

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 796

H. P. 653

House of Representatives, March 8, 1977

On motion of Mr. Kelleher of Bangor, referred to the Committee on Public Utilities. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Henderson of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT Protecting Consumers from Termination of Certain Utility Services
when such Termination may be Dangerous to their Health.**

Be it enacted by the People of the State of Maine, as follows:

35 MRSA § 314, as enacted by PL 1975, c. 548, is repealed and the following enacted in its place:

§ 314. Termination of utility service

The Public Utility Commission shall adopt and promulgate reasonable regulations, after hearing, concerning the termination or disconnection of any residential customer's service by an electric, gas, water or telephone utility of the State. These regulations shall apply generally to all such utilities within the commission's jurisdiction and shall provide that no residential customer's service shall be terminated or disconnected until one of the following procedures has been complied with:

1. **Hearing; authorization.** A hearing on the proposed disconnection or termination has been held before the Public Utilities Commission or its authorized agent, and the commission has authorized the disconnection or termination; or

2. **Evaluation for social service assistance.** The utility seeking disconnection or termination has obtained from the Department of Human Services written affirmation that the customer against whom disconnection or termination is sought has been evaluated in regard to eligibility for social service assistance; or

3. Consent. The customer has consented in writing to the disconnection or termination in a form to be designated by the commission.

The commission shall promulgate regulations providing for adequate written notice by such utility to the residential customer that his utility bill has not been paid and that the utility will seek termination or disconnection of his service. The notice shall also advise the customer of his right, in addition to other rights granted by this section, prior to disconnection to enter into reasonable installment payment arrangements with such utility company to settle any dispute concerning the proposed disconnection at an informal hearing with such utility company and to seek reconsideration or review from the Public Utilities Commission of any disconnection or termination decision. The regulations shall also provide that there shall be no termination or disconnection during a limited medical emergency and shall provide for a just and reasonable procedure regarding reconnections of utility service and deposit requirements.

STATEMENT OF FACT

The purpose of this bill is to protect customers from termination of certain utility services when such termination may be dangerous to their health. Recent reports of elderly persons who have died as a result of utility termination require that a procedure be developed to prevent the occurrence of such incidents in Maine. This bill would establish a procedure to regulate utility service termination.