

1 H.88

2 Introduced by Representatives McCann of Montpelier, Harple of Glover,  
3 Headrick of Burlington, Logan of Burlington, McGill of Bridport, Priestley of  
4 Bradford, Tomlinson of Winooski, and Waszazak of Barre City

5 Referred to Committee on

6 Date:

7 Subject: Utilities; nonpayment; extreme heat; disconnection prohibition

8 Statement of purpose of bill as introduced: This bill proposes to prohibit an  
9 electric, water, or wastewater utility from involuntarily terminating residential  
10 service for nonpayment during periods of extreme heat.

11 An act relating to a prohibition on utility disconnections during periods of  
12 extreme heat

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. UTILITY DISCONNECTION RULE; EXTREME HEAT

15 (a) On or before June 1, 2026, and for the purpose of protecting the health  
16 and safety of Vermonters, the Public Utility Commission shall adopt a rule  
17 prohibiting an electric, water, or wastewater utility from involuntarily  
18 disconnecting residential service for nonpayment during a period of extreme  
19 heat in the utility's service territory. For purposes of this section, residential  
20 service includes service to tenants in metered apartment buildings and

1 residents of mobile home parks. The rule shall include the following  
2 provisions:

3 (1) A process that allows a resident to reconnect utility service during a  
4 period of extreme heat if their service was previously disconnected for  
5 nonpayment.

6 (2) A process that allows a utility to require a resident to enter into a  
7 reasonable repayment plan prior to reconnecting service pursuant to  
8 subdivision (1) of this subsection.

9 (3) A process for informing residents of their rights under this section.

10 (4) A requirement that each utility keep a written record of all  
11 reconnection requests received pursuant to this section and all service  
12 disconnections rescheduled due to extreme heat. Such record shall be  
13 available for inspection by the Public Utility Commission or the Department of  
14 Public Service, upon request.

15 (b) As used in this section:

16 (1) “Period of extreme heat” means that, within the 24 hours following  
17 the scheduled disconnection, the forecasted temperature is at or above 92  
18 degrees Fahrenheit or the National Weather Service has issued or has  
19 announced that it intends to issue a heat-related alert, such as an excessive heat  
20 warning, a heat advisory, an excessive heat watch, or a similar alert.

1           (2) “Utility” means an electric, water, or wastewater utility subject to the  
2           jurisdiction of the Public Utility Commission under 30 V.S.A. § 203(3) and  
3           (6).

4           Sec. 2. 24 V.S.A. § 5143 is amended to read:

5           § 5143. DISCONNECTION OF SERVICE

6           (a) No municipality shall disconnect service to a ratepayer unless payment  
7           of a valid bill or charge is delinquent as defined herein, and notice of  
8           disconnection has been provided previously to the ratepayer. A copy of the  
9           notice shall be sent to the occupant of a residential dwelling that will be  
10          affected by the disconnection if the occupant is different than the ratepayer.

11          (b) Disconnection shall not be permitted if:

12               (1) The delinquent bill or charge, or aggregate delinquent bills and  
13               charges, do not exceed \$15.00.

14               (2) The delinquency is due solely to a disputed portion of a charge that  
15               is the subject of an appeal.

16               (3) The delinquency is due to a failure to pay a deposit, line extension,  
17               special assessment, special construction charge, or other nonrecurring charge.

18               (4) The disconnection would represent an immediate and serious hazard  
19               to the health of the ratepayer or a resident within the ratepayer’s household, as  
20               set forth in a physician’s certificate that is on file with the municipality. Notice  
21               by telephone or otherwise that such certificate will be forthcoming will have

1 the effect of receipt, providing the certificate is in fact received within seven  
2 days.

3 (5) The ratepayer has not been given an opportunity to enter into a  
4 reasonable agreement to pay the delinquent bill or, having made such  
5 agreement, has abided by its terms.

6 (6) The disconnection for a delinquency would occur during a period of  
7 extreme heat. As used in this section, “period of extreme heat” means that,  
8 within 24 hours following the scheduled disconnection, the forecasted  
9 temperature is at or above 92 degrees Fahrenheit or the National Weather  
10 Service has issued or announced that it intends to issue a heat-related alert,  
11 such as an excessive heat warning, a heat advisory, an excessive heat watch, or  
12 a similar alert.

13 (c) The tenant of a rental dwelling noticed for disconnection due to the  
14 delinquency of the ratepayer shall have the right to request and pay for  
15 continued service from the utility or reconnection of water and sewer service  
16 for the rental dwelling, which the utility shall provide. If any water and sewer  
17 charges or fees are included in the tenant’s rent, the tenant may deduct the cost  
18 of any water and sewer service charges or fees paid to the municipality from  
19 ~~his or her~~ the tenant’s rent pursuant to 9 V.S.A. § 4459. Under such  
20 circumstances, the utility shall not require the tenant to pay any arrearage  
21 greater than one billing cycle.

1           (d) During a period of extreme heat, a resident may request that a utility  
2           reconnect service that had previously been disconnected for nonpayment. If  
3           required by the utility, the resident shall enter into a repayment plan prior to  
4           the reconnection. A repayment plan shall not require a resident to make  
5           monthly payments in excess of six percent of the resident's monthly income.  
6           A resident may agree to pay a higher percentage during the repayment period  
7           but shall not be in default unless payment during this period is less than six  
8           percent of the resident's monthly income. If assistance payments are received  
9           by the resident after implementation of the plan, the resident shall contact the  
10          utility to reformulate the plan.

11          Sec. 3. EFFECTIVE DATE

12          This act shall take effect on July 1, 2025.