

CHAPTER 9

Utilities, Heating, Weatherization and Phone

This chapter discusses your rights regarding utility companies. All types of utilities must treat their customers fairly. However, you need to know the different policies that apply to each type of utility. This chapter explains your rights under public utilities, municipal utilities and co-op utilities. It also provides information on consumer rights organizations if you have a complaint about your utility company.

The costs of heating, weatherization and phone bills can use a significant part of the household budget, especially during the winter months. This chapter offers valuable information on several programs that can help you find a way to keep up with your bills.

You and Your Utilities

For many people, the cost of heating and lighting their homes is often higher than their rent or house payment. Fortunately, the law recognizes the importance of these services and provides some protection for consumers. Some utility companies and local governments offer low-cost or no-cost loans for money-saving weatherization. Federal money may be available to low-income households to help with utility payments during high-usage winter months.

Basic Consumer Right: Fair Treatment

All utilities (heat, water and phone) have to treat customers fairly. Fair treatment is required for utility hookups, deposits and shut-offs. What is “fair” depends on the type of utility provider.

The following is a list of different types of providers:

1. A private, investor-owned utility company (called a **public utility**);
2. A **municipal utility**, run by a government entity (sometimes a city, county or public utility district); or
3. A member controlled and operated cooperative (**utility co-op**).

If you are unsure what kind of utility provider you have, call the Oregon Public Utilities Commission (PUC) for help. (See Resources at end of chapter.)

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Your Rights with Public Utilities

The state Public Utility Commission regulates public utilities such as Northwest Natural Gas, Pacific Power and Avista. You have the following rights with these utilities:

1. A utility cannot charge you a deposit if you have a good credit history. If you have to pay a deposit, the company should not charge more than the amount equal to two months' service. The utility should allow you to pay the deposit in installments.
2. You can receive bills and other notices in your own language if you do not speak English.
3. You can ask the utility to send your bills and notices to someone else. You can do this if you cannot read or understand the notices or if someone makes payments for you.
4. For gas and electric service, you can pay your bills on an **equal-payment plan**. This plan allows you to make consistent payments throughout the year.
5. If you cannot pay your electricity or gas bills and the utility wants to cut off service, you may be able to enter a special agreement. This agreement will let you pay the overdue amount over time.
6. A company must tell you before disconnecting your service. Electric and gas companies must give a 15-day notice and another notice five days before disconnection. The company must try to contact you on the day it scheduled the disconnection. Telephone and water companies must give you a written notice at least five days before disconnection. If you receive a notice from the phone company, discuss your situation with the company because the company can choose to limit service rather than to disconnect it.
7. If someone in your household is having a serious health problem when an electric or gas company threatens to shut off service, you may be able to keep your service on. To do this, you need a certificate from a doctor or other health care professional explaining why electric or gas service is needed. The utility company must set up a payment plan with you in this case.
8. Telephone companies must allow you to have 911 phone service—even if you cannot pay for it—if you have been a victim of domestic violence and need emergency phone access. Your phone company or the Public Utilities Commission can give you more information about who is eligible for this service.

More and more people now have cellular telephone service. Cell phone service is not regulated by the Public Utilities Commission. If you have a dispute with your cell phone provider, you may have a remedy under state consumer law. (For more information about consumer rights, see Chapter 13.)

Complaints about Public Utilities

If you have a dispute with your public utility company, the PUC Consumer Services Division can help you. (See Resources at end of chapter.) You also may want to contact a lawyer. Working out a problem before your service is shut off can sometimes prevent new hookup charges and deposits later.

Your Rights with Municipal Utilities

Municipal utilities must follow their own written procedures when installing service, collecting deposits and disconnecting service. Those rules must be reasonable and apply equally to all consumers.

In addition, the courts say municipal utilities must let consumers know about shut-offs. Consumers must get the notices and understand them. In communities with many non-English speaking residents, utilities have a duty to send notices in the proper language. Also, utilities must send the shut-off notice to the owner of a residence and the renter(s). Usually, the renter would then be able to open an account with the utility in his or her own name.

Your Rights with Co-op Utilities

Co-ops are controlled by elected user members. These members determine the rules about installation, deposits and shut-offs. The co-op must then follow those rules. It is unclear what the co-op's duty is to people, such as tenants, who are not co-op members but who use the co-op's service. Call the co-op to find out what its rules are, or call a lawyer.

Consumer Rights Organizations

Consumers concerned about unfair rate increases or harsh regulations can get help from Oregon's consumer advocacy groups. The Citizens Utility Board and the Oregon State Public Interest Research Group are active in this area. To reach them or to get the names of other consumer organizations, call the PUC. (See Resources at end of chapter.)

Help with Heat Bills

The U.S. Department of Energy sponsors the Low-Income Home Energy Assistance Program in Oregon. Funds are administered by the Oregon Housing and Community Services Department, through various local agencies such as AAA/SPD offices.

To be eligible for cash assistance during the winter, you must have a low income, live in Oregon and be responsible for paying utility or fuel bills, including bills for fuel oil and firewood. The amount of help you receive depends on your household makeup and the amount of your income.

In some communities, community action agencies can help with utility bills. In addition, some families may be eligible for emergency aid from

the state's Adult and Family Services program. Your local senior center, community action agency or AAA/SPD office can inform you about the availability of these resources. (See General Resource List.)

If you are a tenant with high heat bills because your home is not weatherproofed, you should contact your landlord. Your doors and windows should close tightly enough and your walls and ceilings should be in good enough repair to keep out cold air. (See Chapter 7 for more information on your rights to adequate housing. Also, listen to Tel-Law topic 1256, "Getting Repairs Made.")

Help with Weatherization

With the high cost of fuel, everyone is concerned with energy conservation. Although winterizing homes costs money, it saves money in the long run. The U.S. Department of Energy has a national weatherization aid program for older adults. Eligibility for the program is based on income and resources. Local senior centers and AAA/SPD offices have more information on this program. (See General Resource List.)

Also, some cities and counties have low-interest loan programs for weatherization. Rural home owners may be eligible for loans or grants for winterization projects from the Rural Housing Services Program. Some public utilities offer free weatherization evaluations of customers' homes and offer loans to make energy-saving improvements. Your utility company can tell you if it has this valuable service.

Help with Phone Bills

Oregon residents can receive and maintain basic telephone service under two state programs: the Oregon Telephone Assistance Program and the Link-up America program. (See Resources at end of chapter.) The Oregon Telephone Assistance Program provides for reduced phone bills for qualified low-income customers who are receiving state assistance such as food stamps, Medicaid, the Oregon Health Plan and Supplemental Security Income. The Link-Up America program provides financial help for telephone hookup charges to qualified people. In addition, Oregon law provides for a basic 911 phone connection for people who have been victims of domestic violence and who need a phone for their safety. The PUC and your local phone company can provide further information.

Most utilities are required to have TTY access for people who are hearing or speech impaired. Contact the PUC for more information on TTY services.

Resources

See **General Resource List** for AAA/SPD offices, legal aid offices, OSB Tel-Law service and more.

Citizens Utility Board of Oregon

610 SW Broadway Street, Suite 308
Portland, OR 97205
503-227-1984
www.oregoncub.org

Link-Up America Program

One-time payment that helps pay half of the cost of the line connection fee within 30 days of phone installation.

800-848-4442; TTY: 800-648-3458

Oregon Telephone Assistance Program

800-848-4442

Public Utility Commission of Oregon

500 Capitol Street NE, Suite 215
PO Box 2148
Salem, OR 97308
800-522-2404; TTY: 800-648-3458
www.puc.state.or.us/PUC

Telecommunications Devices Access Program

Voice: 800-848-4442
Oregon Relay Services
TTY (For Hearing and Speech Impaired): 800-648-3458

Glossary of Terms

Equal-Payment Plan: *A payment plan for gas and electric service allowing you to make consistent payments throughout the year.*

Municipal Utility: *A utility run by a government entity (e.g., city, county or public utility district).*

Public Utility: *A private investor-owned utility company.*

Utility Co-op: *A member controlled and operated cooperative.*

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