

Responsible Utility Customer Protection Act

In 2014, The General Assembly passed and the Governor signed House Bill 939/Act 155 of 2014, to reauthorize the 10-year-old “Responsible Utility Customer Protection Act,” Chapter 14 of the Public Utility Code for another 10 years. The new law revised some Chapter 14 provisions related to low-income programs, Protection from Abuse Orders and medical certificate filings, and added some new regulations and reporting requirements. Chapter 14 rules apply to cash deposits; reconnection of service; termination of service; payment arrangements; and the filing of termination complaints by consumers for electric, gas and water. Under the law, a customer can only establish one payment arrangement with the PUC. The utility company has the discretion to offer more than one payment arrangement. The Public Utility Commission will work beginning in early 2015 to implement the new law with new and amended regulations, and continue to work with all parties to ensure compliance with the law, as well as protect the health and safety of Pennsylvanians. The Act protects responsible bill-paying customers from rate increases attributable to the uncollectible accounts of customers that can afford to pay their bills, but choose not to pay.

This fact sheet is designed to provide you with very important information regarding how the Act affects you and your utility service.

Your utility company can **SHUT OFF** your service if you **FAIL** to do the following:

- ✓ **PAY YOUR BILL**
- ✓ **FOLLOW THROUGH ON PAYMENT ARRANGEMENTS**
- ✓ **PAY A DEPOSIT, IF REQUIRED**
- ✓ **ALLOW THE COMPANY ACCESS TO ITS EQUIPMENT**

Before your service is shut off, your utility company will take the following steps:

- Send you a 10-Day Notice. Once you get the notice, the utility company has up to 60 days to shut off your service.
- Attempt to contact you three days prior to your shut-off date.
- During winter months (December 1 through March 31), if the utility company cannot reach you at the time of termination, they will leave a 48-hour notice at your residence.

Medical Certification

Your utility service will not be shut off if you or someone living in your home is certified as seriously ill by a licensed physician, physician’s assistant or nurse practitioner. The utility company will require you to provide a letter from a licensed physician, physician’s assistant or nurse practitioner, stating that shutting off your utility service will harm the ill person in the home.



The initial medical certification can be up to 30 days, with renewals possible.

You are still responsible to pay your bill even if there is a medical certificate for someone in your home.

The utility company can **SHUT OFF YOUR SERVICE WITHOUT GIVING YOU NOTICE** for the following reasons:

- ✓ **STEALING UTILITY SERVICE**
- ✓ **GETTING SERVICE THROUGH FRAUD**
- ✓ **TAMPERING WITH YOUR METER**
- ✓ **UNSAFE SERVICE CONDITIONS**
- ✓ **GIVING THEM A BAD CHECK TO STOP TERMINATION**

YOUR UTILITY SERVICE CAN BE SHUT OFF ANY WEEKDAY, EXCEPT FRIDAY.

If your service is shut off, the utility company will leave a notice telling you what you need to do to get your service restored.

Winter Termination

Your utility service can be shut off during the winter months (December 1 through March 31) **without the PUC’s prior approval** if you fail to be a responsible utility customer, and provided that your household’s income exceeds 250 percent of the federal poverty level (**for customers of the Philadelphia Gas Works, the income exceeds 150 percent of the federal poverty level**). The utility company will give you notice first and allow you the opportunity to contact them to make arrangements to avoid termination. If your income is low, you may qualify for special programs and termination protections. Please call your utility to see if you qualify.

2016 Monthly Federal Poverty Income Guidelines

Size of Household	150% of Poverty	250% of Poverty
1	\$1,485	\$2,475
2	\$2,003	\$3,338
3	\$2,520	\$4,200
4	\$3,038	\$5,063
For each additional person, add	\$520	\$867

Note: Monthly Federal Poverty Income Guidelines are updated every February.

Source: Federal Register

If your service is shut off in the winter (December 1 through March 31), your utility service will be restored within 24 hours after you pay the bill and meet any other conditions of the utility company. Your service will be restored within three to seven days after you pay the bill and meet any other conditions of the utility company during the remaining months.

If your service is shut off, any adult who lived at the residence will be responsible to pay all or part of the overdue bill if that adult wants service restored in their name. Adult occupants include those over 18 years of age who lived with you during the time the outstanding balance accrued. If the utility company determines that an adult lived at the property by checking names on your mortgage, deed, lease or information from a credit reporting service, that adult will be responsible to pay all or part of the overdue bill. **Payment to restore your service will depend on your household income and payment history.**

In order to obtain new service or to reconnect service:

- You may be required to pay a deposit and a reconnect fee.
- If you have broken two or more prior payment arrangements, the utility company can require you to pay the full balance of your bill.
- Your utility company may require you to provide proof of income.



The utility company can require you to pay a deposit if:

- You do not have good credit or if you do have good credit, but have a bad payment history with the utility company.
- You are shut off for an overdue bill.
- If you miss or pay your bill late for two consecutive payments or three times in a 12-month period, you may have to pay a deposit.
- If you are eligible for a Customer Assistance Program (CAP), the utility should not require a deposit.

The amount of your deposit may be equal to two average monthly bills.

UNDER THE LAW, A CUSTOMER CAN ONLY ESTABLISH ONE PAYMENT ARRANGEMENT WITH THE PUC. THE UTILITY COMPANY, HOWEVER, DOES HAVE THE DISCRETION TO OFFER MORE THAN ONE PAYMENT ARRANGEMENT TO THE CUSTOMER.

- You must first contact your utility company to file a complaint or request payment arrangements. You have the right to decline the company's payment arrangement. While the PUC previously could use discretion in setting the terms of payment arrangements, under the Act, the PUC is provided with set payback periods based upon income level.
- If you break a payment arrangement you made with the company, the PUC may establish a payment arrangement using the pre-set payback amounts based upon income levels outlined in the Act. If you break a PUC payment arrangement, the PUC cannot help you unless your income level changed or you have a significant change in circumstances, such as:
 - Onset of chronic or acute illness that results in a significant loss of income.
 - Catastrophic damage to residence that resulted in significant cost to customer.
 - Loss of customer's residence.
 - Increase in the customer's number of dependents in the household.
- The utility company will work with you and explain programs that may help you depending on your income or hardship situation.
- If the outstanding balance that you owe includes unpaid charges from participation in a Customer Assistance Program (CAP), the law does not allow the PUC to establish a payment arrangement on your behalf. For those eligible to participate in a CAP, the CAP payment is usually the lowest monthly payment a utility company or the PUC can arrange for you. Your utility company determines your CAP payment by your household income and size.
- **Third Party Notification** - The third-party notification program provides additional protection against utility service shut-off. The program protects individuals who may either be away from their home for an extended time period or those who may not understand the utility company's guidelines. The program allows consumers to choose another person to receive copies of shut-off notices that are sent to them for non-payment of overdue utility bills. That person (family member or close friend) are made aware of situation before shut-off. The third party is not responsible for paying the bill. For more information about Third Party Notification contact your utility company.
- If you have a Protection from Abuse (PFA) order or a court order that provides clear evidence of domestic violence, you may receive special protections. If you need help, please contact your utility.

FOR FURTHER INFORMATION, CONTACT THE PUBLIC UTILITY COMMISSION:

Write
PA Public Utility Commission
Bureau of Consumer Services
P.O. Box 3265
Harrisburg, PA 17105-3265

Visit our website
www.puc.pa.gov

Call
1-800-692-7380
TTY 1-877-710-7079
(for people with speech or hearing loss)

 @PA_PUC
 Pennsylvania Public
Utility Commission

