



General Assembly

Substitute Bill No. 6724

January Session, 2023



**AN ACT CONCERNING UTILITY CUSTOMER PAYMENT PLANS,
EXTENDING THE SHUTOFF MORATORIUM FOR HARDSHIP
CUSTOMERS AND PERMITTING HARDSHIP CUSTOMERS TO
ENROLL WITH ELECTRIC SUPPLIERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 16-262c of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (b) (1) From November first to May first, inclusive, no electric
5 distribution company, as defined in section 16-1, no electric supplier
6 and no municipal utility furnishing electricity shall terminate, deny or
7 refuse to reinstate residential electric service in hardship cases where
8 the customer lacks the financial resources to pay his or her entire
9 account. From November first to May first, inclusive, no gas company
10 and no municipal utility furnishing gas shall terminate, deny or refuse
11 to reinstate residential gas service in hardship cases where the
12 customer uses such gas for heat and lacks the financial resources to
13 pay his or her entire account, except a gas company that, between May
14 second and October thirty-first, terminated gas service to a residential
15 customer who uses gas for heat and who, during the previous period
16 of November first to May first, had gas service maintained because of
17 hardship status, may refuse to reinstate the gas service from November

18 first to May first, inclusive, only if the customer has failed to pay, since
19 the preceding November first, the lesser of: (A) Twenty per cent of the
20 outstanding principal balance owed the gas company as of the date of
21 termination, (B) one hundred dollars, or (C) the minimum payments
22 due under the customer's amortization agreement. Notwithstanding
23 any [other] provision of the general statutes, [to the contrary,] no
24 electric distribution or gas company, no electric supplier and no
25 municipal utility furnishing electricity or gas shall terminate, deny or
26 refuse to reinstate residential electric or gas service where the customer
27 lacks the financial resources to pay his or her entire account and [for
28 which customer or a member of the customer's household] if the
29 termination, denial of or failure to reinstate such service would create a
30 life-threatening situation for such customer or a member of such
31 customer's household. No electric distribution or gas company, no
32 electric supplier and no municipal utility furnishing electricity or gas
33 shall terminate, deny or refuse to reinstate residential electric or gas
34 service where the customer is a hardship case and lacks the financial
35 resources to pay his or her entire account and a child not more than
36 twenty-four months old resides in the customer's household and such
37 child has been admitted to the hospital and received discharge papers
38 on which the attending physician, physician assistant or an advanced
39 practice registered nurse has indicated such service is a necessity for
40 the health and well-being of such child.

41 (2) During any period in which a residential customer is subject to
42 termination, an electric distribution or gas company, an electric
43 supplier or a municipal utility furnishing electricity or gas shall
44 provide such residential customer whose account is delinquent an
45 opportunity to enter into a reasonable amortization agreement with
46 such company, electric supplier or utility to pay such delinquent
47 account and to avoid termination of service. Such amortization
48 agreement shall allow such customer adequate opportunity to apply
49 for and receive the benefits of any available energy assistance
50 program. An amortization agreement shall be subject to amendment
51 on customer request if there is a change in the customer's financial

52 circumstances.

53 (3) As used in this section, (A) "household income" means the
54 combined income over a twelve-month period of the customer and all
55 adults, except children of the customer, who are and have been
56 members of the household for six months or more, and (B) "hardship
57 case" includes, but is not limited to: (i) A customer receiving local, state
58 or federal public assistance; (ii) a customer whose sole source of
59 financial support is Social Security, United States Department of
60 Veterans Affairs or unemployment compensation benefits; (iii) a
61 customer who is head of the household and is unemployed, and the
62 household income is less than three hundred per cent of the poverty
63 level determined by the federal government; (iv) a customer who is
64 seriously ill or who has a household member who is seriously ill; (v) a
65 customer whose income falls below one hundred twenty-five per cent
66 of the poverty level determined by the federal government; and (vi) a
67 customer whose circumstances threaten a deprivation of food and the
68 necessities of life for himself or dependent children if payment of a
69 delinquent bill is required.

70 (4) [In order for] (A) Each gas company and electric distribution
71 company shall deduct an arrearage from the account of a residential
72 customer of [a gas or electric distribution] such company [using gas or
73 electricity for heat to be eligible to have any moneys due and owing
74 deducted from the customer's delinquent account pursuant to this
75 subdivision, the company furnishing gas or electricity shall require
76 that] if the customer [(A) apply and be eligible for benefits available
77 under] (i) meets the income eligibility requirements of the Connecticut
78 energy assistance program or state appropriated fuel assistance
79 program; [(B) authorize the] (ii) authorizes the gas or electric
80 distribution company to send a copy of the customer's monthly bill
81 directly to any energy assistance agency for payment; [(C) enter] (iii)
82 enters into and [comply] complies with an amortization agreement,
83 which agreement is consistent with decisions and policies of the Public
84 Utilities Regulatory Authority; [Such an amortization agreement shall

85 reduce a customer's payment by the amount of the benefits reasonably
86 anticipated from the Connecticut energy assistance program, state
87 appropriated fuel assistance program or other energy assistance
88 sources. Unless the customer requests otherwise, the company shall
89 budget a customer's payments over a twelve-month period with an
90 affordable increment to be applied to any arrearage, provided such
91 payment plan will not result in loss of any energy assistance benefits to
92 the customer. If a customer authorizes the company to send a copy of
93 his monthly bill directly to any energy assistance agency for payment,
94 the energy assistance agency shall make payments directly to the
95 company. If, on April thirtieth, a customer has been in compliance
96 with the requirements of subparagraphs (A) to (C), inclusive, of this
97 subdivision, during the period starting on the preceding November
98 first, or from such time as the customer's account becomes delinquent,
99 the company shall deduct from such customer's delinquent account an
100 additional amount equal to the amount of money paid by the customer
101 between the preceding November first and April thirtieth and paid on
102 behalf of the customer through the Connecticut energy assistance
103 program and state appropriated fuel assistance program. Any
104 customer in compliance with the requirements of subparagraphs (A) to
105 (C), inclusive, of this subdivision, on April thirtieth who continues to
106 comply with an amortization agreement through the succeeding
107 October thirty-first, shall also have an amount equal to the amount
108 paid pursuant to such agreement and any amount paid on behalf of
109 such customer between May first and the succeeding October thirty-
110 first deducted from the customer's delinquent account.] and (iv) is
111 eligible for financial hardship programs with the gas or electric
112 distribution company. The amount of an arrearage deducted under
113 this subparagraph shall be equal to the customer's monthly payment
114 pursuant to an amortization agreement under this subdivision,
115 provided the customer meets the requirements of subparagraphs (A)(i)
116 to (A)(iv), inclusive, of this subdivision for the month immediately
117 preceding such payment.

118 (B) Each gas company and electric distribution company shall

119 deduct an arrearage from the account of a residential customer who
120 meets the requirements of subparagraphs (A)(i) to (A)(iv), inclusive, of
121 this subdivision in an amount equal to any payment such customer
122 receives from the Connecticut energy assistance program, state
123 appropriated fuel assistance program or other energy assistance
124 sources. Such deduction shall be in addition to any amount deducted
125 pursuant to subparagraph (A) of this subdivision.

126 (C) Notwithstanding subdivision (8) of this subsection, any
127 amortization agreement under this subdivision shall distribute
128 customer payments over a period of twelve months, from November
129 first to October thirty-first, and shall create a monthly payment that is
130 affordable to the customer in accordance with the decisions and
131 policies of the authority.

132 (D) In no event shall the deduction of any amounts pursuant to this
133 subdivision result in a credit balance to the customer's account. No
134 customer shall be denied the benefits of this subdivision due to an
135 error by the gas or electric distribution company. [The Public Utilities
136 Regulatory Authority shall allow the amounts deducted from the
137 customer's account pursuant to the implementation plan, described in
138 subdivision (5) of this subsection, to be recovered by the company in
139 its rates as an operating expense, pursuant to said implementation
140 plan.] If the customer fails to comply with the terms of the
141 amortization agreement, [or] any decision of the authority rendered in
142 lieu of such agreement [and] or the requirements of [subparagraphs
143 (A) to (C), inclusive] subparagraphs (A)(i) to (A)(iv), inclusive, of this
144 subdivision, the company may terminate service to the customer,
145 pursuant to all applicable regulations, provided such termination shall
146 not occur between November first and May first.

147 (E) In order to facilitate the automatic enrollment of certain
148 customers eligible for financial hardship programs with such
149 customers' gas or electric distribution company, the Commissioner of
150 Social Services may prescribe terms or conditions for the receipt of
151 benefits under any program administered by the Department of Social

152 Services, including, but not limited to, (i) the supplemental nutrition
153 assistance program, and (ii) the Connecticut energy assistance program
154 for any plan adopted not later than August 1, 2023, pursuant to section
155 16a-41a, that authorizes the commissioner to share information about
156 benefit recipients with a gas or electric distribution company.

157 (5) Each gas and electric distribution company shall submit to the
158 Public Utilities Regulatory Authority annually, on or before [July] June
159 first, an implementation plan [which] that shall include information
160 concerning amortization agreements, counseling, reinstatement of
161 eligibility, rate impacts and any other information deemed relevant by
162 the authority. The Public Utilities Regulatory Authority may [, in
163 consultation with the Office of Policy and Management,] approve or
164 modify such plan [within ninety] not later than one hundred twenty-
165 seven days [of] after receipt of the plan. If the authority does not take
166 any action on such plan [within ninety days of its receipt] by such date,
167 the plan shall automatically take effect at the end of [the ninety-day]
168 such one-hundred-twenty-seven-day period, provided the authority
169 may extend such period for an additional thirty days by notifying the
170 company before the end of [the ninety-day] such one-hundred-twenty-
171 seven-day period. Any amount recovered by a company in its rates
172 pursuant to this subsection shall not include any amount approved by
173 the Public Utilities Regulatory Authority as an uncollectible expense.
174 The authority may deny all or part of the recovery required by this
175 subsection if it determines that the company seeking recovery has been
176 imprudent, inefficient or acting in violation of statutes or regulations
177 regarding amortization agreements.

178 [(6) On or after January 1, 1993, the Public Utilities Regulatory
179 Authority may require gas companies to expand the provisions of
180 subdivisions (4) and (5) of this subsection to all hardship customers.
181 Any such requirement shall not be effective until November 1, 1993.]

182 [(7)] (6) (A) All electric distribution and gas companies, electric
183 suppliers and municipal utilities furnishing electricity or gas shall
184 collaborate in developing, subject to approval by the Public Utilities

185 Regulatory Authority, standard provisions for the notice of
186 delinquency and impending termination under subsection (a) of
187 section 16-262d. Each such company and utility shall place on the front
188 of such notice a provision that the company, electric supplier or utility
189 shall not effect termination of service to a residential dwelling for
190 nonpayment of disputed bills during the pendency of any complaint.
191 In addition, the notice shall state that the customer [must] is required
192 to pay current and undisputed bill amounts during the pendency of
193 the complaint. (B) At the beginning of any discussion with a customer
194 concerning a reasonable amortization agreement, any such company
195 or utility shall inform the customer (i) of the availability of a process
196 for resolving disputes over what constitutes a reasonable amortization
197 agreement, (ii) that the company, electric supplier or utility will refer
198 such a dispute to one of its review officers as the first step in
199 attempting to resolve the dispute, and (iii) that the company, electric
200 supplier or utility shall not effect termination of service to a residential
201 dwelling for nonpayment of a delinquent account during the pendency
202 of any complaint, investigation, hearing or appeal initiated by the
203 customer, unless the customer fails to pay undisputed bills, or
204 undisputed portions of bills, for service received during such period.
205 (C) Each such company, electric supplier and utility shall inform and
206 counsel all customers who are hardship cases as to the availability of
207 all public and private energy conservation programs, including
208 programs sponsored or subsidized by such companies and utilities,
209 eligibility criteria, where to apply, and the circumstances under which
210 such programs are available without cost.

211 [(8)] (7) The Public Utilities Regulatory Authority shall adopt
212 regulations in accordance with the provisions of chapter 54 to carry out
213 the provisions of this subsection. Such regulations shall include, but
214 not be limited to, criteria for determining hardship cases and for
215 reasonable amortization agreements, including appeal of such
216 agreements, for categories of customers. Such regulations may include
217 the establishment of a reasonable rate of interest [which] that a
218 company may charge on the unpaid balance of a customer's delinquent

219 bill and a description of the relationship and responsibilities of electric
220 suppliers to customers.

221 (8) The Public Utilities Regulatory Authority may find that a
222 reasonable amortization agreement, other than a reasonable
223 amortization agreement under subdivision (4) of this subsection, is a
224 period of not more than thirty-six months, unless the authority
225 determines that a longer period is warranted. Not later than October 1,
226 2024, the authority shall amend any regulations adopted pursuant to
227 subdivision (7) of this subsection to carry out the provisions of this
228 subsection.

229 (9) The chairperson of the Public Utilities Regulatory Authority may
230 distribute not more than one million dollars in total each year to
231 organizations or individuals providing legal services with the express
232 purpose of attaining participation in public service company programs
233 designed to assist customers with utility bill or arrearage payments,
234 including negotiating a reasonable amortization agreement pursuant
235 to this subsection. Any funds distributed pursuant to this subdivision
236 shall be paid by all public service companies, in proportion to such
237 companies' annual load and the amount of services provided to end
238 use customers or revenue, as determined by the authority.

239 (10) Notwithstanding any provision of this section, for the period
240 commencing May 2, 2023, and ending October 31, 2023, no gas
241 company or electric distribution company may terminate, deny or
242 refuse to reinstate residential gas or electric service in hardship cases
243 where the customer lacks the financial resources to pay the customer's
244 entire account.

245 Sec. 2. Subsection (m) of section 16-245o of the general statutes is
246 repealed and the following is substituted in lieu thereof (*Effective from*
247 *passage*):

248 (m) [The Public Utilities Regulatory Authority may initiate a docket
249 to review the feasibility, costs and benefits of placing on standard

250 service, or of otherwise limiting the ability to contract with electric
251 suppliers, all customers] Customers of electric distribution companies
252 who (1) [who] are hardship cases for purposes of subdivision (3) of
253 subsection (b) of section 16-262c, as amended by this act, (2) [having
254 moneys due and owing] have arrearages deducted from such
255 customers' bills by the electric distribution company pursuant to
256 subdivision (4) of subsection (b) of section 16-262c, as amended by this
257 act, (3) [receiving] receive other financial assistance from an electric
258 distribution company, or (4) [who] are otherwise protected by law
259 from shutoff of electricity services [. Notwithstanding the provisions of
260 section 16-245r, the authority may, in a final decision issued pursuant
261 to this subsection, (A) order all such customers to be placed on
262 standard service, (B) order] may enroll with an electric supplier,
263 provided all customer contracts with electric suppliers, entered into on
264 and after [a determined date, to] March 1, 2023, shall be at or below the
265 standard service rate. [, or (C)] The authority may initiate a docket to
266 order all customer contracts with electric suppliers, entered into on
267 and after a determined date, to comply with appropriate limitations
268 the authority deems necessary. If the authority issues such an order, it
269 shall reopen such docket not less than every two years.

270 Sec. 3. Subsection (d) of section 16a-40m of the general statutes is
271 repealed and the following is substituted in lieu thereof (*Effective from*
272 *passage*):

273 (d) On-bill repayment for any loan that is part of the comprehensive
274 residential clean energy on-bill repayment program established
275 pursuant to this section and utilized to improve efficiency or clean
276 energy improvements for provision of heat to a dwelling unit shall be
277 treated as part of the primary heating expense for the customer for
278 purposes of (1) any energy assistance program funded or administered
279 by the state or under any plan adopted pursuant to section 16a-41a,
280 and (2) any matching payment program plan pursuant to subdivisions
281 (4) [to (6), inclusive,] and (5) of subsection (b) of section 16-262c, as
282 amended by this act.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	16-262c(b)
Sec. 2	<i>from passage</i>	16-245o(m)
Sec. 3	<i>from passage</i>	16a-40m(d)

ET *Joint Favorable Subst.*