



Behind on a bill?
Shutoff notice?
Service problems?



Having a problem with your
gas or electric company?

SHINE A LIGHT ON YOUR UTILITY RIGHTS

Hey, New Yorkers! You have the right
to reliable and reasonably priced utility
service, no matter what your income is.



MAKING
POLICY
PUBLIC

YOU HAVE RIGHTS WHEN IT COMES TO YOUR ELECTRICITY AND GAS SERVICE.

These services are regulated by the government, and state law protects your rights.



If your service is going to be

SHUT OFF,

you have the right to negotiate a payment plan with the utility.



If you're having

TROUBLE PAYING

your gas or electric bill, there are programs that can help you pay or reduce what you owe.



If you have a

SERIOUS MEDICAL CONDITION,

you have the right to keep your service on with a doctor's certification.



You are only responsible for accounts that are set up

IN YOUR NAME.

You are not responsible for anyone else's account—even if you live at the same residence.



If you have trouble dealing

WITH A UTILITY,


you have the right to get help from the New York State Public Service Commission (PSC).

Turn the page for more information on how to access these rights and services!



Any time you interact with a utility, public agency, elected official, or advocate about your utility service, remember to:

- Write down notes, including the name, contact information, date, and time for everyone you speak with
- Follow up with a letter or email confirming what was said
- Ask for responses and agreements in writing
- Make and keep copies of all documents
- Keep following up if you don't hear back!

 When filing a complaint with the Public Service Commission (PSC), always ask for a complaint number.

Watch out for

ESCOs!

Energy Service Companies (ESCOs) claim to sell energy at a lower price than local utilities. ESCOs often use high-pressure sales pitches to convince you to switch to them, such as robocalls and home visits. Some even pretend to be from your utility or the government.

The Public Utility Law Project advises you not to take service from ESCOs until they are fully regulated by the Public Service Commission (PSC).

Trust us—we'll save you a ton of money!



IN NEW YORK STATE, YOU HAVE RIGHTS.



If you're BEHIND ON YOUR BILLS



1 Contact the utility as soon as you realize your payment will be late. They can charge late-payment fees, which build up and add to your bill.

ASK!

1 May I have more time to pay?

Some utilities will give you an extension, but some won't. If they do, try your best to pay on time. (If you don't, it's unlikely you'll get an extension in the future.)

2 Do you have a program that can help me pay my bill?

For information on programs that can help you pay your bills, [see PROGRAMS, next page](#)



2 If you think you'll continue to have trouble paying your bills on time...

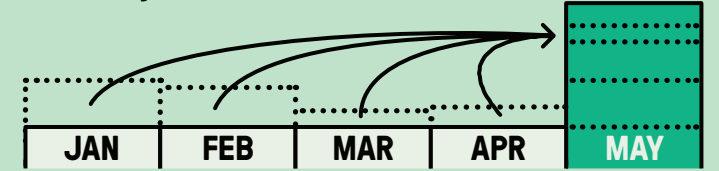
You may qualify for programs that can help you pay your bill or reduce the amount you owe.

Some programs might already be applied to your bill if you qualify for them. Other programs require applications.

[See PROGRAMS, next page](#)

3 The utility may offer you "budget" or "level" billing, but think carefully before you sign up.

These plans don't reduce the amount you owe, but will make your bills be about the same month to month for most of the year.



Instead of charging you for what you actually use, the utility will "level out" your bill by charging you an average amount each month. At some point during the year, the utility will send you a bigger bill that "catches up" for use from previous months. If you can't pay the big bill, your service may be shut off or you may need to get a Deferred Payment Agreement (DPA) to pay it.

If you have a PROBLEM WITH YOUR BILL,

such as an unexpected increase



1 Contact the utility first. Explain why you think the bill is wrong. Gather any evidence you have to prove your case and mail, email, or fax copies to the utility. Keep the originals for your records.

SAY!

I have a problem with my bill because... and here is the evidence.



Photos of your meter readings



Copies of your bills to prove errors



2 If it's a problem on the utility's end, such as a meter problem:

? Ask the utility what they will do to investigate the problem and when it will happen.

✍ Take notes on what happened during your call or visit.

✉ Follow up with a written letter to the person you spoke to confirming what you agreed to.

3 If the utility doesn't respond or won't tell you how they'll fix the problem, contact the Public Service Commission (PSC) to file a formal complaint.

[See COMPLAINT, next page](#)

☎ Call PSC
800-342-

📄 File Online
www.dps.ny.gov

✉ Send Mail to

Office of Consumer Services
NYS Public Service Commission
3 Empire State Plaza
Albany, NY 12223



Keep making payments on the charges you're not disputing.

You won't have to pay any charges you think are wrong until the PSC gives you a written response to your complaint.

Until the PSC responds, the utility can't charge you late fees on the amount you think is wrong—or threaten to shut off your service.

If you get a SHUTOFF NOTICE

It's called a "Termination Notice" and it's included on your bill or mailed separately.



1 Contact the utility right away.

ASK!

Why did I get a Termination Notice?

✓ If the reason makes sense (for example, if you're behind on paying your bills), say:

I want to negotiate a Deferred Payment Agreement (DPA).

If you get a Termination Notice, you have the right to pay what you owe over time.

[See DPA, next page](#)

? If you disagree with the reason, explain why to the utility. If they insist the Termination Notice is valid and won't cancel the shutoff, say:

I'll be filing a complaint with the Public Service Commission (PSC).

Call the PSC complaint number right away and follow their complaint procedure.

[See COMPLAINT, next page](#)

SAY!



2 Know the rules for shutoffs:

20 DAYS The utility can't threaten a shutoff until a bill is 20 days past due.

+
15 DAYS They have to send you a Final Termination Notice at least 15 days before the shutoff date.

=
35 DAYS So the earliest a shutoff can happen is 35 days after the payment due date.

✓ The utility **CAN ONLY** shut off service:

- Monday to Thursday, from 8 am to 4 pm

✗ The utility **CANNOT** shut off service:

- Friday to Sunday
- On a public holiday or the day before a public holiday
- Any day the utility's main office is closed
- From Christmas to New Year's Day
- Before you've received a Termination Notice

✗ If the utility doesn't follow these rules, they're violating your rights, and you should file a complaint with the PSC. [See COMPLAINT, next page.](#)

If you or a family member has a

SERIOUS MEDICAL CONDITION,



you have special rights. If you need utility service to care for your health or the health of someone else—such as powering equipment or refrigerating medication—your doctor can help you keep your service on.

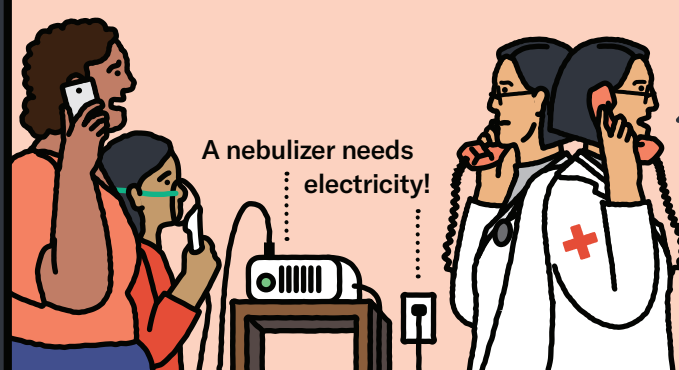
1 Have your doctor call the utility. This will keep your service on for 5 days.

ASK!

A Can you call my utility and tell them why I need my service?

B My patient needs utility service because...

Your doctor will need to give the utility their state registration number and say that your health (or the health of someone who lives with you) will be threatened by a loss of service.



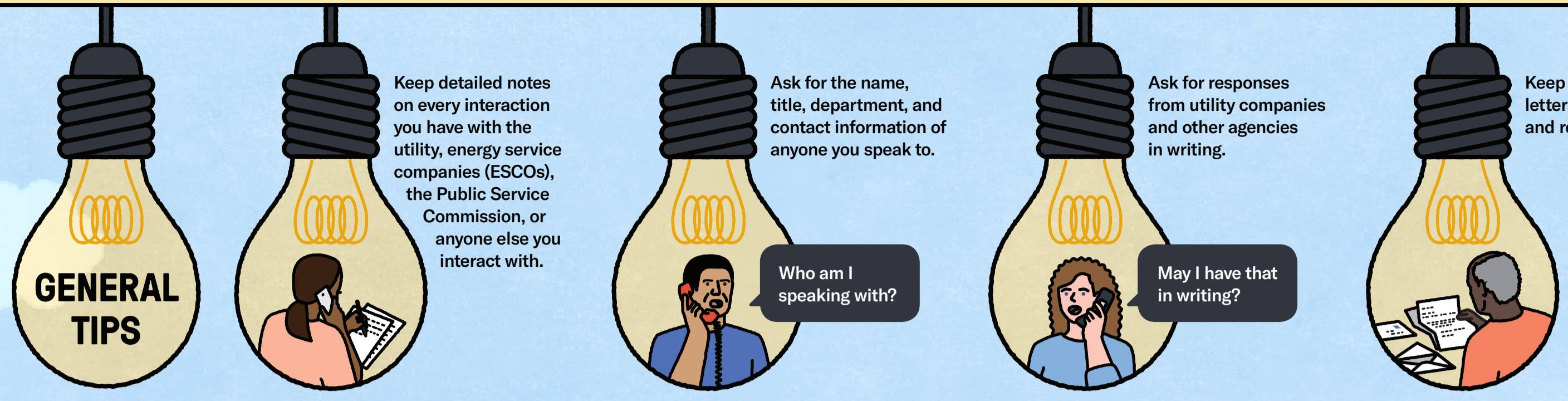
2 Next, have your doctor send the utility a letter certifying the condition.

This will keep your service on for another 30 days. Your doctor can write another letter if you need more than 30 days. Ask your doctor to include:

- His or her name, address, and state registration number
- Your name and address (if the person with the medical condition isn't you, include their name and relationship to you)
- A description of the medical condition
- A statement that the condition could get worse if service is shut off and why that's the case



USE YOUR POWER, NEW YORK!



If you need help paying your bills, these PROGRAMS can help.

Utility-Funded Low-Income Assistance Programs

All New York State energy utilities are required to offer reduced-rate programs to low-income people who qualify.

For more information, contact the utility.

REDUCED RATE

Home Energy Assistance Program (HEAP)

HEAP helps low-income customers pay the cost of heating their homes. Applications are usually available near the beginning of November.

For more information, contact your local Department of Social Services. In NYC, contact the Human Resources Administration (HRA).

SSL 131-s Assistance

SSL 131-s is a state law requiring Social Service Departments to help people on public assistance pay their utility bills. It's sometimes called a "one-shot" program—but you can apply for it more than once.

For more information, contact your local Department of Social Services. In NYC, contact the Human Resources Administration (HRA).

MORE THAN ONCE

If you can't resolve an issue with the utility, this is how you file a COMPLAINT

My name is Daya, but this could be you. My bill doubled, and because I can't afford to pay, the utility company is threatening to shut off my service. I need to set this straight.

Hi, my name is Jane. I am a representative at a utility company.

Hello, my name is Richard. I am a representative for the Public Service Commission (PSC).

1 Complain to the utility.

Offer any evidence you have, such as photos of your meter or copies of past bills.

There is a problem with my bill.

2 File a formal complaint with the Public Service Commission (PSC).

Contact the PSC and tell them you want to file a complaint. If you complain by phone, follow up and send the same complaint using the online form or in a written letter.

Make sure to get a complaint number.

Call PSC: 800-342-3377

File Online: www.dps.ny.gov

I would like to file a formal complaint.

3 The utility should reach out to you.

- The PSC will probably send your complaint back to the utility and ask them to respond to you.
- The utility should contact you within 48 hours.
- If you can't resolve the issue, say that you are going to ask the PSC to escalate your complaint. Sometimes saying this will encourage the utility to make a deal with you.

If we can't come to an agreement, I'm going to contact the PSC again.

4 Contact the PSC again.

Say that you want to escalate your complaint. The PSC should now do an investigation.

I would like to escalate my complaint.

5 The PSC responds.

The PSC must send you their decision in writing and include what actions you or the utility have to take.

Who am I speaking with?

May I have that in writing?

6 Tell them you want an "informal review."

Make sure to ask for one within 15 days of when the PSC notified you of their decision. You can ask for an:

- Informal Review Hearing**

This is the best option. It takes place in person at the PSC office where you filed your complaint. You can bring a representative, ideally someone who knows your case and your rights. A utility representative will also be there, and you'll both argue your case before an informal hearing officer.
- Informal Paper Review**

A PSC staff member who isn't involved with your case will review your complaint record. They'll notify you and the utility about their decision. This option is usually less effective, because they'll only be reviewing files and won't get to hear from you directly.

I disagree with your decision. Can I get 1 or 2?

7 If you're unhappy with the hearing officer's response, you have the right to appeal.

The Commissioners will review your appeal and notify you of their decision in writing.

You have to appeal within 15 days of the PSC's decision.

Make your appeal in writing. Explain why the decision was wrong and include any evidence you have to support your case.

Send Mail to:

Office of Consumer Services
NYS Public Service Commission
3 Empire State Plaza
Albany, NY 12223

8 You can also file a lawsuit.

If you disagree with the results of the appeal, you have the right to file a lawsuit against the PSC within four months of their final decision.

Filing a lawsuit isn't easy. Try your best to resolve your issue and avoid going to court.

If you receive a Final Termination Notice, you have the right to pay off your bill over time without your service being shut off. This is called a

DEFERRED PAYMENT AGREEMENT (DPA)

The terms of the DPA must be based on your ability to pay. You have the right to negotiate terms with the utility.

\$100 down, \$35 / month.

How about \$50 down, \$15 / month?

You pay a DPA along with your regular bill.

Keep this in mind when negotiating the amount of your DPA with the utility.

DPA BILL PAY TOGETHER

You'll probably be asked for financial and other personal information.

If you feel uncomfortable or embarrassed sharing, you're not alone! Lots of other people go through this process (especially in New York State, where utility rates are so high).

YOU ARE NOT ALONE

\$0 down \$10/month

Terms can be as little as \$0 down and \$10 per month.

\$\$\$ I NEED NEW REPAYMENT TERMS.

If you have trouble paying your DPA and monthly bills, you have the right to ask for new repayment terms.

The DPA must be in writing and signed by you and a utility representative.

Be sure to keep a copy of your DPA.

Having Trouble? See COMPLAINT

Call PSC: 800-342-3377

If the terms of your DPA don't work for you, file a complaint with the Public Service Commission (PSC). Call and tell them you want to file a complaint because the utility is not offering you a DPA you can afford.





MAKING POLICY PUBLIC is a program of the Center for Urban Pedagogy (CUP). CUP partners with policy advocates and graphic designers to produce foldout posters that explain complicated policy issues, like this one. makingpolicypublic.net

COLLABORATORS

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THE CENTER FOR URBAN PEDAGOGY (CUP) is a nonprofit organization that uses the power of design and art to increase meaningful civic engagement. welcometocup.org

NEW YORK'S UTILITY PROJECT

PUBLIC UTILITY LAW PROJECT (PULP) is a 35-year-old statewide independent not-for-profit law firm whose sole mission is to advocate, educate, and litigate on behalf of low-, middle-, and fixed-income New York utility ratepayers. utilityproject.org

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NEED MORE HELP?

If you have a problem that's not covered in this guide,

call the Public Service Commission (PSC) for more information and to file a complaint.

Call PSC
800-342-3377

File Online
www.dps.ny.gov

Send Mail to
Office of Consumer Services
NYS Public Service Commission
3 Empire State Plaza
Albany, NY 12223

If you're having trouble dealing with a utility or the PSC,

contact your local elected officials (including Council Member, Senator, and State Assembly Member) and ask them to advocate for you.

You can also call the Public Utility Law Project (PULP) of New York.

Call PULP
877-669-2572

