

**TESTIMONY OF**

**THE UNITED ILLUMINATING COMPANY**

**Before the Energy and Technology Committee**

**On**

**PROPOSED HOUSE BILL 5209**

**AN ACT CONCERNING THE BILLING OF LANDLORDS AND TENANTS BY  
ELECTRIC DISTRIBUTION COMPANIES**

**Legislative Office Building**

**Thursday February 17, 2011**

Good afternoon Senator Fonfara, Representative Nardello, and members of the Energy and Technology Committee. My name is Guy Cattaruzza and I am the Director of Revenue Meter Systems at The United Illuminating Company (“UI”). I am here today to offer UI’s comments regarding **PROPOSED BILL HB 5209 - AN ACT CONCERNING THE BILLING OF LANDLORDS AND TENANTS BY ELECTRIC DISTRIBUTION COMPANIES.**

UI could support this Proposed Bill with some clarifications and exceptions discussed below. Generally, UI follows the language of Proposed Bill 5209 today and does not find any reason to discontinue this practice. Our main concern is receiving appropriate payment for all electricity utilized at the premises. If payment is not received, all ratepayers would eventually pay for the cost of the electricity.

Section 16-262e of the Connecticut General Statutes establishes the requirements public service companies must follow for termination of service and mixed wiring situations, which we understand is the driver for Proposed Bill 5209.

Following the statutory requirements, upon notification of a residential premise wiring problem and a very basic verification by the utility, the landlord is given 21 days to rectify the wiring problem and to provide sufficient proof to the utility that such wiring problem has been resolved. If the landlord fails to fix the wiring problem and provide proof of repair, the service account for the affected apartment is transferred to the landlord’s name. The tenant is responsible for all costs up to the time the wiring problem

is verified and transferred to the landlord. The tenant's account is terminated after the 21 days if the landlord fails to provide proof of repair. As stated, the tenant is still required to make appropriate payments for electric usage, just as if the tenant requested a discontinuation of electric service. The landlord, the new account holder for this electric service, is now responsible for all costs moving forward until such time as repairs are made and the tenant has requested electric service be placed back in the tenant's name. Following the transfer back to the new or original tenant, the landlord is responsible for electric usage up to the time of transfer. The utility should not be involved in legal disputes between the tenant and the landlord regarding who is responsible to pay electric costs. The utility only requests appropriate payment for all electric usage at the premise.

Proposed HB 5209 specifies four additional points.

1. "the tenant had been responsible for the bill"

UI agrees but asks that the Bill specify that the tenant is responsible for the bill up to the point that the wiring problem is identified, verified by the utility and eventually transferred to the landlord. To the extent that the legislation is intended to apply only to residential premises and not to commercial or mixed application properties, this should be clarified in the Bill.

2. "the tenant filed a complaint to such company regarding the property's electric service"

UI supports this. The utility needs to be notified that there is a potential issue, in order to investigate.

3. "the account was transferred to the landlord while repairs were made"

UI provides the landlord 21 days from notification to effect repairs and rectify the wiring problem. If such repairs are made within the 21 day window and appropriate proof is presented, the account is not transferred to the landlord and the tenant continues to be responsible for all electric costs.

4. "the landlord has provided proof to such company that the repairs are complete". Proof should be in the form of written verification from a licensed electrical contractor or a municipal electrical inspector that the mixed wiring has been rectified. Otherwise, the utility cannot be certain that repairs have been made in accordance with all local and state building codes and the National Electrical Code.

Proposed Bill 5209 would require the utility "to transfer the billing account from a landlord to a tenant when" the four items listed above have been met. As stated in item four, the utility should only be required to transfer the billing account back to a new customer of record when (1) acceptable proof of repairs has been provided and (2) the tenant, whether it is the former tenant or a new one, has requested that such service be placed in the tenant's name. It should be the landlord's responsibility to contact the tenant and ask that the tenant request that the utility place service back in the tenant's name. The utility should not be the one verifying that the tenant is the same customer of record as before or if a new tenant has moved in. The utility should not immediately terminate the tenant's service at the request of the landlord, nor can it simply transfer the service back to the previous tenant. UI has worked and will work with the landlord to reach a mutually agreeable solution for the electric service in a reasonable timeframe, but

the landlord is responsible for all electric service costs up to the time the service is eventually transferred or disconnected.

Since the tenant is treated as a new customer of record after the mixed wiring situation has been resolved, if the landlord cannot get the tenant to call and request electric service (and specify the choice of electric supplier), the utility would eventually be forced to terminate the service, thereby causing the tenant to be left with no electric service.

Approximately one week would be sufficient time for the landlord to discuss this with the tenant and ask the tenant to request transfer of service. If after approximately one week, service has not been transferred and the landlord has requested a termination of service, the utility will attempt to contact the tenant (per landlord information) but if no contact is made, the utility would follow the landlord's request to terminate service. The new tenant must then call and restore the service once all appropriate customer account information and verification is received.

In closing, UI supports this Proposed Bill 5209 with the clarifications and exceptions noted above.

Thank you for the opportunity to appear before you today and I am happy to address any questions you may have.