020) when it is issued by the Commission.

No later than 21 days prior to the resumption of requirements for service restoration, the Companies will begin communicating to customers the Companies' plan to resume normal requirements for reconnecting service to customers, including through the Companies' website.

**C. Resumption of late payment charges**

The Companies have been waiving late payment charges since April 3, 2020. The Companies will resume the imposition of late payment charges on or after September 15, 2020. The Companies will not subsequently bill impacted customers for their respective late payment charges that were waived between April 3 and September 15. The Companies will communicate the resumption of late payment charges to customers through bill messages no later than 21 days prior to resuming.

**D. Resumption of standard payment plans**

During the state of emergency, the Companies have offered enhanced payment plans with more flexible terms to residential and non-residential customers with arrearages. These enhanced payment plans are in addition to the standard extended payment plans already offered by the Companies.<sup>10</sup> Residential customers have received payment plans allowing payment of arrearages over as many as twelve months with as little as no money down. During the emergency, nonresidential customers, who traditionally had not received payment plans, have received payment plans allowing payment of arrearages over as many as six months with as little as no

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<sup>10</sup> See O.A.C. 4901:18-05.

money down. Effective on or after September 15, 2020, the Companies will no longer offer customers these enhanced payment plans. The Companies will continue to honor any enhanced COVID-related payment plans entered into prior to resuming normal business activities. Further, the Companies will continue to offer the standard extended payment plans as set forth in Commission rules.<sup>11</sup>

Starting as soon as possible and no later than 21 days prior to the discontinuance of the enhanced payment plans, the Companies will communicate to customers that the Companies will no longer offer these enhanced payment plans. The Companies will communicate this to customers in response to customer outreach regarding payment plan options, as well as through “soft collections” outreach, which includes door knocking and providing informational door hangers while utilizing PPE and taking appropriate social distancing measures. The soft collections outreach communications will not only advise customers of the need to contact the Companies for assistance programs, they will also encourage customers to contact the Companies about the enhanced payment plans while those payment plans are still available. Once this soft collections outreach begins, the Companies intend to continue it with any necessary modifications, in order to continue providing information to customers, even if a Commission or State order requires the Companies to postpone other activities contemplated in this Plan.

**E. PIPP Plus, Home Energy Assistance Summer Crisis Program, and other customer assistance programs**

The Companies have been and will continue providing information to customers about available assistance programs through their call center, social media messaging, and website ([www.firstenergycorp.com/billassist](http://www.firstenergycorp.com/billassist)). In addition, the Companies promoted the “billassist”

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<sup>11</sup> *Id.*



website landing page in their June Customer Connection Newsletter and will direct customers to this website on their soft collections outreach door hangers.

Since mid-March 2020, the Companies have suspended PIPP Plus anniversary date unenrollments (“drops”) at the request of the Ohio Development Services Agency (“ODSA”). This suspension remains in place currently. The Companies will coordinate with ODSA and end the suspension of PIPP Plus drops when ODSA ends its suspension of drops.

The Home Energy Assistance Summer Crisis Program provides a one-time benefit to eligible Ohioans with cooling assistance during the summer months. The program typically runs from July 1 to August 31. In collaboration with ODSA, the Companies are extending the Summer Crisis Program through September 30, 2020. The Companies are currently communicating the extension of the Summer Crisis Program through outbound calls, social media, call center contacts, the Companies’ website ([www.firstenergycorp.com/billassist](http://www.firstenergycorp.com/billassist)), and a forthcoming email campaign.

**F. In-premise meter reading and other activities that would require in-person contact**

On March 20, 2020, the Commission issued an Entry (“March 20 Entry”) directing all public utilities immediately to suspend in-person, actual meter readings in circumstances where a meter is located inside a customer’s home or similar location.<sup>12</sup> The March 20 Entry also directed all public utilities to suspend all other non-essential functions that may create unnecessary COVID-19 risks associated with social contact, for the duration of the emergency.<sup>13</sup> To comply with the March 20 Entry, during the emergency the Companies have not read indoor meters, and, consistent with suspending disconnections for non-payment, the Companies have not performed inside

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<sup>12</sup> Entry, Case No. 20-591-AU-UNC (Mar. 20, 2020) at ¶¶ 9-11.

<sup>13</sup> *Id.*

service disconnections for non-payment. Further, the Companies have not engaged in in-person collections activity such as knocking on customers' doors or leaving door hangers.

Resuming normal business operations will require the Companies to resume certain activities that involve social contact. For instance, the Companies will need to, at some point, resume in-person, actual meter readings of indoor meters, as well as inside service disconnections for non-payment.<sup>14</sup> For the Companies to implement this Plan, the directives in the March 20 Entry must be lifted as they pertain to these activities, and the Companies request that the Commission lift the directives accordingly.

The Companies propose that they will consult with Staff prior to resuming in-person inside meter reads and inside service disconnections, including disconnections for non-payment.<sup>15</sup> In the interim, the Companies will inform customers that they may provide their meter readings by calling them in through the call center or by logging into their accounts on the Companies' website. Customer reads that are called in or provided via the website will be subject to reconciliation by the Companies once they resume in-person inside meter reads. In all cases where in-person contact is possible, the Companies will follow the guidance of health authorities and this Commission and implement COVID-19 precautions, including social distancing and the use of PPE.

### **III. REQUESTS FOR WAIVERS**

To enable the successful and safe implementation of this Plan, the Companies request the Commission waive at least two Commission regulations. First, the Commission's rules require

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<sup>14</sup> Also, as indicated above, this Plan includes the provision of personal notice to residential customers on the day of disconnection, pursuant to Commission rules, and "soft collections" outreach – both of which present the possibility of social contact. As described in this Plan, the Companies will follow the guidance of health authorities and this Commission and implement COVID-19 precautions, including social distancing and the use of PPE.

<sup>15</sup> Inside service disconnections where a safety issue is presented have and will continue to be performed.

that if the Companies' average answer time for customer service calls exceeds 90 seconds for two months in a twelve month period, the Companies must provide a report to the director of the Service Monitoring and Enforcement Department; failure to provide the report is a violation of the rule.<sup>16</sup> The Companies anticipate that the resumption of normal business activities will substantially increase call volume to their call center. As a result, the Companies' average answer time for customer service calls may exceed 90 seconds in some months. Therefore, the Companies request a waiver of the requirement to submit the report contemplated by the rule. Instead, the Companies propose that for the duration of the state of emergency as declared by the Governor, the Companies will provide written email notification to the director of the Service Monitoring and Enforcement Department, or the director's designee, each month that any of the Companies' average call times exceed 90 seconds.

Second, the Commission's rules require Company employees to accept payments in the field.<sup>17</sup> To limit face-to-face interaction and enforce social distancing, the Companies request a permanent waiver of the requirement for company employees to accept payments in the field. Customers will receive notification in advance of their disconnection date, as set forth above, including an outbound phone call at least two days prior to disconnection. Upon Commission approval of this waiver request, the Companies will update the outbound call messaging to notify customers that they will no longer accept payments in the field. The Companies' messaging will continue to clarify that customers will retain all other payment options, including through the Companies' website, IVR system, call center, and at approved payment locations.

In addition, the Companies request a waiver of any other Commission rules, orders, or tariff requirements that would conflict with the implementation of this Plan.

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<sup>16</sup> O.A.C. 4901:1-10-09(C)(1).

<sup>17</sup> See O.A.C. 4901:1-18-06(A)(4)(a), (b), and (c).

#### IV. CONCLUSION

For the foregoing reasons, the Companies respectfully request that, within 45 days, the Commission issue an order approving the Companies' Transition Plan as set forth herein and granting the Companies' requests for waivers as set forth herein.

Respectfully submitted,

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#### **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Transition Plan and Requests for Waivers of Ohio Edison, The Cleveland Electric Illuminating Company, and the Toledo Edison Company was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on this 31st day of July 2020. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

/s/Christine E. Watchorn  
*An Attorney for Ohio Edison Company, The  
Cleveland Electric Illuminating Company and The  
Toledo Edison Company*

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Summary: Application - Transition Plan and Requests for Waivers of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company electronically filed by Ms. Christine E. Watchorn on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company