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Comments Regarding Bill #6631 AN ACT CONCERNING ELECTRIC UTILITIES AND UTILITY TERMINATIONS

Before the Energy and Technology Committee

March 10, 2009

Prepared by Shirley Bergert¹

Recommended Action: Support Sections 2 and 3 (comment is limited to Sections 2 and 3 only)

This bill appropriately addresses an ongoing problem of landlords illegally seeking termination of a tenant's utility service and/or limiting access to utility and energy meters.

- **Section 2 requires that an individual seeking termination of service provide identification to the utility company.** This will avoid the problem of landlords or their agents misrepresenting who they are in seeking service termination, contrary to the provisions of Conn. Gen. Stat. § 19a-109. This section of the statutes prohibits a landlord from wilfully failing to provide utility services required in lease agreements and prohibits public service utilities from terminating service in rental dwellings unless the landlord provides either a statement signed by the tenant agreeing to a termination or a notarized statement signed by the landlord indicating the dwelling is vacant.
- **Section 3 holds landlords accountable where the landlord controls access to a meter and fails to provide access.** The landlord becomes responsible for the utility or energy service ten days after a written request by the utility or energy supplier where meter access is not provided. Where the utility or energy supplier incurs costs to access a meter, the landlord is liable for costs of collection and attorney fees. This should help ensure a recalcitrant landlord provides meter access. In situations involving tenants, meter access for billings based on actual readings can affect the tenant's level of energy assistance. If a final reading cannot be made when a tenant moves, the tenant could be held liable for services received and controlled by the landlord. And without meter access, the utility is hampered in its ability to investigate and address concerns regarding cross-wiring or other allegations that a tenant is being illegally billed for service to another dwelling. Meter access is also needed to check equipment for safety and accuracy, to address safety concerns, to effect service terminations.

¹ Shirley Bergert serves: as the residential representative on the Energy Conservation Management Board overseeing the expenditure of ratepayer conservation funds in Connecticut Energy Efficiency Fund (Conn. Gen. Stat. § 16-245m); as the low income representative on the Fuel Oil Conservation Board (Conn. Gen. Stat. § 16a-22f); on the Low Income Energy Advisory Board (Conn. Gen. Stat. § 16a-41b); and on the Advisory Board of the Institute for Sustainable Energy at Eastern Connecticut State University.