

CR 87-58

CERTIFICATE

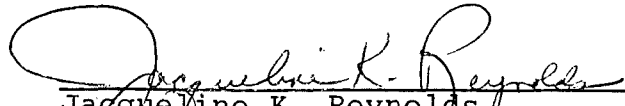
STATE OF WISCONSIN)	
) ss.	File 1-AC-113
PUBLIC SERVICE COMMISSION)	
OF WISCONSIN)	

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 adopting emergency rules was duly approved and adopted by this commission on October 29, 1987.

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 Hill Farms State Office Building in the City of Madison, WI October 29, 1987.


 Jacqueline K. Reynolds
 Secretary to the Commission
 PUBLIC SERVICE COMMISSION OF
 WISCONSIN

DATE MAILED
OCT 30 1987

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

OCT 29 1987

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

BEFORE THE

PUBLIC SERVICE COMMISSION OF WISCONSIN

Amendment of Rules for Cold)
Weather Disconnection)

Docket 1-AC-113

ORDER OF THE PUBLIC SERVICE COMMISSION
ADOPTING RULES

To amend ss. PSC 113.1323, 113.1324, 134.0623 and
134.0624, relating to cold weather disconnections and reconnection
of service.

ANALYSIS PREPARED BY THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

Chapters PSC 113 and 134 respectively contain rules governing the
provision of electric and natural gas service to customers and the
conditions under which utilities may disconnect that service
during cold weather months.

In January 1987 the commission amended those rules on an
emergency basis, prompted by the deaths of two trailer park
residents whose heat had been disconnected. The emergency rules
extended the protections of the disconnect rules to occupants of a
premise in addition to the actual utility customer, so that
renters would also be protected by the rules.

In May 1987 the commission held hearing into making
these protections permanent rules as well as limiting the
protections to households with income under 150 percent of the
poverty level - in order to prevent abuse of the rules by those
who are able to pay but choose not to do so. After discussion

based on the record, the commission believes that there are several unresolved issues regarding cold weather disconnections. Therefore, the commission is combining docket 1-AC-113 and docket 1-AC-118 to permit a comprehensive review by its advisory committee of all consumer service rules for gas and electric utilities. After its recommendations are received, the commission will then hold a hearing on a comprehensive revision of its consumer service rules.

However, this order will make permanent the rules extending disconnection protections to occupants so that the protections are in place for the upcoming heating season.

The rules are authorized by and interpret secs. 196.03(1), 196.37(1) and (2), and 227.11(2)(a), Stats.

SECTION 1: PSC 113.1323 is renumbered and amended to read:
PSC 113.1323. COLD WEATHER DISCONNECTIONS.

(1) SCOPE (Title) (a) This section applies to disconnections of utility service which provides the primary heat source or a utility service affecting the primary heat source to residential dwelling units occurring during the period November 15 to April 15 in any year for occupied residences customers-residing south of United States Highway 10 and during the period November 1 to April 15 in any year for all other occupied residences customers. A municipality divided by United States Highway 10 is considered to be wholly located north of the line.

(b) This section shall not apply to disconnections of service as outlined in 113.132(2)(b) or (d), 113.132(3), or disconnections for remodeling or repairs.

(1) (2) NOTICE. (a) 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.

(b) 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. (c) Prior to any planned disconnection of service, the utility shall notify the local department of social services.

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

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

- (4) (5) FINANCIAL ASSISTANCE INFORMATION. Not less than five days prior to disconnection, a utility shall advise a customer household to contact the county department of social services and other organizations that may provide financial or shelter assistance.
- (5) (6) (Title) CUSTOMER AND OCCUPANT SERVICE INFORMATION. Prior to disconnection, a utility shall inform the customer household of the availability of his-er-her-right-to-a deferred payment agreements, budget billing, and fuel assistance, and, in the case of an occupant who is not the utility customer, the option of accepting responsibility for future bills.
- (6) (7) COLD WEATHER DISCONNECTION PROHIBITED. A utility may not disconnect customer service to an occupied residence 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) (8) NO DISCONNECTION ON CERTAIN DAYS. A utility may not disconnect service to an occupied residence on a Friday, Saturday, Sunday, holiday or on a day when utility personnel are not readily available to the customer and occupant 24 hours per day to negotiate restoration of service.

- (8) (9) THIRD PARTY CONTACTS. If the customer or an individual in a household has previously requested that a specific third party be notified before disconnection, the utility shall contact that third party prior to disconnection of service.
- (9) (10) MANAGEMENT-LEVEL EMPLOYEE. Service may not be disconnected without the prior written approval of an appropriate management-level utility employee.
- (10) (11) 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 the occupied dwelling to check on the ~~customer's~~ household'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~~ household of the ~~right-to a~~ availability of deferred payment or budget billing agreements, ~~and-of~~ the availability of fuel assistance, the existence of social service agencies that may provide financial or shelter assistance, and, in the case of an occupant who is not the utility customer, the option of accepting responsibility for payment of future bills.
- (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 amended 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 households at premises to which 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 household whose without service because of nonpayment. has-been disconnected.

SECTION 3: PSC 134.0623 is renumbered and amended to read:

PSC 134.0623. COLD WEATHER DISCONNECTIONS.

(1) SCOPE (Title) (a) This section applies to disconnections of utility service which provides the primary heat source or a utility service affecting the primary heat source to residential dwelling units occurring during the period November 15 to April 15 in any year for occupied residences customers-residing south of United States Highway 10 and during the period November 1 to April 15 in any year for all other occupied residences customers. A municipality divided by United States Highway 10 is considered to be wholly located north of the line.

(b) This section shall not apply to disconnections of service as outlined in 134.062(2) (b) or (d), 134.062(3), or disconnections for remodeling or repairs.

(1) (2) NOTICE. (a) 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.

(b) 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. (c) Prior to any planned disconnection of service, the utility shall notify the local department of social services.

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

(3) (4) SOCIAL SERVICE AGENCIES. A utility shall inform local law enforcement and social service agencies of the name, if known, and address of ~~a-customer-whose~~ the occupant of a residence where service has been disconnected and that a threat to health or life might

exist at the ~~customer's~~ disconnected premises. The utility shall immediately notify the same agencies if service is reconnected.

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

(5) (6) (Title) CUSTOMER AND OCCUPANT SERVICE INFORMATION. Prior to disconnection, a utility shall inform the ~~customer~~ household of the availability of his-or-her-right-to-a deferred payment agreements, budget billing, and fuel assistance, and, in the case of an occupant who is not the utility customer, the option of accepting responsibility for future bills.

(6) (7) COLD WEATHER DISCONNECTION PROHIBITED. A utility may not disconnect ~~customer~~ service to an occupied residence 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) (8) NO DISCONNECTION ON CERTAIN DAYS. A utility may not disconnect service to an occupied residence on a Friday, Saturday, Sunday, holiday or on a day when utility

personnel are not readily available to the customer and occupant 24 hours per day to negotiate restoration of service.

(8) (9) THIRD PARTY CONTACTS. If the customer or an individual in a household has previously requested that a specific third party be notified before disconnection, the utility shall contact that third party prior to disconnection of service.

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

(10) (11) 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 the occupied dwelling to check on the ~~customer's~~ household's well-being and to ensure there is no danger to human health or life. The utility shall again inform the ~~customer-of-his-er-her~~ household of the ~~right-to a~~ availability of deferred payment or budget billing agreements, ~~and-of~~ the availability of fuel assistance, the existence of social service agencies that may provide financial or shelter assistance, and, in the case of an occupant who is not the utility customer, the option of accepting responsibility for payment of future bills.

(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 amended 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~~ households at premises to which 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~~ household whose without service because of nonpayment. has-been disconnected-

No additional fiscal burden will be imposed on the state or municipalities, or on small business, as a result of these rule amendments.

This is a Type 3 action pursuant to PSC 2.90(3)(zh), Wis. Adm. Code. In addition, no unusual circumstances have come to the attention of the commission which would warrant further environmental review. It consequently requires neither an environmental impact statement under s. 1.11, Wis. Stats., nor an environmental assessment.

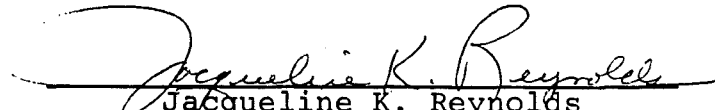
These rules have been forwarded to the legislature for review pursuant to sec. 227.19, Stats. They will take effect on

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the first day of the month following publication in the Wisconsin Administrative Register, as provided in sec. 227.22(2)(a), Stats.

Dated at Madison, Wisconsin, October 29, 1987

By the Commission.


Jacqueline K. Reynolds
Secretary to the Commission

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State of Wisconsin \ PUBLIC SERVICE COMMISSION

CHARLES H. THOMPSON, CHAIRMAN
MARY LOU MUNTS, COMMISSIONER
GEORGE R. EDGAR, COMMISSIONER

4802 Sheboygan Avenue
P. O. Box 7854
Madison, Wisconsin 53707

October 29, 1987

Mr. Gary Poulson
Assistant Revisor of Statutes
Suite 904
30 West Mifflin Street
Madison, WI 53703

Re: Amendment of Rules for Cold Weather Disconnection - 1-AC-113

Dear Mr. Poulson:

Enclosed please find two copies (one certified) of an order of the Public Service Commission adopting rules in the above-entitled matter.

The rules have been seen by legislative committees.

Sincerely,

Steven Levine
mc

Steven Levine
Assistant Chief Counsel

Enc.

SL:mac10298701