

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: Susan K. Duffy, Chair
Shari Feist Albrecht
Dwight D. Keen

In the Matter of Addressing the COVID-19)
Pandemic in the State of Kansas.) Docket No. 20-GIMX-393-MIS

THIRD EMERGENCY ORDER SUSPENDING DISCONNECTS

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having reviewed the public record, the Commission makes the following findings:

1. On March 11, 2020, the World Health Organization (WHO) declared the COVID-19 virus a pandemic. On March 12, 2020, Governor Kelly issued an emergency declaration for the State of Kansas in response to COVID-19, authorizing the use of state resources and personnel to assist with response and recovery operations in affected counties. On March 13, 2020, President Trump declared the COVID-19 pandemic a national emergency.

2. As a result of the actions by the WHO, Governor Kelly, and the President of the United States, on March 16, 2020, the Commission issued an Emergency Order Suspending Disconnects through April 15, 2020, pursuant to K.S.A. 77-536(b) to prevent or avoid the immediate danger to the public health, safety or welfare, and directs all public utilities under the Commission's authority to suspend the practice of disconnecting service for non-payment while customers and communities are experiencing potential hardship from the COVID-19 virus.

3. On March 17, 2020, Governor Kelly issued Executive Order 20-05, prohibiting utility and internet disconnects until May 1, 2020. Executive Order 20-05 covered utilities that are not subject to the Commission's jurisdiction.

4. On April 14, 2020, the Commission issued a Second Emergency Order Suspending Disconnects through May 15, 2020, and provided the Commission may extend the suspension period in a subsequent order pursuant to its emergency powers under K.S.A. 77-536.¹

5. On April 30, 2020, Governor Kelly issued Executive Order 20-28, extending Executive Order 20-05 temporarily prohibiting utility disconnects until May 31, 2020.

6. Since the threat of the COVID-19 pandemic remains, and in recognition of Executive Order 20-28, the Commission issues a Third Emergency Order Suspending Disconnects until May 31, 2020. The Commission may elect to extend the suspension period in a subsequent order pursuant to its emergency powers under K.S.A. 77-536.

7. This directive covers all electrical, natural gas, water, and telecommunications utilities under the Commission's authority. The Commission also directs utilities to coordinate and communicate with local agencies and other community-based organizations to ensure that utility service to customers is maintained during the state of emergency.

THEREFORE, THE COMMISSION ORDERS:

A. Pursuant to K.S.A. 77-536, the Commission directs all public utilities subject to its jurisdiction to suspend disconnect service for non-payment until May 31, 2020.

B. This Order is being served by electronic means and posted on the Commission's website, www.kcc.ks.gov.

C. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).²

D. The Commission retains jurisdiction over the subject matter and parties to enter further orders as it deems necessary.

¹ Second Emergency Order Suspending Disconnects, Apr. 14, 2020, ¶ 3.

² K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

BY THE COMMISSION IT IS SO ORDERED.

Duffy, Chair; Albrecht, Commissioner; Keen, Commissioner

Dated: 05/05/2020

Lynn M. Retz

Lynn M. Retz
Executive Director

BGF