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Island Regulatory & Appeals Commission

Docket: UE21224  
Order: UE20-03

**IN THE MATTER** of an application by Maritime Electric Company, Limited for an order of the Island Regulatory and Appeals Commission approving a COVID-19 Customer Support Program and a COVID-19 Customer Support Deferral Account, pursuant to section 13 of the *Electric Power Act*, R.S.P.E.I. 1988, Cap. E-4.

**BEFORE THE COMMISSION ON Friday**, the 5<sup>th</sup> day of June, 2020.

J. Scott MacKenzie, Q.C., Chair  
M. Douglas Clow, Vice-Chair  
Erin T. Mitchell, Commissioner

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# Order

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# Order

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**WHEREAS** on May 28, 2020, Maritime Electric Company, Limited ("Maritime Electric" or the "Company") filed an application with the Island Regulatory and Appeals Commission (the "Commission") pursuant to section 13 of the *Electric Power Act*, R.S.P.E.I. 1988, Cap. E-4 (the "*Act*"), seeking approval of a COVID-19 Customer Support Program and a COVID-19 Customer Support Deferral Account (the "Application");

**AND WHEREAS** the Company states that the Application was filed as a result of the significant economic impact that the global COVID-19 pandemic has had in the Province of Prince Edward Island;

**AND WHEREAS** the COVID-19 Customer Support Program proposed by the Company would provide a three-month bill payment deferral starting June 1, 2020 to eligible Residential and General Service customers directly impacted financially by the COVID-19 pandemic;

**AND WHEREAS** the Company also seeks approval of a new regulatory deferral account, called the COVID-19 Customer Support Deferral Account, to record and track:

1. Bill payment deferrals and subsequent repayments under the COVID-19 Customer Support Program; and
2. Unrecovered amounts due to COVID-19.

**AND WHEREAS** the Commission has determined that the COVID-19 Customer Support Program as proposed by the Company is, in the circumstances, appropriate;

**AND WHEREAS** the Commission has also determined that it is appropriate for the Company to establish a separate account to record and track the amounts deferred, collected and unrecovered by customers participating in the COVID-19 Customer Support Program, subject to the conditions set forth in this Order;

**NOW THEREFORE**, pursuant to section 13 of the *Act*, the Commission Orders as follows:

1. Maritime Electric is hereby granted approval to offer a three-month bill payment deferral, effective as of June 1, 2020, to eligible Residential and General Service customers directly impacted financially by the COVID-19 pandemic (the "Program").

Eligible customers who participate in the Program shall be required to enter into repayment arrangements for the deferred balance over a twelve-month period, commencing September 1, 2020.

Customers participating in the Program shall not be subject to interest, penalties or disconnection during either the deferral period or the repayment period, provided the customer meets their agreed upon repayment requirements.

2. Maritime Electric is authorized to establish a COVID-19 Customer Support Receivable Account (the "Account") to record and track, by rate class:
  - i) Bill payment deferrals provided to eligible customers for energy consumed between March 1, 2020 and August 31, 2020;
  - ii) Subsequent repayments of the deferred amounts by eligible customers enrolled in the Program; and
  - iii) Unrecovered billings by customers enrolled in the Program for energy consumed between March 1, 2020 and August 31, 2020.

- b) The Account shall not be a regulatory deferral account for accounting purposes, and shall not be included as a regulatory asset for the purposes of determining the Company's rate base.
- c) The Company shall not be entitled to earn a rate of return on all or part of the balance of the Account.
- d) The refund or recovery (as appropriate) of the balance of the Account shall be as directed by the Commission.
- e) The Company shall file with the Commission the balance of the Account as part of its monthly reporting requirements.

**DATED** at Charlottetown, Prince Edward Island, this 5<sup>th</sup> day of June, 2020.

**BY THE COMMISSION:**

*(sgd) J. Scott MacKenzie*

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J. Scott MacKenzie, Q.C., Chair

*(sgd) M. Douglas Clow*

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M. Douglas Clow, Vice-Chair

*(sgd) Erin T. Mitchell*

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Erin T. Mitchell, Commissioner

## NOTICE

Section 12 of the ***Island Regulatory and Appeals Commission Act*** reads as follows:

*12. The Commission may, in its absolute discretion, review, rescind or vary any order or decision made by it, or rehear any application before deciding it.*

Parties to this proceeding seeking a review of the Commission's decision or order in this matter may do so by filing with the Commission, at the earliest date, a written Request for Review, which clearly states the reasons for the review and the nature of the relief sought.

Sections 13(1), 13(2), 13(3), and 13(4) of the ***Act*** provide as follows:

*13(1) An appeal lies from a decision or order of the Commission to the Court of Appeal upon a question of law or jurisdiction.*

*(2) The appeal shall be made by filing a notice of appeal in the Court of Appeal within twenty days after the decision or order appealed from and the rules of court respecting appeals apply with the necessary changes.*

*(3) The Commission shall be deemed to be a party to the appeal.*

*(4) No costs shall be payable by any party to an appeal under this section unless the Court of Appeal, in its discretion, for special reasons, so orders.*

**NOTE:** In accordance with IRAC's *Records Retention and Disposition Schedule*, the material contained in the official file regarding this matter will be retained by the Commission for a period of 5 years.