



STATEMENT OF AT&T CONNECTICUT

**Regarding Raised Senate Bill No. 332
AN ACT CONCERNING UTILITY SERVICE TERMINATION AND THE
APPOINTMENT OF A RECEIVER
Before the Energy and Technology Committee
March 8, 2012**

Proposal:

Raised Senate Bill No. 332 would allow for the termination of service of residential customers on Fridays under certain circumstances.

Comments:

AT&T supports the concept expressed in the language found in Section One of the Raised Bill. The prohibition on terminating service on Fridays was created at a time and place when the covered entities did not conduct business operations on Saturdays and customers had no alternative choices for telecommunications services available to them during the weekend. This legislation rightly reflects the changes in the marketplace and in the operations of providers. More so, this type of restriction on telecommunications and telephone companies no longer carries the same import as it once did because customers have seen a wave of competing alternative providers and the development of new technologies.

In addition to the current language before you, AT&T has supplied the committee with language that allows for companies to notify customers of a forthcoming termination of service by electronic means (i.e., email) only for those customers who have self-selected to receive billing and other notices from the company by electronic means. In today's digital world, we believe this change makes sense particularly given that customers themselves have requested to receive business communications from us in that manner. Attached is a copy of the language we have previously provided to the committee. We would ask that the committee consider including this language in the bill before you today at such time that it may be favorably approved by you.

Conclusion:

AT&T Connecticut supports Section One of the Raised Senate Bill and encourages its favorable approval. Additionally, we respectfully request that the Committee consider including the additional attached language in the bill.

Proposed Additional Language to Raised Senate Bill No. 332:

Proposed additions are underlined. Proposed deletions are in brackets []

Section 16-262d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

Sec. 16-262d. Termination of residential utility service on account of nonpayment. Notice. Nontermination in event of illness during pendency of customer complaint or investigation. Amortization agreement. Appeal. Notice re credit rating information.

(a) No electric, electric distribution, gas, telephone or water company, no electric supplier and no municipal utility furnishing electric, gas or water service may terminate such service to a residential dwelling on account of nonpayment of a delinquent account unless such company, electric supplier or municipal utility first gives notice of such delinquency and impending termination by first class mail addressed to the customer to which such service is billed[,] or by electronic mail to the electronic mail address designated by the customer for receipt of bills, notices or communications, at least thirteen calendar days prior to the proposed termination, except that if an electric, electric distribution or gas company, electric supplier or municipal utility furnishing electric or gas service has issued a notice under this subsection but has not terminated service prior to issuing a new bill to the customer, such company, electric supplier or municipal utility may terminate such service only after [mailing] sending the customer an additional notice of the impending termination, addressed to the customer to which such service is billed either (1) by first class or electronic mail at least thirteen calendar days prior to the proposed termination or (2) by certified mail, at least seven calendar days prior to the proposed termination. In the event that multiple dates of proposed termination are provided to a customer, no such company, electric supplier or municipal utility shall terminate service prior to the latest of such dates. For purposes of this subsection, the thirteen-day periods and seven-day period shall commence on the date such notice is mailed. If such company, electric supplier or municipal utility does not terminate service within one hundred twenty days after [mailing] sending the initial notice of termination, such company, electric supplier or municipal utility shall give the customer a new notice at least thirteen days prior to termination. Every termination notice issued by a public service company, electric supplier or municipal utility shall contain or be accompanied by an explanation of the rights of the customer provided in subsection (c) of this section.

(b) No such company, electric supplier or municipal utility shall effect termination of service for nonpayment during such time as any resident of a dwelling to which such service is furnished is seriously ill, if the fact of such serious illness is certified to such company, electric supplier or municipal utility by a registered physician within such

period of time after the [mailing] sending of a termination notice pursuant to subsection (a) of this section as the Department of Public Utility Control may by regulation establish, provided the customer agrees to amortize the unpaid balance of his account over a reasonable period of time and keeps current his account for utility service as charges accrue in each subsequent billing period.

(c) No such company, electric supplier or municipal utility shall effect termination of service to a residential dwelling for nonpayment during the pendency of any complaint, investigation, hearing or appeal, initiated by a customer within such period of time after the [mailing] sending of a termination notice pursuant to subsection (a) of this section as said Department of Public Utility Control may by regulation establish; provided, any telephone company during the pendency of any complaint, investigation, hearing or appeal may terminate telephone service if the amount of charges accruing and outstanding subsequent to the initiation of any complaint, investigation, hearing or appeal exceeds on a monthly basis the average monthly bill for the previous three months or if the customer fails to keep current his telephone account for all undisputed charges or fails to comply with any amortization agreement as hereafter provided.

(d) Any customer who has initiated a complaint or investigation under subsection (c) of this section shall be given an opportunity for review of such complaint or investigation by a review officer of the company, electric supplier or municipal utility other than a member of such company's, electric supplier's or municipal utility's credit department, provided the Department of Public Utility Control may waive this requirement for any company, electric supplier or municipal utility employing fewer than twenty-five full-time employees, which review shall include consideration of whether the customer should be permitted to amortize the unpaid balance of his account over a reasonable period of time. No termination shall be effected for any customer complying with any such amortization agreement, provided such customer also keeps current his account for utility service as charges accrue in each subsequent billing period.

(e) Any customer whose complaint or request for an investigation has resulted in a determination by a company, electric supplier or municipal utility which is adverse to him may appeal such determination to the Department of Public Utility Control or a hearing officer appointed by the department.

(f) If, following the receipt of a termination notice or the entering into of an amortization agreement, the customer makes a payment or payments amounting to twenty per cent of the balance due, the public service company or electric supplier shall not terminate service without giving notice to the customer, in accordance with the provisions of this section, of the conditions the customer must meet to avoid termination, but such subsequent notice shall not entitle such customer to further investigation, review or appeal by the company, electric supplier, municipal utility or department.

(g) No electric distribution, gas, telephone or water company, certified telecommunications provider, gas registrant or municipal utility furnishing electric, gas or water service shall submit to a credit rating agency, as defined in section 36a-695, any information about a residential customer's nonpayment for electric, gas, telephone, telecommunications or water service unless the customer is more than sixty days delinquent in paying for such service. In no event shall such a company, certified telecommunications provider, gas registrant or municipal utility submit to a credit rating agency any information about a residential customer's nonpayment for such service if the customer has initiated a complaint, investigation hearing or appeal with regard to such service under subsection (c) of this section that is pending before the department. If such a company, certified telecommunications provider, gas registrant or municipal utility intends to submit to a credit rating agency information about a customer's nonpayment for service, it shall, at least thirty days before submitting such information, send the customer by first class mail notification that includes the statement, "AS AUTHORIZED BY LAW, FOR RESIDENTIAL ACCOUNTS, WE SUPPLY PAYMENT INFORMATION TO CREDIT RATING AGENCIES. IF YOUR ACCOUNT IS MORE THAN SIXTY DAYS DELINQUENT, THE DELINQUENCY REPORT COULD HARM YOUR CREDIT RATING".