


COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE OF THE WHOLE  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

MEMORANDUM

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TO: Nyasha Smith, Secretary to the Council

FROM: Phil Mendelson, Chairman 

DATE: January 4, 2024

RE: **Request to Place Measure on the Agenda for January 9, 2024 Legislative Meeting**

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This memorandum is to request that the following measures be placed on the agenda for the January 9, 2024 Legislative Meeting:

- **Protecting Consumers from Unjust Debt Collection Practices Technical Clarification Amendment Emergency Declaration Resolution of 2024**
- **Protecting Consumers from Unjust Debt Collection Practices Technical Clarification Emergency Amendment Act of 2024**
- **Protecting Consumers from Unjust Debt Collection Practices Technical Clarification Temporary Amendment Act of 2024**

The “Protecting Consumers from Unjust Debt Collection Practices Amendment Act of 2021” (D.C. Law 24-154) became applicable on January 1, 2023. Public utilities are subject to the requirements of the law when attempting to collect consumer debt. Some of the requirements in the law conflict with existing requirements applicable to public utilities in Title 15, Chapter 3 of the D.C. Municipal Regulations. For example, D.C. Official Code § 28-3814(d)(5) prohibits debt collectors from “visiting or threatening to visit the household of a consumer at any time for the purpose of collecting a debt, other than for the purpose of serving process in a lawsuit.” Pursuant to 15 DCMR 312.2, however, utilities are required to make reasonable efforts to contact a customer prior to disconnection, and this contact may include in-person notification. In-person notification may be necessary when a utility is unable to reach the customer via phone or electronic mail.

To avoid confusion or negative impacts on customers or utilities, it is necessary to clarify that certain, specific regulatory requirements for utilities in Title 15, Chapter 3 of D.C. Municipal Regulations are permitted under the law. Identical legislation was enacted on an emergency and temporary basis last year, but the temporary version (D.C. Law 25-5) will expire on January 5, 2024. A new round of emergency and temporary legislation is necessary until the provision can be enacted on a permanent basis.

Copies of the draft measures are attached. Please call me or Blaine Stum if you have any questions at (202) 724-8092.

cc: All Councilmembers  
Council Officers