

22101536D

## HOUSE BILL NO. 1054

Offered January 12, 2022

Prefiled January 12, 2022

A *BILL to amend the Code of Virginia by adding in Chapter 3.2 of Title 44 a section numbered 44-146.29:4 and by adding in Article 2 of Chapter 10 of Title 56 a section numbered 56-245.1:3, relating to disaster or emergency; weather extremes; residential customers; disconnection prohibitions for certain utilities; report.*

Patrons—Shin and Kory

Referred to Committee on Public Safety

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Chapter 3.2 of Title 44 a section numbered 44-146.29:4 and by adding in Article 2 of Chapter 10 of Title 56 a section numbered 56-245.1:3 as follows:**

**§ 44-146.29:4. Disconnection prohibition for certain utilities.**

A. In the case of any "state of emergency," "emergency," "major disaster," "disaster," or "resource shortage," as these terms are defined in § 44-146.16, declared by the Governor or by federal, state, or local officials, (i) each utility that is engaged in the business of furnishing telecommunications, electricity, gas, water, or wastewater services and subject to the regulation of the State Corporation Commission or owned or operated by a municipality and (ii) each company that is engaged in the business of furnishing broadband services that is subject to the regulation of the State Corporation Commission or owned or operated by a municipality shall be prohibited from disconnecting service to residential customers for nonpayment of bills or fees until 60 days after either: (a) the Governor or state or local officials determine that conditions have improved such that the prohibition need no longer be in place or (b) the declared state of emergency, emergency, major disaster, disaster, or resource shortage has ended, whichever occurs first.

B. Notwithstanding any other provision of law, upon the declaration of a local emergency, as that term is defined in § 44-146.16, each utility identified in subsection A shall be prohibited from disconnecting service to residential customers for nonpayment of bills or fees in the area affected by a local emergency within its service territory until 60 days after the sooner of either of the following: (i) state or local officials determine that conditions have improved such that the prohibition need no longer be in place or (ii) the declared local emergency ends.

C. Each utility subject to this section shall notify its customers who are at least 30 days in arrears about this prohibition on disconnections by certain utilities. Such notice may be included as a bill insert or separate notice.

**§ 56-245.1:3. Disconnection prohibition for certain utilities during weather extremes; prohibition on related fees.**

A. No electric, gas, water, or wastewater utility subject to the regulation of the Commission under this chapter or owned or operated by a municipality shall disconnect from service any residential customer for the nonpayment of bills or fees between the heating period of November 1 and March 15 of each year or during the cooling period from June 15 through August 15 of each year without first working in collaboration with the residential customer who has an overdue balance to seek and apply any available resources that may reduce or eliminate such accumulated balance or enroll the customer in a repayment program offered by the utility or in which the utility participates to repay the residential customer's accumulated debt.

B. No electric, gas, water, or wastewater utility subject to the regulation of the Commission under this chapter or owned or operated by a municipality shall disconnect from service any residential customer for nonpayment of bills or fees when (i) the forecasted temperature low is below 32 degrees Fahrenheit for the 24 hours following the scheduled disconnection, and during any holiday or weekday following the scheduled disconnection; (ii) the forecasted temperature high is to exceed 95 degrees Fahrenheit in the 24 hours following the scheduled disconnection; or (iii) any of the following are in effect, as declared by the National Weather Service, for the 24 hours following the scheduled disconnection, and any holiday or weekend following the scheduled disconnection, for the area in which the customer resides: winter storm watch or warning, winter weather advisory, freeze warning, heat advisory, or excessive heat watch or warning.

C. No electric, gas, water, or wastewater utility subject to the regulation of the Commission under this chapter or owned or operated by a municipality shall charge residential customers a fee for

INTRODUCED

HB1054

59 *disconnecting from service or reconnecting to service for nonpayment of bills or fees.*

60 *D. The Commission shall require all gas, electric, water, and sewer public utilities subject to*  
61 *regulation under its authority to submit (i) an annual report by December 1, 2022, and annually*  
62 *thereafter, reporting and making publicly available in executable, electronic spreadsheet format, by zip*  
63 *code, the number of disconnections for nonpayment, as described in subsection A, and reconnections*  
64 *that occurred in the calendar year 2021, and each year preceding the report thereafter, and (ii) a*  
65 *monthly report by December 15, 2022, and on the 15th day of each month thereafter, reporting and*  
66 *making publicly available in executable, electronic format, the following information, by zip code, for*  
67 *the immediately preceding month by customer class and type of utility service provided, during the*  
68 *month:*

69 *1. Aged accounts, including (a) the number and value of outstanding aged account balances, (b) the*  
70 *number and value of associated collections from customers, (c) the number and value of associated*  
71 *additions to aged accounts receivable balances, and (d) the number and value of aged accounts*  
72 *receivable balances, net of collections and additions.*

73 *2. Disconnections, reconnections, and late fees, including (a) the number of customers receiving*  
74 *disconnection notices, (b) the number of customers disconnected for nonpayment, (c) the number of*  
75 *customers assessed late payment fees and the value of those fees, (d) the number of customers*  
76 *reconnected because they have paid in full, and (e) the number of customers reconnected because they*  
77 *have set up repayment agreements.*

78 *3. Repayment plans, including (a) the number, total value, and average debt of accounts that are*  
79 *participating in a repayment plan as set forth by the utility; (b) the number of accounts removed from*  
80 *the repayment plan as set forth by the utility, categorized by reason; (c) the amount of debt and average*  
81 *debt still remaining for customer accounts removed from the repayment plan as set forth by the utility;*  
82 *(d) the carrying costs of the debt for accounts participating in a repayment plan and any associated*  
83 *administrative costs incurred; and (e) the cumulative level of customer arrearages by locality.*