The Home Energy Fair Practices Act (HEFPA) sets clear guidelines on public utilities’ services to residential customers. This is a guide to the laws and regulations of the Public Service Commission (PSC) as they apply to utility companies in New York State.

■ Security deposits
A utility company may not ask for a security deposit for a new service except from seasonal or short-term customers. Utilities may require a deposit if you fall behind in paying your bills, but the deposit can’t exceed two months of service. The utility provider cannot hold your deposit for more than one year unless you are delinquent, and you are entitled to interest on your deposit. No deposits can be requested of customers 62 years of age or older unless the customer has had service terminated by the utility for nonpayment within the preceding six months. No deposits may be requested from someone receiving public assistance or Supplemental Security Income (SSI).

■ Service refusal
Your utility provider must provide service unless you owe the utility for previous service (See Payment Plan Options inside). A utility can’t make you pay someone else’s bill, such as a former roommate, in order to provide you service. Also, they may not refuse you residential service because of the prior debt of a business that was in your name.

■ Service requirements
If there is a medical emergency in your household, your utility company can’t terminate your service because of late payments or nonpayment. Provide your utility with certification from your doctor, nurse practitioner or local board of health to get service turned on or to continue service if loss of service will aggravate an existing medical emergency.

■ Meter reading
If your utility can’t get a meter reading for four months or two billing periods, whichever is longer, it must take additional measurements to get an actual reading, such as making an appointment or giving you a card on which to report your meter reading.

Know your rights
as a residential utilities consumer

Crafted by...
Speaker of the Assembly
Carl E. Heastie

www.nyassembly.gov

Speaker of the Assembly
Carl E. Heastie

250 Broadway, Suite 2301
New York, NY 10007
212-312-1400
Room 932, LOB
Albany, NY 12248
518-455-3791
speaker@nyassembly.gov

Your rights
as a residential utilities consumer

The Home Energy Fair Practices Act (HEFPA) sets clear guidelines on public utilities’ services to residential customers. This is a guide to the laws and regulations of the Public Service Commission (PSC) as they apply to utility companies in New York State.

■ Security deposits
A utility company may not ask for a security deposit for a new service except from seasonal or short-term customers. Utilities may require a deposit if you fall behind in paying your bills, but the deposit can’t exceed two months of service. The utility provider cannot hold your deposit for more than one year unless you are delinquent, and you are entitled to interest on your deposit. No deposits can be requested of customers 62 years of age or older unless the customer has had service terminated by the utility for nonpayment within the preceding six months. No deposits may be requested from someone receiving public assistance or Supplemental Security Income (SSI).

■ Service refusal
Your utility provider must provide service unless you owe the utility for previous service (See Payment Plan Options inside). A utility can’t make you pay someone else’s bill, such as a former roommate, in order to provide you service. Also, they may not refuse you residential service because of the prior debt of a business that was in your name.

■ Service requirements
If there is a medical emergency in your household, your utility company can’t terminate your service because of late payments or nonpayment. Provide your utility with certification from your doctor, nurse practitioner or local board of health to get service turned on or to continue service if loss of service will aggravate an existing medical emergency.

■ Meter reading
If your utility can’t get a meter reading for four months or two billing periods, whichever is longer, it must take additional measurements to get an actual reading, such as making an appointment or giving you a card on which to report your meter reading.

Continued inside...
Your service cannot be shut off if health or safety problems will result. Shut-offs can be investigated by the utility and the Department of Social Services.

■ Late billing
If a customer is not billed immediately due to the utility’s neglect, the utility company can’t bill the customer again for services rendered more than six months prior to when the first bill was issued. If the utility discovers it underbilled a customer and was at fault, the company can only rebill for the last 12 months of service. In cases where the company was not at fault, it has two years to send the customer a corrected bill. Also, if the utility company has billed you for service, but is requesting you pay more for a service you used over 12 months ago, the company must send a letter explaining the adjustment.

■ Complaints
If you disagree with your bill or with your utility company, you can file a complaint with the PSC by calling 800-342-3377. Your complaint will be investigated and a written response will be issued, if requested. You may also appear in person to state your case. While they are investigating your complaint, service must be continued as long as you pay the charges that are not under protest.

■ Shut-off notices
Your utility company’s termination notice must be sent at least 20 days after the payment date and must allow you 15 days to resolve the problem. During the cold weather period of Nov. 1 to April 15, your service provider must make a special effort to determine if shutting off your heat-related service will cause a problem to the health and safety of you or a member of your household. Telephone companies must send you a notice to suspend or terminate service at least eight days prior and allow you 20 days to pay the bill, unless there are exceptional circumstances.

If your service provider is aware that you and all adults living with you are 62 years of age or older, blind or disabled, and all remaining residents of the household are 18 years of age or younger, it must make special attempts to contact you by phone or in person at least three days before a scheduled service shut-off.

If you are a tenant and your landlord pays for services, the utility must post notices in public areas of the building at least 15 days before service termination; mail a separate notice to tenants at least 15 days before shut-off in an apartment building; give 15 days’ notice before shut-off to tenants in a two-family house; and provide 30 days’ notice during the cold weather period of Nov. 1 to April 15. You may be able to avoid the shut-off by paying some or all of your bill to the utility company or by opening an account in your own name.

■ Service restoration
If your service has been shut off, your utility company must restore service:
- if a serious impairment to health or safety is likely to occur; or
- whenever there is an ongoing formal dispute as to why or how the utility shut service off.

By calling the PSC hotline at 800-342-3355, you can request your service be restored under these circumstances. You can also visit the PSC website at www.dps.ny.gov.

■ Future options for consumers
The Public Service Commission requires that most telephone, gas and electric companies allow customers to choose among service providers. In choosing a service provider, be careful about signing any agreement that waives or reduces your rights under law as a utility customer. Visit www.askpsc.com to learn more.

Remember...

If you receive public assistance or SSI, the Department of Social Services may be required to pay some of your old gas or electric bill and guarantee future payment. If you do not receive public assistance or SSI, you can still apply to the Department of Social Services for assistance with a deferred payment agreement. If there is a payment made on your behalf by the Department of Social Services, the utility company must provide service.