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## HOUSE BILL NO. 2537

Offered January 9, 2019

Prefiled January 9, 2019

A BILL to amend and reenact § 56-247.1 of the Code of Virginia, relating to notice prior to termination of electric utility service; enforcement by State Corporation Commission of procedural requirements.

Patron—Tran

Referred to Committee on Commerce and Labor

**Be it enacted by the General Assembly of Virginia:****1. That § 56-247.1 of the Code of Virginia is amended and reenacted as follows:****§ 56-247.1. Commission to require public utilities to follow certain procedures.**

A. The Commission shall require that public utilities adhere to the following procedures for services not found to be competitive:

1. Every public utility shall provide its residential customers one full billing period to pay for one month's local or basic services, before initiating any proceeding against a residential customer for nonpayment of local service.

2. Pay the residential customer a fair rate of interest as determined by the Commission on money deposited and return the deposit with the interest after not more than one year of satisfactory credit has been established.

3. Every public utility shall establish customer complaint procedures which will insure prompt and effective handling of all customer inquiries, service requests, and complaints. Such procedure shall be approved by the Commission before its implementation and it shall be distributed to its residential customers.

4. No electric or gas utility shall terminate a customer's service without 10 days' notice by mail to the customer. *Such a procedure of an electric utility shall require such notice regardless of whether reasonable cause exists to believe the customer is receiving electric utility services without paying or that the electric utility's equipment has been damaged or tampered with to prevent the meter from recording usage. However, the requirement that the electric utility give the customer 10 days' notice by mail prior to terminating service shall not apply if in the electric utility's opinion (i) the condition of a customer's wiring, equipment, or appliances is either unsafe or unsuitable for receiving the electric utility service; (ii) the customer's use of the electric utility service or equipment interferes with or may be detrimental to the electric utility's facilities or to the provision of electric utility service by the electric utility to any other customer; or (iii) electric service is furnished over a line that is not owned or leased by the electric utility and the line is either not in a safe and suitable condition or is inadequate to receive electric utility service.* Any notice by an electric utility to a customer required by this subdivision shall include a description of the customer's authority pursuant to subsection C to petition the Commission for a review of the electric utility's determination that it is authorized to terminate the customer's electric service.

5. No public utility shall terminate the residential service of a customer for such customer's nonpayment of basic nonresidential services as defined by its terms and conditions on file with the Virginia State Corporation Commission.

6. A public utility providing water service shall not terminate service for nonpayment until it first sends the customer written notice by mail 10 days in advance of making the termination but, in no event, shall it terminate the customer's service until 20 days after the customer's bill has become due. Any such notice shall also include contact information for the customer's use in contacting the public utility regarding the notice.

7. Any electric utility formed under or subject to Chapter 9.1 (§ 56-231.15 et seq.) may install and operate, upon a customer's request and pursuant to an appropriate tariff for any type or classification of service, a prepaid metering equipment and system that is configured to terminate electric service immediately and automatically when the customer has incurred charges for electric service equal to the customer's prepayments for such service. Subdivisions 1, 2, 4, and 5 shall not apply to services provided pursuant to electric service provided on a prepaid basis by a prepaid metering equipment and system pursuant to this subsection. Such tariffs shall be filed with the Commission for its review and determination that the tariff is not contrary to the public interest.

B. Any and all Commission rules and regulations concerning the denial of telephone service for nonpayment of such service shall not apply to services found to be competitive.

C. Any customer of an electric utility is authorized to petition the Commission for a review of any

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59 *determination by the electric utility that it is authorized to terminate the customer's electric service.*  
60 *Upon the filing of the petition, if the Commission shall deem that a hearing is necessary, the*  
61 *Commission shall assign the matter for prompt hearing. If and when the Commission, with or without a*  
62 *hearing, determines that such termination of the customer's electric service is not authorized, the*  
63 *Commission shall enjoin such termination of service or order such other relief as it may deem proper*  
64 *and that the circumstances require.*