

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Investigation into Long- )  
Term Solutions Concerning Disconnection ) Case No. 83-303-GE-COI  
of Gas and Electric Service in Winter ) (Phase I)  
Emergencies. )

ENTRY

The Commission issues the following Entry.

General

This winter heating season, just as for the last several heating seasons, there will be no general moratorium on the disconnection of gas, natural gas, or electric service for non-payment of bills. We are concerned that gas, natural gas, and electric light companies under our jurisdiction assist customers in every way possible to maintain their service. We expect these companies to advertise as much as practicable the availability of the percentage of income payment plan (PIPP) as well as the other standard plans provided by Commission rule. We further expect the subject utilities to err on the side of maintaining service when there is a doubt as to the applicability or the interpretation of a rule.

Special Reconnection Procedures/Winter 2000-2001

As in past years, the Commission is concerned about those who, because of limited financial resources, have had their gas and/or electric utility service disconnected because they are unable to pay their bills and who, because of arrearages, have been unable to have these services restored. We believe that the rules of the Commission have substantially assisted customers to keep gas and electric utility service in spite of their financial situation. Nevertheless, a number of Ohio citizens will enter the winter without utility service. This, we find, constitutes a continuing emergency. Therefore, in order to prevent injury to the interests of the public, we hereby direct, pursuant to authority provided by Section 4909.16, Revised Code, the gas and natural gas companies and the electric distribution utilities under our jurisdiction to reconnect, forthwith, the service of those who have had their service disconnected for non-payment or to maintain the service of those who have received a notice that their service is to be disconnected for non-payment, provided that the person seeking to have service restored or maintained does all of the following:

- (a) Pays his/her arrearages as set forth in Rule 4901:1-18-06(A), of the Ohio Administrative Code (O.A.C.); cures any default he/she may have incurred on a standard payment plan provided pursuant to paragraphs (A) or (B) of Rule 4901-18-04, O.A.C., if the person is on such a plan; or pays \$175.00,

whichever is less (funds for which may come in whole or in part, from the Emergency Home Energy Assistance Program or other energy assistance programs). If both the person's gas and electric service have been disconnected for non-payment and different companies provide these services, the companies involved may come to agreement as to the apportionment of the \$175.00 between them. If agreement is not possible, the companies shall apportion the \$175.00 based upon a ratio of the arrearages the person owes each company. If the same company provides both of these services, then the \$175.00 should be apportioned based upon a ratio of the arrearages the person owes for each service. The \$175.00 includes any security deposit a utility may require. The utility may add to this amount a reconnection charge not to exceed \$20.00 or the company's tariff amount, whichever is less.

Customers who have had their gas and/or electric service disconnected for a fraudulent practice shall have that service reconnected upon the full payment for the amount of service obtained fraudulently, plus any tariffed investigation fee, plus any defaulted amount not to exceed \$175.00, and plus a reconnection fee not to exceed \$20.00 or the company's tariff amount, whichever is less.

- (b) Applies for the regular Home Energy Assistance Program. A gas or natural gas company or electric distribution utility may require proof that the person seeking restoration of service has applied for this program before it restores service to anyone who cannot pay his/her total utility bill. Because of the often lengthy interval between the mailing of an application for the Home Energy Assistance Program and the receipt by the applicant of written verification of the application, the utility shall accept the statement (oral or in writing) of the person seeking to have service restored that such application has been made. If written verification is not provided by the customer or by the Home Energy Assistance Program within eight weeks, the utility may remove the customer from the plan, require payment in full, and, if necessary, terminate service after following all required procedures. If the application period for an assistance program has lapsed or not yet begun, it is not necessary for the person seeking to have service restored to show that he/she has applied for that specific program.

- (c) Enrolls, if eligible, in the PIPP set out in Rule 4901:1-18-04(B), O.A.C., or, if he/she is not eligible for such plan, he/she enrolls in an extended payment plan, either one of the standard plans provided for in Rule 4901-18-04(A), O.A.C., or some other plan, provided, of course, that he/she will ultimately be able to maintain service, if he/she qualifies, by enrolling in one of the standard plans set forth in Rule 4901:1-18-04(A), O.A.C.

The gas or natural gas company or electric distribution utility involved shall first apply monies paid, either by a customer seeking to have his/her gas or electric service restored pursuant to this special reconnect order or by a customer who, pursuant to this special reconnect order, seeks to prevent his/her gas or electric service from being disconnected, to the customer's arrearages, except for, of course, those arrearages due to fraud or theft. The gas or natural gas company or electric distribution utility shall follow this procedure regardless of the payment plan in which the customer is then enrolled or in which the customer enrolls to comply with this special reconnect order. After a customer makes a payment pursuant to this special reconnect order, that customer shall begin making payments required by the plan in which he/she is then enrolled as if it were a new plan, subject to the arrearages already incurred.

Each utility should communicate in writing, by bill insert or otherwise, to those whose service continues to be disconnected because of non-payment the fact that they can have their service restored and the procedures set forth by the Commission herein. These special reconnection procedures shall become effective no later than October 25, 2000. If this Commission determines that a utility is not following these procedures, we will take those steps we deem appropriate to protect the customers that the utility serves.

We recognize that our jurisdiction does not reach to those utilities owned or operated by municipalities, nor do we regulate rural electric cooperatives. We hope these essentially self-regulated entities will adopt the program laid out above so that together we can limit the number of Ohioans who will suffer from the lack of heat this winter.

#### Application for Weatherization Program

Rule 4901:1-18-04(B)(5), O.A.C., requires anyone applying for the PIPP also to apply, *inter alia*, for all weatherization programs for which he/she is eligible. Historically, we have suspended this requirement because the weatherization program sponsored by the Ohio Department of Development (Department), the largest such program in the state, had a backlog in some areas. Recently, we were informed that,

though this program is still experiencing backlogs in some areas, the Department has a number of providers that are ready, willing and able to provide the services necessary to weatherize PIPP households. The Department and various community action agencies wish to contact PIPP customers in those areas of the state where the Department is not experiencing a backlog in order to engage in additional outreach. The Department hopes that this contact will result in the increased weatherization of eligible homes, both reducing energy usage and the arrearages accruing to the account of the PIPP customer. Gas and natural gas companies and electric distribution utilities subject to the jurisdiction of this Commission are to assist the Department in its effort to contact PIPP, non-PIPP Low-Income Home Energy Assistance Program (HEAP), and other non-PIPP energy assistance customers by periodically providing the Department with a list of the names, addresses, and, if available, the telephone numbers of those customers. Additionally, these utilities should provide the Department with the utility account number; the customer's social security number; the customer's PIPP status (active or inactive); the usage, the read code, and the read date for each month of the previous 12 months; and the total arrearage of each of its current PIPP, non-PIPP HEAP, and other non-PIPP energy assistance customers. Those utilities with 100,000 or more customers should also provide customer payments and payments to arrearages for each PIPP, non-PIPP HEAP, and other non-PIPP energy assistance customers. These utilities should provide the Department with one copy of this information on a computer disk. The utilities should provide the information by county, by zip code, and by alphabetical name within the zip code. The utilities should provide the information required on an annual basis for the year ending June 30, 2001, to the Department's Office of Community Services by July 31, 2001. Thereafter, these utilities should provide the information required on a quarterly basis for the quarters ending September 30, December 31, March 31 and June 30 to the Department's Office of Community Services by October 31, January 31, April 30, and July 31, respectively. In order that there be no confusion on the part of customers, the companies should, to the extent practicable, notify customers applying for PIPP that their name, address, social security number, telephone number, consumption data, and total arrearages will be forwarded to the Department and/or the local agencies it funds for weatherization, targeted energy efficiency, and consumer education services. PIPP customers are required to apply for weatherization services if they are individually solicited by a provider affiliated with a utility or a Department-sponsored weatherization program. Because a backlog is still being experienced by the Department in some areas, we will renew our general suspension of Rule 4901:1-18-04(B)(5), O.A.C., to July 1, 2001, for those PIPP customers who are not individually contacted by a provider affiliated with a utility or a Department-sponsored weatherization program.

### Data Collection

One of the main reasons that the Commission continues to find it necessary to issue this Entry requiring special reconnection procedures is that low-income customers have had their gas and/or electric service disconnected for non-payment since the last winter heating season. The Commission is attempting to determine the reason for these non-heating season disconnections of service. To aid us in making this determination, each gas, natural gas, or electric light company under our jurisdiction is directed to complete the Special Data Request, attached to this Entry as Appendix A, and file it with Commission Staff at the place and times set forth in the request.

It is, therefore,

ORDERED, That, effective no later than October 25, 2000, each gas and natural gas company and each electric distribution utility under our jurisdiction restore service, pursuant to the terms set out above, of those whose gas or electric utility service has been disconnected for non-payment or to maintain the service of those who have received a notice that their service is to be disconnected for non-payment. It is, further,

ORDERED, That the requirement set forth in Rule 4901:1-18-04(B)(5), O.A.C., be suspended until July 1, 2001, except for those PIPP customers individually contacted by a provider affiliated with a utility or a Ohio Department-sponsored weatherization program. It is, further,

ORDERED, That each gas and natural gas company and electric distribution utility under our jurisdiction provide, on a timely basis, that data discussed in the paragraph labeled "Application for Weatherization Program", above, to the Ohio Department of Development's, Office of Community Services. It is, further,

ORDERED, That each gas and natural gas company and each electric distribution utility under our jurisdiction provide the data requested in the Special Data Request, attached to this Entry as Appendix A, at the place and the times set forth in the request. It is, further,

ORDERED, That a copy of this Entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

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Alan R. Schriber, Chairman

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Ronda Hartman Fergus

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Judith A. Jones

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Donald L. Mason

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