

Utility Shutoff Procedures and Protections for Residential Customers:

The MPSC's "Consumer Standards and Billing Practices"

Rules apply to all utility companies under MPSC jurisdiction (not municipal utility companies).

Prescriptive and stringently enforced protections established via MPSC rules.

Recently revised (2007) via a thorough vetting in a collaborative process.

Shutoff rules attempt to strike a balance between the need to collect for utility services provided and the desire to protect vulnerable customers from service shutoff.

Commission Staff and covered utility companies meet regularly (about every other month) to consistently and effectively implement and enforce all customer protection rules including shutoff (best practices and efficient procedures are shared, including outreach efforts to identify and address needs of vulnerable customers).

Shutoff procedures are very specific:

Notice requirements (advance warning requirements): See Rule 38;

Form of Notice (conditions and limitations): See Rule 39;

Time of Shutoff (permissible times): See Rule 40;

Manner of Shutoff (how accomplished): See Rule 41;

Remote Shutoff: See Rule 42;

Shutoff Prohibitions: See Rule 43.

MPSC Customer Shutoff Protection:

Medical Emergency: See Rule 47

- * Customer is "critical care" or has a certified medical emergency;
- * A 21 day shutoff reprieve, renewable 2 times per person (63 days); household total of 126 days possible per year.

Winter Protection Program (WPP): See Rule 48

- * Customers at 150 % of poverty level eligible;
- * Customer pays 7% of estimated annual bill;
- * Arrearages paid in equal monthly installments;
- * Eligible customers encouraged to participate;
- * Participating customers are advised of bill payment assistance programs.

Winter Protection for Senior Citizens: See Rule 49

- * No senior shutoffs during the space heating season (11-1 – 3-31);
- * A Senior is defined as a person 65 or older;
- * Senior protection is often voluntarily extended by utility companies to include any person known to be living in the home 65 or older (not just limited to the account holder);
- * Utility companies and the Commission aggressively promote efforts for seniors or their supporters to notify the utility that they qualify;
- * Protection is absolute (even when payment is not made).

Military Family Protection

- * Customers and their spouses on full time active duty deployed overseas;
- * Protection is for 90 days with an additional 90 day extension granted.

Other Shutoff Protection Programs

- * Year round protection is provided both DTE and Consumers Energy as an alternative to WPP for customers electing this option;
- * Year round programs are similar to WPP, but more generous protections (200% poverty level, annual budget payment);
- * Disputed customer accounts with the Commission are not shutoff until the dispute is dropped by the customer or resolved (via an agreement among the parties or a Commission determination if the customer pursues a formal complaint).

Other Assistance Programs and Options to Prevent Shutoff

Customers experiencing difficulty paying their utility bills are advised to call your local utility as soon as possible to explore options for assistance (Utility companies have representatives that work with customers one on one to set up bill payment arrangements and locate available assistance.).

Other Help Organizations:

The Michigan Coalition to keep Michigan Warm;
State and local agencies (THAW, Salvation Army, CAAs, Dept. of Human Services, Office for the Aging, 211, etc.).

MPSC Emergency Rules Expanding Shutoff Protection for Residential Customers

Established via Commission Order in Case No. U-15783 covering residential service applicable to all utility energy providers under MPSC jurisdiction.

Prohibits energy shutoff or service limitation to eligible residential customers through April 30, 2009.

Eligible customer is a customer that:

- * Is 65 years of age or older;
- * Has a physical or mental disability;
- * Has a household income that does not exceed 200% of the federal poverty level and the customer agrees to make a monthly payment equal to the lesser of
 - 1) 7% of the customer's estimated annual bill;
 - 2) Or, 7% of the customer's current monthly household income.
- * One or more adults in the customer's home are unemployed and one of the following conditions applies:
 - 1) If the customer's household income does not exceed 200% of the federal poverty level and the customer agrees to make a monthly payment equal to the lesser of 7% of the customer's estimated annual bill or 7% of the customer's monthly income;
 - 2) The customer enters into the utility company's monthly payment plan;
 - 3) Or, the customer and the utility mutually agree to the payment of a specific amount.

When performing a shutoff the utility company representatives sent to the home must identify who they are and verify that the customer or a member of the customer's household does not meet the requirements of these rules.

Utility companies are encouraged to participate in the "Michigan-based gatekeeper program" to assist vulnerable Michigan residents who may benefit from gatekeeper services.

Emergency rules also explicitly prohibit use of restrictive devices to control or limit use by eligible customer households.

Emergency rules require utility companies to prominently include specific information about the emergency eligibility protection criteria in any future shutoff notices provided to customers (large bold print in the notice is required).