

EAAC: Data Analysis & Regulatory Review Part 2: Regulatory Review

6/16/2022



Charge: Part 2 Regulatory Review

What do our current protections mean? Are we missing something?

Energy Assistance & Shutoff Protection Programs for Residential Customers

- Listing & Notice of energy assistance programs (R 460.128/129)
- Medical Emergency (R 460.130)
- Critical Care Shutoff Protection (R 460.130a)
- Low-income Winter Protection Plan (R 460.131)
- Senior Winter Protection (R 460.132)
- Military Customer Protection (R 460.133)
- Extreme Weather Condition Policy (R 460.134)



Listing & Notice of Energy Assistance Programs

Listing of Energy Assistance Programs

Annually Commission Staff will provide utilities:

- ✓ Listing of all federal and state energy assistance program
- ✓ Including: eligibility requirements

Notice of Energy Assistance Programs

• Annually, when new information is available, or a customer receives a past-due notice utilities must inform each residential customers

- ✓ Federal and state program available including eligibility requirements
- ✓ Medical emergency provisions
- ✓ Critical care provisions
- ✓ Shutoff protection programs
- ✓ Military shutoff protections

* Also, through website, customers bill, bill insert, or other means



Medical Emergency

If a customer or a member of the customer's household has a medical condition, as defined and certified by a physician or public health official on a commission-approved medical certification form, that will be **AGGRAVATED** by the lack of utility service.

Step 1

Notify utility of request. A 3-day hold will be placed onto account to postpone shutoff and allow time to get the certification form completed.

Step 2

Submit the approved medical form* to the utility: medical condition, medical equipment needed, and specific time period

Step 3

Once approved: the household will receive a 21-day hold**

* Medical form can be found via utility and Commission website

** Utility will not access an after hour reconnect fee or deposit to establish service



Medical Emergency Extensions

Extension of protection is allowed up to 63 days in any 12-mth period per household member. The household can't have more than 126 days in 12-mths

Each submission period, the customer is required to submit a NEW medical certification



Critical Care Shutoff Protection

Any customer due to an inability to pay a utility bill, who requires, or has a household member who requires, home medical equipment or a life support system, and who, on an annual basis, provides a commission-approved medical certification form* from a physician or medical facility to the utility identifying the medical equipment or life support system and certifying that an interruption of service would be **IMMEDIATELY** life-threatening.

Notify utility of request. A 3-day hold will be placed onto account to postpone shutoff and allow time to get the certification form completed.

Submit the approved medical form* to the utility: medical condition, medical equipment needed, and specific time period

Once approved: the household will be protected annually**

* Medical form can be found via utility and Commission website

** If critical care ends, the customer or occupant of household needs to notify the utility of the status change.



Critical Care Obligations

Each submission period, the customer is required to submit a NEW medical certification.

Utilities will identify critical care customer types within their systems ensuring that service is provided for as long as the customer remains in this status and inability to pay continues.

When a planned service interruption occurs, the utility will notify the customer and not shutoff service using remote shutoff capability without first providing a face-to-face contact.



Low-Income Winter Protection Plan

If a utility customer whose household income does not exceed 150% of federal poverty level*, receives supplemental security income or low-income assistance, Supplemental Nutrition Assistance Program, or Medicaid has notified the standings to the utility cannot be shutoff for service during the heating season** for non-payment if the customer pays the appropriate pro-rated allocated amount each month.***

Notify utility of request.

The customer will be required to submit the appropriate paperwork validating income status.

Payment plan established will include monthly amounts equal to 7% of estimated annual bill and the customer will need to demonstrate they applied for state or federal heating assistance.

If arrearage exists at the time when application is filed.

Services are On:

The utility will distribute the amount into equal monthly installments between the date of application and the start of the next heating season.

Services are Off:

Within 2 years & a bill remains unpaid, during the heating season & has been shutoff, a utility shall NOT require to pay for a security deposit or fee for restoring service before applying for this protection.

A utility can't require a payment in an amount greater than 1/12 of an arrearage owed to restore service or participation in program.

* Federal Poverty Level outlined by the United States Department of Health and Human Services

** Heating Season is from November 1st – March 31st

*** Except where unauthorized usage occurs



Low-Income Winter Protection Plan Provisions

At the end of the heating season, utilities will reconcile accounts and allow these low-income customers to pay any amounts outstanding in equal monthly installments between April 1 – October 31st.

Bills issued to customers will identify the minimum amount that they must pay to prevent shutoff of service.

Utilities can bill at higher amounts to recover past due amounts and encourage customers to pay amounts outstanding.



Low-Income Winter Protection Plan Shutoff Eligibility Process

Eligible low-income customers who do NOT pay the monthly amounts outlined

Customers will receive notification of the default

Notification includes:

- Notification of default including nature.
- Customer must make a payment within 10 days of the mailing to avoid disconnection.
- The date on or after which the utility may disconnect service.
- Customer can file a complaint where a customer will not be disconnected pending resolution.
- Request customer hearing.
- Contact information how to enter into a payment plan, settlement agreement or file a complaint.
- Contact assistance agencies.
- Customer can enter into a medical protection.
- Customer enters into military protection.
- May assess a deposit and reconnection charge.



Optional Shutoff Protection Plan

Utilities may offer optional shutoff protection plans to eligible low-income customers that meets or exceeds criteria and customer protections than the Winter Protection Plan.

These plans are outlined in utility tariffs.

Utilities that participate in this offering are:

The logo for DTE, consisting of the letters "DTE" in white, bold, sans-serif font, centered within a dark blue square.

DTE

The logo for Consumers Energy, featuring the words "Consumers Energy" in blue, italicized, sans-serif font, with a green swoosh underline.

Consumers Energy

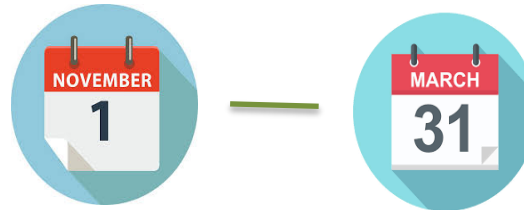
Count on Us[®]



Senior Winter Protection

Any senior, that has notified the utility of their status who is 65+, will be protected during the heating season at their personal residence regardless if services are disconnected without payment.

Heating Season
Protection is from:



At the end of the heating season, utilities will reconcile accounts and allow these seniors to pay any amounts outstanding in equal monthly installments between April 1 – October 31st.



Military Customer Protection

A utility customer or spouse of a customer who is on full-time active military duty and has been deployed during declared war, undeclared hostilities, national or state emergency where the household income is reduced as a result.*

Notify utility of request. A 90-day hold will be placed onto account to postpone shutoff.

Extensions will be allowed for 1 additional 90-day period if customer still meets the conditions*

After protection, customers can pay any past due amounts in equal 12-month payments.**

* Notification needs to be provided to the utility

** Utility will provide military customer with information on payment assistance programs.



Overall Protection Provisions

1. Nothing relieves the customers obligation to pay for utility service

2. Nothing prohibits a utility that observes an unsafe condition at the site caused by unauthorized use of electric or natural gas service, from measures to cure or address the unsafe condition.



Extreme Weather Conditions

Each utility must have an extreme weather condition policy, which are outlined in each utilities tariff and under U-20148, addressing:

Suspending Disconnection

- Criteria or factors for suspension during extreme HOT weather
- Criteria or factors for suspension during extreme COLD weather

Preferential Treatment

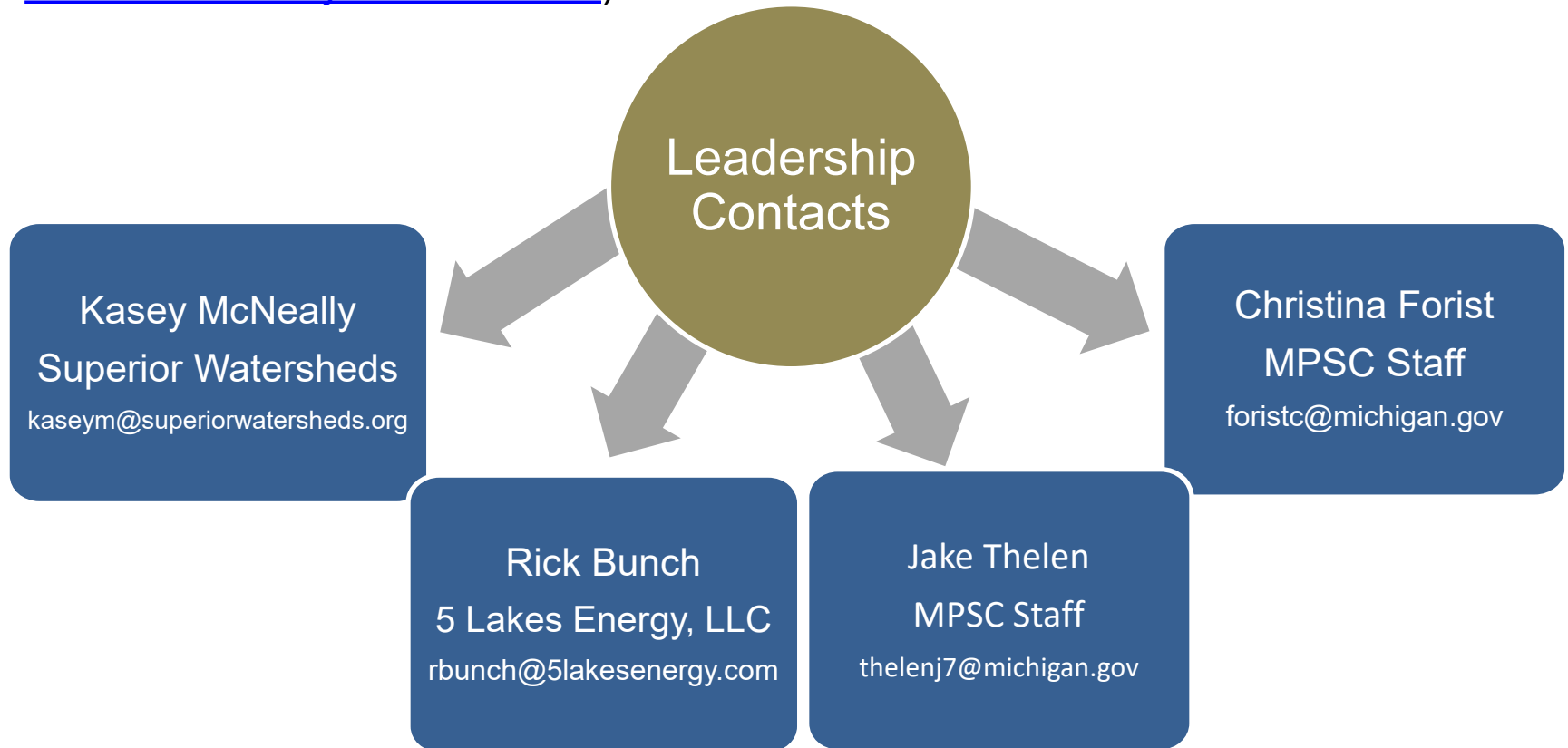
- Outlining different classes



Questions? Comments? Concerns?

DARR Suggestion Box

(<https://www.michigan.gov/mpsc/commission/workgroups/energy-affordability-and-accessibility-collaborative>)





What's Next?

- Next meeting:
July 21st at 10:00 a.m. – 12:00 p.m.

Topics:

Where do we go from here ...

- Where or are there any gaps in our current protections?
- How does our current data collection help assist with new protections?
 - Can we add any value?
 - Do we need to track additional data ?



Appendix

Consumer Standards and Billing Practices for Electric and Natural Gas Services

<https://www.michigan.gov/mpsc/regulatory/administrative-rules-laws>