



Town of Lewiston Water Department
P.O. Box 109
Model City, NY 14107



Phone: 716-754-8214 • Fax: 716-754-9483

June 15, 2021

Honorable Michelle L. Phillips, Secretary
New York State Public Service Commission
3 Empire State Plaza
Albany, NY 12223

RE: Matter No. 20-01676 – Town of Lewiston Water Department

Dear Secretary Phillips,

On behalf of the Town of Lewiston ("Town"), and the Town Water District, the undersigned respectfully submits this letter in response to the Notice of the Department of Public Service ("DPS") Guidance relating to the COVID-19 Utility Moratorium on Terminations and Disconnections, issued May 24, 2021 ("Guidance"), as it relates to the Public Service Law §§ 32, 89-b, 89-1, 91, 216 and General Business Law § 399-zzzzz Amendments ("PSL and GBL Amendments") enacted on May 11, 2021. Pursuant to the Guidance, the Town must file with DPS the Town's plan for implementation of the PSL Amendments. The Town's plan for implementation of the PLS Amendments is as follows:

1. The Town has reviewed the PSL and GBL Amendments and followed the guidelines as outline in the DPS Guidance document dated May 24, 2021.
2. The Town will not terminate or disconnect any residential municipal water for the nonpayment of bills, taxes, or fees for the duration of the COVID-19 state of emergency, or July 1, 2022, whichever is earlier.
3. In the event the Town has terminated or discontinued any residential municipal water and termination or discontinuance was made during the pendency of the COVID-19 state of emergency, the Town will restore service within 48 hours.
4. The Town will advise its Residential and Small Business Customers of the PSL and GBL Amendments and of the protections provided for in the PSL and GBL Amendments.
5. The Town will accept a residential customer's and small business customer's selfcertification that the customer has experienced a change in financial circumstances due to the COVID-19 state of emergency.

6. Those residential customers and small business customers who sign the self-certification will not be disconnected or terminated for non-payment until after the disconnection protection period ends, which will be 180 days from the date upon which the current COVID-19 state of emergency is terminated, or July 1, 2022, whichever is earlier.

7. The Town's residential and small business customers will be provided with the right to enter into a Deferred Payment Agreement to prevent future termination with no money down, no late fees or penalties.

8. The Town has included a copy of the Town's proposed Notice pursuant to PSL §§89-1(5), 89-b(10), and 32(8) that will be sent to its residential and small business customers.

9. The Town will file a final report detailing (1) the number of affected households using PSL Amendment protections, (2) the number of Deferred Payment Agreements for the period of October 4, 2020 to December 31, 2021, and (3) the total number of disconnections for nonpayment from October 4, 2020 to December 31, 2021, with DPS within thirty (30) days of the expiration date of the PSL and GBL Amendments of July 1, 2022.

If you have any questions or comments, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Broderick". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Steve Broderick
Town of Lewiston Supervisor



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NOTICE TO RESIDENTIAL AND SMALL BUSINESS WATER CUSTOMERS

Moratorium on Water Service Termination, Moratorium on Water Relevy, and Opportunity for Deferred Payment Agreements

On May 11, 2021 Governor Cuomo signed into law amendments to the Public Service Law that prevent municipalities and public utilities from terminating water service provided to residents and small businesses for non-payment during the COVID-19 state of emergency. Additionally, the amendments prevent municipalities from re-levying previously accrued water charges on or after May 11, 2021 until either the end of the COVID-19 state of emergency or December 31, 2021, whichever is earlier.

All water suppliers must notify residential and small business customers of the protections afforded under the law.

Please be advised that service termination and re-levying past due water charges is prohibited for an additional 180 days after either the COVID-19 state of emergency expires or December 31, 2021, whichever is earlier, for those residential and small business customers who have experienced a change in financial circumstances due to the COVID-19 state of emergency.

If you are a resident or small business that has experienced a change in financial circumstances due to the COVID-19 state of emergency and would like to request relief from re-levying during the 180 days after the COVID-19 state of emergency expires, please complete a Deferred Payment Agreement Form. The Deferred Payment Agreement (DPA) is valid 180 days from the end date of the state of emergency, which could be as late as December 31, 2021. You must pay the water charges by the end of the 180 day period, or they will accrue penalties associated with the unpaid balance. To maintain the DPA you must pay current charges in full, as well as the DPA amount or the DPA will be considered broken. Once this 180 period ends, any unpaid amount may be re-levied onto the tax roll for collection.

Please be further advised that **the law does not eliminate a customer's obligation to pay accrued charges**. However, customers who have experienced a change in financial circumstances due to the COVID-19 state of emergency must be provided with the opportunity to enter into a deferred payment agreement without the imposition of deposits, late fees, or penalties.

If you are a residential or small business customer who has experienced such a change in financial circumstances and wish to enter into a deferred payment agreement to address any outstanding or accrued payments, you must contact Tamara Meogrossi, Water Department Clerk at 716-754-8213 Ext 235/tmeogrossi@townoflewiston.us or Linda Kreps, Water Department Clerk at 716-754-8213 Ext 236/lkreps@townoflewiston.us. Additional information and supporting documentation from customers seeking to enter into a deferred payment agreement may be required.

If you choose not to contact the Town of Lewiston Water Department to complete a Change in Financial Circumstances Self-Certification Form and enter into a DPA, the Town of Lewiston will assume you have experienced no such change.

Please direct all other questions and concerns to Tamara Meogrossi, Water Department Clerk at 716-754-8213 Ext 235/tmeogrossi@townoflewiston.us or Linda Kreps, Water Department Clerk at 716-754-8213 Ext 236/lkreps@townoflewiston.us.



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Change in Financial Circumstances Self Certification Form

Name of Resident: _____

Service Address: _____

Mailing Address (If different): _____

Account Number: _____

Phone Number: _____ Email _____

I attest that due to COVID-19 state of emergency, which began on March 7, 2020, I have experienced a negative change in financial condition as follows:

I understand that COVID-19 state of emergency is scheduled to be lifted or expire on December 31, 2021. If you experience a change in financial circumstance due to the COVID-19 state of emergency (March 7-December 21, 2021), the Town of Lewiston will give you the right to enter into a deferred payment agreement (DPA).

DPA Payment Plan Details:

Printed Name: _____

Signature: _____ Date: _____

Clerk: _____ Clerk Signature: _____ Date: _____