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CERTIFICATE

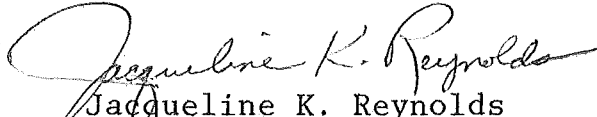
STATE OF WISCONSIN)
) ss.
PUBLIC SERVICE COMMISSION)

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Jacqueline K. Reynolds, Secretary of the Public Service Commission of Wisconsin, and custodian of the official records of said commission, do hereby certify that the annexed order creating Wis. Adm. Code section PSC 113.1323, 113.1324, 134.0623 and 134.0624 was duly approved and adopted by this commission on October 25, 1984.

I further certify that said copy has been compared by me with the original on file in this commission and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the commission at the Hill Farms State Office Building, in the City of Madison this 2nd day of November, 1984.


Jacqueline K. Reynolds
Secretary of the Public Service
Commission of Wisconsin

1-1-85

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BEFORE THE

PUBLIC SERVICE COMMISSION OF WISCONSIN

DATE MAILED

OCT 28 1984

COMPARED WITH AND CERTIFIED BY ME
TO BE A FULL, TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE IN MY OFFICE.

OCT 25 1984

Jacqueline K. Reynolds
Secretary to the Commission
Public Service Commission of Wisconsin

Cold Weather Disconnection Rules) 1-AC-65

ORDER OF THE PUBLIC
SERVICE COMMISSION ADOPTING RULES
AND EMERGENCY RULES



To create secs. PSC 113.1323, 113.1324, 134.0623 and 134.0624, relating to disconnection of electric and gas service in cold weather.

ANALYSIS PREPARED BY THE PUBLIC
SERVICE COMMISSION OF WISCONSIN

On June 13, 1984, the commission held hearing into proposed cold weather disconnection rules. The rules govern disconnection and restoration of residential utility service and reflect the commission's continuing concern over both the plight of customers unable to pay rising utility costs and increased utility uncollectibles.

The proposed rules would accomplish the following:
During the period November 15 to April 15 of any year (November 1 to April 15 for customers residing north of Highway 10) the rules:

- (1) Require a utility representative to contact a customer prior to disconnection to discover circumstances which might call for special attention.
- (2) Require the utility to make its after hours emergency telephone number available to all customers scheduled for disconnection.

(3) Require a utility to inform local law enforcement and social service agencies prior to customer disconnection (and reconnection) of service.

(4) Require that no less than 5 days prior to disconnecting a customer, a utility must inform the customer about possible sources of financial or shelter assistance.

(5) Require that prior to disconnection, a utility must inform the customer of his or her right to a deferred payment agreement, budget billing, and fuel assistance.

(6) Prohibit a utility from disconnecting a customer where the disconnection may endanger human health or life.

(7) Prohibit disconnection on a Friday, Saturday, Sunday, or any day when a utility employee is not available on a 24-hour basis.

(8) Require that a utility contact a specified third party prior to disconnection if the customer has previously so requested.

(9) Require the written approval of management-level utility employee before a disconnection may be made.

(10) Require the utility to make a follow-up visit to a disconnected customer the day following disconnection to check on the customer's well-being and to inform the customer of payment options and assistance which may be available.

(11) The proposed provisions are in addition to existing disconnection requirements, not in lieu of them.

(12) Require a utility to contact disconnected customers prior to October 15 of each year, or a date designated by the commission, and to notify law enforcement and social service agencies of customers not reconnected by October 25.

(13) Require a utility to file periodic reports with the commission regarding the number of disconnected residences.

Hearing has already been held on these rules. However, the commission finds that the public health and safety requires that the rules be placed into effect immediately so as to be operative for this winter's heating season. They are therefore being adopted as both emergency and final rules.

PROPOSED RULES AND
STATUTORY AUTHORITY

Pursuant to authority vested in the Public Service Commission by ss. 196.02(1), 196.03(1), 196.37(2), 227.014(2)(a), and 227.027, Stats., the commission adopts the following rules as permanent and emergency rules:

SECTION 1: PSC 113.1323 is created to read:

PSC 113.1323 COLD WEATHER DISCONNECTIONS. This section applies to disconnections of utility service to residential dwelling units occurring during the period November 15 to April 15 in any year for customers residing south of United States Highway 10 and during the period November 1 to April 15 in any year for all other customers. A municipality divided by United States Highway 10 is considered to be wholly located north of the line.

(1) NOTICE. Prior to disconnection of service, a utility representative shall attempt to meet personally with a responsible, adult member of the customer's household to discover any circumstances which deserve special attention, such as medical problems or disabilities.

If the utility is unable to establish such personal contact, it shall contact the customer by return-receipt-requested mail. The utility shall maintain a record of all customer contacts and attempted contacts. Prior to any planned disconnection of service, the utility shall notify the local department of social services.

(2) TELEPHONE AVAILABILITY. A utility shall provide its emergency after-hours telephone number to all customers scheduled for utility service disconnection.

(3) SOCIAL SERVICE AGENCIES. A utility shall inform local law enforcement and social service agencies of the name and address of a customer whose service has been disconnected and that a threat to health or life might exist at the customer's premises. The utility shall immediately notify the same agencies if service is reconnected.

(4) FINANCIAL ASSISTANCE INFORMATION. Not less than five days prior to disconnection, a utility shall advise a customer to contact the county department of social services and other organizations that may provide financial or shelter assistance.

(5) CUSTOMER RIGHTS INFORMATION. Prior to disconnection, a utility shall inform the customer of his or her right to a deferred payment agreement, budget billing, and fuel assistance.

(6) COLD WEATHER DISCONNECTION PROHIBITED. A utility may not disconnect customer service unless there are reasonable grounds to believe that the disconnection will not, under the circumstances, endanger human health or life during the period of disconnection.

(7) NO DISCONNECTION ON CERTAIN DAYS. A utility may not disconnect service on a Friday, Saturday, Sunday, holiday or on a day when utility personnel are not readily available to the customer 24 hours per day to negotiate restoration of service.

(8) THIRD PARTY CONTACTS. If the customer has previously requested that a specific third party be notified before disconnection, the utility shall contact that third party prior to disconnecting service.

(9) MANAGEMENT-LEVEL EMPLOYEE. Service may not be disconnected without the prior written approval of an appropriate management-level utility employee.

(10) FOLLOW-UP VISIT. (a) By the end of the work day following the day of disconnection, the utility shall make an in-person visit to check on the customer's well-being and to ensure there is no danger to human health or life. The utility shall again inform the customer of his or her right to a deferred payment or budget billing agreement and of the existence of social service agencies that may provide financial or shelter assistance.

(b) The utility may request that the visit be made by a representative of a city health department, local health and social service agency, local law enforcement agency, or similar authority but ultimate responsibility for the visit shall remain with the utility.

(c) The utility shall make a written record of the visit.

SECTION 2: PSC 113.1324 is created to read:

PSC 113.1324 RECONNECTION OF SERVICE. (1) Prior to October 15 of each year, or at a date designated by the commission, a utility shall attempt by letter, telephone, or personal visit to contact all residential customers whose service remains disconnected for nonpayment and inform them of available payment options such as budget billing, or deferred payment agreement. If a letter or telephone call does not result in a response from an adult member of the customer's household, a personal visit shall be made. A record shall be kept of all contacts and attempts.

(2) On October 25 of each year, or at a date designated by the commission, a utility shall inform local law enforcement and county social service agencies of the name and address of each customer in an occupied dwelling where service remains disconnected. Upon request of the county department of social services, a utility shall also notify other designated agencies.

(3) On dates designated by the commission, a utility shall file periodic reports to the commission listing the number of occupied dwellings where service remains disconnected.

(4) A utility shall cooperate with law enforcement and social service agencies in negotiating restoration of service. Local law enforcement and social service agencies may use the commission's dispute resolution process on behalf of a customer whose service has been disconnected.

SECTION 3: PSC 134.0623 is created to read:

PSC 134.0623 COLD WEATHER DISCONNECTIONS. This section applies to disconnections of utility service to residential dwelling units occurring during the period November 15 to April 15 in any year for customers residing south of United States Highway 10 and during the period November 1 to April 15 in any year for all other customers. A municipality divided by United States Highway 10 is considered to be wholly located north of the line.

(1) NOTICE. Prior to disconnection of service, a utility representative shall attempt to meet personally with a responsible, adult member of the customer's household to discover any circumstances which deserve special attention, such as medical problems or disabilities. If the utility is unable to establish such personal contact, it shall contact the customer by return-receipt-requested mail. The utility shall maintain a record of all customer contacts and attempted contacts. Prior to any planned disconnection of service, the utility shall notify the local department of social services.

(2) TELEPHONE AVAILABILITY. A utility shall provide its emergency after-hours telephone number to all customers scheduled for utility service disconnection.

(3) SOCIAL SERVICE AGENCIES. A utility shall inform local law enforcement and social service agencies of the name and address of a customer whose service has been disconnected and that a threat to health or life might exist at the customer's premises. The utility shall immediately notify the same agencies if service is reconnected.

(4) FINANCIAL ASSISTANCE INFORMATION. Not less than five days prior to disconnection, a utility shall advise a customer to contact the county department of social services and other organizations that may provide financial or shelter assistance.

(5) CUSTOMER RIGHTS INFORMATION. Prior to disconnection, a utility shall inform the customer of his or her right to a deferred payment agreement, budget billing, and fuel assistance.

(6) COLD WEATHER DISCONNECTION PROHIBITED. A utility may not disconnect customer service unless there are reasonable grounds to believe that the disconnection will not, under the circumstances, endanger human health or life during the period of disconnection.

(7) NO DISCONNECTION ON CERTAIN DAYS. A utility may not disconnect service on a Friday, Saturday, Sunday, holiday or on a day when utility personnel are not readily available to the customer 24 hours per day to negotiate restoration of service.

(8) THIRD PARTY CONTACTS. If the customer has previously requested that a specific third party be notified before disconnection, the utility shall contact that third party prior to disconnecting service.

(9) MANAGEMENT-LEVEL EMPLOYEE. Service may not be disconnected without the prior written approval of an appropriate management-level utility employee.

(10) FOLLOW UP VISIT. (a) By the end of the work day following the day of disconnection, the utility shall make an in-person visit to check on the customer's well-being and to ensure there is no danger to human health or life. The utility shall again inform the customer of his or her right to a deferred payment or budget billing agreement and of the existence of social service agencies that may provide financial or shelter assistance.

(b) The utility may request that the visit be made by a representative of a city health department, local health and social service agency, local law enforcement agency, or similar authority but ultimate responsibility for the visit shall remain with the utility.

(c) The utility shall make a written record of the visit.

SECTION 4: PSC 134.0624 is created to read:

PSC 134.0624 RECONNECTION OF SERVICE. (1) Prior to October 15 of each year, or at a date designated by the commission, a utility shall attempt by letter, telephone, or personal visit to contact all residential customers whose service remains disconnected for nonpayment and inform them of available payment options such as budget billing, or deferred payment agreement. If a letter or telephone call does not result in a response from an adult member of the customer's household, a personal visit shall be made. A record shall be kept of all contacts and attempts.

(2) On October 25 of each year, or at a date designated by the commission, a utility shall inform local law enforcement and county social service agencies of the name and address of each customer in an occupied dwelling where service remains disconnected. Upon request of the

county department of social services, a utility shall also notify other designated agencies.

(3) On dates designated by the commission, a utility shall file periodic reports to the commission listing the number of occupied dwellings where service remains disconnected.

(4) A utility shall cooperate with law enforcement and social service agencies in negotiating restoration of service. Local law enforcement and social service agencies may use the commission's dispute resolution process on behalf of a customer whose service has been disconnected.

There will be no fiscal impact of the proposed rules on the state or municipalities, or on small business.


This action is classified as a Type III action according to PSC 2.90(3), Wis. Adm. Code. No unusual circumstances have come to the attention of the commission that would require further environmental review. It consequently requires neither an environmental impact statement under s. 1.11, Stats., nor an environmental assessment.

These rules have been forwarded to the legislature for review pursuant to s. 227.018, Stats. They will take effect as final rules on the first day of the month following publication in the Wisconsin Administrative Register, as provided in s. 227.026, Stats.

Dated at Madison, Wisconsin,

October 25, 1987

By the Commission.


Jacqueline K. Reynolds
Secretary to the Commission