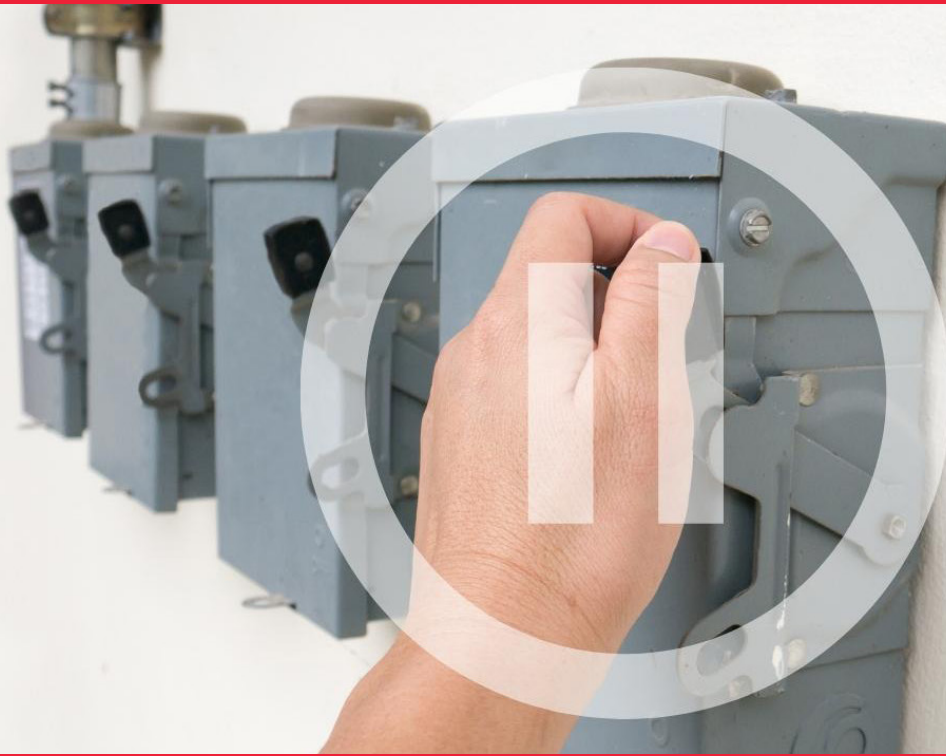


PRESSING PAUSE ON UTILITY SHUTOFFS

HOW VIRGINIA COULD SAVE
LIVES BY ESTABLISHING
SHUTOFF POLICIES FOR
HIGH-RISK PERIODS



INTRODUCING THE PROBLEM

Current shutoff policies for electric, gas, and water utilities do not adequately protect vulnerable Virginians from being disconnected from these essential services for nonpayment, even during public health emergencies, extreme weather events (including temperature highs and lows), or in other life-threatening situations when debts to their utility companies trigger a disconnection. Low-income households and Black and Brown customers are more likely to be disconnected from their utilities for nonpayment,¹ and seniors, infants, and people with serious medical conditions or disabilities face especially serious risks from utility shutoffs.

The issues with shutoff policies in Virginia can be organized into three primary concerns:

1. That current policies do not meet widely accepted and recommended industry best practices, even in critical life-or-death situations;
2. That current policies are among the least protective of policies offered by Mid-Atlantic and Southern states, presenting an arbitrary geographic injustice to Virginians facing the reality of very dangerous and highly disruptive utility disconnections; and
3. That shutoff-related charges like disconnection and reconnection fees, late fees, or high interest rates are overly punitive of already-struggling customers and pose significant barriers to restoration of service *while* exacerbating the overall debt burden and placing vulnerable customers at risk of serious health impacts.

¹ Trevor Memmott, Sanya Carley, Michelle Graff, and David M. Konisky. "Sociodemographic disparities in energy insecurity among low-income households before and during the COVID-19 pandemic." 2021. Nature Energy. <https://www.nature.com/articles/s41560-020-00763-9>

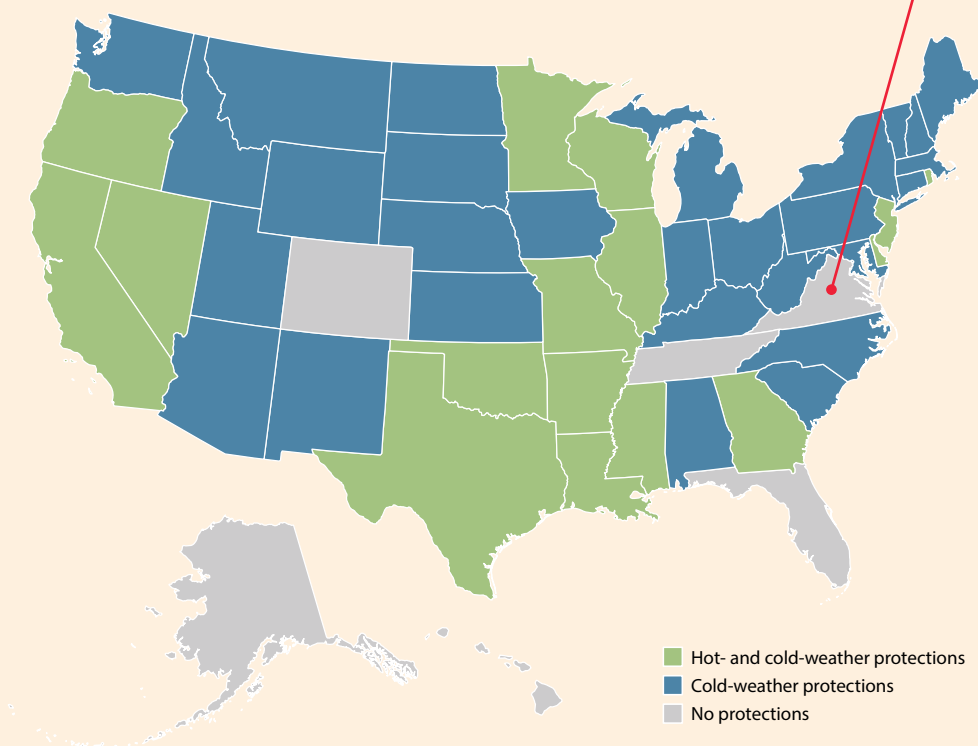
Twenty-one states have codified **extreme weather** shutoff policies and thirty-three states have codified **date-based** shutoff policies for electric utilities, while forty-three states prohibit both gas and electric utilities from making shutoffs in **cold weather**.² Virginia lacks any weather-related shutoff policies.

Further, even though Virginia legislators passed a resolution recognizing **water as a human right** in 2021, the declaration is unaccompanied by policy levers to limit water shutoffs.³

Bringing shutoff policies up to standard is urgent

These policy gaps are even more egregious when considered alongside two grim predictions, each jeopardizing utility affordability for financially-insecure households. Of short-term concern is a forecast of high residential heating costs this winter: gas prices are expected to rise by 28% and electricity prices by 10%.⁴ Over the longer-term, extreme temperatures linked to climate change are likely to increase household energy requirements.⁵ Virginia could address the concerns listed above by establishing shutoff policies for high-risk periods, across utility types and utility service areas, and by grounding such policies in nationally accepted best practices that put customers' lives – rather than utility profits – first.

Virginia lacks any weather-related shutoff policies.



Map: J. Davidson / Appalachian Voices | Source: Energy Justice Lab, Indiana University.

2 Matthew Flaherty, Sanya Carley, and David M. Konisky. “Corrigendum to “Electric utility disconnection policy and vulnerable populations.” 2021. The Electricity Journal. <https://www.sciencedirect.com/science/article/pii/S1040619021000786>

3 2021 Virginia House Joint Resolution No. 538. (See numbers 4 and 8, respectively).

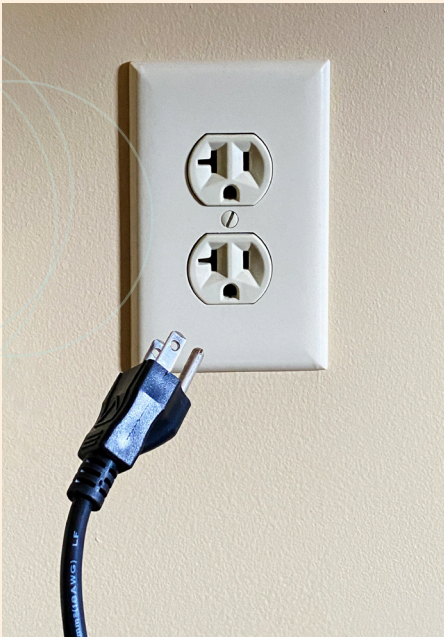
4 U.S. Energy Information Administration, “Winter fuels outlook,” October 2022.

5 Michelle Graff, David M. Konisky, Sanya Carley, and Trevor Memmott. “Climate change and energy insecurity: A growing need for policy intervention.” 2022. Environmental Justice. <https://www.liebertpub.com/doi/10.1089/env.2021.0032>

Background

In 2020, the Covid-19 pandemic highlighted the risk of utility service shutoffs faced by low-income households – and other households struggling to afford power and water bills – at a nationally unprecedented scale. Virginia had no disconnection policy regarding public health crises at the time – and still lacks such a policy. Then-Governor Ralph Northam issued an executive order declaring a state of emergency⁶ and the Virginia public utility commission enforced a moratorium on shutoffs for electric, gas, and water utilities.⁷ These actions ensured that tens of thousands of households across the commonwealth had access to water, power, and sanitary services during the early phase of the pandemic, through the summer of 2020. The Virginia General Assembly intervened at the end of that summer to extend the moratorium on residential shutoffs through December 31, 2020.⁸

But in January 2021, Virginians were again subject to being disconnected from power and water for nonpayment – even in times of extreme heat, cold weather, and the enduring public health crisis. Alarming, even people with serious medical conditions who required power and water to operate medical equipment or refrigerate medicine were once again inadequately protected from life-threatening shutoffs. Two bills were introduced during the 2022 General Assembly to establish more compassionate standards and more universal policies, but each stalled amidst the background of a politically tumultuous legislative session.



**“A ‘Tsunami of Shutoffs’:
20 Million US homes are
behind on energy bills.
Surging electricity prices
spur worst-ever crisis in
late utility payments.”**

- Bloomberg News, Aug. 23, 2022

By pausing utility shutoffs during periods when customers face the most risks to their health and well-being, Virginia could vastly improve basic consumer protections.

⁶ Virginia Governor Ralph Northam, Executive Order 51, “Declaration of a state of emergency due to the novel Coronavirus (COVID-19),” 12 March, 2020.

⁷ Virginia State Corporation Commission, Case No. PUR-2020-00048, 13 March, 2020.

⁸ See the 2020 Virginia Special Session 1 Budget Amendment, item 4-14, 7a and 7b.

UNDERSTANDING THE CONCERNS AND PROPOSING SOLUTIONS

Concern 1: Virginia law does not meet industry best practices for shutoffs

Virginia law does not meet widely accepted best practices for disconnections for nonpayment, lagging behind recommendations from experts both within and outside of the utility industry.

These include:

1. Setting a high threshold for arrears before a service shutoff can be made (an accepted range falls between \$300 to \$1,000);⁹
2. Prohibiting shutoffs when temperatures are forecasted to dip below freezing or rise into the 90s and beyond at any point within 24 hours of the scheduled disconnection;¹⁰
3. Prohibiting shutoffs in a given area for which a weather warning or advisory has been issued, for the duration of the weather event;¹¹
4. Prohibiting shutoffs during weekends, legal holidays, or over any period when utility staff are not readily available to restore service;¹²
5. Providing an exemption from shutoffs, with certain limitations, to customers with medical conditions or medical vulnerabilities that have been attested to by medical professionals, healthcare providers, or social workers;¹³
6. Considering prohibitions on shutoffs over the longer heating and/or cooling periods for certain vulnerable customer segments (such as very low-income households and senior households); and
7. Considering moratoria on shutoffs, or other policies that govern access to utilities, in the event of a public health crisis such as a pandemic.

Several nationally-reported weather-related deaths resulting from shutoffs of gas or electricity have prompted utilities

Virginia's current eligibility process for the Serious Medical Condition Certification Form is not consistent with modern medical practices and does not include many other important conditions of vulnerability (e.g., an infant in the home, seniors, people with other disabilities). The form requires an applicant to obtain the signature of a physician.

Best practices recommended by the Yale School of Medicine include: allowing various health care providers to sign the form, defining "serious illness" broadly, not permitting a utility to second-guess a customer's certification once granted, and requiring permission from state regulators for any shutoff of a customer with a certified medical condition.

9 After a high-profile customer death following an electricity shutoff, the Arizona Corporation Commission raised the threshold from \$50 to \$300. Cynthia Zwick, Wildfire AZ, "Helping seriously ill utility customers stay connected," National Energy and Utility Affordability Coalition conference, New Orleans, LA, 29 June, 2022.

10 See "Climate change and energy insecurity: A growing need for policy intervention," (Graff, Konisky, Carley, and Memmott, 2022, Environmental Justice) for the list of 43 states that implement both hot- and cold- weather policies, and for the list of 16 states that implement hot-weather policies only.

11 *Id.*

12 See Appendix A of this report for policies of Mid-Atlantic and Southern states that follow these criteria (notably, Arkansas and North Carolina).

13 Dr. Peter Kahn (Yale School of Medicine). "Helping seriously ill utility customers stay connected", National Energy and Utility Affordability Coalition Conference. 29 June, 2022. New Orleans, LA.

in Arizona,¹⁴ Texas,¹⁵ and elsewhere to handle at-risk cases differently and in a manner that prioritizes customer health and well-being. Importantly, the temperature thresholds specified above are somewhat arbitrary, given that temperatures in the 30s, 40s, and 80s can be unsafe, especially for those with medical conditions and for seniors, children, and infants. This and the range of circumstances referenced above underscore the urgency of combatting unaffordability with longer-term solutions, particularly for the segment of customers for whom bills are always too high.

Concern 2: Virginia law is among the least protective of public health in region

Virginia law sets some of the weakest utility disconnection policies for residential customers compared to other Mid-Atlantic and Southern states.¹⁶ The only meaningful codified protection provides a delay of service termination to medically vulnerable customers¹⁷ but does not address utility access during weather and temperature extremes or other crises. Furthermore, this limited protection is unevenly applied, meaning that protections afforded to some low-income and medically vulnerable customers by a regulated utility that is jurisdictional to the State Corporation Commission are not necessarily offered to customers of neighboring utility providers. And given that the state's monopoly utility system does not allow Virginians to choose their utility (provider options are dictated by geographic service areas), the lack of a standardized disconnection policy results in an uneven application of justice.

The following example illustrates this point. Investor-owned electric utilities (Dominion Energy, Appalachian Power and Old Dominion Power), twelve electric cooperatives, and all public water utilities in Virginia⁴ are required to provide a (limited) exemption from disconnection to medically vulnerable customers, but the sixteen municipally-owned utilities, unregulated water utilities (non-jurisdictional to the State Corporation Commission), and gas utilities are not held to this consumer-protection mandate in spite of its life-or-death implications. And yet, the use of in-home medical equipment may cause energy bills to double, making it even more difficult for financially-burdened customers to stay connected to a critical power supply.

Alabama, Georgia, Kentucky, Maryland, Mississippi, North Carolina, and West Virginia prohibit disconnections from certain utility services for low-income and otherwise vulnerable (i.e., elderly or medically compromised) customers over periods that vary by state, but include moratoria during: certain winter and summer months, during extreme weather, or above or below specified temperature thresholds. These approaches can help customers retain access to essential utilities during the most critical times of the year. See [Appendix A](#) of this report for in-depth examples of Mid-Atlantic and Southern states that have implemented weather- and temperature-based disconnection prohibitions.

14 David Wichner. "Two Arizona residents died after power shutoffs this year, regulators told." 15 July, 2021. Arizona Daily Star. https://tucson.com/news/local/two-arizona-residents-died-after-power-shut-off-this-year-regulators-told/article_774b54e8-e500-11eb-af71-67904a9a132f.html

15 Ryan Henry. "Brownville freezes power disconnections by BPUB as residents struggle to pay bills." Valley Central News. 25 Oct. 2022. https://www.valleycentral.com/news/local-news/brownville-votes-to-freeze-power-disconnections-by-bpub/?utm_medium=email

16 Environmental and Climate Justice Program, NAACP, "Lights out in the cold: Reforming utility shutoff practices as if human rights matter," March 2017. See "Appendix B, Survey of state disconnection policies."

17 See 20VAC5-330-40.

Concern 3: Disconnection-related charges and fees are overly punitive

Disconnection and reconnection fees, late payment charges, high interest rates for arrears, and burdensome security deposits pose significant barriers to restoration of utility services, and exacerbate utility bill burdens for the segment of customers most at risk for repeated disconnections. These additional charges can even make certain customers ineligible for aid if the available federal or state assistance cannot bring their balance down enough for the utility to restore service.

Several states and some utilities have limited or prohibited a number of these punitive measures. For example, in response to the pandemic, a Maryland water and wastewater utility waived late fees for a subset of qualifying customers entering into a payment plan, as well as for any customer successfully completing a payment plan;¹⁸ the North Carolina Utilities Commission stopped late fees for debts accrued over the Covid-induced State of Emergency period;¹⁹ and the 2021 Illinois Climate & Equitable Jobs Act prohibited utilities outright from collecting security deposits from low-income customers, as well from charging low-income customers fees for late payments.

Other considerations include:²⁰

1. Suspending disconnection and reconnection fees, late fees, and interest charges for the six months following a moratorium (especially for low-income households);
2. Requiring utilities to make all reasonable efforts to enroll customers in payment plans of 12 months or more, before the first full billing period following any moratorium;
3. Rewarding customer enrollment in a repayment plan (and continued good standing) with: arrearage forgiveness; waived late fees, deposits, down payments, and reconnection fees; or low interest rates for existing arrears; and
4. Creating tiered discounts for low-income and senior customers, and for customers with a Serious Medical Condition Certification Form on file with their utility. Seattle City Light provides an example via its collaboration with the Seattle Housing Authority. These entities identify and enroll income-eligible households in electricity discounts for up to 60% of their bill and up to 50% for water and sewer services from Seattle Public Works.²¹



Longer-term affordability solutions could include: arrearage managements plans for cooperatives and municipally-owned utilities, modeled after Percentage of Income Payment Plans established by the 2020 Clean Economy Act for low-income customers of Dominion Energy and Appalachian Power; energy-efficiency and distributed generation programs, like Housing Innovations in Energy Efficiency and shared solar, specifically for low-income customers; and discounted rates or low-income residential rate classes.

A related point – the need for detailed data reporting

Another critical issue pertaining to disconnections from utility services for nonpayment remains unresolved: availability of data on both the scale and characteristics of the problem in Virginia. Because this information is not reported, and may not even be collected by utilities, addressing the crisis of unaffordable bills becomes a shot in the dark. Data on disconnections and arrears should be publicly available; at the very least, all utilities should be required to report key data

18 Kelly Gibson Caplan, WSSC Water, “Effective and compassionate practices: How to minimize water turn-offs,” National Energy and Utility Affordability Coalition conference, New Orleans, LA, 28 June, 2022.

19 North Carolina Utilities Commission, Docket No. M-100, Sub 158, 19 March, 2020.

20 National Energy & Utility Affordability Coalition Conference in New Orleans, LA, June 27-29, 2022.

21 Seattle City Light, Bill assistance programs.

points to the SCC on a periodic basis, following examples set by Arizona, Illinois, Michigan, and North Carolina legislatures and public service commissions.²² All of the following information should be regularly collected and reported:

1. The number of disconnections for nonpayment, segmented by income bracket into low-income and non-low-income households and indicating households with seniors or disabled residents. For privacy concerns, each of these brackets should be self-reported categories.
2. Arrearage data for (self-reported) low-income households, and households with (self-reported) senior or disabled residents;
3. The number of days in arrears by account and the number of accounts restored to service; and
4. The number of customers on payment plans, also segmented by income and age brackets.
5. The Michigan Public Service Commission provides a good example for data reporting requirements of investor-owned utilities, based on regulations established in response to Covid-19 (see order U-20757). The Michigan PSC makes disconnections data publicly available, but does not require utilities to disaggregate them due to privacy concerns. However, the Arizona Corporation Commission requires zip-code level reporting on utility disconnections (see case RU-00000A-19-0132).

ISSUING OUR CALL TO ACTION

Of utmost concern is the current trend towards increasingly unaffordable bills for the most vulnerable and lowest-income households. Nationally, utilities are managing greater customer arrearages²³ and seeing increases in the cost of providing utility service, and residential customers are seeing higher bills (due to many factors, including increased volumetric charges driven by higher fuel costs and large new capital expenditures and increases to fixed charges).²⁴

Impacts from the war in Ukraine and inflation are also being felt domestically as the cost of natural gas and basic household goods have increased dramatically: energy prices have



Low-income households in Virginia face an average energy burden of 10.4%. This is higher than the national average for low-income energy burden, which is 8.6%.”

Source: U.S. Dept. of Energy Low-income Energy Affordability Tool.

²² The 2021 Illinois Climate & Equitable Jobs Act requires public utilities to make an annual report (see Sec. 8-201.10. for specific data points); the Michigan Public Service Commission and the North Carolina Utilities Commission require investor-owned utilities to make monthly reports (see MI PSC order U-20757 and the NCUC docket for specific data points); and in 2021 the Arizona Corporation Commission established rules of its own for quarterly reports (see docket RU-00000A-19-0132).

²³ National Energy Assistance Directors Association, Press Release: “Electric and Gas Residential Arrearages are Growing Rapidly,” 1 Oct. 2020.

²⁴ Sarah Baker and Ben Nathan, ESource, “Address the individual not the segment: How you can use customer data to redesign your LMI programs,” National Energy & Utility Affordability Coalition Conference in New Orleans, LA, 28 June, 2022.

risen past the level of the 1980s oil crisis.²⁵ To point to just one example in Virginia related to these global forces, in September Dominion Energy was granted an increase to its fuel recovery rider that resulted in a monthly bill increase to residential customers of roughly 12%.²⁶ All of this can (a) move households that were not previously at risk into the “socially vulnerable” customer category, and (b) place already socially vulnerable households at increased risk of shutoff during heating and cooling periods, when seasonal changes cause increased energy consumption (and higher bills).

Our immediate call-to-action for decision-makers and regulators echoes that of national consumer protection and utility regulation experts in a report funded by the U.S. Department of Energy in 2021, “Advancing equity in utility regulation.”²⁷ We encourage Virginia to codify mandatory and enforceable shutoff policies that:

1. Prohibit shutoffs for nonpayment during a public health crisis and during weather extremes, including high and low temperatures;
2. Provide an updated exemption for medically vulnerable customers, including infants and seniors, that is applicable to all utilities regardless of service or jurisdiction;
3. Limit or cap shutoff fees, reconnection fees, late fees, and interest charges for unpaid bills without requiring these to be paid in full as a condition for utility restoration; and
4. Require regular reporting on shutoffs made or avoided to the State Corporation Commission.

CONCLUDING COMMENTS

Prohibitions on utility shutoffs have been characterized by some utility companies as “invitations for customers to avoid payment.” While utilities are unable to provide serious proof in support of this claim, it is clear that arrearages incurred over the period of a moratorium pose a challenge and can especially strain cash-strapped municipal and cooperative utilities as well as already-limited heating and cooling assistance programs. However, there are many examples provided by other states and utility companies that address past-due amounts during and after periods when shutoffs are prohibited. Broadly, customers should be actively encouraged to enroll in payment plans, which should be tailored to unique customer needs, proactively advertised by utilities, and aligned with existing private, state, or federal aid programs when applicable. Customers should also be encouraged to maintain good standing in any payment agreement through the use of incentives that reduce overall debt or waive penalties.

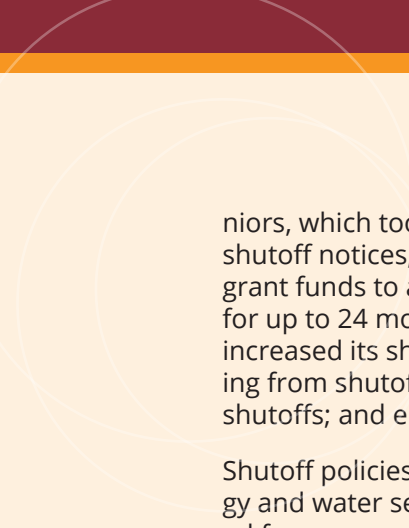
Two notable examples of comprehensive efforts to maintain utility access are offered by Southern Company Gas and Nicor Gas.²⁸ Southern Company offered bill payment programs to all customers struggling to pay during the pandemic, and developed a discount program for se-

25 Katrina Metzler, National Energy and Utility Affordability Coalition, “Energy assistance in America: Past, present and future” (webinar), 1 June, 2022.

26 Virginia State Corporation Commission, Case No. PUR-2022-00064, 16 Sep. 2022. ¹

27 Chandra Farley, John Howat, Jenifer Bosco, Nidhi Thakar, Jake Wise and Jeanette Su, Grid Modernization Laboratory Consortium, U.S. Department of Energy, “Advancing equity in utility regulation,” November 2021. See chapter 1.

28 Tiffany Gilstrap (Southern Company Gas) and Jennifer Marten (Nicor Gas), “How one company aimed high to connect qualified customers to bill payment assistance options in response to Covid-19 impacts,” National Energy and Utility Affordability Coalition conference, New Orleans, LA, 29 June, 2022.



niors, which took \$14 off the monthly base charge. Nicor Gas relaxed credit policies; suspended shutoff notices, shutoffs, late payment charges, and deposits; automatically applied available grant funds to accounts and developed payment arrangements (requiring 0% down), lasting for up to 24 months of payments and without any income requirement. Additionally, Nicor Gas increased its shutoff threshold to \$1,000; blocked recipients of private, state, or federal funding from shutoff; proactively applied state funding to accounts in arrears to reduce short-term shutoffs; and eliminated down payments for reconnection following service shutoffs.

Shutoff policies based on these recommendations would help ensure access to essential energy and water services for those who are most vulnerable and most at risk of being disconnected for nonpayment during crises and extreme weather conditions. It is imperative that decision-makers and regulators use their authority to protect the health and well-being of families and individuals by limiting terminations of critical services when utility bills are unaffordable for these households.



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appvoices.org

APPENDIX A: ELECTRIC AND GAS UTILITY DISCONNECTION POLICIES OF MID-ATLANTIC AND SOUTHERN STATES.

Alabama: No disconnection when temperature is forecasted to be 32°F or below for that day. See ALA. ADMIN. CODE r. 770-X-1-.12.

Arkansas: No disconnections of low-income customers from November to March (gas only); no disconnections of elderly customers and customers with disabilities when temperatures are predicted to reach 95°F or above within the 24 hours of the scheduled disconnection; no disconnections of any customer when temperatures are predicted to drop below 32°F within 24 hours of the scheduled disconnection. Disconnections may not be carried out in the last hour of the business day or any day before a day when the utility will not have employees available to reconnect a customer. Importantly, Arkansas also prohibits gas, electric and water utilities from charging customers for disconnections. See ARK. CODE ANN. § 23-4-204, ARK. ADMIN. CODE §§ 126.03.2-6.04, 126.03.2-6.09, 126.03.2-6.13, 126.03.2-6.15, 126.03.2-6.18.

Delaware: No disconnection from November 15 – March 31 or from June 1– September 30; no disconnection when forecasted temperature is expected to be 32°F or below or 105°F or above. See 26 DEL. ADMIN. CODE §§ 3002-1.0, 3002-2.0, 3002-3.0, 3002-6.0.

Georgia: No disconnection when forecasted low for the day of disconnection is below 32°F, or when a Heat Advisory or Excessive Heat Warning is in effect for the county on the day of disconnection. See GA. COMP. R. & REGS. 515-3-3-.01, 515-3-2-.01, 515-3-2-.02, 515-3-2-.04, 515-3-3-.07.

Kentucky: No disconnections for low-income customers who enter into and comply with a payment plan November 1 – March 31. See 807 KY. ADMIN. REGS. 5:006.

Louisiana: No gas or electricity disconnections on a day when the temperature is forecasted to remain at or below 32°F for the following 24 hours, and when the previous day's highest temperature did not exceed 32°F. No disconnections on a day when a heat advisory is in effect. See Commission General Order R-29706, Entergy Tariff.

Maryland: No disconnections on days when forecast is 32°F or below. See MD. CODE REGS. 20.31.01.03-.04, 20.31.02.05, 20.31.03.03, 20.31.05.07.

Mississippi: No disconnections in any county on days with a freeze warning or excessive heat warning issued by 8:00 am on the scheduled day. See 39-1 CODE MISS. R. §§ 2:0, 2:8.

Missouri: No disconnections when the temperature is predicted to be below 32°F or above 95°F within 24 hours of the scheduled disconnection. Missouri also prohibits disconnections from November 1 - March 31 when customers enter into a payment arrangement for arrears. See MO. CODE REGS. ANN. tit. 4, §§ 240-13.055, 240-13.050.

New Jersey: No disconnection when the forecasted temperature is expected to be 32°F or below in the following 24 hours; no disconnection for low-income customers from November 15 – March 15 or when the temperature is forecasted to be above 90°F any time in the following 48 hours; no disconnection for customers receiving Lifeline, LIHEAP, TANF, SSI, PAAD or GA or households unable to pay overdue amounts because of unemployment, medical expenses, or recent death of a spouse. Customers eligible for the Winter Termination Protection Program are placed on a budget plan and cannot be disconnected as long as they make good faith payments. During the heating season, a utility may not ask for a security deposit. See N.J. ADMIN. CODE §§ 14:3-3A.2, 14:3-3A.3, 14:3-3A.4, 14:3-3A.5, 14:3-7.5, 14:3-7.7.

New York: Prohibits disconnections if household needs life support system, with a 30-day renewable delay for certified medical condition; prohibits disconnection if customer is blind, disabled, or 62 years or older and the remaining household members are 62 years or older, 18

years or under, or blind or disabled; and prohibits disconnections between November 1 – April 15. All customers must be notified 72 hours before disconnection to ascertain if the health and safety of a resident will be compromised. Utility cannot disconnect if a customer will suffer a serious health or safety impairment. See N.Y. COMP. CODES R. & REGS.tit. 16, §§ 11.4, 11.5, 11.7, 11.8, 11.9, 11.10, 11.11.

North Carolina: No disconnections without approval of the North Carolina Utilities Commission for low-income customers whose household has a member who is at least 65 years old or has a disability from November 1 – March 31; no electricity disconnections without review and order by a supervisor; no disconnections on Fridays, weekends, legal holidays, or on the day before a legal holiday. See 4 N.C. ADMIN. CODE 11.R8-20, 11.R12-8, 11.R12-10 (gas), 11.R12-11 (electricity).

Pennsylvania: No disconnection of very low-income customers from December 1 – March 31, or for customers entering into a payment plan. Delay from disconnection of 30-days for customers with medical certificate (renewable twice); no utility may terminate service if the health of a resident would be adversely affected. See 52 PA. CODE §§ 56.82, 56.91, 56.93, 56.94, 56.96, 56.97, 56.99, 56.100, 56.111, 56.112, 56.113, 56.114, 56.116, 56.117.

West Virginia: From December 1 – February 28 (or 29 when applicable) no disconnections without the approval of a manager of the utility; no disconnection without third-party notice for customers 65 years or older, or customers with disabilities. See W. VA. CODE R. §§ 150-3-4 (electricity), 150-4-4 (gas).

Texas: No disconnections from heating services on days when the temperature does not exceed 32°F when the temperature also did not exceed 32°F on the previous day. No disconnections on days when there is a heat advisory issued for the county and an advisory was also issued on either of the previous two days. See 16 TEX. ADMIN. CODE §§ 7.460(gas), 25.29 (electricity), 291.88.

