



CITY OF HORNELL



82 Main Street, PO Box 627, Hornell, NY 14843
(607) 324-7421 - (607) 324-3150 Fax
John J. Buckley Mayor

August 24, 2021

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

RE: MATTER 20-01676

In the Matter of the Implementation of the Public Service Law §§ 32, 89-b, 89-l, 91, 216 and General Business Law § 399-zzzzz (Chapter 106 of the Laws of 2021) Regarding Issuing a Moratorium on Utility Service Terminations and Disconnections of Residential and Small Business Customers During the COVID-19 State of Emergency, the City of Hornell submits the following plan of implementation.

1. The City of Hornell has reviewed the PSL and GBL Amendments and commits to following the guidelines as outline in the DPS Guidance document issued May 24, 2021.
2. The City does not terminate or disconnect any municipal water for the non-payment of bills, taxes, or fees and will continue this policy for the duration of the COVID-19 state of emergency, or July 1, 2022, whichever is earlier.
3. The City will advise its Residential and Small Business Customers of the PSL and GBL Amendments and of the protections provided for in said Amendments in each water bill while these protections remain in effect.
4. Should a residential or small business water customer wish to request a deferred payment arrangement, the City will accept a residential customer's and/or small business customer's self-certification that the customer has experienced a change in financial circumstances due to the COVID-19 state of emergency. The City will enter into a Deferred Payment Arrangement agreed upon by the customer in accordance with the stipulations of Matter 20-01676.
5. Upon receipt of a signed deferred payment arrangement form from a water customer, the City of Hornell will:
 - Not require a down payment and not charge penalties or late fees

- Not re-levy previously accrued water charges on or after May 11, 2021
- Not shut off potable water service to the customer for the grace period which is until the end of the state of emergency, or the 180-day period and no later than the sunset date of this legislation on July 1, 2022.

6. The City has included a copy of the City of Hornell's proposed Notice to Residential and Small Business Water Customers as required by Matter 20-01676 that will be sent to its residential and small business water customers.

7. Within 30 days of the effective end date (July 1, 2022) of the PSL amendments the City of Hornell will file a final report detailing (1) the number of residential and small business customers who availed themselves of these protections; (2) the number of new Deferred Payment Agreements (DPAs) entered into during the period from May 11, 2021, to July 1, 2022, for residential and small business customers; and (3) the total number of residential and small business terminations or disconnections for nonpayment for the period from May 11, 2021, to the end of the 180-day period.

Respectfully submitted,



John J. Buckley
Mayor

JJB/alp



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NOTIFICATION TO RESIDENTIAL AND SMALL BUSINESS WATER CUSTOMERS REGARDING WATER SERVICE PROTECTIONS

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 relevying previously accrued water charges on or after May 11, 2021 until the end of the COVID-19 state of emergency. The state disaster emergency expired on June 24, 2021.

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

Please be advised that service termination and relevying past due water charges is prohibited for an additional 180 days after June 24 2021, 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 service termination and relevying until December 22, 2021, you must contact the City Chamberlain's Office at 607-324-7421 no later than September 30, 2021.

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 the City Chamberlain's Office at 607-324-7421 no later than September 30, 2021. Additional information and supporting documentation from customers seeking to enter into a deferred payment agreement may be required.

Customers that do not request protection from service termination, or relevying, or do not enter into a deferred payment agreement, will be subject to the enforcement and lien provisions authorized by State and local law upon the expiration of the Public Service Law's protections.

Please direct all other questions and concerns to the City Chamberlain's Office at 607-324-7421.



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Self Certification Form

Service Address: _____

Name on the Account: _____

Account Number: _____

Telephone Number: _____

Mailing Address: _____

Certification:

Please read the following certification. Your signature is verification that you are stating this to be true.

"I attest that due to the COVID-19 state of emergency, which began on or after March 7, 2020, I have experienced a change in financial circumstances."

Signature: _____

Date: _____

This form must be completed and returned to the City of Hornell Chamberlain's Office no later than September 30, 2021.

Residential Payment Agreement

Customer Name: _____

Service Address: _____

Account# _____

The total Amount owed to the City of Hornell for this account as of MM/DD/YYYY is \$XX.XX.

The City of Hornell is required to offer a payment agreement that you are able to pay considering your financial circumstances. **This agreement should not be signed if you are unable to keep the terms.** Alternate terms may be available if you can demonstrate financial need. **If you sign and return this form, along with your first payment by MM/DD/YYYY you will be entering into a payment agreement and by doing so will avoid termination of service.**

Assistance to pay utility bills may be available to recipients of public assistance or supplemental security income from your local social services office. This agreement may be changed if your financial circumstances change significantly because of conditions beyond your control. If after entering into this agreement, you fail to comply with the terms, **the City of Hornell** may terminate service. If you do not sign this agreement or pay the total amount due of \$XX.XX by MM/DD/YYYY, the City of Hornell may seek to terminate your service. **If you are unable to pay these terms, if further assistance is needed, or if you wish to discuss this agreement please call the City of Hornell Chamberlain's Office at 1-607-324-7421.**

Payment of Outstanding Balance:

Your agreed upon monthly payment amount under this agreement is: \$XX.XX payable by the DD of the month beginning MM/DD/YYYY.

Payments are to be made to the City Chamberlain's Office, PO Box 627 82 Main Street, Hornell, NY 14843.

Acceptance of Agreement:

Customer Signature: _____ Date: _____

This agreement has been accepted by the City of Hornell. If you and the City of Hornell cannot negotiate a payment agreement, or if you need any further assistance, you may contact the Public Service Commission at 1-800-342-3377.

Return one copy of this agreement signed, with the first payment, by MM/DD/YYYY. If it is not signed and returned, your service may be terminated.