

## **CHECKLIST OF KEY PROTECTIONS FOR UTILITY CONSUMERS**

**SERIOUS ILLNESS.** *If there is ANY person in the household (adult or child) who has a serious illness. Utilities cannot shut off (and must restore) utility service if anyone in the house has a serious illness. An illness can be physical (pneumonia, etc.) or mental (depression, bipolar, ADHD), short-term (e.g., flu) or long-term (cancer). The utility company does NOT get to decide what a serious illness is. All you need is a letter from a doctor, nurse practitioner, physician assistant, or Board of Health. A phone call from the doctor to the company is initially OK, if later followed by a letter. You should expect and demand that utility service be restored the same day (at worst, the next day) whenever you document a serious illness, by phone, fax or letter from a doctor. You will also need to document that you have a "financial hardship" in paying bills. Any client who receives LIHEAP (Fuel Assistance) is automatically presumed to have a financial hardship.*

**CHILD UNDER 12 MONTHS.** *If there is a child under the age of 12 months in the household, a utility company cannot terminate service if there is a young child in the home, and must restore service that has been terminated if the child was in the home at or prior to the time of termination. The child's age can be documented by birth certificate, baptismal certificate, or any other reasonable means. "Financial hardship" must also be shown.*

**WINTER MORATORIUM.** *Utilities cannot terminate service that is heat-related (meaning natural gas service, if used to heat the home; or electricity if the tenant pays for heat because electricity is needed for furnace/boiler controls) between November 15<sup>th</sup> and March 15<sup>th</sup>, if the household has a "financial hardship". These dates are often extended to April 15<sup>th</sup> or April 30<sup>th</sup>.*

**ELDERLY CLIENTS.** *If every person (with the exception of minor children in the care of the elder(s) in the household is age 65 or over, the company needs explicit approval of the DPU (Department of Public Utilities) to terminate service, which is almost never granted. ALWAYS notify the company if everyone in the household is age 65 or over. If service has been terminated it should be restored.*

**DISCOUNT RATES.** *ALWAYS determine if you are on the low-income discount rate. When in doubt call the company to see if you are on the rate. It's very easy for the company to check. Discount rates are mandated by law and all companies have them. Clients on Fuel Assistance are eligible for the discount and will usually get the discount automatically via the Fuel Assistance agency notifying the utility. Clients on TAFDC, Food Stamps, Mass. Health, WIC and other income-test programs are also eligible, but may have to apply to the utility directly; some of these will be automatically enrolled (find discount rate applications on the web).*

**PAYMENT PLANS.** *ALL are entitled to PAYMENT PLANS. This allows someone who is behind on their bills to spread the payments over several months. If you have not yet been terminated, the company MUST offer a payment plan of AT LEAST four months. Some payment plans go 12 months or longer. If you have been terminated, the rules are not as favorable, and are strictest during the fall (because the winter moratorium is about to begin and companies are most aggressive in trying to shutoff service). ALWAYS insist on a payment plan that you can afford.*

**CROMWELL WAIVER.** *You cannot be denied services because of a past due balance from an old address when you request service at a new address. If you are denied service, request a "Cromwell Waiver" from the utility. A process will follow where you will be obliged to set up a payment plan.*

**UTILITY COMPLIANCE.** *If you have trouble getting a utility to comply with any of the protections or programs described above, call the DPU's (Department of Public Utilities) Consumer Division at (800) 392-6066. The front-line phone representative should intervene on your behalf. If not, ask to speak to his or her supervisor.*

# **KNOW YOUR RIGHTS!**

**KNOW HOW TO PROTECT YOUR HOUSEHOLD FROM  
TERMINATION OF HEATING SERVICES.**

## **ELIGIBILITY FOR KEY PROTECTIONS AGAINST SHUTOFF**

<b>PROTECTION</b>	<b>REQUIREMENT</b>
<b>Elderly</b>	<ul style="list-style-type: none"> <li>o <u>ALL</u> household members (except for minor children in the care of the elder(s)) must be 65 or older.</li> <li>o Household must notify company.</li> </ul>
	<ul style="list-style-type: none"> <li>o <u>NO</u> proof of financial hardship required.</li> </ul>
<b>Serious Illness</b>	<ul style="list-style-type: none"> <li>o Must show that <u>someone</u> (customer or family member) is seriously ill by submitting <u>letter from a doctor, nurse practitioner, physician assistant, or Board of Health</u>.</li> <li>o Must be on the discount rate or demonstrate financial hardship.</li> <li>o Serious illness letter must be renewed every 30 days (or every 90 days for a "chronic" illness).</li> </ul>
<b>Winter Moratorium</b>	<ul style="list-style-type: none"> <li>o Applies to gas (if used to heat) or electricity (if used to operate furnace, boiler, thermostats, or heating controls).</li> <li>o Runs from <u>November 15<sup>th</sup> thru March 15<sup>th</sup></u></li> <li>o Must demonstrate financial hardship or be on discount rate.</li> </ul>
<b>Infant</b>	<ul style="list-style-type: none"> <li>o An infant under the age of 12 months must be living in household.</li> <li>o Must submit birth certificate, baptismal certificate, or other reasonable proof of age.</li> <li>o Must demonstrate financial hardship or be on the discount rate.</li> </ul>

**Apply for Fuel Assistance for help paying heating bills from November thru April 30<sup>th</sup>.**