

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio)	
Edison, The Cleveland Electric)	Case No. 20-1344-EL-UNC
Illuminating Company, and The Toledo)	
Edison Company to Safely Resume)	Case No. 20-1345-EL-WVR
Activities to Pre-COVID-19 Levels and)	
Requests for Waivers.)	

**JOINT COMMENTS ON FIRSTENERGY'S PLAN TO RESUME CONSUMER
DISCONNECTIONS DURING
THE CORONAVIRUS EMERGENCY
BY
COALITION ON HOMELESSNESS AND HOUSING IN OHIO
OFFICE OF THE OHIO CONSUMERS' COUNSEL
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In the Matter of the Application of Ohio Edison, The)	
Cleveland Electric Illuminating Company, and The)	Case No. 20-1344-EL-UNC
Toledo Edison Company to Safely Resume Activities to)	
Pre-COVID-19 Levels and Requests for Waivers.)	Case No. 20-1345-EL-WVR

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I. INTRODUCTION

Ohio should lead with its heart in protecting utility consumers during the coronavirus crisis.

At a time when FirstEnergy – which serves about two million consumers, about half of all the electric utility consumers in Ohio – is filing a plan to “transition” back to normal utility operations, life for Ohioans is anything but normal. Ohioans would benefit if FirstEnergy would seek to moderate the suffering of its consumers in the coronavirus crisis with the same vigor (but in a good way) that it used to seek nuclear power plant subsidies from consumers in House Bill 6.

The coronavirus continues to take a toll on Ohioans’ health and financial well-being. In Ohio, food-insecurity has nearly doubled,¹ June rent went unpaid by half a million Ohioans,² poverty levels were already high – with minorities disproportionately represented in poverty,³ and coronavirus cases are surging in places.⁴ Given that the coronavirus has been surging against Ohioans, FirstEnergy’s

¹ Ohio Association of Foodbanks, *Ohio Food Insecurity Rates Nearly Double Since Start of COVID-19* (July 15, 2020), <http://ohiofoodbanks.org/files/2019-20/Press-Release-OAF-urges-SNAP-increase-6.15.20.pdf>.

² See United States Census Bureau, *Week 8 Household Pulse Survey* (July 1, 2020), <https://www.census.gov/data/tables/2020/demo/hhp/hhp8.html>, Housing Table 1(B), Ohio Tab. See Also, Coalition On Homelessness And Housing In Ohio, *Advocacy, Business, Healthcare Groups Urge DeWine To Support Unemployed Tenants Facing Eviction* (June 17, 2020), <https://cohhio.org/9561-2/>.

³ For example, poverty levels were 35.2 percent in Cleveland, 24.1 percent in Akron, 36.8 percent in Youngstown, and 26.5 percent in Toledo.

⁴ See Governor’s July 15, 2020 Address at <https://coronavirus.ohio.gov/static/docs/Address-to-People-of-Ohio-07-15-20.pdf>; See Attachment.

proposed resumption of pre-pandemic operations, including consumer disconnections as soon as September 15, 2020, should be rejected. *Interim emergency consumer protection plans* should be adopted now to further protect Ohioans. Those plans should include the continued suspension of disconnections until the emergency is over and for a reasonable time after.

Governor DeWine pointedly described the grave threat of the illness to Ohioans in his address to the people of Ohio on July 15th, In that address he said: “We have now reached THE most critical point in our battle against the coronavirus. If all of us do not take immediate action to slow this virus down, the tragedy that we see playing out on our television screens every day in Florida, Texas, Arizona, and California may well be our reality in just a matter of weeks.”⁵ (See Attachment.) And on July 22, the Governor announced a statewide mandate for the wearing of masks in Ohio.⁶ As of August 10, 2020, there have been more than 96,000 confirmed cases of coronavirus in Ohio, with over 3,400 deaths.⁷ For these reasons, the financial strain that many Ohio customers are suffering as a result of the pandemic will continue for some time, maybe years.

It is with this backdrop that the PUCO should order the continuation of protections for FirstEnergy’s consumers during this critical time during the coronavirus pandemic. Consumers need extra regulatory protections, including adoption of proposals in these Comments, to safeguard affordable and continued access to their essential electric utility services throughout

⁵ *Id.*

⁶ Ohio Department of Health, *Governor DeWine Issues Statewide Mask Order, Travel Warning* (July 22, 2020), <https://coronavirus.ohio.gov/wps/portal/gov/covid-19/resources/news-releases-news-you-can-use/gov-dewine-issues-statewide-mask-order-travel-warning>.

⁷ Ohio Department of Health, *Coronavirus (COVID-19)*, <https://coronavirus.ohio.gov/wps/portal/gov/covid-19/home> (last viewed on August 10, 2020).

the coronavirus emergency and for a reasonable time afterwards.⁸ Protections are especially needed to address the challenges of at-risk populations in FirstEnergy's service area.

Ohioans continue to face health and financial challenges due to the coronavirus. In fact, the health and financial challenges in Cuyahoga County are on the rise due to the disturbing increase in coronavirus cases and hospitalizations in recent weeks. This awful scenario will be even more difficult if utility disconnections are allowed to resume. Even before the crisis, residents already were at risk with poverty at 35.3 % in Cleveland, 34.1% in Akron, 36.8% in Youngstown, and 26.5% in Toledo. In Cuyahoga County, before the crisis, residents were at risk with food-insecurity at 18.6%. This pandemic has impacted all areas of life, and unemployment in the country is now considered the worst since the Great Depression.

Against this backdrop of human suffering, the PUCO rightfully ordered public utilities to file plans for protecting their customers. Five months after the declared state of emergency, FirstEnergy has finally filed a plan, but not its plan of what actions to undertake during the emergency. That plan was never publicly filed. FirstEnergy now seeks PUCO approval to resume pre-coronavirus operations, skipping the step of seeking PUCO approval of its emergency plan in the first place.

⁸ See OCC's Comments for Additional Consumer Protections Regarding the Temporary Plan of The Dayton Power and Light Company to Address the Coronavirus Emergency (May 4, 2020) ("OCC Emergency Plan Comments"), and consumer protection guidelines recommended by the National Consumer Law Center ("NCLC") (attached as Exhibit A), "Coronavirus Crises: How States Can Help Consumers Maintain Essential Utility Services."

II. RECOMMENDATIONS TO PROTECT OHIOANS

OCC and others have advocated that the PUCO extend consumer protections, including the suspension of disconnections, for a reasonable time after the formal declaration of emergency ends.⁹ The PUCO should do so for FirstEnergy consumers. But to date, the PUCO has not extended the suspension of disconnections, instead adopting the proposals of the utilities.

Rather, the PUCO advised utilities that they should develop plans to “transition” back to pre-coronavirus operations. That approach is premature for Ohioans in need. The PUCO said that “in light of the easing of social distancing restrictions as provided in the Department of Health’s Amended Stay at Home Order...[utilities] should begin working with [PUCO] Staff to develop a comprehensive plan describing the Company’s expectations to safely resume activities to a pre-COVID-19 basis.”¹⁰ The Orders directed electric utilities, within 45 days, to propose a Transition Plan for resuming normal activities.¹¹ FirstEnergy filed its plan on July 31, 2020.

FirstEnergy’s Transition Plan is unreasonable because it fails to extend necessary protections to address the needs of its customers. The PUCO should reject the Plan as filed and adopt the consumer recommendations described below.

A. There should be a consistent approach to protecting customers across the state regarding the health pandemic and related financial crisis affecting Ohioans.

The PUCO should establish uniform guidelines applicable to all utilities for maintaining consumer protections throughout the pandemic and a reasonable time thereafter. For example, it is unclear why consumers across Ohio should have different dates for disconnections to resume. Uniformity is important so that all consumers are treated fairly and equitably. The consumer

⁹ OCC Comments at 3 (May 4, 2020).

¹⁰ Finding and Order at ¶ 25 (June 17, 2020).

¹¹ *Id.*

protection recommendations published by the National Consumer Law Center (“NCLC”), offer good consumer protection guidance for the PUCO to adopt.¹²

Dominion has proposed through its Transition Plan to resume disconnecting customers for non-payment and to resume imposing the strict eligibility requirements for participation in the PIPP program beginning August 3, 2020,¹³ and Dominion’s proposed plan was approved by the PUCO on July 15, 2020.¹⁴ The PUCO has already (and unfortunately) approved Columbia Gas of Ohio’s plan to resume disconnecting customers for non-payment and to impose the strict eligibility requirements for participation in the PIPP program beginning July 29, 2020.¹⁵ Suburban Natural Gas Company proposes that the utility will mail disconnection notices beginning August 18, with scheduled disconnections the 1st week of September.¹⁶

Utilities are seeking to resume usual pre-coronavirus activities *even though there is no clear end in sight for the state of emergency*. And each utility is proposing its own deadline for resuming activities such as disconnections for non-payment. This haphazard approach should not be approved by the PUCO. The PUCO should establish a uniform set of guidelines that protect consumers statewide, applicable to all utilities, for establishing an orderly and fair transition back to pre-pandemic operations after the pandemic emergency is clearly over and consumers are allowed any further transition time they need.

¹² See *National Consumer Law Center, Coronavirus Crisis: How States Can Help Consumers Maintain Essential Utility Services* (March 2020).

¹³ Dominion’s Transition Plan, Case No. 20-600-GA-UNC (June 18, 2020) at 2, 5.

¹⁴ Id. Supplemental Finding and Order (July 15, 2020).

¹⁵ See *In the Matter of the Motion of Columbia Gas of Ohio, Inc. to Suspend Certain Procedures and Process During the COVID-19 State of Emergency and Related Matters*, Case No. 20-637-GA-UNC, Supplemental Finding and Order (June 17, 2020), at ¶26.

¹⁶ Suburban Transition Plan at 1.

B. To protect consumers, the PUCO should require FirstEnergy to continue suspending all disconnections for non-payment until a reasonable time after the coronavirus emergency has ended (which it has not).

FirstEnergy is requesting that the important consumer protection of suspending disconnections end by September 15, 2020, approximately five weeks from now.¹⁷ In a mere three weeks, FirstEnergy consumers would receive disconnection notices on their bills in the middle of an exceptionally hot summer and where many are under state advisories to stay at home. This is unreasonable and FirstEnergy's customers deserve much better consumer protections.

The coronavirus emergency will *not* be over by September 15, 2020. Indeed, it was written in the Wall Street Journal story that it will take at least a couple of years to dig ourselves out of hole the virus created.¹⁸ It is the PUCO's job, under the emergency statute (R.C. 4909.16), to prevent "injury" to the public. That prevention of injury to the public is not going to happen under FirstEnergy's timeline. Instead, the PUCO should modify FirstEnergy's Transition Plan by adopting a recommendation that OCC has consistently made; extend the suspension of disconnections for non-payment for a reasonable time *after* the formal declared coronavirus emergency has ended.^{19 20}

¹⁷ Transition Plan at 4-6.

¹⁸ Sarah Chaney, *Unemployment rate fell to 10.2% in July, U.S. Employers added 1.8 million jobs*, WSJ, (Aug. 7, 2020, 2:40 PM), <https://www.wsj.com/articles/july-jobs-report-unemployment-claims-2020-11596771828>.

¹⁹ See, e.g., OCC Comments in DP&L's Emergency Plan Case at 2-3.

²⁰ The PUCO has the authority to suspend disconnections and to order other consumer protections under R.C. 4909.16. It enables the PUCO to act when it "deems it necessary to prevent injury to the business or interests of the public...."

C. The PUCO should require FirstEnergy to continue waiving deposits, late payment fees, and reconnection fees for consumers until the emergency is over and for a reasonable time after.

FirstEnergy proposes to start charging consumers for late payment fees and reconnection fees as of September 15, 2020.²¹ FirstEnergy is proposing to return to standard payment plans,²² but other transition plans recently filed by Dominion Energy Ohio and Suburban Natural Gas include additional payment options such as a 24-month payment plans for exceptional circumstances. These extended options are of vital importance to consumers facing the on-going personal-financial crisis caused by the coronavirus pandemic.

FirstEnergy's Transition Plan provides no specific details on the requirements that will be imposed upon PIPP customers. In fact, FirstEnergy merely mentions that it will coordinate with Ohio Development Services Agency as they reinstitute the PIPP process of verifying eligibility.²³ But it is unreasonable that FirstEnergy is not disclosing how PIPP customers will be treated in the Transition Plan. Afterall, only the PUCO has the statutory authority to determine disconnection requirements for PIPP customers.²⁴

At a minimum, to protect vulnerable Ohioans the PUCO should require FirstEnergy to suspend deposits, late payment and reconnection fees until the emergency ends and a reasonable time after. And it should allow customers to enter into payment plans for paying back any past-due amounts accruing during the emergency after the emergency is over and a reasonable time after.

²¹ Transition Plan at 6-7.

²² *Id.* at 7-8.

²³ *Id.* at 9.

²⁴ R.C. 4928.53(B)(3).

These recommendations will provide some much-needed relief to FirstEnergy's customers who have lost income or jobs due to the coronavirus emergency. And it will allow FirstEnergy to collect revenues for utility service over a longer time while consumers are fighting to get back on their feet.²⁵

D. To provide consumers further protections, FirstEnergy should not give the blanket waiver it seeks of state regulations related to its transition plans.

FirstEnergy's request for a blanket waiver of its tariffs and the Ohio Administrative Code that is inconsistent or conflicts with its so-called Transition Plan is unreasonable.²⁶ That is a problem for due process and for the transparency of PUCO regulation to the public. The PUCO made it clear in its emergency order that utilities must file for any necessary authority to suspend otherwise applicable requirements.²⁷ The PUCO has declined to approve blanket waivers; utilities must specifically show why their service should receive a waiver.²⁸ At a minimum, the PUCO should require FirstEnergy to specifically identify what tariffs or Ohio Administrative Code provisions it seeks to waive and provide justification for the waiver. All other utilities

²⁵ R.C. 4928.02 (L).

²⁶ Transition Plan at 11.

²⁷ Entry at ¶ 7 (March 12, 2020) (All utility companies should promptly seek any necessary approval, for the duration of the emergency, to suspend otherwise applicable requirements).

²⁸ See *In re the Commission Investigation into the Provision of Nontraditional Lifeline Service by Competitive Eligible Telecommunications Carriers*, PUCO Case No. 10-2377-TP-COI, Finding and Order at 27 (May 23, 2012) ("...we decline to adopt the use of blanket waivers as our normal procedure. As a general matter, each provider must bear the burden of demonstrating how a particular requirement does not apply to it or its service offering.")

See also *In re the Commission's Review of the Minimum Telephone Service Standards*, PUCO Case No. 05-1102-TP-ORD, Finding and Order at 1 (Nov. 5, 2008) ("...the waiver process is not a substitute for a rulemaking process.");

See also *In re the DPL Energy for Certificate of Environmental Compatibility and Public Need for an Electric Generating Plant in Allen County*, PUCO Case No. 00-2198-EL-BGN, Entry at 1-2 (March 9, 2001).

See also *In re the Application of Columbia Gas of Ohio, Inc. for approval of a governmental aggregation agreement for interim early implementation, request for waiver, and request for expedited consideration*, PUCO Case No. 02-2494-GA-UNC, Entry at 3-4 (Oct. 31, 2002).

were held to this requirement. FirstEnergy should comply, and the public should have an opportunity to comment on FirstEnergy's proposals.

III. CONCLUSION

Ohio consumers continue to face perilous times – a health crisis and a personal-finance crisis. The PUCO should require FirstEnergy, with its two million consumers, to continue offering consumer protections during the coronavirus emergency and its aftermath. FirstEnergy should not be transitioning to normal operations while its consumers are facing anything but normal conditions due to the coronavirus crisis. *Ohio should lead with its heart in protecting utility consumers during the coronavirus crisis.*

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of these Joint Comments has been served via electronic transmission upon the following parties of record this 10th day of August 2020.

/s/ William J. Michael
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The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

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**AS PREPARED ADDRESS TO THE CITIZENS OF OHIO
OHIO GOVERNOR MIKE DEWINE
OHIO STATEHOUSE CEREMONIAL OFFICE
COLUMBUS, OH
JULY 15, 2020**

Good evening.

I speak to you tonight from the Governor's office in the Ohio State Capitol.

We have now reached THE most critical point in our battle against the corona virus.

If all of us do not take immediate action to slow this virus down, the tragedy that we see playing out on our television screens every day in Florida, Texas, Arizona, and California may well be our reality in just a matter of weeks.

The good news is that this nightmare does not have to be our future.

Some have wondered what new health orders might be issued tonight. That's a discussion for another time.

As your Governor, I will take whatever action is necessary to protect the people of this state. But, the truth is, what your local health department or the Ohio Department of Health, or what I order is not nearly as important as what we all do in these crucial days ahead.

Our future truly lies in our own hands.

Ohioans have faced many challenges throughout time -- wars, floods, tornados -- but really nothing quite like this, since Governor James Cox was our Governor during the Spanish Flu Pandemic of 1918. Governor Cox and I are both from the Miami Valley, but the reason I keep his figure here is to remind me of the resilience and the strength of all the Ohioans who went through that tragedy.

And I know that Governor Cox must have felt, as I do every day, the pain and anguish of each family who lost someone to that virus.

Early this year, we watched as the corona virus erupted in China, then in Europe, then in the United States -- and then in Ohio.

But, in Ohio -- you did what Ohioans always do!

You rallied together!

You did what needed to be done early in this fight.

And you took a collective leap of faith in a battle against an invisible enemy -- the likes of which hadn't been seen in Ohio and this country in more than 100 years.

You made extraordinary sacrifices.

You left school.

You left work.

You stayed home.

You missed loved ones.

You missed milestones.

You missed paychecks.

Because you are Ohioans -- strong, steadfast, selfless -- you also saved lives.

You flattened the curve!

And, with your individual -- and collective -- actions, you bought Ohio time -- precious, finite time for our health care providers to create a statewide hospital system and for doctors and nurses to learn more about this novel illness and how best to respond...

Time for Ohio to procure lifesaving medical equipment, such as ventilators, as well as Personal Protection Equipment (PPE)...

And with no vaccine in sight, time to learn how to better manage this disease so we could carefully and responsibly re-open the state to protect both our lives and our livelihoods.

We sought input from business leaders throughout the state and listened to the scientists and other health experts to develop guiding protocols to open in an incremental, measured way that could protect the safety of employees and customers, alike.

By controlling the spread of the virus early on, we were able to responsibly re-open, and the Ohio economy has started coming back. Ohio's unemployment rate is coming down. While in April, the revised rate was 17.6 percent, in May, the rate dropped to 13.7 percent.¹ And further, for 10 straight weeks, applications for continued unemployment benefits have declined.²

We must keep the virus in check so that we can rebuild consumer confidence and keep this positive economic momentum going.

¹ State Unemployment Rates: Bureau of Labor Statistics: <https://www.bls.gov/news.release/laus.nr0.htm>.

² Ohio Department of Job and Family Services, accessed July 14, 2020, <https://ifs.ohio.gov/ocomm/pdf/Ohio-Initial-Jobless-Claims.pdf>.

So where are we now?

Clearly -- clearly the virus is spreading with a vengeance across many parts of Ohio and lurks, waiting to attack victims in all of our 88 counties.

Tragically, in just four months, we have already lost 3,075 Ohioans to this dreaded disease -- nearly the same number of Ohioans who died in the Vietnam War (3,094).³

Our hospitals are seeing more and more COVID patients. There are 1,027 of our fellow citizens in our hospitals tonight suffering from COVID -- 316 are in intensive care -- 146 are on a ventilator.⁴ And, many of those who have recovered now suffer from long-term -- and in some cases, permanent -- health consequences, such as lung damage, kidney damage, and other significant medical issues.

Ohio is now nearing our April and May peak of just over 1,100 hospital patients, with the Cincinnati and Dayton regions currently seeing more COVID-positive patients in their hospitals than during any previous time during the pandemic and the Cleveland region nearing a similar point⁵

At the beginning of the pandemic, it took Ohio 20 days to reach our first 1,500 total cases. Last week, we saw over 1,500 cases in a single day.⁶ And to think -- just a month ago -- we were at only 400 new cases per day.⁷

Some say that our case numbers are increasing because we are simply doing more testing. Yes -- we are testing more. In fact, our testing has gone up by 87 percent. But, our number of positive cases has skyrocketed by almost 200 percent!⁸

Clearly, our number of new cases is NOT just the result of increased testing!

Let's look again at Ohio and Florida. On June 9th, Florida had 1,200 cases per day -- about the same number of cases that we had in Ohio yesterday.⁹ This past Sunday, just one month later, Florida's case number was at 15,300 new cases in one single day.¹⁰

³<https://www.archives.gov/research/military/vietnam-war/casualty-statistics>.

⁴ Ohio Department of Health, www.coronavirus.ohio.gov.

⁵ Ohio Department of Health, www.coronavirus.ohio.gov.

⁶ Ohio Department of Health, www.coronavirus.ohio.gov.

⁷ Ohio Department of Health, www.coronavirus.ohio.gov.

⁸ Ohio Department of Health, www.coronavirus.ohio.gov.

⁹ State-level Data by Report Date, as compiled by the COVID Tracking Project, <https://covidtracking.com/data/download>.

¹⁰ "Two Days of Record Counts: Florida Adds 12,624 COVID Cases Monday, One Day after U.S.-shattering Record 15,300," by David Fleshler, *South Florida Sun Sentinel*, July 13, 2020.

Similarly, a month ago, Florida averaged 8.3 new cases per 100,000 residents per day, a little bit under what we have in Ohio currently. As of yesterday, Florida's new cases have increased six-fold per day (51.8 cases per 100,000 residents per day).¹¹

A month ago, Arizona was also at 1,200 new cases per day.¹² As of Sunday, Arizona was at 3,400 new cases per day. Further, Arizona averaged almost 18 new cases per 100,000 residents per day last month. That has since increased 2.5 times as of yesterday (45.1 cases per 100,000 residents per day).¹³

And, if we do not change course...Florida and Arizona will be our future.

I have always found history to be a teacher. And so early in the pandemic, I read a book by John Berry called The Great Influenza. It's about the catastrophic Spanish Flu of 1918. He wrote an article yesterday that puts our current reality into sobering perspective:¹⁴

“This is our second chance. We won't get a third. If we don't get the growth of this pandemic under control now, in a few months, when the weather turns cold and forces people to spend more time indoors, we could face a disaster that dwarfs the situation today.”

Ohio is sliding -- sliding down a very dangerous path, with our once flattened-curve starting to sharpen and spike.

This worrisome, disturbing reversal of our progress is a jarring reminder of just how quickly our fate can change.

A matter of weeks can change our trajectory.

Weeks can alter our future.

Weeks can change our lives.

Weeks can be the difference between who lives and who dies in Ohio.

We must act -- and we must act now!

This is not a drill.

This is not a hoax.

¹¹ State-level Data by Report Date, as compiled by the COVID Tracking Project, <https://covidtracking.com/data/download>.

¹² <https://coronavirus.jhu.edu/data/state-timeline/new-confirmed-cases/arizona>.

¹³ State-level Data by Report Date, as compiled by the COVID Tracking Project, <https://covidtracking.com/data/download>.

¹⁴ <https://www.nytimes.com/2020/07/14/opinion/coronavirus-shutdown.html>.

This is not a dress rehearsal.

It's the real thing.

The enemy is here -- and Ohioans have simply come too far in this fight to cede ground now.

My fellow Ohioans, you have changed history with this virus before -- and you can do it again -- but our window of opportunity may soon be closing.

As we have seen in Florida, California, Arizona, and Texas, once things start moving, they move very quickly -- and it is so very hard then to turn things back around.

My fellow Ohioans -- you -- all of us together -- have the power to change our future.

This is a defining time -- THE defining time -- for each one of us. And there has been no greater call in recent times for Ohioans than for us to call upon our "better angels," as President Abraham Lincoln said, and do what is right to protect each other.

Ohioans have always been a people, who have been willing to sacrifice today for a better tomorrow.

I am asking each of you tonight to take action now -- to sacrifice now -- so our kids can be in school this fall...

So, they can at least have a chance to play sports...

So, our businesses can remain open...

So that Ohioans can continue earning a living and a paycheck and support their families...

What am I asking you to do?

Let's start with masks. I am asking each one of you, wherever you live in Ohio -- whatever the alert color of your county -- to wear a mask when you go out in public.

Some may still question the wisdom of wearing masks, but as we used to say when I was a prosecuting attorney, "The jury is back. The verdict is in."

There is a broad consensus today in the medical, health, and business communities that masks are critical.

Yesterday, Dr. Robert Redfield, Director of the Centers for Disease Control and Prevention, said,

“If all of us would put on a face covering now for the next four weeks, six weeks, we could drive this epidemic to the ground.”¹⁵

Wearing masks is also our best way to protect Ohio jobs.

A recent Goldman Sachs report shows that wearing face masks can be viewed as an alternative to lockdowns. They found, that in most cases, within a couple of weeks of people consistently wearing facemasks, there was a slowdown in the spread of the virus. Further, the study suggests that to curb the spread of the virus as successfully as wearing face masks does, we would have to consider a lockdown that essentially would subtract five percent of the country’s Gross Domestic Product.¹⁶

But masks are not enough.

Let’s be honest, all of us have started to let our guard down. I know sometimes I have. We’re tired. We want to go back to the way things were – and that’s very understandable.

But when we do, we are playing Russian Roulette with our lives.

Good decisions will protect the economy and save lives. Reckless ones will hurt and kill.

These are tough questions, but ask yourselves: Will that family reunion be worth it if your grandmother later tests positive for COVID and dies?

Will that neighborhood cookout be worth it if your neighbor ends up alone, on a ventilator, in intensive care?

Will that play date be worth it, if the kids can’t go back to school in the fall?

We’re all tired of being cooped up. I know your kids want to be with their friends. And, Fran and I know our grandchildren certainly do.

But, what’s better? Knowing you did all you could to keep your family and neighbors safe and our economy open -- or taking risks that lead to illness, death, and another economic shutdown?

Don’t we all want to be around to meet our future children and grandchildren not yet born? To attend their Baptisms? To watch our kids and grandkids graduate from school? To attend their future weddings?

¹⁵ <https://www.usatoday.com/story/news/health/2020/07/15/covid-19-california-testing-moderna-vaccine-best-buy-requires-masks/5436928002/>.

¹⁶ Face Masks and GDP: Goldman Sachs, <https://www.goldmansachs.com/insights/pages/face-masks-and-gdp.html>.

This virus will end. It will end! And we all want to be around when it does, so we can enjoy life, enjoy our families, and enjoy our friends.

None of us can do this, alone. In words often attributed to Ronald Reagan, “We can’t help everyone, but everyone can help someone.”¹⁷

These are once-in-a-hundred-years sacrifices -- short-term inconveniences, for long-term freedoms.

In his January 1941 State of the Union Address to Congress, President Franklin Roosevelt began to make his case to end the isolation policies that emerged following World War I. He spoke of America’s need to sacrifice in times of crisis -- and the unity that comes with a nation’s collective actions. Here is what said:

“No one can tell the exact character of the emergency situations that we may be called upon to meet. The nation's hands must not be tied when the nation's life is in danger. [All of us] must prepare to make the sacrifices that the emergency -- almost as serious as war, itself -- demands. . . . Our strength is our unity of purpose...[and] to that high concept, there can be no end save victory.”¹⁸

Our state’s life is now in danger -- and our own strength lies in our unity of purpose.

Early in this pandemic, Ohioans came together. You showed extraordinary kindness, care, compassion your families, friends, neighbors, and strangers, alike.

You rose to the occasion.

You answered the call.

I am calling on all Ohioans to once again unite.

This virus is real.

It is killing our family members, our friends, our co-workers.

We must take the long-view in our response to it and remember that Ohioans have always been a strong, determined, resilient people, who, time and time again, have overcome adversity and beat the odds.

From the Native Americans, who created intricate and massive earthworks...

To the pioneers, who navigated their way along the Ohio River and constructed the National Road...

¹⁷https://en.wikiquote.org/wiki/Ronald_Reagan.

¹⁸<https://www.americanrhetoric.com/speeches/PDFFiles/FDR%20-%20Four%20Freedoms.pdf>.

To the abolitionists and African Americans, who worked together to create an underground railroad leading those in slavery to freedom...

To the immigrants, who built our cities...

To the African Americans and those from Appalachia, who migrated to Ohio to work, raise a family, and start a better life...

At the start of this pandemic, Ohioans set the example for the rest of our country. Though this has been a trying time for all Ohioans, you showed the world what was possible when people work together!

You showed the world our Ohio grit!

I remain an optimist and truly believe that we will rise out of the great tragedy of this virus and all it has laid bare. Positive things will come out of our struggle -- American and Ohio ingenuity, innovation, and creativity; deeper relationships with family and friends; and a stronger, renewed sense of community and our obligations to one other.

Out of this struggle, we will learn.

And, we will emerge stronger, better, and more resilient.

As the Bible tells us in Galatians, "Let us not grow weary of doing good, for in due season, we will reap -- if we do not give up."

Ohioans never give up.

And Ohioans will not grow weary of doing good and helping to protect each other.

We are Buckeyes.

We are strong.

And we will not relent, as we forge a path forward -- united -- in building Ohio's future.



KEEP RESIDENTIAL UTILITY SERVICE ON DURING THE CRISIS

Access to affordable electric, gas, water, sewer, and telecommunications (including internet) services is essential at all times, but especially during a worldwide pandemic and shelter-at-home orders. Throughout the COVID-19 emergency, states should take the following steps to ensure that consumers stay connected to essential utility networks and reduce the need for public interaction:

- Issue an emergency declaration through gubernatorial action banning all regulated and unregulated utility service shut offs, including electric, gas, water/sewer, and telecommunications services, due to inability to pay, during the crisis;
- Order all regulated and unregulated utilities to reconnect customers who were previously disconnected due to inability to pay;
- Ban all in-person marketing and sales of alternative energy supply and distributed energy products during the length of the emergency declaration;
- Encourage low-income households to apply for the federal Lifeline phone and broadband program for free or discounted voice and data service; and
- Adjust state Low Income Home Energy Assistance Program (LIHEAP) application deadlines, enrollment access and eligibility certification processes.

ENSURING THAT UTILITY SERVICE IS AFFORDABLE FOR ALL

After emergency orders have been lifted, states should ensure that utility arrearages incurred during the crisis do not trigger disconnections. States should require all utility service providers, both regulated and unregulated, to adopt more flexible credit and collections practices than currently required by state regulations and unregulated utility policies. Such protections should:

- Eliminate any customer deposit requirements;
- Eliminate down payment requirements on deferred payment arrangements (DPAs);
- Allow flexible, reasonable DPAs that are based on the customer's ability to pay;
- Eliminate any requirement that disconnected customers pay the full arrearage in order to reconnect, thereby permitting reconnection upon issuance of an affordable DPA;
- Eliminate minimum balance requirements for prepaid utility service customers;
- Require utilities to write off debt for consumers who certify that they are eligible for LIHEAP, but are unable to receive LIHEAP due to insufficient LIHEAP funds; and
- Prohibit utilities from imposing late fees and engaging in negative credit reporting

Questions? Contact National Consumer Law Center advocates Jen Bosco (jbosco@nclc.org), Charlie Harak (charak@nclc.org), John Howat (jhowat@nclc.org), Karen Lusson (klusson@nclc.org) or Olivia Wein (owein@nclc.org).

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Summary: Comments Joint Comments on FirstEnergy's Plan to Resume Consumer Disconnections During the Coronavirus Emergency by Coalition on Homelessness and Housing in Ohio, Office of the Ohio Consumers' Counsel, Ohio Poverty Law Center electronically filed by Ms. Patricia J Mallarnee on behalf of William Michael