



General Assembly

February Session, 2024

Raised Bill No. 5441

LCO No. 2519



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:
(ET)

AN ACT CONCERNING UTILITY SHUTOFFS FOR CERTAIN CUSTOMERS.

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 2024 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2024*):

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

16 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 provision of the general statutes] the provisions of this subdivision,
24 regardless of the month, no electric distribution or gas company, no
25 electric supplier and no municipal utility furnishing electricity or gas
26 shall terminate, deny or refuse to reinstate residential electric or gas
27 service where: [the] (i) The customer is a hardship case and lacks the
28 financial resources to pay his or her entire account; and [if] (ii) 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] Notwithstanding the provisions of this
32 subdivision, regardless of the month, no electric distribution or gas
33 company, no electric supplier and no municipal utility furnishing
34 electricity or gas shall terminate, deny or refuse to reinstate residential
35 electric or gas service where: [the] (I) The customer is a hardship case
36 and lacks the financial resources to pay his or her entire account; and (II)
37 a child not more than twenty-four months old resides in the customer's
38 household and such child has been admitted to the hospital and
39 received discharge papers on which the attending physician, physician
40 assistant or an advanced practice registered nurse has indicated such
41 service is a necessity for the health and well-being of such child.

42 (2) During any period in which a residential customer is subject to
43 termination, an electric distribution or gas company, an electric supplier
44 or a municipal utility furnishing electricity or gas shall provide such
45 residential customer whose account is delinquent an opportunity to
46 enter into a reasonable amortization agreement with such company,
47 electric supplier or utility to pay such delinquent account and to avoid
48 termination of service. Such amortization agreement shall allow such
49 customer adequate opportunity to apply for and receive the benefits of

50 any available energy assistance program. An amortization agreement
51 shall be subject to amendment on customer request if there is a change
52 in the customer's financial circumstances.

53 (3) As used in this section: [,]

54 (A) ["household income"] "Household income" means the combined
55 income over a twelve-month period of the customer and all adults,
56 except children of the customer, who are and have been members of the
57 household for six months or more; [,] and

58 (B) ["hardship case" includes, but is not limited to] "Hardship case"
59 means: (i) A customer receiving local, state or federal public assistance;
60 (ii) a customer whose sole source of financial support is Social Security,
61 United States Department of Veterans Affairs or unemployment
62 compensation benefits; (iii) a customer who is a head of [the] household
63 and is unemployed, and [the household] such household's income is less
64 than three hundred per cent of the poverty level determined by the
65 federal government; (iv) [a customer who is seriously ill or who has a
66 household member who is seriously ill; (v)] a customer whose income
67 falls below one hundred twenty-five per cent of the poverty level
68 determined by the federal government; and [(vi)] (v) a customer whose
69 circumstances threaten a deprivation of food and the necessities of life
70 for himself or dependent children if payment of a delinquent bill is
71 required.

72 (4) (A) Each gas company and electric distribution company shall
73 deduct an arrearage from the account of a residential customer of such
74 company if the customer (i) meets the income eligibility requirements of
75 the Connecticut energy assistance program or state appropriated fuel
76 assistance program; (ii) authorizes the gas or electric distribution
77 company to send a copy of the customer's monthly bill directly to any
78 energy assistance agency for payment; (iii) enters into and complies
79 with an amortization agreement, which agreement is consistent with
80 decisions and policies of the Public Utilities Regulatory Authority; and
81 (iv) is eligible for financial hardship programs with the gas or electric

82 distribution company. The amount of an arrearage deducted under this
83 subparagraph shall be equal to the customer's monthly payment
84 pursuant to an amortization agreement under this subdivision,
85 provided the customer meets the requirements of subparagraphs (A)(i)
86 to (A)(iv), inclusive, of this subdivision for the month immediately
87 preceding such payment.

88 (B) Each gas company and electric distribution company shall deduct
89 an arrearage from the account of a residential customer who meets the
90 requirements of subparagraphs (A)(i) to (A)(iv), inclusive, of this
91 subdivision in an amount equal to any payment such customer receives
92 from the Connecticut energy assistance program, state appropriated
93 fuel assistance program or other energy assistance sources. Such
94 deduction shall be in addition to any amount deducted pursuant to
95 subparagraph (A) of this subdivision.

96 (C) Notwithstanding the provisions of subdivision (7) of this
97 subsection, any amortization agreement under this subdivision shall
98 distribute customer payments over a period of twelve months, from
99 November first to October thirty-first, and shall create a monthly
100 payment that is affordable to the customer in accordance with the
101 decisions and policies of the authority.

102 (D) In no event shall the deduction of any amounts pursuant to this
103 subdivision result in a credit balance to the customer's account. No
104 customer shall be denied the benefits of this subdivision due to an error
105 by the gas or electric distribution company. If the customer fails to
106 comply with the terms of the amortization agreement, any decision of
107 the authority rendered in lieu of such agreement or the requirements of
108 subparagraphs (A)(i) to (A)(iv), inclusive, of this subdivision, the
109 company may terminate service to the customer, pursuant to all
110 applicable regulations, provided such termination shall not occur
111 between November first and May first.

112 (E) Each gas and electric distribution company shall submit to the
113 Public Utilities Regulatory Authority annually, on or before June first,

114 an implementation plan that shall include information concerning
115 amortization agreements, counseling, reinstatement of eligibility, rate
116 impacts and any other information deemed relevant by the authority.
117 The Public Utilities Regulatory Authority may approve or modify such
118 plan not later than one hundred twenty-seven days after receipt of the
119 plan. If the authority does not take any action on such plan by such date,
120 the plan shall automatically take effect at the end of such one-hundred-
121 twenty-seven-day period, provided the authority may extend such
122 period for an additional thirty days by notifying the company before the
123 end of such one-hundred-twenty-seven-day period. The authority may
124 deny all or part of the recovery of costs incurred pursuant to this
125 subsection if it determines that the company seeking recovery has been
126 imprudent, inefficient or acting in violation of statutes or regulations
127 regarding amortization agreements.

128 (5) (A) All electric distribution and gas companies, electric suppliers
129 and municipal utilities furnishing electricity or gas shall collaborate in
130 developing, subject to approval by the Public Utilities Regulatory
131 Authority, standard provisions for the notice of delinquency and
132 impending termination under subsection (a) of section 16-262d. Each
133 such company and utility shall place on the front of such notice a
134 provision that the company, electric supplier or utility shall not effect
135 termination of service to a residential dwelling for nonpayment of
136 disputed bills during the pendency of any complaint. In addition, the
137 notice shall state that the customer is required to pay current and
138 undisputed bill amounts during the pendency of the complaint. (B) At
139 the beginning of any discussion with a customer concerning a
140 reasonable amortization agreement, any such company or utility shall
141 inform the customer (i) of the availability of a process for resolving
142 disputes over what constitutes a reasonable amortization agreement, (ii)
143 that the company, electric supplier or utility will refer such a dispute to
144 one of its review officers as the first step in attempting to resolve the
145 dispute, and (iii) that the company, electric supplier or utility shall not
146 effect termination of service to a residential dwelling for nonpayment of
147 a delinquent account during the pendency of any complaint,

148 investigation, hearing or appeal initiated by the customer, unless the
149 customer fails to pay undisputed bills, or undisputed portions of bills,
150 for service received during such period. (C) Each such company, electric
151 supplier and utility shall inform and counsel all customers who are
152 hardship cases as to the availability of all public and private energy
153 conservation programs, including programs sponsored or subsidized
154 by such companies and utilities, eligibility criteria, where to apply, and
155 the circumstances under which such programs are available without
156 cost.

157 (6) (A) The Public Utilities Regulatory Authority shall adopt
158 regulations in accordance with the provisions of chapter 54 to carry out
159 the provisions of this subsection. Such regulations shall include, but not
160 be limited to, criteria for determining hardship cases and for reasonable
161 amortization agreements, including appeal of such agreements, for
162 categories of customers. Such regulations may include the
163 establishment of a reasonable rate of interest that a company may charge
164 on the unpaid balance of a customer's delinquent bill and a description
165 of the relationship and responsibilities of electric suppliers to customers.

166 (B) Not later than October 1, 2025, the authority shall amend the
167 regulations adopted pursuant to subparagraph (A) of this subdivision,
168 to carry out the provisions of subparagraph (B) of subdivision (3) of this
169 subsection and subdivision (9) of this section.

170 (7) The Public Utilities Regulatory Authority may find that a
171 reasonable amortization agreement, other than a reasonable
172 amortization agreement under subdivision (4) of this subsection, is a
173 period of not more than thirty-six months, unless the authority
174 determines that a longer period is warranted. [Not later than October 1,
175 2024, the authority shall amend any regulations adopted pursuant to
176 subdivision (6) of this subsection to carry out the provisions of this
177 subsection.]

178 (8) The chairperson of the Public Utilities Regulatory Authority may
179 distribute not more than one million dollars in total each year to

180 organizations or individuals providing legal services with the express
181 purpose of attaining participation in public service company programs
182 designed to assist customers with utility bill or arrearage payments,
183 including negotiating a reasonable amortization agreement pursuant to
184 this subsection. Any funds distributed pursuant to this subdivision shall
185 be paid by all public service companies, in proportion to such
186 companies' annual load and the amount of services provided to end use
187 customers or revenue, as determined by the authority.

188 (9) An electric distribution or gas company, electric supplier or
189 municipal utility furnishing electricity or gas may terminate, deny or
190 refuse to reinstate residential electric or gas service for nonpayment to
191 any customer who: (A) Is ill, (B) has a household member who is ill, (C)
192 has a life-threatening situation, or (D) has a household member who has
193 a life-threatening situation, unless such company is prohibited from
194 terminating, denying or refusing to reinstate such service pursuant to
195 subdivision (1) of this subsection or subsection (b) of section 16-262d, as
196 amended by this act.

197 Sec. 2. Subsection (b) of section 16-262d of the general statutes is
198 repealed and the following is substituted in lieu thereof (*Effective July 1,*
199 *2024*):

200 (b) No such company, electric supplier or municipal utility shall
201 [effect termination of] terminate service for nonpayment [during such
202 time as] while any resident of a dwelling to which such service is
203 furnished is seriously ill, if: [the fact of such serious illness is certified to
204 such company, electric supplier or municipal utility by] (1) Such
205 resident is a hardship case, as defined in section 16-262c, as amended by
206 this act; and (2) a registered physician, a physician assistant or an
207 advanced practice registered nurse certifies the fact of such serious
208 illness to such company, electric supplier or municipal utility within
209 [such] a period of time after the mailing of a termination notice pursuant
210 to subsection (a) of this section [as] that the Public Utilities Regulatory
211 Authority [may] shall, by regulation adopted in accordance with the
212 provisions of chapter 54, establish, provided the customer to which such

213 service is billed agrees to amortize the unpaid balance of [his] such
214 customer's account over a reasonable period of time and keeps current
215 [his] such customer's account for utility service as charges accrue in each
216 subsequent billing period.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2024</i>	16-262c(b)
Sec. 2	<i>July 1, 2024</i>	16-262d(b)

Statement of Purpose:

To permit utility shutoffs for customers who have the resources to pay their utility bills but currently cannot have their service terminated due to illness.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]