



Basics of the Residential Termination Process

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- The rules for terminating residential utility service are found in Chapter 56 of the Commission's regulations and Chapter 14 of the Public Utility Code.
- The following is an outline of those procedures for standard residential service accounts:

First: Establish Grounds for Termination.

Grounds for Termination With Notice:

- (1) Nonpayment of an undisputed delinquent account.
- (2) Failure to comply with the material terms of a payment arrangement.
- (3) Failure to complete payment of a deposit, provide a guarantee of payment or establish credit.
- (4) Failure to permit access to meters, service connections or other property of the public utility for the purpose of replacement, maintenance, repair or meter reading.
- See 66.1406(a) and 56.81.

Grounds for Immediate Termination Without Prior Notice:

- (i) Unauthorized use of the service delivered on or about the affected dwelling. (see definition of “*unauthorized use*” at 56.2)
- (ii) Fraud or material misrepresentation of the customer's identity for the purpose of obtaining service.
- (iii) Tampering with meters or other public utility's equipment.
- (iv) Violating tariff provisions on file with the commission so as to endanger the safety of a person or the integrity of the public utility's delivery system.
- (v) Tendering payment for reconnection of service that is subsequently dishonored, revoked, canceled.
- (2) Upon termination, the public utility shall make a good faith attempt to provide a post termination notice to the customer or a responsible person at the affected premises.
- See 56.98 and 66.1406(c).

The Termination Notice Procedure:

- **Ten (10) Days Prior to Service Termination:** Mail or deliver a written notice to the customer at least ten (10) days prior the proposed date of termination. See 56.91 and 66.1406(b))
- See 56.91 for the contents of the 10-day written notice of termination.

The Termination Notice Procedure:

Three (3) Days Prior to Service Termination:

- Shall attempt to contact the customer or occupant to provide notice of the proposed termination at least three days prior to the scheduled termination, using **one or more** of the following methods:
 - (A) in person;
 - (B) by telephone. Phone contact shall be deemed complete upon attempted calls on two separate days to the residence between the hours of 8 a.m. and 9 p.m. if the calls were made at various times each day; or
 - (C) with customer consent, by e-mail, text message or other electronic messaging format consistent with the commission's privacy guidelines and approved by commission order.
- See 56.93 and 66.1406(b)(1)(ii).

The Termination Notice Procedure:

Day of Service Termination:

- After complying with the above: the public utility shall attempt to make personal contact with the customer or responsible adult at the time service is terminated.
- **During the months of December through March,** unless personal contact has been made with the customer or responsible adult by personally visiting the customer's residence, the public utility shall, within 48 hours of the scheduled date of termination, post a notice of the proposed termination at the service location.
- See 56.94 – 95 and 66.1406(b)

The Termination Notice Procedure:

Day of Service Termination:

- *Termination prohibited in certain cases.* If evidence is presented which indicates that payment has been made, a serious illness or medical condition exists, or a dispute or complaint is properly pending or if the employee is authorized to receive payment and payment in full is tendered in any reasonable manner, then termination may not occur. However, if the disputing party does not pay all undisputed portions of the bill, termination may occur. See 56.94
- When service is terminated, a post termination notice must be left at the affected dwelling. See 56.95

Termination: Timing of Termination:

- **Monday through Thursday** as long as the public utility can accept payment to restore service on the following day and can restore service consistent with section 1407 (relating to reconnection of service). See 66.1406(d)
- **Winter termination.** After November 30 and before April 1, an electric distribution utility or natural gas distribution utility shall not terminate service to customers with household incomes at or below 250% of the Federal poverty level. See 66.1406(e)

Termination: Other Things To Be Aware Of:

If Customer Contacts Utility During the Process (Before Termination):

- Explain how to avoid termination (paying, entering into a payment arrangement, etc.) See 56.97
- If nothing can be worked out – inform customer of their right to contact the Commission and the emergency medical procedures. See 56.97

Reconnection Rules: What the customer must pay to have service restored. See 56.191 and 66.1407.

Termination: Other Things To Be Aware Of:

- Companies must comply with the medical emergency provisions See 56.111-.118.
- *Medical certificate*: A written document, in a form approved by the commission:
 - (1) certifying that a customer or member of the customer's household is seriously ill or has been diagnosed with a medical condition which requires the continuation of service to treat the medical condition; and
 - (2) signed by a licensed physician, nurse practitioner or physician's assistant. (66.1403)

Termination: The Process is Different For:

- *Landlord Ratepayer Accounts:* When the customer is a landlord and a termination for nonpayment will impact tenants, the process and laws are very different. Landlord gets 37-day notice; Tenants get a 30-day notice. Tenants can then pay the most recent monthly bill to avoid termination. See 66.1521 - 1533.
- *Household Member has a Protection From Abuse (PFA) Order or Court Order Providing Clear Evidence of Domestic Violence:* Additional protections apply; see 56.321 – 56.361 and 66.1417.



THANK YOU.

Please note that the preceding are NOT the regulations. For the text of the regulations discussed, see 52 Pa. Code Chapter 56 (www.pacode.com) and the Public Utility Code at Chapter 14.
