

Title 20 – Department of Commerce and Insurance

Division 4240 – Public Service Commission

Chapter ~~XX-13~~ – ~~[Chapter Title]~~ Service and Billing Practices for Residential Customers of Electric, Gas, Sewer, and Water Utilities

PROPOSED RULE

204 CSR 4240-~~XX.XXX~~13.075 Service Disconnection Reporting Requirements for Electric, Gas, ~~Water, Sewer~~Sewer, and Water, 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 those investor owned electric, gas, ~~water, sewer~~sewer, and water, and steam heating utilities that serve more than 2,000 residential customers and that are subject to the jurisdiction of the commission.*

(1) For purposes of this rule:

- (A) Residential meter(s) means a device or devices, owned by a utility, used for measuring the volume of services of a customer's electric, gas, sewer, or water consumption for residential service at a single point of delivery.
- ~~(A)~~ (B) Average customer arrearage means the mean average of the total of all delinquent charges, late fees, and reconnection fees per residential meter. Calculated as the sum of all delinquent charges, late fees, and reconnection fees associated with all residential meters as of midnight on the last day of the month, divided by the total number of residential meters with delinquent charges, late fees, or reconnection fees as of midnight on the last day of the month.
- ~~(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

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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 serving more than 2,000 residential customers shall provide a report as a non-case related submission in the commission's electronic filing information system ("EFIS") ~~a report~~ within ~~fifteen (15)~~twenty (20) 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~~residential meters as of midnight on the first calendar day of the month;

(B) the total number of ~~unique residential accounts~~residential meters as of midnight on the last calendar 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)~~ (C) the total number of residential meters for which there was a termination of service during the month; ~~the total number of unique residential accounts that were voluntarily disconnected at least once during the month;~~

~~(E)~~ (D) the total number of residential meters for which there was a discontinuance of service, as that term is used in 20 CSR 4240-13.050(1)(A), (B), (C), and (E), during the month; ~~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 involuntary 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 involuntary disconnection;
- ~~(J)~~(E) the total number of ~~unique residential accounts~~residential meters -that did not receive service as of midnight on the first calendar day of the month and began receiving service before midnight on the last calendar day of the first time during the month;
- ~~(K)~~(F) the total number of ~~unique residential accounts~~residential meters -for which at least one delinquent charge for utility services became a delinquent chargeexists during the monthas of midnight on the last calendar day of 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)~~(G) the mean average dollar value of all delinquent charges currently outstanding as of the last day of the monththe average customer arrearage;
- (H) the total dollar value of any monies received from the federal Low-Income Home Energy Assistance Program (“LIHEAP”) to pay for a residential meter’s delinquent charges during the month;
- (I) the total dollar value of any monies received from the Energy Crisis Intervention Program (“ECIP”) to pay for a residential meter’s delinquent charge during the month;
- ~~(Q)~~ the total dollar value of any monies received from the federal government, pursuant to any program other than LIHEAP or ECIP, to pay for a residential meter’s delinquent charge 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;~~

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~~(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)~~(K) the total number of ~~unique residential accounts~~residential meters paying for which payment is made for utility services under ~~an affordability payment plan~~a payment plan; settlement agreement; or payment agreement, as that term is used in 20 CSR 4240-13.055(10), as of midnight on the last calendar day of the month; and

~~(V)~~(L) the mean average billed volume of services provided ~~among-for~~ all ~~unique residential accounts~~residential meters recorded during the month in kilowatt-hours for electric services, centum cubic feet for gas services, and thousand gallons of water for water-sewer and sewer-water 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-by~~ 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. Both the notice and the response shall be filed in EFIS by the staff of the commission.

~~(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)~~(4) 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 Residential Customer Disconnection Report within ~~fifteen-forty-five (1545)~~ days of the end of each calendar year that shall aggregate all of the reports submitted by all of the utility-utilities as required under subsection (2) of this rule during the course of the previous year. This Annual Residential Customer Disconnection 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 Residential Customer Disconnection Report shall be considered public information; however, no customer-specific information shall be reported or made public.

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