

# Utility Consumer Rights Course

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**National Consumer Law Center**

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National  
Consumer Law  
Center

*Fighting Together  
for Economic Justice*

Contact:

[stayconnected@nclc.org](mailto:stayconnected@nclc.org)

# Overview of today's training

- Establishing utility service, basic rules
- Step 1: Utility Service Protections
- Step 2: Reducing Bills
- Step 3: Paying Bills
- Other utility issues
- Q & A

# Materials

- [Slideshow](#)
- [Handout Packet](#)
- [Utilities Advocacy for Low-Income Households in Massachusetts](#)
- *Course materials as well as information about future events, available at <http://bit.ly/stay-connected-training>*

# Intro and types of utilities covered today

- Electricity & gas (and some telecom, water)
- Investor-owned utilities (IOUs) and municipal utilities (munis)
- Department of Public Utilities (DPU) Consumer Division
  - (877) 866-5066
  - [DPUCustomer.Complaints@mass.gov](mailto:DPUCustomer.Complaints@mass.gov)

# BASIC RULES/GETTING SERVICE

- Obtaining service
  - No deposit (except munis)
  - ID issues
  - Bills from prior address/“Cromwell” waiver:
    - Payment must be offered on prior arrears
- “Customer of record”
  - Bills in a child’s, partner’s or roommate’s name?
  - Deserted or deceased spouse?

# Rules for termination of electric and gas utility service

- Termination rules:
  - Only Monday-Thursday, 8am-4pm
  - No termination on weekends, state or federal holidays, or day before holidays
  - No termination if dispute pending
  - Notices before termination:
    - 1) Initial bill
    - 2) second notice (day 27+)
    - 3) final notice (day 45+)
  - Final notice must give 72 hours notice; good for 14 days
- 220 CMR 25.02

# BASIC RULES/GETTING SERVICE

Reading bills:

- See example on following slides
- Look for rate letter/number, e.g., “Rate R-2”
- When in doubt, call company

# EVERSOURCE

Account Number: [REDACTED]

Customer name key: [REDACTED]

HYDE PARK MA 02136

Billing Cycle: 07

Service from 02/07/19 - 03/01/19 22 Days

Meter Number	Current Read	Previous Read	Current Usage	Reading Type
2833086	3757	3042	715	Actual

## Monthly kWh Use

Jun	Jul	Aug	Sep	Oct	Nov	Dec
108	233	366	221	39	147	497
Jan	Feb	Mar				
512	919	715				

## Contact Information

Emergency: 800-592-2000

www.eversource.com

CustomerServiceMA@eversource.com

Pay by Phone: 800-592-2000

Customer Service: 800-592-2000

## Important Messages About Your Account

DIGGING? STATE LAW REQUIRES YOU OR YOUR CONTRACTOR TO CALL DIG SAFE AT 811 AT LEAST THREE BUSINESS DAYS PRIOR TO DIGGING. FOR MORE INFORMATION VISIT DIGSAFE.COM. IMPORTANT SAFETY INFORMATION IS ALSO AVAILABLE IN THE "SAFETY" SECTION OF EVERSOURCE.COM.

THIS BILL WAS PRORATED BECAUSE IT DOES NOT COVER A SINGLE NORMAL MONTH PERIOD.

Total Amount Due  
by 04/07/19

**\$260.91**

## Electric Account Summary

Amount Due On 03/08/19	\$181.29
Last Payment Received On 02/22/19	-\$35.15
Balance Forward	\$146.14
Current Charges/Credits	
Electric Supply Services	\$107.18
Delivery Services	\$7.59
Other Charges or Credits	\$0.00
Total Current Charges	\$114.77
<b>Total Amount Due</b>	<b>\$260.91</b>

## Total Charges for Electricity

### Supplier (PROVIDER POWER)

Generation Service Charge	715 kWh X .14990	\$107.18
Subtotal Supplier Services		\$107.18

### Delivery (Rate A2 R2 RESIDENTIAL ASST)

Customer Charge (Prorated)		\$5.13
Distribution Charge	715 kWh X .06396	\$45.73
Transition Charge	715 kWh X -.00052	-\$0.37
Transmission Charge	715 kWh X .02585	\$18.48
Revenue Decoupling Charge	715 kWh X -.00057	-\$0.41
Distributed Solar Charge	715 kWh X .00088	\$0.63
Renewable Energy Charge	715 kWh X .00050	\$0.36
Energy Efficiency	715 kWh X .00363	\$2.60
Assistance Rate Discount		-\$64.56
Subtotal Delivery Services		\$7.59
<b>Total Cost of Electricity</b>		<b>\$114.77</b>

**nationalgrid**

www.nationalgridus.com

SERVICE FOR  
[REDACTED]  
LENOX MA 01240

BILLING PERIOD  
May 2, 2012 to Jun 4, 2012

PAGE 1 of 2

ACCOUNT NUMBER [REDACTED] PLEASE PAY BY Jun 28, 2012 AMOUNT DUE \$ 2,165.80

CUSTOMER SERVICE  
1-800-322-3223  
CREDIT DEPARTMENT  
1-888-211-1313  
POWER OUTAGE OR DOWNED LINE  
1-800-465-1212  
EMAIL BILLING INQUIRES  
customerservice@us.ngrid.com  
CORRESPONDENCE ADDRESS  
PO Box 960  
Northborough, MA 01532-0960  
ELECTRIC PAYMENT ADDRESS  
PO Box 11737  
Newark, NJ 07101-4737

DATE BILL ISSUED  
Jun 4, 2012

**DID YOU FORGET TO PAY YOUR BILL?**

It is possible that service could be terminated for non-payment. Prior to any termination, you would receive a separate notice in the mail. If you have any questions, please call us at 1-888-211-1313 or if you have already paid, please disregard this notice.

**ACCOUNT BALANCE**

Previous Balance	2,196.02
Payment Received on MAY 30 (Credit Card)	- 154.40
<b>Balance Forward</b>	<b>2,041.62</b>
Current Charges	+ 124.18
<b>Amount Due</b>	<b>\$ 2,165.80</b>

We are awaiting receipt of your HEAP guarantee. Once received your previous balance may be reduced by \$ 445.00.

**GO PAPERLESS:** You'll help yourself and the environment by signing up to manage your bills online at www.nationalgridus.com/gopaperless.

**DETAIL OF CURRENT CHARGES**

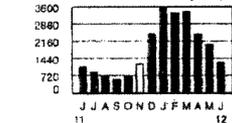
**Delivery Services**

Service Period	No. of days	Current Reading	Previous Reading	=	Total Usage
May 2 - Jun 4	33	80056 Actual	78762 Actual		1294 kWh

METER NUMBER [REDACTED] NEXT SCHEDULED READ DATE Jul 2

RATE Residential Low Income R-2

**ELECTRIC USAGE HISTORY (kWh)**



Daily Averages	Jun 11	Jun 12
kWh	38.3	39.2
Cost	\$ 3.75	\$ 3.76

Actual Estimated

KEEP THIS PORTION FOR YOUR RECORDS.

RETURN THIS PORTION WITH YOUR PAYMENT

**nationalgrid**

PO Box 960  
Northborough MA 01532

\*\*\*\*\*AUTO\*\*5-DIGIT 01240

LENOX MA 01240-2401

002036

ACCOUNT NUMBER [REDACTED] PLEASE PAY BY Jun 28, 2012 AMOUNT DUE \$ 2,165.80 includes amount past due

ENTER AMOUNT ENCLOSED

\$ [REDACTED]

Write account number on check and make payable to National Grid

NATIONAL GRID  
PO BOX 11737  
NEWARK NJ 07101-4737

# Case scenario

- Sheila Robinson comes into your office on December 10 and tells you that her family's gas service was terminated around a month ago because she owes over \$2,000 in back bills. She says that she has been unable to keep up with her bills and seems very depressed.
- She has a gas furnace and gas stove, so her family does not have heat, hot water, or the ability to cook. She owes about \$800 on her electric bill and fears she will get a shut-off notice for that soon too, which would leave her family without light and refrigeration.
- Ms. Robinson's family includes herself, her nine-year old daughter, her seven-year-old son, her sister, and her sister's newborn infant. The family's income consists of TAFDC and her sister's SSI check.

**TRIAD STEP #1—PROTECTIONS**

**TRIAD STEP #2—REDUCING BILLS**

**TRIAD STEP #3—PAYING BILLS**

# STEP #1 PROTECTIONS

- Financial hardship forms:
  - Proof of financial hardship is required for most protections from utility shut-off
  - Example on next slide
  - Utility companies have them available
  - Technically, expire within 3 months

# Sample financial hardship form

## Appendix C

### Sample Financial Hardship Form

This Eversource form is provided as an example only. Advocates and customers should contact the utility company or municipal utility directly for the most updated version of the financial hardship form and other forms.

**Eastern Massachusetts Form**

**Eversource**  
Financial Hardship Form

If you are claiming a "Financial Hardship" (under Massachusetts General Laws, Chapter 164, Section 124F), please fill out this form and return it to: Eversource, 247 Station Drive NW200, Westwood, MA 02090-9230 or fax it to 781-441-3686.

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone #: \_\_\_\_\_

Account Numbers: Gas \_\_\_\_\_ Electric \_\_\_\_\_

Number of People Living in Household: \_\_\_\_\_

Total Income for all household members before Taxes (should include all sources such as Wages, Social Security, TAFDC, Child Support, etc.)

Per Month: \_\_\_\_\_ or Per Year: \_\_\_\_\_

**Financial Statement**

I certify that the above information is complete and true to the best of my knowledge.

Signature \_\_\_\_\_ Date \_\_\_\_\_

<ACCOUNT\_NUMBER>

(518 FH Form)

# TRIAD STEP #1: PROTECTIONS

## ■ Serious illness

- Is someone seriously ill? Ask for ANY physical or mental illness.
- Any letter from doctor/P.A./N.P. is enough to protect service or get service restored.
- Company must challenge letter if questions.
- Letters good 90 days (can be renewed) or 180 days (chronic); financial hardship required.
- Service can be restored, should seek the protection ASAP and within 90 days of utility disconnection

# STEP #1 PROTECTIONS

- Winter Moratorium
  - In effect from Nov. 15 to March 15
  - Winter moratorium on terminating heat-related service, Nov. 15 to March 15 (usually extended to April 1)
  - Must demonstrate financial hardship.
  - Service restored if terminated during moratorium.

# STEP #1 PROTECTIONS

- Infant under 12 months
  - Is there a child under 12 months in the home?
  - Protection time-limited.
  - Must demonstrate financial hardship.
  - Prevents termination and restores service.

# STEP #1 PROTECTIONS

- Elder protections
  - Are all adults in the home 65 or over? (Minor = under the age of 18)
  - Notify the company
  - No terminations allowed, unless utility gets approval from DPU. No financial hardship required.
  - No termination at all if low-income

# STEP #1 PROTECTIONS

- Elder Protections, continued
  - Utility companies must provide 3<sup>rd</sup> party notice, on request
  - Caution re Liens: Utility companies may take liens on homeowners (seek additional support to learn if homestead exemption or other protections apply)

# Summary of Protections

PROTECTION	REQUIREMENT
<b>Elders</b>	<ul style="list-style-type: none"> <li>• <u>All</u> adult household members must be 65 or older.</li> <li>• Household must notify company.</li> <li>• <u>No</u> proof of financial hardship required; company must get DPU permission to terminate.</li> <li>• <u>IF</u> there is a financial hardship, termination is absolutely prohibited.</li> </ul>
<b>Serious Illness</b>	<ul style="list-style-type: none"> <li>• Must show that <u>someone</u> (customer or family member) is seriously ill by submitting a <u>letter from doctor/nurse practitioner or physician's assistant</u>.</li> <li>• Must demonstrate financial hardship.</li> <li>• Letter must be renewed every 90 days or every 180 days for a "chronic" illness.</li> </ul>
<b>Winter Moratorium</b>	<ul style="list-style-type: none"> <li>• Applies to gas (if used to heat) or electricity (if used to operate furnace, boiler, thermostats, or heating controls).</li> <li>• Runs from November 15 – March 15 (often extended).</li> <li>• Must demonstrate financial hardship.</li> </ul>
<b>Infant</b>	<ul style="list-style-type: none"> <li>• An infant under the age of 12 months must be living in the household.</li> <li>• Must submit birth certificate, baptismal certificate, or other reasonable proof of age.</li> <li>• Must demonstrate financial hardship.</li> </ul>



## 5-Minute Break!

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# STEP #2: REDUCING BILLS

Discount rates (regulated electric & gas):

- Can save 25% to 71% on bills
- Eligibility: Receipt of benefits, e.g., LIHEAP/fuel assistance, public/subsidized housing, SNAP, TAFDC, SSI, veterans' benefits
- Eligibility determination:
  - Apply directly, or
  - LIHEAP/ fuel assistance or
  - Auto enrollment if TAFDC or SNAP
- Companies put customers on discount “on demand” (M.G.L. c. 164, §1F(4)(ii))
- Retroactive discounts: contact NCLC for help

# NEW: Tiered Discount Rate

## National Grid Electric

<b>% of FPL</b>	<b>Discount</b>
<b>0 to 100% FPL</b>	71%
<b>100 to 125% FPL</b>	64%
<b>125 to 150% FPL</b>	57%
<b>150 to 200% FPL</b>	43%
<b>200% FPL to 60% SMI</b>	32%

- Other updates from DPU 23-150 (retroactive discount)

# STEP #2: REDUCING BILLS

- Payment plans
  - All companies must offer payment plans (prior to termination)
    - Prior to COVID-19, at least 4 months
    - Utilities may be flexible (also, see AMP)
  - Post-termination payment plans: less defined
  - “Cromwell” waivers
  - Make sure payment plan is reasonable and affordable

# STEP #2: REDUCING BILLS

- Arrearage management programs (AMPs)
  - All utility companies must offer to all low-income customers in arrears
  - Customer makes equal payments/like a budget plan
  - Arrearage credits applied monthly
- Terms of AMPs?
  - Each utility is slightly different (e.g., Eversource cap of \$12,000, Berkshire Gas cap of \$3,000)
  - Different options to re-enroll after dropping out of AMP, may have to make up some missed payments
  - Summary of AMP terms by company:  
<https://bit.ly/IOU-AMP-rules>.

# STEP #2: REDUCING BILLS

- Budget plans
  - All companies must offer budget plans
  - Can be helpful in avoiding huge bills
  - May still lead to “catch up” bills

# STEP #3: PAYING BILLS

- LIHEAP/Fuel assistance
  - Online application at <https://toapply.org/MassLIHEAP>
  - Cold Relief brochure at <https://www.mass.gov/doc/fy-2024-cold-relief-brochure-2/download>
- RAFT (Residential Assistance for Families in Transition)
  - Rental Assistance central application
  - Can be used for utility arrears
- Energy Efficiency
  - Contact local LIHEAP/Fuel Assistance program or Mass Save
- Weatherization Assistance Program (WAP)
- HEARTWAP program
- Utility programs
- Local resources

# Case scenario - Discussion

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# Putting Theory Into Practice

- Resolving disputes:
  - Call the utility company first
  - Gather bills and information
  - Contact DPU Consumer Division if not satisfied
  - Informal process, customers and non-attorney advocates may file complaints

# Competitive Supply Companies

- May sell electricity or gas
- Door to door marketing and telemarketing, often misrepresenting the identity of the company and the prices
- Usually more expensive
- Not the same as “municipal aggregation” or “community choice aggregation”
- Contact NCLC
- Complaints accepted by Attorney General and DPU

# Where to file complaints about competitive suppliers:

- Department of Public Utilities (DPU)  
Consumer Division
  - (877) 866-5066
  - [DPUCustomer.Complaints@mass.gov](mailto:DPUCustomer.Complaints@mass.gov)
- Attorney General Consumer Complaint  
Line
  - 617-727-8400 (M-F, 8am-4pm)
  - <https://www.mass.gov/how-to/file-a-consumer-complain> (for link to complaint form)

# EVERSOURCE

Account Number: [REDACTED]

Customer name key: [REDACTED]

HYDE PARK MA 02136

Billing Cycle: 07

Service from 02/07/19 - 03/01/19 22 Days

Meter Number	Current Read	Previous Read	Current Usage	Reading Type
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www.eversource.com

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THIS BILL WAS PRORATED BECAUSE IT DOES NOT COVER A SINGLE NORMAL MONTH PERIOD.

Total Amount Due  
by 04/07/19

**\$260.91**

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Energy Efficiency	715 kWh X .00363	\$2.60
Assistance Rate Discount		-\$64.56
Subtotal Delivery Services		\$7.59
<b>Total Cost of Electricity</b>		<b>\$114.77</b>

000000070000000

\*\*C 059959

JAMAICA PLAIN, MA 02130

Please Pay Upon Receipt

86.82 H

Account Number

Please mail this part of bill with your payment  
Make checks payable to National Grid.

Tear here → National Grid address on the back must show in return envelope window

Write your account number on check.

Service To JAMAICA PLAIN, MA 02130	Account Number [REDACTED]	Next Meter Reading Apr 16 '18	Bill Date Mar 16 '18
2	Rate R-3T Res. Heating	For Customer Assistance Please call (800) 732-3400	

**CURRENT BILL ITEMIZED**

In 30 days you used 47 therms:

Mar 16 2018 reading ACTUAL 0880  
Feb 14 2018 reading ACTUAL 0834  
CCF Used for METER# 006155751 46

Thermal Factor x 1.0276  
Total therms used 47

Your Cost is determined as follows:

Minimum Charge \$10.00  
\$.3333 per day for 30 days  
First 40.0 therms @ \$.4313 17.25  
Next 7.0 therms @ \$.5160 3.61  
Distribution Adjustment:  
47 therms x 0.34180 per therm 16.06

GAS DELIVERY CHARGE \$46.92

**TOTAL CURRENT CHARGES \$46.92**

**Charges from ESCO(s):**  
SFE Energy Massachusetts Consumption 47  
Price Per Therm \$0.849  
Current Gas Charges \$39.90  
Total ESCO Charges \$39.90

**SUMMARY OF CHARGES**

Amount Due Last Bill 100.27  
Your Total Payments Since Last Bill, Thank You! - 100.27  
Total Current Charges \$46.92  
ESCO Total Current Charges 39.90  
**Please Pay Upon Receipt \$86.82**

**GAS USE HISTORY**

Days	Therms	Days	Therms
Mar 18 30 Act	47	Aug 17 29 Est	23
Feb 18 29 Act	55	Jul 17 31 Act	23
Jan 18 32 Act	83	Jun 17 30 Act	32
Dec 17 30 Act	48	May 17 28 Act	38
Nov 17 30 Act	32	Apr 17 34 Act	52
Oct 17 32 Act	18	Mar 17 30 Act	64
Sep 17 30 Act	13	Feb 17 31 Act	69

**IMPORTANT MESSAGES**

Pay your bills online.  
Get started today at [ngrid.com/payonline](http://ngrid.com/payonline). For free, online access to your gas account, here is your unique access code: F91627C.  
Just visit us online, click "My Account" and register your account.

Record-breaking cold and your energy bill.  
A prolonged period of extreme cold this winter is impacting bills with increased usage and higher natural gas supply prices.  
We have programs and services that can help. Visit [ngrid.com/winterbills](http://ngrid.com/winterbills) for details.

# Protecting a utility account

- Eversource
  - To block your account from being switched without authorization, contact Eversource at 866-746-1110 or 800-592-2000
  - Register with the Federal Trade Commission's Do Not Call list

# Removing yourself from the eligible customer list

- National Grid
  - To opt out, fill out an on-line form at [https://www9.nationalgridus.com/masselectri c/business/forms/5\\_opt\\_out.asp](https://www9.nationalgridus.com/masselectri c/business/forms/5_opt_out.asp)
  - Or call National Grid Customer Service
  - Register with the Federal Trade Commission's Do Not Call list

# Telephone & Internet Service

- **Lifeline** - still active
- **Affordable Connectivity Program** - ended June 1, 2024

# Lifeline Program

- Free or low-cost phone or internet service to low-income households through a monthly service discount of up to \$9.25
- Eligible households receive one discount for:
  - Home or wireless phone service; or
  - Home internet or a wireless phone data plan
- Eligibility:
  - Household income at or below 135% FPL
  - Program-based eligibility (MassHealth, SNAP, SSI, Federal Public Housing Assistance, Certain Tribal Assistance Programs, and Veteran's Pension or Survivor's Pension benefit)
  - More eligibility and application information at <https://www.lifelinesupport.org/do-i-qualify/>

# Questions?

Contact us at [stayconnected@nclc.org](mailto:stayconnected@nclc.org)



Since 1969, the nonprofit **National Consumer Law Center® (NCLC®)** has worked for consumer justice and economic security for low-income and other disadvantaged people, including older adults, in the U.S. through its expertise in policy analysis and advocacy, publications, litigation, expert witness services, and training. [www.nclc.org](http://www.nclc.org)