

# STATEMENT OF UTILITY RIGHTS & RESPONSIBILITIES

The Utah Public Service Commission has established rules about utility consumer / company relationships. These rules cover payment of bills, late charges, security deposits, handling complaints, service disconnections and other matters. These rules assure customers of certain rights and outline customer responsibilities.

## **CUSTOMER RIGHTS**

### **The utility company will:**

Provide service if you are a qualified applicant. Offer you at least one 12-month deferred payment plan if you have a financial emergency. Let you pay a security deposit in three installments, if one is required. Follow specific procedures for service disconnection which include providing you notice postmarked at least 10 days before service is disconnected. Offer winter shut-off protection of energy utility service to qualifying rate-payers. Advise you of sources of possible financial assistance in paying your bill. Continue service for a reasonable time if you provide a physician's statement that a medical emergency exists in your home. Give you written information about Commission rules and your rights and responsibilities as a customer under those rules.

## **CUSTOMER RESPONSIBILITIES**

### **You, the customer will:**

Use services safely and pay for them promptly. Contact the utility company when you have a problem with payment, service, safety, billing, or customer service. Notify the utility company about billing or other errors. Contact the utility company when you anticipate a payment problem to attempt to develop a payment plan. Notify the utility company when you are moving to another residence. Notify the utility company about stopping service in your name or about stopping service altogether. Permit access to your property for essential utility company personnel and equipment.

**To contact the utility company, call the telephone number shown on your utility bill.**

**If you have a problem, call the utility company first. If you cannot resolve the problem, you may obtain an informal review of the dispute by calling the Utah State Division of Public Utilities Complaint Office at the following telephone numbers:**

**801-530-6652 in Salt Lake City or 1-800-874-0904 Toll Free Statewide.**

## **Residential Customer Utility Service**

Utility bills can often be one of our biggest household expenses. Utahans have the right to safe, dependable service from utility companies.

The Utah Division of Public Utilities in the Department of Commerce represents the interests of the general public before the Public Service Commission. The Division works to assure that all utility customers have access to safe, reliable service at reasonable prices.

Most Utahans receive good utility service, but problems can arise. The Commission rules provide Utah consumers with information on the relationship between the utility and the utility customers. Two of the applicable Commission rules are R746-200 and R746-240. Some important aspects of these rules are presented below. This information is not legally binding on any party. It is for information only. The full text in the Utah Code, Utah Administrative Rules, and utility company tariffs is legally binding.

## **Deposits**

Utilities' deposit policies are related to the applicant's credit history. Using utility services is much like purchasing any other commodity. Sellers will usually agree to the use or sale of their products if they have confidence that they will be paid at a certain time. So it is with utility companies; they are selling a product - electricity, gas, water or sewer - and must be paid in order to continue providing service.

If a utility company feels that a prospective purchaser of services may be a credit risk, it may require a deposit in order to protect its interest. All utilities collecting security deposits must pay interest at a rate approved by the Public Service Commission. The deposit paid, and accrued interest, may be returned to the customer after the customer has paid the bill on time for twelve consecutive months.

Utah utilities must submit deposit policies to the Commission for approval. Therefore, the deposit required may differ from one utility company to another. A new customer for utility service will have the right to pay a security deposit in at least three equal monthly installments provided that the first installment is paid at the time of application.

### **Billing**

Utilities usually bill customers monthly. The bill may not be due less than 20 days after the billing date. Bills are computed after the use period by reading the meter, or through computer readings. Gas, electric, and water utilities use meters to calculate usage. The utility is required to make an actual meter reading at least once in a two-month period and render a bill for the appropriate charge determined from that reading.

If a meter reader is unable to gain access to a meter, the utility must take appropriate additional measures in an effort to obtain an actual meter reading. These measures include, but are not limited to, scheduling a meter reading at other than normal business hours, making an appointment for meter reading or providing a prepaid postal card with a notice of instruction upon which an account holder may record a meter reading. If after two regular route visits access has not been achieved, the utility will give notice that the customer must make arrangements to have the meter read. If the utility is still unable to make an actual meter reading, it may render an estimated bill or may discontinue service.

It's a good idea to stay current with your payments. Any delinquent bills will be charged interest if they go unpaid past the due date.

### **Disputes**

Sometimes problems can occur or disagreements arise over your bill. If there is a problem, contact the company first. If the utility does not resolve the problem to your satisfaction, you have the right to seek help from the Division of Public Utilities. The procedure in resolving your dispute is straight forward: after receiving your complaint, a Division employee will act as a mediator between you and the utility company. You will not have service terminated for nonpayment of the disputed portion of the bill, as long as you keep up payment on all other services. Normally within five business days, you will be informed of the findings and/or solution to your complaint. Utilities are required to resolve complaints within 30 calendar days.

If you feel that further action is necessary, you can formally file a petition with the Public Service Commission in order to resolve the dispute. The Commission may then call both you and the utility in for a hearing on the matter. You and the utility will be given the chance to present any arguments supporting your positions. The Commission will then render a decision which is binding on both parties. If either party thinks the decision is still unsatisfactory, they can appeal to the Utah State Supreme Court.

### **Deferred Payment Agreements**

Occasionally, there are customers who are unable to pay the entire account balance at the time it is due. Rather than have service terminated, they may enter into what is known as a Deferred Payment Agreement (DPA). This agreement allows the customer to payoff the past due amount, re-connection fees, and interest in monthly installments, provided that the total amount is paid off in 12 months. The customer must also pay the current month's charge.

The customer has the right to set the amount of the monthly payment, (it must be at least one-twelfth of what is owed, however). The first payment must be received at the utility's office within 48 hours after the agreement has been reached and can't be less than that which was agreed upon. If service has been shut off, it will be restored as soon as the customer enters into a Deferred Payment Agreement.

If the person defaults on this agreement, the utility may let the customer sign another agreement, reinstate the old one, or refuse to grant another one. Service may also be terminated at the company's option.

### **Equal Payment Plan**

Some utilities have a budget billing or equal payment plan available for customers who want to make equal monthly payments throughout the year. If a customer becomes delinquent on an equal payment plan, the customer has two options for repayment. The customer can enter into a deferred payment agreement or pay a

budget billing amount set by the utility plus the monthly deferred payment installment.

### **Termination of Service**

#### **Service may be terminated for several reasons, including:**

Nonpayment of a delinquent account; Nonpayment of a deposit where required; Failure to comply with the terms of a Deferred Payment Agreement or Commission order; Unauthorized use of or diversion of residential utility service or tampering with wires, pipes, meters or other equipment; Concealing information or deliberately furnishing false information for the purpose of obtaining utility service; Failure to provide access to your meter during a regular route visit to the premises following proper notification and opportunity to make arrangements.

#### **The following will not be used as a basis for terminating service:**

A delinquent account, accrued prior to the commencement of a divorce or separate maintenance action in the courts, in the name of a former spouse, can't be the basis for termination of the current account holder's service. Cohabitation of a current account holder with a delinquent account holder who was previously terminated for nonpayment, unless these two account holders also cohabited during the time the delinquent account holder received the utility's service. This includes service that was received at the current account holder's present address or another address.

### **Special Circumstances**

Under special circumstances, the utility company will not always terminate residential service for reasons mentioned above. For example, if someone in the home is seriously ill, and a doctor's statement certifies this condition will be aggravated if a utility service is terminated, services may not be cut off immediately. Service will continue for a month (30 days), or the specified time in the doctor's statement, whichever is less. If needed, the person may petition the Public Service Commission for an extension of time.

The utility company should be contacted if anyone on the premises is using an iron lung, dialysis, respirator, or other life-support equipment. A medical condition doesn't exempt someone from paying utility bills. Rather, it will merely delay termination if the person is unable to make complete payment. The bill will eventually have to be paid.

### **Termination Without Notice**

Whenever the company feels that an emergency or serious health or safety hazard exists, service can be terminated without notice. They may also shut off a customer if there is unauthorized use of utility service, or tampering with pipes, meters or other equipment.

### **Termination With Notice**

A notice of termination by a utility company must include the billing information and information on steps to take to avoid termination including deferred payment agreements, a referral service (agencies or organizations that provide financial assistance) medical extensions, and the procedure for filing a complaint with the Division of Public Utilities.

A public utility must give written notice of disconnection for nonpayment to the account holder. Telephone companies must give 7 days and other utilities must give 10 calendar days notice prior to a proposed termination of residential utility service. The notice time period is computed from the date the notice is postmarked.

The utility must make good-faith efforts to notify the account holder or an adult member of the household by mail, telephone or a personal visit to the residence. Telephone companies must do this 1 business day prior and other utilities at least 48 hours prior to the time when termination of service is scheduled. If personal notification has not been made either directly by the utility or by a customer response to a mailed notice, (a non-telephone utility must leave written termination notice at the residence). For non-telephone utilities, personal notification, such as a visit to the residence or telephone conversation with the party being terminated, is required only during winter months (October 1 through March 31). For all other months of the year, the mailed 48-hour notice can be the final notice prior to the termination.

In rental property situations where the tenant is not the account holder and that fact is known to the utility, the utility will post a notice of proposed termination of service on the premises in a conspicuous place and will make reasonable efforts to give actual notice to the occupants by personal visits or other appropriate means at

least five calendar days before the proposed termination of service.

**Other Considerations**

The utility company will make reasonable efforts to provide third-party notification (to clergy, friends or family) of a delinquent balance if requested by the customer. This provides a third person with notification of the proposed termination notice. Bear in mind that this person is not responsible for the payment of any delinquent bill you might owe.

If you anticipate being on an extended vacation, it is best to make prior arrangements for paying your bills.

**Third Party Charges**

State code Section 54-4-37 governs third-party billing practices. A third party is any person or entity other than the account holder and the utility. The utility could perform billing services for a third party. If payment is not made for the entire bill, the utility is required to apply customers' payments to tariff services first and then proportionally to other charges unless otherwise directed by the customer. No public utility may disconnect or threaten to disconnect basic utility service for failure to pay third party charges.

**Any Questions?**

If you have any questions regarding utility service, billing, terminations, etc. or wish to make a complaint against a utility company, please contact the Division of Public Utilities.

**Street Address**

160 East 300 South  
Heber M Wells Bldg, 4th Floor  
Salt Lake City, UT 84111

**Mailing Address**

SM Box 146751  
Salt Lake City, UT 84114-6751

**Telephone**

(801) 530-7622 - General  
(801) 530-6652 - Complaints  
(800) 874-0904 - Toll Free Statewide

**FAX**

(801) 530-6512  
(801) 530-6650