



General Assembly

January Session, 2023

Raised Bill No. 6724

LCO No. 4441



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:
(ET)

***AN ACT CONCERNING UTILITY CUSTOMER PAYMENT PLANS AND
EXTENDING THE SHUTOFF MORATORIUM.***

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2 repealed and the following is substituted in lieu thereof (*Effective from*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 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 [other] provision of the general statutes, [to the contrary,] no electric
24 distribution or gas company, no electric supplier and no municipal
25 utility furnishing electricity or gas shall terminate, deny or refuse to
26 reinstate residential electric or gas service where the customer lacks the
27 financial resources to pay his or her entire account and [for which
28 customer or a member of the customer's household] if the termination,
29 denial of or failure to reinstate such service would create a life-
30 threatening situation for such customer or a member of such customer's
31 household. No electric distribution or gas company, no electric supplier
32 and no municipal utility furnishing electricity or gas shall terminate,
33 deny or refuse to reinstate residential electric or gas service where the
34 customer is a hardship case and lacks the financial resources to pay his
35 or her entire account and a child not more than twenty-four months old
36 resides in the customer's household and such child has been admitted
37 to the hospital and received discharge papers on which the attending
38 physician, physician assistant or an advanced practice registered nurse
39 has indicated such service is a necessity for the health and well-being of
40 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 supplier
43 or a municipal utility furnishing electricity or gas shall provide such
44 residential customer whose account is delinquent an opportunity to
45 enter into a reasonable amortization agreement with such company,
46 electric supplier or utility to pay such delinquent account and to avoid
47 termination of service. Such amortization agreement shall allow such
48 customer adequate opportunity to apply for and receive the benefits of
49 any available energy assistance program. An amortization agreement

50 shall be subject to amendment on customer request if there is a change
51 in the customer's financial circumstances.

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

69 (4) In order for a residential customer of a gas or electric distribution
70 company using gas or electricity for heat to be eligible to have any
71 moneys due and owing deducted from the customer's delinquent
72 account pursuant to this subdivision, the company furnishing gas or
73 electricity shall require that the customer (A) apply and be eligible for
74 benefits available under the Connecticut energy assistance program or
75 state appropriated fuel assistance program; (B) authorize the company
76 to send a copy of the customer's monthly bill directly to any energy
77 assistance agency for payment; (C) enter into and comply with an
78 amortization agreement, which agreement is consistent with decisions
79 and policies of the Public Utilities Regulatory Authority. Such an
80 amortization agreement shall reduce a customer's payment by the
81 amount of the benefits reasonably anticipated from the Connecticut
82 energy assistance program, state appropriated fuel assistance program
83 or other energy assistance sources. Unless the customer requests

84 otherwise, the company shall budget a customer's payments over a
85 twelve-month period with an [affordable] increment [to be] that is
86 affordable to the customer applied to any arrearage, provided such
87 payment plan will not result in loss of any energy assistance benefits to
88 the customer. If a customer authorizes the company to send a copy of
89 [his] such customer's monthly bill directly to any energy assistance
90 agency for payment, the energy assistance agency shall make payments
91 directly to the company. If, on April thirtieth, a customer has been in
92 compliance with the requirements of subparagraphs (A) to (C),
93 inclusive, of this subdivision, during the period starting on the
94 preceding November first, or from such time as the customer's account
95 becomes delinquent, the company shall deduct from such customer's
96 delinquent account an additional amount equal to the amount of money
97 paid by the customer between the preceding November first and April
98 thirtieth and paid on behalf of the customer through the Connecticut
99 energy assistance program and state appropriated fuel assistance
100 program. Any customer in compliance with the requirements of
101 subparagraphs (A) to (C), inclusive, of this subdivision, on April
102 thirtieth who continues to comply with an amortization agreement
103 through the succeeding October thirty-first, shall also have an amount
104 equal to the amount paid pursuant to such agreement and any amount
105 paid on behalf of such customer between May first and the succeeding
106 October thirty-first deducted from the customer's delinquent account.
107 In no event shall the deduction of any amounts pursuant to this
108 subdivision result in a credit balance to the customer's account. No
109 customer shall be denied the benefits of this subdivision due to an error
110 by the company. The Public Utilities Regulatory Authority shall allow
111 the amounts deducted from the customer's account pursuant to the
112 implementation plan, described in subdivision (5) of this subsection, to
113 be recovered by the company in its rates as an operating expense,
114 pursuant to said implementation plan. If the customer fails to comply
115 with the terms of the amortization agreement or any decision of the
116 authority rendered in lieu of such agreement and the requirements of
117 subparagraphs (A) to (C), inclusive, of this subdivision, the company
118 may terminate service to the customer, pursuant to all applicable

119 regulations, provided such termination shall not occur between
120 November first and May first.

121 (5) Each gas and electric distribution company shall submit to the
122 Public Utilities Regulatory Authority annually, on or before ~~[July]~~ June
123 first, an implementation plan ~~[which]~~ that shall include information
124 concerning amortization agreements, counseling, reinstatement of
125 eligibility, rate impacts and any other information deemed relevant by
126 the authority. The Public Utilities Regulatory Authority may ~~[, in~~
127 consultation with the Office of Policy and Management,] approve or
128 modify such plan ~~[within ninety]~~ not later than one hundred twenty-
129 seven days ~~[of]~~ after receipt of the plan. If the authority does not take
130 any action on such plan ~~[within ninety days of its receipt]~~ by such date,
131 the plan shall automatically take effect at the end of ~~[the ninety-day]~~
132 such one-hundred-twenty-seven-day period, provided the authority
133 may extend such period for an additional thirty days by notifying the
134 company before the end of ~~[the ninety-day]~~ such one-hundred-twenty-
135 seven-day period. Any amount recovered by a company in its rates
136 pursuant to this subsection shall not include any amount approved by
137 the Public Utilities Regulatory Authority as an uncollectible expense.
138 The authority may deny all or part of the recovery required by this
139 subsection if it determines that the company seeking recovery has been
140 imprudent, inefficient or acting in violation of statutes or regulations
141 regarding amortization agreements.

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

146 (7) (A) All electric distribution and gas companies, electric suppliers
147 and municipal utilities furnishing electricity or gas shall collaborate in
148 developing, subject to approval by the Public Utilities Regulatory
149 Authority, standard provisions for the notice of delinquency and
150 impending termination under subsection (a) of section 16-262d. Each
151 such company and utility shall place on the front of such notice a

152 provision that the company, electric supplier or utility shall not effect
153 termination of service to a residential dwelling for nonpayment of
154 disputed bills during the pendency of any complaint. In addition, the
155 notice shall state that the customer [must] is required to pay current and
156 undisputed bill amounts during the pendency of the complaint. (B) At
157 the beginning of any discussion with a customer concerning a
158 reasonable amortization agreement, any such company or utility shall
159 inform the customer (i) of the availability of a process for resolving
160 disputes over what constitutes a reasonable amortization agreement, (ii)
161 that the company, electric supplier or utility will refer such a dispute to
162 one of its review officers as the first step in attempting to resolve the
163 dispute, and (iii) that the company, electric supplier or utility shall not
164 effect termination of service to a residential dwelling for nonpayment of
165 a delinquent account during the pendency of any complaint,
166 investigation, hearing or appeal initiated by the customer, unless the
167 customer fails to pay undisputed bills, or undisputed portions of bills,
168 for service received during such period. (C) Each such company, electric
169 supplier and utility shall inform and counsel all customers who are
170 hardship cases as to the availability of all public and private energy
171 conservation programs, including programs sponsored or subsidized
172 by such companies and utilities, eligibility criteria, where to apply, and
173 the circumstances under which such programs are available without
174 cost.

175 (8) The Public Utilities Regulatory Authority shall adopt regulations
176 in accordance with the provisions of chapter 54 to carry out the
177 provisions of this subsection. Such regulations shall include, but not be
178 limited to, criteria for determining hardship cases and for reasonable
179 amortization agreements, including appeal of such agreements, for
180 categories of customers. Such regulations may include the
181 establishment of a reasonable rate of interest [which] that a company
182 may charge on the unpaid balance of a customer's delinquent bill and a
183 description of the relationship and responsibilities of electric suppliers
184 to customers.

185 (9) Notwithstanding any provision of this section, the Public Utilities

186 Regulatory Authority may find that a reasonable amortization
187 agreement under this section is a period of not more than thirty-six
188 months, unless the authority determines that a longer period is
189 warranted. Not later than October 1, 2024, the authority shall amend any
190 regulations adopted pursuant to subdivision (8) of this subsection to
191 carry out the provisions of this subdivision.

192 (10) The chairperson of the Public Utilities Regulatory Authority may
193 distribute not more than one million dollars in total each year to
194 organizations or individuals providing legal services with the express
195 purpose of attaining participation in public service company programs
196 designed to assist customers with utility bill or arrearage payments,
197 including negotiating a reasonable amortization agreement pursuant to
198 this section. Any funds distributed pursuant to this subdivision shall be
199 paid by all public service companies, in proportion to such companies'
200 annual load, amount of services provided to end-use customers or
201 revenue, as determined by the authority.

202 (11) Notwithstanding any provision of this section, for the period
203 commencing May 2, 2023, and ending October 31, 2023, no gas company
204 or electric distribution company may terminate, deny or refuse to
205 reinstate residential gas or electric service in hardship cases where the
206 customer lacks the financial resources to pay the customer's entire
207 account.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16-262c(b)

Statement of Purpose:
To (1) permit the Public Utilities Regulatory Authority to authorize utility customer amortization agreements of up to thirty-six months or longer, (2) permit the authority to make grants to legal organizations and attorneys that assist customers with enrolling in utility-sponsored bill payment programs, and (3) extend the shutoff moratorium for hardship customers of gas and electric companies.

[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.]