

Title 20 – Department of Commerce and Insurance
Division 4240 – Public Service Commission
Chapter XX – [Chapter Title]

PROPOSED RULE

4 CSR 240-XX.XXX Service Disconnection Reporting Requirements for Electric, Gas, Water, Sewer, and Steam Heating Utilities

PURPOSE: This rule sets forth the requirement and standards for the submission of reports regarding and related to the cessation of services provided to customers by investor owned electric, gas, water, sewer, and steam heating utilities that are subject to the jurisdiction of the commission.

(1) For purpose of this rule:

- (A) affordability payment plan shall mean a commission-approved plan offered at the utility's option in which a customer provides for the payment of any outstanding delinquent charges accrued to that customer for regulated utility services as a condition of receiving continued services;
- (B) budget billing payment plan shall mean a commission-approved plan offered at the utility's option in which a customer pays regularly an amount calculated independent of the volume of utility service used by the customer in a single given billing period;
- (C) bill shall mean a demand in writing or, if agreed to by the customer and the utility, in electronic format for payment for utility services rendered or utility equipment supplied and any associated taxes, surcharges, and franchise fees;
- (D) billing period shall mean the normal period of utility service usage by a customer for which a bill is generated and which is not less than twenty-six (26) nor more than thirty-five (35) days for a monthly billed customer nor more than one hundred (100) days for a quarterly billed customer;
- (E) customer shall mean a person or legal entity responsible for payment for utility service except for any person or legal entity denoted as a guarantor;
- (F) delinquent charge shall mean a charge for regulated utility service that remains unpaid for at least twenty-one (21) days for a monthly-billed customer and for at least sixteen (16) days by a quarterly billed customer from the date the utility issues the bill, or a charge remaining unpaid after the preferred payment date selected by the customer and agreed to by the utility;
- (G) guarantor shall mean any person or legal entity who has executed a legally binding promise in writing to assume liability up to a specified amount for delinquent charges which might accrue to a particular customer;

- (H) involuntarily disconnection shall mean the cessation of regulated utility services, whether completed remotely or by going to the premise to physically disconnect, that is not undertaken at the request of the customer receiving service and includes any discontinuance of services as defined in Chapter 13 of this title but does not include any temporary disruption in the provision of utility services caused by forces outside of the utility's control;
 - (I) reconnection shall mean the provision of utility services to a unique residential account that had previously ceased receiving the utility's services whether it occurs remotely or at the physical location;
 - (J) third-party collection agency shall mean any person, agent, business, or other legal entity engaged by a utility, but which is not subject to the direct control of the utility, for the purpose of collecting monies owed to the utility following the nonpayment by a customer for utility services previously rendered to that customer;
 - (K) unique residential account shall mean any instance wherein the utility has agreed to provide service to a particular customer at a particular physical location with a single, identifiable meter;
 - (L) utility means each electric, gas, water, sewer, and steam heating company regulated by the commission; and
 - (M) voluntarily disconnection shall mean the cessation of regulated utility services, whether completed remotely or by going to the premise to physically disconnect, that is undertaken at the request of the customer receiving service.
- (2) Each utility shall provide as a non-case related submission in the commission's electronic filing system a report within fifteen (15) days of the end of each month. The utility shall provide a copy of each report to the Office of the Public Counsel. All information submitted shall be considered public information; however, no customer-specific information shall be reported or made public. All information shall be submitted in a native electronic spreadsheet format. Each utility shall report the following information as it relates to the immediately preceding month:
- (A) the total number of unique residential accounts as of the first day of the month;
 - (B) the total number of unique residential accounts as of the last day of the month;
 - (C) the total number of unique residential accounts that ceased receiving the utility's service at least once during the month;
 - (D) the total number of unique residential accounts that were voluntarily disconnected at least once during the month;
 - (E) the total number of unique residential accounts that were involuntarily disconnected at least once during the month;

- (F) the total number of unique residential accounts for which the utility issued a notice indicating the potential for an involuntarily disconnection at least once during the month;
- (G) the total number of unique residential accounts that were reconnected at least once during the month;
- (H) the total number of unique residential accounts that were reconnected at least once during the month following a prior voluntarily disconnection;
- (I) the total number of unique residential accounts that were reconnected at least once during the month following a prior involuntarily disconnection;
- (J) the total number of unique residential accounts that began receiving service for the first time during the month;
- (K) the total number of unique residential accounts for which at least one charge for utility services became a delinquent charge during the month
- (L) the total number of unique residential accounts for which there existed at least one delinquent charge as of the last day of each month;
- (M) the total number of delinquent charges that were transferred to, or for which the utility otherwise began using the services of, any third-party collection agency during the month;
- (N) the lowest delinquent charge by dollar value among all delinquent charges currently outstanding as of the last day of the month;
- (O) the highest delinquent charge by dollar value among all delinquent charges currently outstanding as of the last day of the month;
- (P) the mean average dollar value of all delinquent charges currently outstanding as of the last day of the month;
- (Q) the total dollar value of any monies received from the federal Low-Income Home Energy Assistance Program to pay for delinquent charges during the month,
- (R) the total dollar value of any monies received for payment of delinquent charges that was received from any person or legal entity that is not the customer responsible for payment of the delinquent charge or the federal Low-Income Home Energy Assistance Program and that was received in accordance with any provision set forth in the utility's tariff during the month;
- (S) the total dollar value of any monies received for payment of delinquent charges that was received from any person or legal entity that is not the customer responsible for payment of the delinquent charge or the federal Low-Income Home Energy Assistance Program and that was not received in accordance with any provision set forth in the utility's tariff during the month;

- (T) the total number of unique residential accounts paying for utility services under a budget billing payment plan as of the last day of the month;
 - (U) the total number of unique residential accounts paying for utility services under an affordability payment plan as of the last day of the month;
 - (V) the mean average volume of services provided among all unique residential accounts recorded during the month in kilowatt-hours for electric services, centum cubic feet for gas services, thousand gallons of water for water and sewer services, and thousand pounds of steam for steam/heat services;
- (3) If the commission finds that any deficiency exists in the report submitted by a utility as required under subsection (2) of this rule, the commission may direct its staff to issue a notice to the utility identifying the deficiency. Any utility that receives a notice from the commission stating that deficiencies exist in its report shall respond to that notice within twenty (20) days after the date said notice is issued and shall provide all information necessary to cure the deficiency identified in said notice in its response.
 - (4) Any utility subject to subsection (2) of this rule that is unable to meet the submission deadline established in that subsection may obtain, at the commission's discretion, an extension of up to fifteen (15) days for submitting its report, provided that the utility first:
 - (A) submit a written request, stating the good cause reason for the extension, to the attention of the secretary of the commission prior to the utility's submission deadline, and
 - (B) certify that the utility send a copy of the written request to all parties of record in pending cases before the commission where the utility's activities are the primary focus of the proceedings.
 - (5) Each report submitted by a utility as required under subsection (2) of this rule shall be made publicly available for access through a hyperlink found on the commission's official website's home page.
 - (6) The staff of the commission shall produce an *Annual Customer Disconcertion Report* within fifteen (15) days of the end of each year that shall aggregate all the reports submitted by all utility as required under subsection (2) of this rule during the course of the previous year. This *Annual Customer Disconcertion Report* shall be made publicly available for access through a hyperlink found on the commission's official website's home page. All information included in the *Annual Customer Disconcertion Report* shall be considered public information; however, no customer-specific information shall be reported or made public.