
OLR Bill Analysis

HB 5441

AN ACT CONCERNING UTILITY SHUTOFFS FOR CERTAIN CUSTOMERS.

SUMMARY

This bill limits utility shutoff protections to customers who are hardship cases and eliminates automatic hardship status for customers who are seriously ill or who have a seriously ill household member.

The bill explicitly allows gas and electric utilities and electric suppliers to terminate, deny, or refuse to reinstate residential electric or gas service for nonpayment to any customer who is ill or has a life-threatening situation or has a household member who is ill or has a life-threatening situation unless the law prohibits doing so (i.e., unless the customer is a hardship case).

The bill narrows certain protections to only apply to hardship cases. These include protections for customers who (1) lack the financial resources to pay the entire account if the utility's or supplier's action would create a life-threatening situation for the customer or household member or (2) communicate to a utility that a resident is seriously ill, as certified by registered physician, a physician assistant, or an APRN (Advanced Practice Registered Nurse).

The bill requires, rather than allows, the Public Utilities Regulatory Authority (PURA) to adopt regulations setting a deadline for customers to certify their serious illnesses based on when they receive termination notices. The bill delays PURA's deadline to amend related regulations by one year, to October 1, 2025, and narrows their scope.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2024

HARDSHIP CASES

Definition

Under current law, hardship cases include, but are not limited to, customers who meet any of the following criteria:

1. receive local, state, or federal public assistance;
2. have Social Security, U.S. Department of Veterans Affairs, or unemployment compensation benefits as their sole source of financial support;
3. are unemployed heads of households with household incomes less than 300% of the federal poverty limit (FPL);
4. are seriously ill or have seriously ill household members;
5. have income under 125% of FPL; or
6. face deprivation of food and necessities of life for themselves or their dependent children if payment of a delinquent bill is required.

The bill eliminates hardship status for customers who are seriously ill or have seriously ill household members, retaining the other (generally, income-based) criteria. The bill limits hardship cases to those specified in law.

Protections and Other Provisions

In addition to the shutoff protections described above, hardship cases are generally protected from utility shutoff in the following circumstances if a customer lacks the financial resources to pay the entire account:

1. seasonally, from November 1 to May 1; or
2. a child up to age 24 months resides in the household and a physician, physician assistant, or an APRN has indicated on the child's hospital discharge papers that utility service is necessary for the child's health and wellbeing.

Existing law also limits the extent to which hardship customers may purchase electricity through electric suppliers. Specifically, the law allows hardship customers to enroll with electric suppliers if the supplier's contract has rates that are no higher than the standard service rate for the contract's duration (CGS § 12-245o).

PURA Regulations

Current law requires PURA to amend its regulations by October 1, 2024, on topics including hardship case determinations and reasonable amortization agreements. The bill delays the deadline by one year until October 1, 2025, and narrows the topics they must address to (1) the bill's hardship definition and (2) companies' explicit right to terminate service, described above.

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable

Yea 17 Nay 3 (03/21/2024)