



Dr. Joseph DeCarolus
Administrator
U.S. Energy Information Administration
1000 Independence Avenue, S.W.
Washington D.C. 20585

December 20, 2022

Re: Fed. Reg. No. 2022-25287 / OMB Control Number 1905-0129

Dear Dr. DeCarolus:

The Natural Resources Defense Council (NRDC) welcomes the opportunity to comment on proposed changes to the Energy Information Administration's Electric Power & Renewable Electricity Surveys (EPRES). NRDC is an international nonprofit environmental organization with offices in New York City, Washington D.C., Los Angeles, San Francisco, Chicago, Montana, and Beijing. Our lawyers, scientists, economists, and environmental specialists work to safeguard the earth — its people, its plants and animals, and the natural systems on which all life depends.

NRDC's analysts rely on the EPRES to provide up-to-date and accurate information on utility company activities and trends within the electric power industry. **We urge the Administration to update the annual EIA-861 and monthly EIA-861M surveys to include certain affordability-related information, including information on electric service disconnections, reconnections, arrearages, and assistance program offerings.** Improved access to such information is essential to help regulators, utilities, and the public understand the extent and nature of affordability issues within the electric power sector and make evidence-based policy decisions to address those challenges.¹

¹ Regulators and consumer advocates in the electric utility sector have recognized the need for enhanced reporting of affordability-related data. In 2019, the National Association of Regulatory Utility Commissioners (NARUC) and the National Association of State Utility Consumer Advocates (NASUCA) jointly adopted a resolution recognizing the integral role of data collection and sharing in enabling evidence-based policymaking and calling for enhanced utility reporting of data on disconnections and debt. NARUC, Resolution on Best Practices in Data Collection and Reporting for Utility Services Delinquencies in Payments and Disconnections of Service (November 19, 2019), <https://pubs.naruc.org/pub/9392BD1E-D055-4A2C-9677-AAD00FEA7527>. The previous year, NASUCA independently passed a resolution calling for, among other things, "the collection and reporting of publicly available data on billings, arrearages and collections that enables an understanding of the scope, distribution, and nature of affordability impacting customers in paying utility bills and the effectiveness of

Ensuring that U.S. households can access and afford electric utility services is a matter of vital importance for the nation's energy policy. Unaffordable utility bills can have severe consequences for individual households, including the loss of essential utility services due to involuntary disconnection and harmful utility debt. Disconnections and debt can lead to economic hardship, mental and physical stress, and loss of housing. At the macro level, unaffordable utility bills, disconnections, and utility debt have a major impact on public health and safety and on federal and state government efforts to respond to events such as the Covid-19 pandemic and ongoing energy cost crisis. The Biden Administration has taken significant executive actions to reduce consumer energy costs, underscoring the issue's importance to the economy and national security.²

Efforts to address affordability challenges in the electric power sector are seriously hampered by the lack of useful and consistent data that covers utilities across the United States. There is currently no reliable source of national-level data on electric service disconnections or electric utility customer debt. Government policymakers, regulators, and public interest organizations interested in tackling affordability-related issues must rely on inaccurate estimates or solicit information directly from utility companies, sometimes at considerable expense and with predictably inconsistent results.

As the federal agency charged with collecting and managing energy information, the Energy Information Administration is the only entity capable of providing this information in a consistent, comparable format useful to regulators, utilities, and the public.

Recommendations:

To enable regulators, utilities, and the public to better understand and address affordability challenges within the electric power sector, NRDC urges the Administration to modify its Form EIA-861M and EIA 861 to include additional information on service disconnections, reconnections, arrearages, deferred payment plan offerings, and assistance programs. Specifically, we recommend that EIA collect the following additional information from covered electric distribution utilities. We have been intentionally judicious in our recommendations. We stress that much of the below information is (or should be) collected already by covered utilities and should not be burdensome to provide.

For Form EIA-861M:

Covered utilities should report monthly, by service provider name and customer class, the following information:

- (1) The total number of:
 - a. Final service termination notices sent due to bill non-payment.
 - b. Service disconnections due to bill non-payment.
 - c. Service reconnections of customers disconnected for bill non-payment.
- (2) The number of customers with arrearages greater than 30 days at the end of the month, and:
 - a. The total dollar amount owed.
 - b. The average amount owed per customer.

available resources to help consumers." NASUCA, Resolution 2018-04 (November 11, 2018), <https://nasuca.org/wp-content/uploads/2018/11/2019-07-NASUCA-Data-Collection-Resolution-Joint-with-NARUC-Final.pdf>.

² See, e.g., The White House, Fact Sheet: Biden-Harris Administration Announces New Actions to Lower Energy Costs for Families (November 2, 2022) <https://www.whitehouse.gov/briefing-room/statements-releases/2022/11/02/fact-sheet-biden-harris-administration-announces-new-actions-to-lower-energy-costs-for-families/>.

(3) The number of customers enrolled in deferred payment agreements at the end of the month.

For Form EIA-861:

Covered utilities should report annually, by service provider name and customer class, the following information:

- (1) The total number of:
 - a. Service disconnections due to bill non-payment occurring during the calendar year.
 - b. Service reconnections of customers disconnected for bill non-payment during the calendar year.
 - c. The average length of time between service disconnection due to bill non-payment and service reconnection.
- (2) The number of customers with arrearages greater than 30 days at year-end, and:
 - a. The total dollar amount owed.
 - b. The average amount owed per customer.
- (3) The number of customers enrolled in deferred payment agreements at year-end.
- (4) The number of customers enrolled in energy affordability or low-income bill assistance programs by program, state, sector, and balancing authority. This should include any customers that received support under the following programs during the calendar year:
 - a. Percent of income payment plans (PIPPs).
 - b. Income-qualified rate discount programs.
 - c. LIHEAP.
 - d. WAP.
 - e. Utility energy efficiency programs.
 - f. Any other energy affordability or low-income bill assistance programs, as applicable.

NRDC thanks the Administration for its consideration of our comments. We would be glad to follow up if you wish to speak with us about them.

Sincerely,

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