

Re: Missouri Energy Efficiency for All COVID-19 Crisis Response

April 3, 2020

To Missouri state, local, and utility leaders:

As members of the Missouri Energy Efficiency for All (MO-EEFA) coalition, we write to you today to urge strong leadership and action to protect Missouri residents, as they face hardships during the COVID-19 pandemic related to energy, water, and housing. MO-EEFA's work has focused on making Missouri's affordable housing safe, healthy, and energy-efficient by collaborating with stakeholders in the affordable housing, financing, utility, regulatory, state agency, clean energy advocacy, energy efficiency implementer, and many other arenas. We believe that trying times call on us to come together to provide an emergency response that meets the critical needs in our communities.

We are concerned about the thousands of families in Missouri, who were surviving one emergency away from hardship and are now suffering widespread wage and job losses in growing numbers. These financial challenges are worsening such that residents who can no longer afford their regular utility, rental, or mortgage payments are at risk of losing resources vital to their well-being. And prior to this crisis, many Missouri residents were already living with the burden of shut-offs of water, electric, or gas service due to inability to pay. Residents will become even more vulnerable if they are not able to remain in their homes. To make matters worse, many who would otherwise have access to these much-needed services – like running water for washing – are now unable to comply with the CDC's health standards for the containment of the virus. This is no longer an issue involving the well-being of some individuals; this affects all our communities and society as a whole.

For the reasons described above, we recommend the following protections to ensure that no Missourian faces uncertainty in their housing or utilities as a result of this crisis, during and after.

Utility Recommendations:

The economic and health risks brought on by this pandemic should not be compounded by the threat of utility shut offs and additional fees for payment disruption. To date, utilities in Missouri have instituted measures voluntarily and to varying degrees, but more must be done to protect all Missourians, especially those who are most vulnerable. We urge that steps be taken statewide to ensure access to essential utility services:

- 1. Implement a moratorium on all electricity, gas, and water utility shut-offs and waive all late payment charges for all customers, during and after this crisis, and suspend billing for low-wealth customers.**

We must ensure water, electricity, and gas utility service for everyone and prioritize the immediate, safe reconnection of currently disconnected households. A number of state governments have ordered statewide disconnection suspensions including Connecticut, Louisiana, Massachusetts, Mississippi, New Jersey, New York, Ohio, Illinois, and Wisconsin. Here in Missouri, most utilities and St. Louis, Columbia, and Independence have implemented disconnection bans, but not all have taken this step and only Ameren, Evergy, and Spire have agreed to waive late payment fees to all

customers. A statewide response that applies to all utilities - investor-owned, municipal, and cooperative is needed to protect all Missouri residents. Additionally, many of the utility shut off bans only apply to customers who are income-qualified and seniors. However, many Missouri residents who are not yet income qualified are seeing an erosion of their ability to afford utility bills due to lost wages and lost employment. Therefore, these shut off moratoriums should be extended to cover all residential customers and small businesses during the emergency.

We also urge you to set up arrearage forgiveness programs to reduce energy and water burdens for existing low-income and newly low-income households during the crisis and the recovery period. If neither are sufficient, offer long-term payment plans to also help ease the burden when the moratoriums end. For examples of energy regulatory and utility policies see [Energy and Policy Institute COVID-19 disconnection tracker](#).

2. Restore connections and implement no-cost reinstatement of water, electric, and gas services that have already been cut off due to nonpayment, especially a safe restoration of water services to all Missouri residents.

The need for heat, power, and especially water access during a pandemic cannot be understated, and shut offs due to nonpayment have been banned by the following bodies and water utilities: The City and County of St. Louis, KC Water, Columbia, Springfield, Independence, Raytown, United Water MO, and Missouri American Water. However, only Missouri American Water has taken the necessary step of temporarily restoring water to all its previously disconnected customers. In the best interest of everyone's health and safety, all water connections should be restored for the purposes of washing and sanitizing and all energy services should be restored for sheltering-in-place while we endure this pandemic. Where necessary, also establish emergency water distribution stations for households waiting for their water to be turned back on.

An additional concern is that, currently, the onus is placed on shut-off households to call and request reconnection. We therefore encourage that utilities review shut-off records and make every effort to reach all those households that might still be occupied. Subsequently, the threat of lead and bacterial contamination of water increases when water has been shut off for lengthy periods of time, so in order to safeguard public health when water is restored, that outreach must also contain thorough information for residents to protect their health from lead and other waterborne contaminants when water is restored.

3. Increase energy assistance funding.

Access to sufficient energy assistance funds are more important than ever. Increasing these resources and expanding access to utility and state energy assistance funds would protect Missouri residents during this emergency. This can be accomplished, in part, by modifying eligibility requirements to include all customers experiencing hardships (i.e. symptoms, out of work, reduced work, etc.) due to COVID-19, allowing for cross-eligibility (Medicare or SNAP eligibility also qualifies for energy assistance), enabling online enrollment, and any additional expansion opportunities. And because these bills will pile up during these times of hardship, we believe it is prudent to provide additional bill payment relief funds to help existing low-wealth and newly-low-wealth families and individuals cover their bill costs during the crisis and immediate recovery period.

Expanded access to energy assistance can also be achieved by ensuring Missourians get a fair share of new federal assistance funds, such as new Low-Income Energy Assistance Program (LIHEAP) funds. LIHEAP is an established bill-assistance program funded by federal grants to state agencies. The recently passed Federal stimulus bill appropriates an additional \$900 million for the LIHEAP program, and allocations to specific states should soon follow. LIHEAP assistance can have profound impacts for Missourians who find themselves unemployed and without income during this crisis. Not only can LIHEAP help individuals pay their utility bills each month, but it can sure up revenues for utilities and prevent utility-related debt from piling up across the state. We recommend that the Governor work closely with the Missouri Department of Social Services (DSS), local leaders, and low-income advocates and communities to ensure that LIHEAP funds are distributed fairly and rapidly. In addition, we recommend that all stakeholders (government, utilities, advocates) work to publicize and share information on how individuals can apply for LIHEAP assistance.

Creation of funding for energy bill payment assistance at the state and local level is also an option, as is utility action. In other states where this is being planned, considerations also include special rates for income-qualified households to ease energy burden after any moratorium on disconnection and for small businesses which required closure during the declared emergency. One example at the utility level is Ameren Missouri, which is partnering with United Way of Greater St. Louis to provide \$500,000 in energy assistance funds for gas and electric customers who normally do not qualify for energy assistance. They are also increasing their commitment to supporting existing energy assistance programs for seniors, disabled, and financially challenged customers with an additional \$500,000. We commend Ameren Missouri for acknowledging this need and acting, and we recommend that all other utilities to build similar actions into their plans for recovery in the immediate future. The Public Service Commission could help by issuing guidance and recommendations for utilities to consider.

4. Direct the Missouri Public Service Commission to lead a stakeholder process to create continuity plans for energy efficiency programs and the energy workforce during the crisis.

The energy efficiency sector, like all other sectors of the economy, has experienced severe disruption. However, as residents are being advised to stay home, it is increasingly important that the homes they are staying in are safe, comfortable, healthy, and efficient. The Missouri Public Service Commission should hold an energy efficiency stakeholder process to discuss creating continuity plans for energy assistance, energy efficiency programs (particularly those serving low-wealth residents), and the energy workforce during and following the crisis. Participation should be inclusive and open to all interested parties. Workers could also be supported through the establishment of an emergency fund for nonprofit weatherization providers and small contractors, especially those that are owned or managed by women, minorities, and veterans, to bridge this period of work stoppage so that they can continue to pay their employees and stabilize their businesses.

Housing Policy Recommendations:

One of the most crucial steps toward “flattening the curve” of the coronavirus is for all Missouri citizens to stay home and refrain from going out in public for any non-essential activities. Evictions, foreclosures, and increased homelessness during this crisis can frustrate this central goal, while placing our most vulnerable citizens at greater risk. Tens of thousands of Missourians sleep on the streets or in shelters every night and are among the most vulnerable to COVID-19. Hundreds of thousands more are one missed paycheck away from missing crucial rent and mortgage payments. We urge state and local leaders to implement and follow the below recommendations in order to ensure that all Missourians can stay in their homes, or have access to safe, healthy temporary shelter during this crisis:

5. Provide rental and mortgage assistance.

Provide enough rental payment assistance to ensure that all renters can afford their housing costs without taking on additional debt and that building owners have the resources necessary to continue to maintain their properties. Eviction moratoriums without rent relief or cash assistance put renters in a deeper crisis in the future while harming rental housing providers. A statewide emergency relief fund should also be launched, in order to provide immediate rental and mortgage assistance to people who risk losing their homes because of sickness, inability to work, or any other factors related to COVID-19. This fund should launch immediately and should be accessible to all, without barriers to entry, like lengthy paperwork or application fees.

6. Enact rent and mortgage freezes.

If insufficient housing payment assistance is available, institute a statewide freeze on rent and mortgage increases for the duration of the emergency. The freeze should include a ban on fees for missed or late rent/mortgage payments for the duration of the emergency. The state should create a fund to provide grants to housing providers so building owners can cover operating expenses, including mortgage payments, while the rent freeze is in effect to prevent losing rental buildings that are critical to providing housing to under-resourced communities.

7. Enact a moratorium on evictions and foreclosures.

No one should be displaced from their home during this crisis. We are calling for a statewide moratorium on all eviction proceedings, including filings, hearings, writs, and enforcement. Using the emergency powers of the Governor if necessary, this action should block law enforcement (sheriffs, municipal police departments, and all other relevant parties) from carrying out all evictions. Any foreclosure moratorium should apply to both single family and multifamily properties. Many other state and local governments have implemented eviction/foreclosure moratoriums, including Kansas which passed a statewide moratorium on March 17.

If neither rent and mortgage assistance nor freezes on increases can be established, residential tenants may be unable to pay rent during an eviction moratorium, which may in turn cause landlords to have difficulty paying mortgages, property taxes, and other operating expenses. The Missouri Housing Development Commission should offer forbearance for multifamily borrowers with state-financed mortgages who have experienced a decline in earnings due to COVID-19. The Michigan housing finance agency is offering payment relief to multifamily owners for their bond-financed loans. In the absence of State action, local governments should act to impose moratoriums on evictions and foreclosure proceedings and consider local loan payment relief options.

In addition, penalties should be put in place for landlords who violate eviction moratoriums. The Missouri Legislature should determine penalties for banks, corporations, and individuals in violation of this moratorium, including but not limited to fines and/or loss of license to do business.

8. Expand housing, sanitation, and other services for people experiencing homelessness and other vulnerable populations.

Tens of thousands of Missourians sleep on the streets every night. Those numbers do not account for the people who are un-housed, living out of cars, on couches, in shelters, or in motels. If official guidance is to “stay home” to contain the spread of COVID-19, Missouri must create that possibility for people experiencing homelessness. The State government must take unprecedented action to convert vacant hotel/motel rooms, dorms, schools, hospitals, and large stadiums into homes for people who need them, including people experiencing homelessness and people living in unsafe/unsanitary conditions now.

For people who will not or cannot move indoors, the State must build emergency sanitation sites near homeless encampments and major public transit hubs to mitigate the spread of COVID-19. Sites should include 24-hour restrooms and showers, laundry, free hygiene supplies, COVID-19 testing, caseworkers, and disease prevention information in multiple languages. The State must provide an infusion of resources to local providers for expanded homeless services.

Local health departments, community health clinics, shelters, frontline service providers, and affordable housing providers, especially those serving elderly and other vulnerable populations should receive funding to cover staff overtime pay and hazard pay and necessary supplies, like sanitizers, medicine, masks, etc. Funds should go to organizations on a condition of commitment to equity and non-discrimination.

Finally, we recommend a moratorium on encampment sweeps, closures, and vehicle tows. Sweeps and other practices that criminalize homelessness pose a serious health risk, as they disrupt consistent access to services and the ability for outreach and health workers to provide continuous care.

Communication Recommendation:

9. Communicate all new policies clearly, accessibly, and in multiple languages.

Ensuring that communities are aware of the resources and policies in place to assist them during this emergency – is vital. We recommend that the state be clear and strategic in how they communicate the actions being taken. This could mean leveraging community networks already in place, such as community action agencies, to communicate actions taken, and making sure any such announcements are multi-lingual.

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We thank you for your time and consideration, and we appreciate your response to this unprecedented health and economic emergency. We know there are hard times ahead for Missouri and the rest of the country, but nothing is insurmountable when we care about each other and work together. As you continue to work to address this crisis, we urge you to focus heavily on those most vulnerable and

ensure that all have access to the lifesaving utility services and shelter they need to protect themselves and their families.

Sincerely,

Annika Brindel
Midwest Director of Energy Efficiency Policy
National Housing Trust

Ashok Gupta
Senior Energy Economist
Natural Resources Defense Council

Andrew Linhares
Regional Director & Senior Counsel
Renew Missouri

Anne McKibbin
Policy Director
Elevate Energy

Samarth Medakkar
Policy Associate
Midwest Energy Efficiency Alliance

Sean Spencer
Executive Director
Tower Grove Neighborhoods Community Development Corp

Sarah Owsley Townsend
Kansas City Coordinator
Empower Missouri

We offer these additional COVID-19-related resources for your guidance and reference:

- [ACEEE Energy Efficiency Workers at Risk](#)
- [Congressional Letter to Stop Water Shut-offs and Restore Service](#)
- [Energy Efficiency for All Policy Tracker](#)
- [Energy and Policy Institute tracking Utility Shutoff Policies](#)
- [NAACP COVID-19 Equity Implications & Considerations](#)
- [National Conference of State Legislatures \(NCSL\) tracking COVID-19 Related State Legislation](#)
- [National Consumer Law Center Consumer Protections](#)
- [National Housing Law Project \(NHLP\) Campaign for Protecting Renter and Homeowner Rights](#)
- [People's Water Board Appeal Letter](#)