

Monday, October 12, 2020

Submitted via email

To the Birmingham Water Works Board Members,

Ronald A. Mims, Board President

Brenda J. Dickerson, Ph.D., First Vice President

Deborah Clark, Second Vice President

William R. Muhammad, Secretary-Treasurer

Tommy Joe Alexander, Director

Lucien Blankenship, Esq., Director

Brett A. King, Esq., Director

George Munchus, Ph.D., Director

And members of the Utilities/Technologies Birmingham City Council Committee,

Councilor Wardine Alexander, President Pro Tem, Committee Chair,

Councilor William Parker, Council President

Councilor Hunter Williams

Dear Birmingham Water Works Board Members and Birmingham City Council Utilities/Technology Committee,

We, the members of the undersigned organizations, urge the Birmingham Water Works Board (BWWB) and the Birmingham City Council's Utilities/Technology Committee to take immediate and decisive action to ensure that no Alabamian will lose access to water as a result of the continued economic and public health crises caused by COVID-19. On August 31, 2020, BWWB announced the end of the moratorium on water and wastewater disconnections and the return of late fees for non-payment starting on October 12, giving households only three or six months to pay all current bills and accumulated debt from nonpayment¹.

The unemployment rate in Alabama reached 13.8%², the highest in almost 40 years³. According to both federal experts⁴ and as stated repeatedly during the City of Birmingham's budgetary discussions, the economic effects of the pandemic are expected to continue through at least 2022, including unemployment and the related inability to pay utility bills. Without steady income, the mounting debt faced by Alabama families as a result of utility non-payment will not abate simply because the moratorium on disconnections is lifted. According to BWWB, over 12,000 household's accounts are delinquent as a result of COVID-19. Credible estimates put the number of Alabama households vulnerable to COVID-19-related utility bill nonpayment at 459,087, or 21% of all households in Alabama⁵, and Birmingham has a poverty rate of 27.2%⁶, which is over 1.5 times higher than the poverty rate for the State of Alabama. As Alabama Power resumed electricity disconnections in September, giving families only 4 months to repay the accumulated debt and maintain current payments⁷, it is likely that most of these 12,000 households are facing

a debt crisis from not only water and wastewater bill non-payment, but from other accumulated utility bill debt.

As we continue to follow Governor Kay Ivey's "Safer at Home" guidelines, and many children attend school remotely and adults work from home, our utility usages, and subsequent cost, rise to higher than normal levels⁸. Many Alabamians with disabilities live on fixed incomes, and budgets are already extremely tight. What spare money they have often goes toward medical and personal care. High utility bills are prohibitively expensive, meaning people with disabilities will lose access to water and risk exacerbating or accelerating life-threatening medical conditions.

The people of Alabama are struggling with the balance of staying healthy during a global pandemic that is threatening their livelihood. The duration of this public health crisis is unknown and indefinite, and arbitrary deadlines amid this uncertainty are unacceptable and threatening to the public welfare. We call on the Birmingham Water Works Board and the Birmingham City Council's Utility/Technology Committee to grant Alabama families time to adjust to the unprecedented economic hardships that accompany this pandemic, and the resources to do so by providing continued relief.

We call on the Birmingham Water Works Board to continue the moratorium on water and wastewater services disconnections to ensure BWWB's most vulnerable customers do not lose access to water. Given that the economic and health crisis is ongoing and that many Alabama families are without a steady income, we call on the BWWB and Birmingham City Council to act to guarantee that none of BWWB's customers whose livelihood is affected by COVID-19 will experience an interruption in service while the crisis continues. Protecting the residents of Birmingham and the greater Birmingham-Metro area is vital to the long-term success of Birmingham's economy, and is therefore also fundamental to BWWB's self-interest.

We demand:

- 1) Continuation of the water and wastewater services disconnection moratorium and non-payment late fees until the end of the health crisis, and at least until December 31, 2020, for residential consumers of BWWB.
- 2) After the disconnection moratorium is lifted, implementation of an income-driven payment plan, with a minimum of a twelve month repayment period, for all BWWB customers, without penalties or late fees. There is precedent for a program to implement a long-term repayment period by the Kansas Corporation Commission⁹. This plan must include proactive outreach to the customer, with multiple documented attempts to contact customers about the availability of payment plan options.

- 3) Expansion of the eligibility requirements for BWWB's *H2O Foundation*¹⁰ water and wastewater bill repayment program to be inclusive of those who need on-going, multiple assistances as caused by the current pandemic.
- 4) That BWWB and the Birmingham City Council proactively seek governmental and non-governmental fundings to use for utility debt forgiveness for all Birmingham residents and BWWB customers in non-payment for debts accumulated from April 1, 2020, through at least September 30, 2020.
- 5) Active outreach and proactive notification of available utility assistance programs, including BWWB's H2O foundation, to customers in non-payment.
- 6) Waiver of late fees for reinstatement of services until 2022.
- 7) Moratorium on negative credit reporting for non-payment through 2022.

In Service,

J. Robert Burton, Executive Director, SWEET Alabama

Celida Soto, Organizer, Alabama Rally Against Injustice

Terri Michal, Director, S.O.S. - Support Our Students

Susan Diane Mitchell, Co-Executive Director, Dynamite Hill-Smithfield Community Land Trust

Rev. Michael Malcolm, Executive Director, Interfaith Power and Light

Rev. Jennifer Sanders, Pastor, Beloved Community Church

Rev. Keith Williams, Associate Minister, St. Mark Missionary Baptist Church

Charlie Scribner, Executive Director, Black Warrior Riverkeeper

Patricia Bell, Co-Founder, Voters Legal Justice Watch Group

Tim Majors, Bham Stands

Marian Mwenja, Alabama Basebuilding Organizer, Southerners On New Ground (SONG)

Satura Dudley, Organizer, Cell A65

Rev. Eric Hall, Co-Founder, Black Lives Matter-Birmingham

Jessica Vosburgh, Executive Director, Adelante Alabama Worker Center

Daniel Schwartz, Executive Director, Alabama Faith In Action

Rev. David Barnhart, Pastor, Saint Junia United Methodist Church

Cara McClure, Founder, Faith & Works

Scott Douglas, Executive Director, Greater Birmingham Ministries

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