

ADVOCATE TOOLKIT: SUPPORTING CUSTOMERS WITH UTILITY CHALLENGES



How to identify if someone has a utility issue?

1

Review bills for the following:

| | |
|------------------------------------|---|
| Total Balance | Monthly Discounts (Energy Affordability Program “EAP”) |
| Shutoff Notice | Actual vs Estimated Bill |
| Unexpected or Extra Charges | Payment Agreement |

2

Learn more about the household

- Does anyone receive public benefits?
- Are there any vulnerabilities such as elderly, blind, disabled or other medical vulnerabilities?
- Who is responsible for the account?
- What is the total monthly income of the household?
- Does the household need other support? Ex. Housing, immigration, etc.

You should be able to identify the root cause of the utility issue.

3

Confirm what steps have been taken

- Did the customer contact the utility company about the concern?
- Has the account recently had a payment agreement?
- What financial assistance has the customer applied for?
- Has a medical certification been requested from a medical provider?

Understanding a Utility Bill

Please review bills for the following:

Supply Charges and ESCOs: Supply charges are the cost of energy that is passed directly to the customer. The utility company does not make profit from these charges. These charges do fluctuate depending on global supply chain, similar to oil prices.

- A customer may be enrolled in a third party supplier known as an ESCO. Customers may be wrongly enrolled in ESCO's or paying more than if being charged directly by the utility company.

Delivery Charges and Service Rate: The basic service charge is what a customer pays to have an active account with their utility company, regardless of the amount of energy used. The customer is also charged a rate per energy unit. Review the customer's bill to ensure they are in the correct residential rate.

- Customers with electric heat should have a rate specific for electric heating.
- Alternate rates such as Time of Use may also be used. Customer's may request an alternate rate analysis to determine if it is more cost effective to be in a regular residential rate.

Late Fees: Utility companies may charge up to 1.5% per month on past due balances as a late fee/interest. If a customer has an active and up-to-date payment agreement, they should not be charged late fees.

Budget Billing: Some customers' accounts may be enrolled in a levelized billing plan where they are charged a fixed amount every month. This amount is an estimate that distributes the annual charges. At the end of the 12-month budget billing cycle, the utility company will review if the customer paid more or less than what was actually consumed. Customers are responsible for paying the difference if they used more than what was paid for.

Steps to Assist Households with Termination Notices

- 1** **Gather important information and documents:**
- Termination notice
 - Last bill
 - Proof of income and public assistance benefits

- 2** **Contact the utility company and ask:**
- Is there a shutoff scheduled?
 - What is the payment amount needed to prevent shutoff?
 - Do I qualify for a payment agreement?
 - If you are offered terms that are *not affordable, please do not accept.* → Ask to complete a financial statement.

3 **If you are unable to resolve the concerns with your utility company:**

Please contact the Department of Public Service (DPS), the state agency that regulates utility companies. You may submit an inquiry or complaint:

- **Online:** www.dps.ny.gov/file-complaint
- **Helpline:** 800-342-3377
Use this number if you have a general concern
- **Hotline:** 800-342-3355
Use this number if the customer is actively shutoff

If a customer is already shutoff, please contact the utility company and follow the same steps to determine what are the options to restore services.

Steps to Assist Households with Billing Concerns

A If the customer is receiving consistent estimated bills:

- Confirm if there is a smart meter in the home → Utility companies should be completing remote meter readings with smart meters
 - If there is a smart meter in the home and receiving estimated bills, please contact your utility company.
- Customers may also submit their own meter readings

B If the customer is not receiving bills:

- Contact the utility company to confirm if...
 - The account is enrolled in electronic billing
 - The correct customer information is on file
- The burden is on the customer to communicate to the utility company they are not receiving bills
 - You may ask for a reference number of your call if you update your contact information

C If the customer is receiving high bills:

- Confirm what is the total monthly usage (KWH or CCFs)
 - You may use the usage chart on your bill to identify seasonal peaks (summer and winter are usually when high usage happens)
- Refer the home to energy efficiency resources such as EmPower+ or the local Clean Energy Hub

D Apply for the monthly discount program:

- If the individual you are assisting received a public benefit such as SNAP, Medicaid, Section 8, etc., please apply for the Energy Affordability Program (EAP). Visit: <https://dps.ny.gov/energy-affordability-program>
- For moderate income households, please apply for the new Expanded EAP. Visit: <https://nyeeap.com/>

Talking Points When Negotiating with Utility Companies

While on the phone, remember to:

- Take notes.
- Ask for names, confirmation numbers, and reference numbers whenever possible.
- Try to stay calm and repeat yourself when necessary.

Requesting a Credit/Collections Hold: This is a temporary hold to prevent service interruptions while you seek financial assistance.

1. **Briefly Explain Your Situation:** Let them know that you are experiencing financial hardship and are seeking financial assistance, such as HEAP or Emergency HEAP.
2. **Request a Hold or Extension:** If you have already applied for financial assistance or in the process of applying, ask for a temporary hold on collections until the funds are available.

Requesting a Deferred Payment Agreement (DPA)- Minimum or negotiated payment arrangements allows customers with past-due balances to pay down their arrears in installments in addition to their monthly bills.

1. **Negotiate Terms:** Payment plans can be customized to fit your financial situation. The lowest agreement is \$0 down and \$10 per month. Do not accept terms you are unable to afford.
2. **Provide Financial Information:** Be prepared to supply information about your income, assets, and expenses to determine your eligibility for a payment plan.
3. **Sign the Agreement:** Both you and your utility provider must sign the agreement for it to be valid.
4. **Maintain Payments:** It is important to pay your monthly bill and payment agreement on time. If you default, you may not be entitled to another minimum payment agreement.

Medical Protections for Vulnerable Households

If someone in the home is elderly, blind, disabled, or medically vulnerable: please request a medical certification from the customer's medical provider.

1. Life-Support Equipment (LSE) Protections: Provides an annual protection for homes with LSE.

- Examples of LSE: Oxygen concentrators, Ventilators, Dialysis, suction machines, infant apnea monitors, or other equipment essential to sustain life.
- For Patients Without “Traditional” Equipment: the treating physician may still request LSE status by explaining the equipment and it's necessity to sustain life.

2. Medical Certification (Temporary Shutoff Protection): If service loss would aggravate a serious illness or disability, a customer can receive a general 30-day protection from shutoff.

3. Elderly, Blind, Disabled (EBD) Protections: For households where all residents are either elderly (62+), blind, disabled, or under 18.

A medical certification letter must include the following:

- Patient name & date of birth
- Service address & account holder name
- Medical provider's name, license number, phone, address, and signature
- Attestation:
 - For LSE: “A life support equipment is in the home. The loss of power would place the patient at risk of serious injury or inability to sustain life”
 - For general medical certification: “Loss of electricity, gas, or steam service will aggravate a serious illness or medical condition.”

Frequently Asked Questions

Does PULP provide financial assistance?

No, PULP does not provide financial assistance. PULP can connect you to other resources at your local Department of Social Services and Human Resources Administration office. You may also contact local charities.

Can I call PULP's hotline any time?

Our hotline is open 24 hours, 7 days a week. You will hear back from a PULP staff member between Monday – Friday, 9am to 5pm.

Does PULP charge for its services?

No, PULP does not charge for services. PULP does need completed intake paperwork and a signed authorization form returned so that we can assist.

When should I refer to PULP?

If you and the customer have gone through the steps and are still unable to reach a resolution, please contact our hotline. PULP is unable to assist if the utility company has not been contacted regarding the matter previously.

Do immigrant households have the right to utility service in New York?

Yes. All residential customers are protected under the Home Energy Fair Practices Act (HEFPA), regardless of immigration status. Utilities cannot ask about or report immigration status.

- **How do I know if the ‘Public Charge Rule’ applies to me?**

- The public charge rule is part of immigration law that allows the government to deny visa/green card applicants if they are “likely to become dependent on government assistance”. This generally applies to income maintenance programs such as Social Security or Cash Assistance. *

**The content above is provided for general education and informational purposes only. It does not constitute legal advice and does not create an attorney-client relationship. Before acting upon any information, PULP recommends consulting with a qualified attorney, versed in current immigration and/or public benefits law, who can provide advice tailored to your specific situation.*