

## Shutoff of Utility Services

### 1. What are the Consumer Standards and Billing Practices for Electric and Natural Gas Service?

The Michigan Public Service Commission's (MPSC) Consumer Standards and Billing Practices for Electric and Natural Gas Service are frequently referred to as the "billing rules." They are authorized by state law and lay out the parameters and practices that regulated utilities must follow in billing residential customers and large and small nonresidential customers for gas and electric service. The rules cover applying for service, customer deposits, meter reading procedures, meter accuracy and errors, billing and payment standards, voluntary termination of service, complaint procedures, procedures for shutoff and restoration of service, energy assistance and shutoff protection programs, dispute resolution, and MPSC appeal procedures, and can be found in the Michigan Administrative Code at [R 460.101 et seq.](#)<sup>1</sup>

### 2. What can a customer do if they believe their utility is not following the billing rules?

Customers who have questions about the billing rules or who want to file a complaint against a utility if they think their rights are being violated should call the MPSC's Customer Assistance line at 1-800-292-9555.

### 3. What can a customer expect when they call the MPSC with a utility concern?

The MPSC keeps a record of all calls that are made to the customer service department. Customers will be asked to provide their name, phone number, billing address, and e-mail address and to identify their utility company. While customers may refuse to provide any or all of this information, options for assistance may be limited where the requested information is not provided.

Customer concerns involving a potential violation of MPSC Rules are classified as a complaint, and these customers may utilize either the informal or formal complaint processes to seek resolution for their concern. MPSC Staff will explain these processes to customers whose concerns fall into this category. It is important to note that the customer does not need to know the specific rule they believe the utility is violating, as these can be identified by staff based upon the allegations of the customer.

A customer concern that does not allege a violation of the rules is categorized as a case comment which is forwarded to the appropriate utility. If the case comment involves a point of dispute between the customer and the utility, the utility is required to contact the customer within two business days and to report back to the commission within ten days regarding the plan for resolution. *Rule 50 (R 460.150)*

### 4. When do MPSC rules allow a utility to disconnect service to a residential electric or natural gas customer?

A utility can shut off or deny service to a customer under certain circumstances, including non-payment of bills, unauthorized use of service, misrepresentation of identity to obtain utility service, refusal to arrange service at reasonable times for the purpose of inspection, meter reading, maintenance or replacement of customer equipment at the premises, or for the removal of a meter. *Rule 37 (R 460.137)*

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<sup>1</sup> The Billing Rules were updated in December 2017. All Rules references are to the new billing rules.

## 5. Are vulnerable customers prevented from shutoff under any circumstances?

The billing rules provide the following protections from shutoff of service:

- **Customers with “holds” on accounts** – A utility shall not shut off service, in most cases, if a customer has an informal complaint, customer hearing, or formal hearing pending with the utility or the MPSC. *Rule 38 (R 460.138)*
- **Senior Citizen Customer** – A utility shall not shut off service to an eligible senior citizen customer during the heating season (November 1 through March 31). An eligible senior citizen is an individual who is 65 years of age or older and has advised the utility of his or her eligibility. *Rule 32 (R 460.132)*
- **Low Income Customer** – Except where unauthorized use of utility service may have occurred, eligible low-income customers (as defined by the rules) who have a delinquent account are protected from shutoff for nonpayment if the customer enrolls in a winter protection plan or a utility shutoff protection plan, adheres to the monthly payment schedule, and demonstrate they are making application for state and federal heating assistance. *Rule 31 (R 460.131)*
- **Eligible Military Customer** – A utility shall not shut off service to an eligible military customer (as defined by the rules) for a period of 90 days and shall continue to provide shutoff protection for at least one additional 90 day period as long as the customer meets all the conditions for an eligible military customer. *Rule 33 (R 460.133)*
- **Customer with Medical Emergency** – Except in instances where an unsafe condition exists, a utility must restore service or must postpone shutoff of service for up to 21 days where a customer or member of their household has a medical emergency. The customer must inform the utility of the medical emergency using the commission-approved medical certification form. The utility must provide the customer with a three-day grace period to allow the customer time to obtain and complete the medical certification form. A utility is only required to grant 63 days of shutoff extensions per household member or 126 days per household per year. Customers receiving a shutoff extension under this provision are still liable for payment of utility services. *Rule 30 (R 460.130)*
- **Critical Care Customer** – If a customer has an ongoing medical condition where the loss of utility service would be immediately life threatening, a utility must restore service or refrain from shutoff of service for nonpayment. A utility may shut off service, however, where an unsafe connection at the customer’s home is observed. Critical Care customers must provide certification to the utility of their critical care status on an annual basis using the commission approved form. Critical care customers remain liable for payment of utility services. *Rule 30a (R 460.130a)*

## 6. What notice must a utility provide before disconnecting a customer’s electric or natural gas service?

A notice must be sent to the customer’s address ten days prior to a disconnection. At least one day before the disconnection, the utility must make at least two attempts to contact the customer by telephone and inform the customer of the steps that need to be taken to prevent disconnection. If the utility does not have the phone number or chooses not to make telephone contacts, the utility must either leave a notice at the premises that service will be disconnected the next business day or send a notice postmarked at least five business days before the disconnection. The utility is required to document all attempts to contact the customer. *Rule 39 (R 460.139); Rule 43 (R 460.143)*

## 7. What information must be included in a notice of shutoff?

A notice of shutoff must contain the customer’s name and address, the address at which service is provided if different from the billing address, the reason for the proposed shutoff of service, the date on or after which the utility may shut off service, a list of the customer’s various rights, and a provision informing the customer that a utility is prohibited from shutting off service pending the resolution of a complaint filed with the utility or the MPSC. *Rule 40 (R 460.140)*

## 8. At what times can a utility shut off service?

A utility may shut off service on the date specified in the notice or within a reasonable time following the date. Service can only be shut off between the hours of 8:00 am and 4:00 pm, and service cannot be shut off on a day, or the day preceding a day, when the services of the utility are not available to the general public for restoring service (typically weekends and holidays). Shutoff cannot occur on a Friday during the heating season if a customer has defaulted on a shutoff protection plan. *Rule 41 (R 460.141)*

## 9. Can a utility shut off service to a residential customer without following the billing rules for customer notifications?

Under the billing rules, a utility can only shut off a customer without following the usual notification procedures when performing an emergency shutoff of service temporarily for reasons of health and safety or in a state or national emergency. When a utility shuts off service for reasons of health or safety, the utility shall leave a notice at the premises in accordance with the billing rules. *Rule 36 (R 460.136)*

## 10. How quickly must a utility restore service after a customer has resolved the issue leading to shutoff?

After a utility has shut off service, it is required to restore service promptly upon the customer's request when the cause has been cured or appropriate credit arrangements have been made. When a utility is required to restore service at the customer's meter manually, the utility should make every effort to restore service on the day the customer requests restoration. Except for reasons beyond its control, including excavation or reconnection at a pole, the utility should restore service no later than the first working day after the customer's request. For utilities using meter technology with remote shutoff and restoration capability, service should be restored on the day the customer requests restoration, except in the case of documented equipment failure. *Rule 44 (R 460.144)*

For more information, visit:

[www.michigan.gov/mpsc](http://www.michigan.gov/mpsc)

MPSC [Billing Rules](#)

How to file a [complaint](#) at the MPSC

MPSC investigation into DTE Energy billing practices – Case No. [U-18486](#)

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