

Legal Assistance Resource Center

❖ of Connecticut, Inc. ❖

44 Capitol Avenue, Suite 301 ❖ Hartford, Connecticut 06106
(860) 278-5688 x203 ❖ cell (860) 836-6355 ❖ fax (860) 278-2957 ❖ RPodolsky@LARCC.org

S.B. 332 -- Termination of utility service

Energy and Technology Committee public hearing -- March 8, 2012

Testimony of Raphael L. Podolsky

Recommended Committee action: REJECTION OF THE BILL

This bill contains two distinct and unrelated proposals -- one dealing with shutoffs of utility customers on Fridays and the other dealing with shutoff of utilities to nursing homes as a way to collect unpaid bills. We oppose both proposals.

- **Friday shutoffs:** Section 1 of S.B. 332 authorizes residential shutoffs of non-hardship customers on Fridays. Such a practice has long been prohibited because of the severe consequences of a shutoff at a time when residential customers are likely not to have access to emergency resources on the following day. The bill attempts to justify this policy by requiring that certain payment offices be open on Saturday, but that misconceives the problem. While there may be a place at which the customer with funds can pay the bill, the places where he or she can get help to pay will be closed -- fuel banks, social services agencies, and other emergency resource programs. This can lead to actual shutoffs on winter weekends. Moreover, the exception for hardship cases can, at most, cover households the utility has already coded as hardship. It will not except the thousands of households eligible for hardship protection (e.g., households with incomes below 125% of poverty) who are not on the utility's current list. The consequences of a shutoff are serious -- both for reasons of health and for reasons of safety. There is no compelling reason why a utility cannot either implement a shutoff on Thursday or wait until Monday.
- **Nursing home shutoffs:** Section 2 of S.B. 332 authorizes electric and gas companies to shut off service to a nursing home for non-payment of a utility bill if the utility company petitions the Superior Court for a receivership and either (a) the petition is denied or (b) 60 days have passed. The impact of this proposal is horrendous, because the victims of this callous utility company policy would be the sick, disabled, and elderly residents of nursing homes. On what basis would we ever allow a nursing home's patients to be used as bargaining chips so that an electric or gas company could collect its bill from a nursing home? As difficult it is for a family to deal with a utility shutoff, what do we think would happen to the patients of nursing homes if there was no heat, or if the medical equipment in the nursing home ceased to work. Where would new beds be found for them, especially on short notice, since we would be dealing with an unplanned nursing home closure? A utility company has other means to collect its bills from nursing homes, of which the most obvious is a straight-forward collection lawsuit. Shutting off services to fragile nursing home patients should be viewed as a completely unacceptable option.