



## **YOUR RIGHTS AS AN ELECTRIC OR NATURAL GAS UTILITY CUSTOMER**

Are you a residential, small commercial or agricultural customer of an electric or natural gas utility company regulated by the Colorado Public Utilities Commission (PUC)? Utility customers have certain rights and obligations. Utility companies also have certain rights and obligations in providing your service. These rights and responsibilities are outlined in the PUC rules regulating the company. After reading this information, you should know more about:

- The utility company's responsibility to provide service, billings, usage reports, etc.
- Your responsibility to pay for service.
- Your rights to avoid disconnection of service.

### **BASIC INFORMATION**

The Colorado Public Utilities Commission (PUC) is a state agency in the Department of Regulatory Agencies. The PUC has rate, safety and service authority for some regulated electric, gas, water, telephone, and transportation utility companies.

If you can't solve a service problem with a regulated utility company, you have the right to file an informal or formal complaint with the Commission. Individuals, groups or organizations can also intervene or participate in formal cases before the Commission or testify at public hearings held at various times throughout the state.

This publication summarizes some of the PUC's electric and natural gas utility rules. For more detailed information, please ask your utility company for a copy of its specific rules. PUC rule numbers are in parenthesis at the end of each statement or section.

### **PROVIDING YOUR SERVICE**

Your electric or natural gas utility company must provide safe and efficient service at rates approved by the PUC. Upon request, the company must give you a copy of its rates within 10 days of a customer's request or, in the case of a new customer, within 60 days of the commencement of service. (Rule 3405)

To reach PUC Consumer Affairs:

1560 Broadway, Suite 250, Denver, CO 80202  
303-894-2070 (local); 1-800-456-0858 (toll-free)  
dora\_puc\_complaints@state.co.us

You must be given a monthly bill for service. That bill must show: (1) the net amount due for regulated charges; (2) the dates and meter readings for the beginning and ending period of the bill; (3) if actual meter readings were not taken, a distinct marking to identify an estimated bill; (4) the rate or rate classification identification; (5) the date by which payment is due, which shall not be earlier than 15 days after the mailing or the hand delivery of the bill; (6) the total amount of all payments and other credits made to the customer's account during the billing period; (7) any past due amount; and, (8) all other facts upon which the bill is based, such as transfers from previous addresses, etc. (Rule 3401)

If your meter can't be read because it is not accessible to utility company employees, you may be required to call in or mail the meter reading to the company.

If you disagree with the meter reading shown on your bill, you can ask the company to test the meter's accuracy and give you a written report. The first test will be free-of-charge if the meter has not been tested within the last 12 months, and if you agree to accept the result as the basis for settling the dispute. (Rule 3305)

When a meter does not register, registers intermittently, or partially registers for any period, the utility may estimate a charge for electricity used based on amounts metered to the customer over a similar period of time. The period for which the utility charges the estimated amount cannot exceed six months. (Rule 3402(a))

In cases of over-billing, the utility must refund the amount wrongly charged for the period during which the over-billing occurred, up to two years.

If you owe the utility company money because of a utility error in billing, meter reading, etc., you can make installment payments over a period of time equal to that in which the error occurred. (Rule 3402(d))

**If you want to dispute a bill amount, you still must pay the undisputed portion of your bill on time or risk shut off. Any amount you have overpaid can later be refunded or credited to your account.**

## **PAYING FOR YOUR SERVICE**

### **Deposits - New Customers**

If you are a "new customer," one who has never had service with the electric or gas utility company in the same name as you are now using, you may not have to pay a deposit to get your new service turned on. But, after you have started to receive service, your utility company may require payment of a cash deposit to guarantee payment of current bills. (Rule 3403)

If your utility company is extending a line so you can have service, you may have to pay a "construction deposit." Ask your utility company for a copy of its line extension rules and rates.

## **Deposits - Current and Previous Customers**

Current customers, or customers who previously had service under the same name with the utility company, may be required to make a new or additional cash deposit only if their previous payment record includes recent or substantial delinquencies. (Rule 3403(b)). Your utility must have a written deposit policy explaining when deposits are required.

## **Deposits - General Information**

The deposit amount can be no greater than an estimated 90-day bill. If a customer pays in advance of usage, the amount can be no greater than an estimated 60-day bill. (Rule 3403(h))

If you have paid your bill on time for one year after paying the deposit, the deposit amount plus simple interest will be refunded to you. The interest amount varies each year and can be obtained from your utility company or the PUC.

If you pay a deposit, you still have to pay your bill on time. Your deposit cannot be used to pay a current bill. Your deposit can be applied to an outstanding account balance only after you stop service at your current address or are disconnected. (Rule 3403(m))

If you cannot pay the cash deposit, the utility company must offer at least one non-cash deposit alternative, such as a third-party guarantee. (Rule 3403(o))

## **Paying Your Bill**

You must pay for service, a deposit or other regulated charge by the due date on the bill or notice. The due date cannot be earlier than 15 days after the mailing or hand-delivery of a bill. You also must tell the company when you are moving from your current address and need to have service shut off or transferred to a new address.

Some residential customers rent or lease and are billed by their landlords, not directly by the utility company. PUC rules prohibit the landlord from receiving more money from tenants than is needed to pay the landlord's total bill. (Rule 3803)

## **SERVICE DISCONNECTION (Rule 3407)**

**If you cannot pay your bill on time, or the company suspects energy is being diverted, your electric or natural gas utility company can shut off your service only after giving you advance written notice.**

Your service may also be disconnected without notice for safety reasons, such as a problem with the utility's lines or pipes, or an appliance causing danger to life, health or safety.

Your electric or natural gas service may not be disconnected on the weekend between noon on Friday and 8 a.m. the following Monday. It also may not be shut off between noon on the day before any federal or state holiday or utility observed holiday and 8 a.m. on the day following the

holiday. **The company must send by first class mail or deliver a written shut off notice at least 15 days before the shut off date.** This notice will read, "This is a final notice of discontinuance of (electric or gas) utility service and contains important information involving your legal rights and remedies. You must act promptly to avoid utility shut-off."

This notice should include any past due dollar amount and the date by which an installment payment plan must be entered into or full payment must be received to avoid shut off. The notice should also state that qualified low-income customers may be able to obtain financial assistance to assist with the payment of the utility bill and that more detailed information on that assistance may be obtained by calling the utility toll-free.

Following the issuance of the notice of discontinuance, and at least 24 hours prior to discontinuance of service, a utility must attempt to give notice of the proposed disconnection in person or by telephone both to the customer and to any third-party the customer has designated in writing to receive such notices. If the utility tries to notify the customer in person, but fails to do so, it must leave a written notice of the attempted contact and its purpose. (Rule 3408(f))

**The written shut off notice must tell you your basic rights regarding service disconnection. When you get a shut off notice, you can:**

- Call the utility toll-free, within its service territory, to solve any disagreement about the amount due or the due date.
- Make an informal complaint to the PUC in writing, by telephone or in person.
- Make a formal written complaint to the PUC with a motion or request to delay shut off until after the formal complaint hearing. (The PUC may grant your request, perhaps also telling you to either post a deposit or bond for the disputed amount or pay all undisputed charges.)
- Stop a service shut off by:
  - (a) paying, on or before the date the shut off notice expires, at least one-tenth of the dollar amount shown on the notice; and
  - (b) setting up an installment payment plan to pay your remaining balance; and paying your future bills on time.
- Residential consumers also can stop a shut off by giving the utility company a "medical certification" from a doctor, or health practitioner acting under a doctor's supervision, stating that disconnecting service would be especially dangerous to the health or safety of the customer or a permanent resident of the customer's household. (Rule 3407)

If a medical certification is given to the company, no shut off of service will occur for 60 days from the date of the certificate. You may get an additional 30 days if you give a second certificate to the utility before the first one expires. A medical certificate can delay a

disconnection for no more than 90 days during any consecutive 12-month period. You should be paying your monthly bill on time during this period. You must contact the utility company before your medical certificate expires to arrange to pay the balance due.

**If your service is disconnected due to non-payment, it must be turned on again within 24 hours after you:**

- pay in full the amount for regulated charges shown on the notice; or
- enter into an installment payment or modified budget billing plan and make the first payment; or
- present a medical certificate.

**If you set up a payment plan to avoid a service disconnect, your utility company will give you a written copy of the plan within 7 days after you agree to it.**

- Your payments must be posted to your account on time.
- If you cannot make your payments on time, you should talk to the utility company before your payment is due and ask about the procedure for making a change in the payment time or amount.
- If you cannot make your payments on time, your service can be disconnected after the utility company mails or delivers to you a notice of broken payment arrangements. Your service can be disconnected unless you pay the amount due, within 10 days of the notice mailing or delivery date, or again use one of the options to avoid shut off. (Rule 3404(g))

**If you fail to make an arranged payment and your service is disconnected, the utility company may deny you service until you pay all amounts more than 30 days past due plus any reconnection charges. The company may also decline your request to make further arrangements.**

**If you have questions not answered in this information, please contact the PUC Consumer Affairs office.**