
Utility Consumer Rights Training



National Consumer Law Center

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Overview of today's training

- Establishing utility service, basic rules
- Triad Step 1: Protections
 - COVID-19 protections
 - Utility service protections
- Triad Step 2: Reducing Bills
- Triad Step 3: Paying Bills
- Other utility issues
- Q & A

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Materials

- These slides
- *Utilities Advocacy for Low-Income Households in Massachusetts* and handouts, available at <https://www.nclc.org/special-projects/stay-connected-training.html>

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Intro and types of utilities covered today

- Electricity & gas (and some telecom, water)
- Investor-owned utilities (IOUs) and municipal utilities (munis)
- Department of Public Utilities (DPU) Consumer Division
 - (877) 866-5066
 - DPUCustomer.Complaints@mass.gov

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BASIC RULES/GETTING SERVICE

- Obtaining service
 - No deposit (except munis)
 - ID issues
 - Bills from prior address/"Cromwell" waiver:
 - Payment must be offered on prior arrears
- Bills in a child's, partner's or roommate's name
- Deserted or deceased spouse

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BASIC RULES/GETTING SERVICE

- Termination rules:
 - Only Monday-Thursday, 8-4; no Sat., Sun., holiday, or day before holiday
 - No termination if dispute pending
 - Notices before termination:
 - 1) Initial bill
 - 2) second notice (day 27+)
 - 3) final notice (day 45+)
 - Final notice must give 72 hours notice; good for 14 days

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Case scenario

- Sheila Robinson comes into your office on December 10 and tells you that her family's gas service was terminated around a month ago because she owes over \$2,000 in back bills. She says that she has been unable to keep up with her bills and seems very depressed.
- She has a gas furnace and gas stove, so her family does not have heat, hot water, or the ability to cook. She owes about \$800 on her electric bill and fears she will get a shut-off notice for that soon too, which would leave her family without light and refrigeration.
- Ms. Robinson's family includes herself, her nine-year old daughter, her seven-year old son, her sister, and her sister's newborn infant. The family's income consists of TAFDC and her sister's SSI check.

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TRIAD STEP #1—PROTECTIONS

TRIAD STEP #2—REDUCING BILLS

TRIAD STEP #3—PAYING BILLS

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TRIAD STEP #1: PROTECTIONS

- COVID-19 disconnection protections
 - No electric or gas disconnections until Nov. 15
 - Low-income households will have the "winter moratorium" protection on Nov. 15 (coming up on slide 13), other protections may also apply
 - Regulated water service protected until Nov. 15
 - Municipal utilities may have voluntary protections (check with utility)

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TRIAD STEP #1: PROTECTIONS

- Serious illness
 - Is someone seriously ill? Ask for ANY physical or mental illness.
 - Any letter from doctor/P.A./N.P. is enough to protect service or get service restored.
 - Company must challenge letter if questions.
 - Letters good 90 days (can be renewed) or 180 days (chronic); financial hardship required.
 - Service can be restored, should seek the protection ASAP and within 90 days of utility disconnection

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TRIAD STEP #1 PROTECTIONS

- Winter Moratorium
 - Applies from Nov. 15 and March 15
 - Winter moratorium on terminating heat-related service, Nov. 15 to March 15 often extended to April 1
 - Must demonstrate financial hardship.
 - Service restored if terminated during moratorium.

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TRIAD STEP #1 PROTECTIONS

- Infant under 12 months
 - Is there a child under 12 months in the home?
 - Protection time-limited.
 - Must demonstrate financial hardship.
 - Prevents termination and restores service.

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TRIAD STEP #1 PROTECTIONS

- Protections for Elders: **WARNING!**
 - Utility companies may take liens on homeowners
 - Get legal advice/assistance

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Summary of Protections

ELIGIBILITY FOR KEY PROTECTIONS AGAINST TERMINATION

Protection	Requirements
Utility	<ul style="list-style-type: none"> • All adult household members must be 65 or older • Household must notify company. • <u>No</u> proof of financial hardship required; company must get individual permission of DPW to terminate. • If there is a financial hardship, termination absolutely prohibited.
Service Dispute	<ul style="list-style-type: none"> • Must show that <u>employee</u> (customer or family member) is seriously ill by submitting <u>letter from doctor/physician</u> and/or <u>death certificate</u>. • Must demonstrate financial hardship. • Service dispute letter must be renewed every 90 days for every 180 days for a 12-month period.
Water Measurement	<ul style="list-style-type: none"> • Applies to gas (if used to heat) or electricity (if used to operate furnace, boiler, thermostat, or heating controls). • Runs from November 15th – March 15th (often extended). • Must demonstrate financial hardship.
Infant	<ul style="list-style-type: none"> • All infants under the age of 12 months must be living in the household. • Must submit birth certificate, baptismal certificate, or other reasonable proof of age. • Must demonstrate financial hardship.

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5-Minute Break!



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TRIAD STEP #2: REDUCING BILLS

- Discount rates (regulated electric & gas):
 - Can save 25% to 36% on bills
 - Must apply or via fuel assistance or auto enrollment
 - Receipt of fuel assistance, public/subsidized housing, food stamps, SSI, veterans' benefits, may qualify you (Note: Customer of record)
 - COVID-19: temporary self-certification allowed
 - Retroactive discounts: contact NCLC for help

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TRIAD STEP #2: REDUCING BILLS

- Payment plans
 - All companies must offer payment plans (prior to termination)
 - Prior to COVID-19, at least 4 months
 - During COVID-19 crisis, 12 months, longer if needed
 - Post-termination payment plans: less defined.
 - "Cromwell" waivers
 - NEVER offer more than you can afford.
 - Get help negotiating any plan.

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TRIAD STEP #2: REDUCING BILLS

- Arrearage management programs (AMPs)
 - All utility companies must offer to all low-income customers in arrears
 - Customer makes equal payments/like a budget plan
 - Arrearage credits applied monthly
- COVID-19 changes to AMPs:
 - Expanded eligibility – additional opportunities to participate
 - More debt can be forgiven

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TRIAD STEP #2: REDUCING BILLS

- Budget plans
 - All companies must offer budget plans
 - Can be very helpful in avoiding huge bills
 - May still lead to "catch up" bills

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Case scenario - Discussion

- Sheila Robinson comes into your office on December 10 and tells you that her family's gas service was terminated around a month ago because she owes over \$2,000 in back bills. She says that she has been unable to keep up with her bills and seems very depressed.
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TRIAD STEP #3: PAYING BILLS

- LIHEAP/fuel assistance
- RAFT
- Energy Efficiency
- Weatherization Assistance Program (WAP)
- HEARTWAP program
- Utility programs
- Local resources

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Putting Theory Into Practice

- Resolving disputes:
 - ALWAYS call utility company first
 - Gather bills and info
 - Call DPU if not satisfied
 - VERY informal process—Don't be put-off!
 - Call "back-up" when needed

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Competitive Supply Companies

- May sell electricity or gas
- Door to door marketing and telemarketing, often misrepresenting the identity of the company and the prices
- Usually more expensive
- Contact NCLC
- Complaints accepted by Attorney General and DPU

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Telephone & Internet Issues

- Lifeline voice and data discount
 - Verizon, Safelink (Tracfone) and other companies offer federal "Lifeline" discounts of \$9.25/month.
 - Landline telephone (\$9.25 discount on postpaid service)
 - Wireless Lifeline service (\$9.25 discount, but often includes a free handset, 1000 minutes a month and often free texts); pre-paid cost covered by the \$9.25/mo ("free") and consumers have the ability to add minutes/data if run out.
 - Some wireless Lifeline companies offer bundled voice and data plans or just data (3G, 2 GB)
 - Only one Lifeline service per low-income household, and only one individual in the household
 - Some eligibility rules waived until Nov. 30 due to COVID-19 (see mass.gov/dtc)
- Phone shut off protections (certain phone land lines)
 - Serious illness rules; personal emergency; elderly rules; payment plans available

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Telephone Issues

Companies that provide Lifeline Services in MA
(See mass.gov/dtc)

Company Name	Phone	Type of Service
The Granby Telephone	413-467-9911	Home Phone
Verizon	800-837-4966	Home Phone
Assurance Wireless	888-898-4888	Mobile
Consolidated Communications	844-968-7224	Home Phone
Global Connection of America	877-511-3009	Mobile
Safelink Wireless	800-723-3546	Mobile

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Questions?

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Thanks!

“Never doubt that a small, group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.”

--Margaret Mead

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