



PROTECTING SERIOUSLY ILL CONSUMERS FROM UTILITY DISCONNECTIONS

WHAT STATES CAN DO TO SAVE LIVES NOW

TABLES

TABLE 1 **Examples of States with In-Language Notice of Serious Illness Protection**

STATE	CITATION	SUMMARY
Colorado	<i>4 Colo. Admin. Code §§ 723-3:3408 (d) (electric); 4 Colo. Admin. Code § 723-4:4408 (d) (gas).</i>	English and specific language(s) where 10% speak a language other than English.
Connecticut	<i>Conn. Agencies Regs. § 16-3-100(c)(1)(D).</i>	English and Spanish if substantial number of Spanish-speaking people live in the service territory.
New Jersey	<i>N.J. Admin. Code § 14:3-3A.3(e).</i>	Upon notice of customer, notice shall be sent in Spanish.
New Mexico	<i>N.M. Admin. Code § 17.5.410.23, -.29, -.31, -.33, & -.42.</i>	Various notices regarding customer rights, availability of energy assistance/winter moratorium, and regarding termination must be in English and Spanish.
Oregon	<i>Or. Admin R. 860-021-0010(7).</i>	When service is initiated, utility must ask if customer would like notices in a language other than English. Utility must inform consumers of the translations available. Utility must annually report to the commission the number of requests for notices and summaries in non-English and the number of requests for each language.
Rhode Island	<i>810 R.I. Code R. pt. 10-00-1.5(D).</i>	Utility must include on all termination notices, in English, Spanish, Portuguese, French, and any other languages utility deems appropriate, the following statement: "This is a utility service termination notice. Translate immediately."
Texas	<i>16 Tex. Admin. Code § 25.29(k)(4).</i>	Disconnection notices must be in English and Spanish.

TABLE 2 Examples of States with Special Process to Identify Medically Fragile Customers

STATE	CITATION	SUMMARY
Arkansas	<i>Ark. Admin. Code § 126.03.2-6.18 (elderly & disabled).</i>	Utilities must attempt to identify elderly and individuals with disabilities at time of application, when customers ask if there are options for elderly or people with disabilities, and when contacting customers about disconnection.
Delaware	<i>26-3002 Del. Code Regs. § 3.3.6.</i>	Final contact: utility field agent can accept serious illness certification to stop disconnection.
New Jersey	<i>N.J. Admin. Code § 14:3-3A.4(c), (d).</i>	Utility should also make good faith efforts to determine which customers are over 65 (§ 14:3-3A.4(c)). At least quarterly, companies shall solicit information from residential customers to determine the presence of any life-sustaining equipment on the customer's premises (§ 14:3-3A.4(d)).
North Dakota	<i>N.D. Admin. Code §§ 69-09-02-05.1(2) (electric); 69-09-01-18.1(2) (gas).</i>	Utility shall send annually, as part of the October monthly bill, a preaddressed, postage-paid postcard that asks customer to identify if resident is 65 or older, or has a disability, or has an emergency medical problem.

TABLE 3 Examples of States with a Requirement to Notify Commission Before Disconnection of Medically Fragile Consumer

STATE	CITATION	NOTIFICATION REQUIREMENT
Hawaii	<i>Haw. Admin. Rules § 6-60-8(c)(3).</i>	Utility may not disconnect service to elderly or disabled customers without an advance written report to the commission, 5 days ahead of scheduled termination.
Montana	<i>Mont. Admin. R. 38.5.1411.</i>	Utility must provide notice to commission at beginning of termination process; commission may require a different payment arrangement than utility offered, or delay termination.
New Hampshire	<i>N.H. Code Admin. R. Ann. PUC 1205.03(b), (e).</i>	For medical emergency customers not on a payment plan, utility must request permission from commission to disconnect. No disconnection if demonstration of good faith effort to pay.
Oregon	<i>Or. Admin. R. 860-021-0410(6).</i>	If medical customer fails to enter into payment arrangement or fails to abide by its terms, utility must notify commission's Consumer Service Division of its intent to disconnect and reason for the disconnection. A hearing may be held to determine whether utility shall be permitted to disconnect.
Rhode Island	<i>810 R.I. Code R. pt. 10-00-1.4(K), 10-00-1.17.</i>	Utilities must obtain written approval from the Division of Public Utilities and Carriers to disconnect residences where all adults are 62 years of age or older, or where any resident is disabled.