

YOUR RIGHTS
AND
RESPONSIBILITIES
AS A
PENNSYLVANIA
UTILITY
CONSUMER



Your Rights And Responsibilities As A Pennsylvania Utility Consumer

This pamphlet was prepared by the Pennsylvania Public Utility Commission (PUC) to summarize the regulations regarding **Standards and Billing Practices for Residential Service**.

As a residential utility customer, you have many important rights and responsibilities to ensure fair dealings between you and your utility company. These rights and responsibilities include:

- Your right to a clear and concise bill
- Your right to know how your utility bill is calculated
- Your right to check your utility bill for accuracy
- Your right to fair credit and deposit policies
- Your responsibility to pay your bill
- Your responsibility to provide access to the utility's meter and equipment
- Your right to question or disagree with the utility company
- Your right to receive continuous utility service if you meet your responsibilities

Your utility company has the responsibility to honor all of these rights. You, the customer, have the responsibility to know your rights and to know how your utility should provide you with service.

This pamphlet highlights questions you may have about your utility's billing, credit, dispute and shut-off practices.

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How Is Your Utility Bill Calculated?

Your utility has the responsibility to mail you a bill for your utility service once every billing period. This bill will be based on either a meter reading or an estimate. Most utilities send bills every month; however, some water and sewer utilities send bills once every two months or once every three months (quarterly).

The Utility Meter & Meter Readings

If your company sends you a bill each month, it will schedule an actual meter reading at least every other month. Some utilities use technology that allows them to read your meter automatically. If meter readers and utility servicemen visit your residence to obtain a meter reading, they will carry identification, which you may ask to see for your protection. Please call your utility immediately if you have questions about the identity of an employee.

The meter is the property of your utility company. You are legally prohibited from removing and/or tampering with the meter. You have the responsibility to keep the meter free from obstructions by restraining dogs or by removing obstacles (e.g., overgrown shrubs) that the meter reader might encounter at your residence. You have the responsibility to provide access to the meter.

Estimated Bills

When your utility meter is not scheduled to be read, the utility company estimates your bill. The estimate is based on your previous usage history (your past meter readings) and may be adjusted for existing weather conditions.

Your bill may also be estimated when extreme weather conditions, emergencies, strikes or other circumstances prevent the company from taking a meter reading.

Another time your utility bill may be estimated is when the meter reader cannot gain access to your meter. When this happens the utility company still has a responsibility to take an actual meter reading every six months unless you supply your own meter readings.

If you supply the reading, the utility has the responsibility to take an actual reading every 12 months. You and the company have the responsibility to make arrangements for meter readings if the meter is in a locked place. If your bill has been estimated for several months, your next bill may be more or less depending on the actual meter reading.

Supply Your Own Meter Readings

If you wish all your bills to be based on meter readings, you may supply the utility with readings during estimated billing periods. Most utilities permit you to provide them with your meter reading by telephone or through their web page – contact your utility for more details. The utility company's customer service center can also provide you with meter reading instructions.

How to Check Your Utility Bill for Accuracy

If you think that your utility bill is wrong, you can check it in the following way:

Read your meter if you question the amount of service you have used. Your usage will have increased between the time the utility read your meter and when you take the reading. For this reason, your reading will be somewhat higher than the reading listed on your bill.

Compare the bill to the one you received at the same time last year to see if there is any change in your usage. Remember to compare differences in usage rather than differences in the total dollar amount of the bills since changes in rates could cause an increase. Your bill may have a bar chart that shows your usage for the past 13 months. You should

consider severe weather conditions and changes in living habits (such as additions to your house, new appliances, additional family members or more time spent at home) that could increase the amount of your usage.

Contact the utility company’s customer service center immediately with any additional questions about your bill.

What’s Important to Know About Paying Your Utility Bill?

When to Pay

You must make every effort to pay the bill by its due date. After the bill is mailed to you, you have 20 days to pay it. If you do not pay the bill by its due date, you may be charged a late fee on the unpaid overdue balance. This fee cannot be more than 1.5 percent per month and cannot be greater than 18 percent simple interest per year.

Where to Pay

You may either mail the payment or pay your bill at additional locations chosen by your utility, including some utility companies’ business offices. You may also call the utility company’s customer service center for information about other ways to pay your utility bills (e.g., online payments and credit cards). Also, check your utility company’s web site for authorized payment locations and information about other ways to pay.

Billing Errors – Make-up Bills

Sometimes billing errors do occur. These mistakes could be caused by a utility company billing error or by a number of low or high estimated bills. The utility must refund or credit your account with any over-collected amounts resulting from this mistake. Likewise, if you have used more service than the amount

you were billed, you must pay the additional charge to the utility. However, the utility company must explain this “make-up” bill and attempt to set up a reasonable payment arrangement. You do not have to pay this amount in a lump sum; rather, you can pay it back over a period of time equal to the time period in which the mistake occurred.

Separate Charges

A utility company may put a charge for other than basic service in your electric or gas bill; however, the utility must present this charge clearly and separately with your bill. Some examples of these charges for other than basic service are: merchandise, appliances, installation fees, sales, rental or repair costs, meter testing fees, line extension costs and special construction charges.

Budget Billing - Plan Your Utility Expenses

You have the right to request budget billing (Average Payment Plan) from your utility company. The Average Payment Plan is an agreement you make with the company to have your bills averaged throughout the year. The company will review and adjust the amount of your average payment bill based on your usage. You will be billed for approximately the same amount each month even though your usage may vary from season to season.

The Average Payment Plan billing program may make it easier for you to plan your utility expenses. The utility company’s customer service center will provide you with more information about its program.

If You Move

If you plan to move, you have the responsibility to notify the utility company’s customer service center at least seven days before your moving date. You also have the responsibility of giving the company access to your meter for a final reading and shutoff. If you fail to do either of these, you may have to pay

for service at your old address even after you move. Even though you move, you are still responsible to pay any utility bill you still owe at your old address.

If You'll Be Away From Home

If you plan to be away from home for a long period of time, you have the responsibility to make arrangements for paying your bills. Remember, your utility service continues even while you are away, and you will be billed during your absence. Your failure to make arrangements for payment of these bills could result in the shutoff (termination) of your service.

Third-Party Notification - Extra Protection

The third-party notification program provides additional protection against utility service shutoff. This program protects individuals who may either be away from home for an extended time period or those who may not understand the utility company's practices.

The third-party notification program allows you to choose another person to receive copies of shut-off notices that are sent to you for non-payment of overdue utility bills.

By filling out a form, you permit the utility to send these notices to a third party that you choose. In this way, another individual (e.g., family member or close friend) is made aware of an important problem. Perhaps this person can notify you of the problem and provide you with advice or assistance. This third party does not have the responsibility for paying your bills!

You may obtain forms and further information concerning this program by contacting the utility company's customer service center, or by visiting your utility company's web site.

Protection From Abuse Order

If you have a Protection From Abuse (PFA) order issued by the courts, for victims, there are special procedures to handle your concerns regarding your

utility service. Call the utility company's customer service center to inform the utility so special procedures can be implemented.

Do You Have to Pay a Security Deposit for Your Utility Service?

Deposit decisions must be based only on your individual credit record. The utility cannot require a deposit on the basis of where you live, your race, sex, age if over 18, national origin or marital status.

Credit Policy for New Customers

When you apply for new utility service, the utility company has the right to check your credit history and level of credit risk to determine whether a security deposit is necessary. The utility may ask you for your social security number in order to check your credit history. If the bills are not paid on time it could affect your credit rating score.

The utility company cannot charge you a deposit as a new customer if you meet one of the following credit tests:

- You have a good utility payment history. That is, you were a customer of a similar utility service within the last two years, your utility service was not shut off for non-payment during the last 12 months of this service, and no bills are owed from that prior service.
- You pass the utility company's credit scoring assessment, which shows that you pay your utility bills and have good credit.
- You provide a third-party guarantor who will accept responsibility for any missed payments.

The utility company must notify you in writing of the reasons why you are required to pay a deposit. If the utility company takes longer than three business days to check your credit, it must provide you with service until the deposit decision is made.

In addition, before providing service, the utility may require you to pay any unpaid bills that you owe it from the last four years. If you were not a customer of record but resided at the residence when the unpaid bills accumulated, the utility may require you to pay them. The utility may allow you to make a payment agreement to pay the amount you owe; however, if you did not live at the residence, the utility cannot hold you responsible for another person's unpaid bills.

Credit Policy for Existing Customers

The utility company may require a security deposit from you as an existing customer if:

- You have not paid your utility bills on time. That is, you have been late in paying two bills in a row or three or more bills in the last year.
- You have failed to make payments according to a payment schedule set up to pay past-due bills.
- You failed a credit screening or score.
- Your service has been shut off because of unpaid bills.
- If you request service at Philadelphia Gas Works (PGW), different rules apply. If your household income is below 300 percent of the Federal Poverty Guidelines, PGW will only require a deposit of 1/12 the average annual usage. Also, if you apply and qualify for PGW's customer assistance program, a deposit will not be required.

Security Deposit

You may satisfy the utility company's request for the deposit by doing any one of the following three options:

1. **Paying a Cash Deposit.** The amount of the deposit cannot be greater than two months of your estimated usage. Applicants who seek to recon-

nect service after being terminated have the option to pay this deposit in three payments: 50 percent immediately, 25 percent at the end of 30 days and 25 percent at the end of 60 days. All other applicants or customers may be required to pay this deposit in a lump sum. Existing customers have 21 days after notification by the utility company to make the first payment.

2. A utility may hold a deposit until a timely payment history is established or for a maximum period of 24 months. A timely payment history is established when a customer has paid in full and on time for 12 consecutive months. This deposit earns interest.
3. **Supplying a Third-Party Guarantor.** Instead of paying a cash deposit you can have another credit-worthy customer sign a form guaranteeing that your bills will be paid. This person will then become responsible for paying all missed payments owed to the utility.

What if You Disagree with Your Utility Company?

You have the right to question or dispute any billing or service action the utility company takes. You should tell the company of the problem as soon as it occurs.

Questions, Problems and Disputes – Get In Touch Immediately with Your Utility Company

You may question any charge applied to your bill, ask about the company's billing policies or services, request new service, complain about present service or make a payment agreement for your bills. Your concerns and questions can often be best answered if you immediately bring them to your utility company's attention. Your utility company may ask you to allow them to review their records about your

concern and call you back. If you agree to let the company do this, the utility company will call you back with the results of its investigation. If the company cannot reach you, it will send you a letter explaining what it found from its review.

If you are not satisfied or disagree with the utility company's response, tell the company that the matter is not resolved to your satisfaction. At this point, the inquiry you made to the utility company becomes a **dispute**. There is a three-step process for handling these disputes that involves you, the utility company and the PUC.

Steps to the Dispute Process

Here are the steps of the dispute process, which must be followed in order:

Step 1. Filing a Dispute with the Utility Company

The company must respond to your dispute within 30 days. In answering your dispute, the company must provide you with all the information necessary for you to make a decision on whether you need to proceed further with the matter. This includes informing you of all related company rules (tariffs). The utility company can also provide you with a statement of your account, including payments and meter readings. Meter test results and any other information related to your dispute should also be included when appropriate. In addition, the company must tell you of your right to register a further complaint with the PUC and how to do this. You may request all of this information in writing by asking for a written utility company report.

Step 2. Filing an Informal Complaint with the PUC

You must first contact your utility company if you have questions or concerns. If you do

not agree with the company's response to your concerns, you have **10 DAYS** after the utility company answers your dispute to file an informal complaint with the PUC. Write or call the PUC's Bureau of Consumer Services for assistance. The Bureau will need your name, telephone number, the service address, the account number, the name of the utility, a description of your problem, what action the utility company took and what action you are seeking.

The Bureau of Consumer Services' staff will review the matter and investigate further. The Bureau of Consumer Services' staff will then make a decision based upon the facts presented by both you and the company. The Bureau will notify you of its decision and, at the same time, explain the steps involved in appealing this decision to the PUC if you disagree with it. You may request a written report of the Bureau's decision.

Step 3. Filing a Formal Complaint

If you disagree with the Bureau of Consumer Services' decision, you must appeal that decision within **20 DAYS**. Although it is not necessary, you may wish to use a lawyer. The company also has this right to appeal the Bureau's decision to the PUC.

After formal complaint forms are filed with the PUC, a hearing will be scheduled, at which time a PUC judge will listen to both sides of the dispute and issue a decision.

Protection During the Dispute Process

The utility company may not shut off your service for non-payment of the bill in question during the period that you are waiting for a response to your inquiry or dispute. **However, you are still obligated to pay all utility bills that you do not dispute.**

Customer Assistance Programs (CAPs)

Programs that Help Low-Income Customers Pay Utility Bills

A CAP budget is the lowest monthly payment a company or the PUC can give you. The company will determine your CAP payment using your household income and size. In most cases, a CAP bill will be less than a current bill for utility services. If your income is low, CAPs may lower your monthly bill. When you make your monthly CAP payment, the utility company may remove part of your account balance.

Can Your Utility Service Be Shut Off Without Your Consent?

If you are having difficulty paying your bills or if you are not making payments for any other reason, tell your utility company as soon as possible. By notifying the utility immediately, you may avoid shut-off of your service. The following information concerns both your rights and responsibilities regarding service shutoff.

Payment Agreements

A payment agreement is an agreement you reach with the utility company to make reasonable payments over a period of time for the amount of money that you owe. Please note that a customer can only establish two payment agreements and one of them can be from the PUC. However, the utility company has the discretion to offer more than two payment agreements. The size of your payments will be determined by such things as:

- Your ability to pay (you will be required to provide the utility with your total household income and the number of people living in your household)

- Your payment history
- The length of time your payment has been overdue
- The size of the unpaid balance

If you cannot make a reasonable payment agreement with the utility company, contact the PUC for assistance within 10 days after you receive an answer from the company regarding a payment agreement. (This is Step 2 of the Dispute Process.)

Length of Payment Agreements

The PUC must follow specific lengths of time when establishing payment agreements for residential customers. The payment agreements can run from as long as five years for low-income households to as short as six months for other households depending on their level of income.

When Your Utility Service Can Be Shut Off

The utility company can shut off your utility service Monday through Friday for any of the reasons shown below:

- Non-payment of an undisputed bill for service, non-payment of a payment agreement, non-payment of a security deposit or a “bad” check/dishonored credit card used to avoid a shutoff.
- Tampering with company meters or other company property, or stealing utility service.
- False statement or fraud in obtaining your utility service.
- Refusal to allow utility employees to read your meter or to check company equipment.
- Violations of rules, approved by the PUC, which may cause harm to individuals or damage to utility company equipment.

Tenants - When the Service is in Your Landlord's Name

If your landlord either fails to pay utility bills for your residence or instructs the utility company to shut off your service, you must be notified by the utility company. The utility company will then explain your rights and duties related to continuing service and will mail you a written summary of this information if you request it.

When Your Utility Service Cannot Be Shut Off

The Utility Cannot Terminate Your Service:

- On a Saturday, Sunday, holiday, the day before a holiday or any day the utility is closed
- For non-payment of bills more than four years old
- For non-payment of bills for either merchandise or service work
- For non-payment of bills in someone else's name
- For non-payment of an estimated bill – unless you deny the utility company access to your meter

Medical Emergencies

If a medical emergency exists in your household that will be affected by a service shutoff, the shutoff may be postponed.

Your doctor or a nurse practitioner must tell the company how the shut-off of your utility service will aggravate a serious medical condition of someone in your household. The doctor or nurse practitioner should contact the company by phone or by letter. The company may require the doctor or nurse practitioner to follow up a phone call with a written statement. The shut-off can then be postponed for a maximum of 30 days; however, you still have the responsibility to pay your current bills or to make a reasonable payment agreement for the overdue bills during the postponement.

Medical certifications may be **renewed** two times for an additional 60 days. If you do not pay your current bills or make payments on your overdue bill, the utility may only accept two medical certification renewals. *(See your Shut-off Notice for more information regarding this procedure. Your doctor's statement to the utility must contain specific information.)*

Winter Terminations

Your utility service can be shut off during winter months (December 1 through March 31) without the PUC's prior approval if you fail to pay your bill and provided that your household income exceeds 250 percent of the federal poverty level. *(Note: For customers of Philadelphia Gas Works, the income limit is above 150 percent of the federal poverty level.)*

The Shut-off (Termination) Process

Shutoff or termination of utility service is a very serious matter. Paying current utility bills or keeping up with payment agreements can help you avoid a shutoff. It is important to contact your utility company as soon as you receive a notice about an overdue bill or for failure to provide access to the utility's meter or equipment. Notices may include bill reminders, letters, phone calls and PUC-approved shut-off forms. Your utility company has programs that can help low-income households pay their utility bills. The company will try to make a payment agreement with you so that you can pay what you owe and avoid the shutoff. The utility company will follow these steps before shutting off your service:

- At least 10 days prior to the scheduled shut-off date, your utility company must notify you in writing. This is called a 10-day Shut-off Notice. The shut-off notice is effective for a period of 60 days. This notice will inform you about what action you can take to avoid having your service shut off. (Please note: In certain cases, the com-

pany does not have to give you a 10-day notice before it shuts off your service.)

- At least three days before your service is shut off, your utility company must attempt to contact you in person or by telephone.
- At the time of shutoff during the winter (December 1 through March 31), your utility company must contact a responsible adult at your residence. If no adult is home, the company will leave a notice at your residence stating that it will return in 48 hours to shut off your service. Between April 1 and November 30, your utility will not leave a 48-hour notice and will proceed with the shutoff on the scheduled day if you have not paid your past-due bills.
- If your service is shut off, your utility must provide you with a notice indicating why your service was shut off and what steps you can take to get your service restored.

The Restoration Process - Getting Your Service Back On

Between April 1 and November 30, the utility company must restore your service within three days if you pay the amount you owe in full, make a payment agreement if eligible and meet any other conditions required by the utility. If your service was shut off during the winter (December 1 through March 31), your utility will reconnect service within 24 hours if you pay the bill, make a payment agreement if eligible and meet any other conditions. *(Note: If you have gas service and the shut-off required sidewalk or street digging, reconnection may take up to seven days.)*

The company may charge a fee to restore your utility service. At the same time, it may also require you to either pay a security deposit or make a payment agreement for a security deposit.

Remember, to avoid having your utility service shut off, you have the responsibility to contact the utility company immediately with any billing dispute or payment problem.

Additional Information Concerning Your Utility Service

This booklet was prepared as a summary of the rights and responsibilities you have as a utility customer based on the Pennsylvania Public Utility Commission's **Standards and Billing Practices for Residential Utility Services** and **Chapter 14 Statute**. This booklet has attempted to highlight and answer some of the questions you may have about your utility service.

If you still have questions about your utility service, call your utility company immediately. It can provide you with additional information. You can also visit the utility company's web site.

The Pennsylvania Public Utility Commission's Bureau of Consumer Services can provide further assistance in utility matters. However, you must attempt to resolve a dispute with your utility company before you bring your complaint to the Bureau of Consumer Services. For general problems, please call 1-800-782-1110; if you have a payment problem or have received a shut-off notice, call 1-800-692-7380.

The PUC's address and web site appear below. After you log on to the PUC's Web site, click on "Announcements" and then "Responsible Utility Consumer Protection Act" to learn more about your rights and responsibilities.

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www.puc.state.pa.us