
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

- Financial hardship forms:
 - Example on next slide
 - Utility companies have them available
 - You should have them available!
 - Technically, expire within 3 months

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Sample financial hardship form

UTILITIES ADVOCACY FOR LOW INCOME HOUSEHOLDS IN MASSACHUSETTS

Appendix C

Sample Financial Hardship Form

This Form is provided as an example only. Advocates and customers should contact the utility company or municipal utility directly for the most updated version of the financial hardship form and other forms.

Eastern Massachusetts Form

EVIDENCE

Financial Hardship Form

If you are submitting a Financial Hardship Form to your utility company, please include a copy of this form and attach it to: Form 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

Name _____

Address _____

Telephone # _____

Account Number: Gas _____ Electric _____

Number of People (Mg/In/No/Ad) _____

Send Payment to (if household includes heating, form should include all sources such as wages, Social Security, SSI, etc.) _____

For Month: _____ or For Year: _____

Financial Statement

I certify that the above information is complete and true to the best of my knowledge.

Signature _____ Date _____

ADDRESS: _____

PHONE: _____

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TRIAD STEP #1 PROTECTIONS

- Elder protections
 - Are all adults in the home 65 or over? (Minor = under the age of 18)
 - Notify the company. No terminations allowed, without DPU approval. No financial hardship required.
 - No termination AT ALL if low-income.
 - Utility companies must provide 3rd party notice, on request

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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 heaters, boilers, thermostats, 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.
- 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 #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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