



Department of Public Service

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Rory M. Christian, Chief Executive Officer

Contact:

James Denn | James.Denn@dps.ny.gov | (518) 474-7080

<http://www.dps.ny.gov>

<http://twitter.com/NYSDPS>

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DPS Details Consumer Rights, Protections and Programs to Help Pay Utility Bills and Avoid Shutoffs

Updated Guidance on Consumer Protections for Customers Unable to Pay Utility Bills

ALBANY — The New York State Department of Public Service (DPS) today updated its work to educate consumers on their rights and protections regarding utility shutoffs, programs to assist with utility arrears, and information for those seeking heating assistance this winter. While the utility shutoff moratorium that was originally enacted by the State Legislature in May 2020 will end on December 21, 2021, consumers have several options to ensure they are not disconnected. New York State Public Service (PSC) regulations prohibit utilities from disconnecting residential customers for a two-week period encompassing Christmas and New Year's Day.

"As the utility shutoff moratorium ends, we are closely monitoring utilities to ensure they are offering consumer protections so that service continues without interruption during the cold winter months," **said DPS CEO Rory M. Christian.** "In addition, we are actively working with our major utilities to address the financial problems caused by the ongoing pandemic and to make sure utility customers understand ways to reduce their energy bills this winter and are fully aware of assistance programs available to assist them with paying off arrears."

On December 21, 2021, the 180-day period of additional protections from terminations or disconnections for qualifying electric, gas, telephone, cable television, internet, and water customers will end. DPS urges customers to take advantage of available assistance programs to help pay down their arrears and keep their services connected.

Heating and Energy Assistance

To help ensure people stay warm this winter, Governor Kathy Hochul recently launched a statewide [campaign](#) to highlight heating and utility assistance for struggling New Yorkers. The digital media campaign is raising awareness of the various State programs available to help struggling New Yorkers pay heating and utility expenses to avoid potential service interruptions during the cold weather months ahead. With utility prices spiking this season, the campaign provides advice to help contend with higher-than-average home heating costs.

Eligible homeowners and renters may apply for the Home Energy Assistance Program (HEAP), which can provide up to \$751 depending on income, household size and how consumers heat their home. A family of four may have a maximum gross monthly income of \$5,249 or an annual gross income of

\$62,983 and still qualify for benefits—a modest increase from last year's threshold. Administered by the State Office of Temporary and Disability Assistance (OTDA), applications for HEAP are accepted in-person at local departments of social services or by telephone, with funding provided on a first-come, first-served basis. Residents outside of New York City may also apply online for regular heating assistance benefits. New York State is also providing \$150 million in federal funding to help low-income households pay up to \$10,000 in heating utility arrears. Starting January 3, 2022, HEAP will also provide a one-time emergency benefit to eligible households that are facing a heating [emergency](#).

Another available resource is New York's Energy Affordability Policy (EAP) that requires the State's major electric and natural gas utilities to provide monthly bill discounts to income eligible customers. To address higher energy costs this winter, the PSC increased the budget for the EAP program by \$129 million to \$367 million, which means 95,000 more low-income families will be able to receive benefits, which can vary by utility. The program expansion will result in more targeted bill discounts.

Water Assistance

Drinking water customers may apply for help under the Low Income Household Water Assistance Program (LIHWAP), which can provide up to \$2,500 in assistance depending on income, household size, and arrears amount. Households may apply for this new program online, by fax or by mailing a written application to OTDA. Customers with a drinking water emergency may also be able to obtain assistance by contacting their local Department of Social Services. Homeowners with drinking water arrears may also be eligible for the New York State Homeowner Assistance Fund. Administered by the Division of Homes and Community Renewal, the program will help income eligible homeowners pay down their drinking water and other bills.

Consumer Protection

The New York State Office of Temporary and Disability Assistance and DPS expect to reach agreement with major electric and gas utility companies to ensure the approximately 77,000 tenants that have applied for utility arrears forgiveness through the State's Emergency Rental Assistance Program are not disconnected while their application is pending. The major electric and gas utility companies have agreed to help OTDA identify these customers and then refrain from shutting them off as they await payments from the program, which will be issued starting later this month.

Further, DPS published updated guidance to municipal water providers concerning their continuing obligation to offer customer protections through June 30, 2022. For the period from December 22, 2021, until June 30, 2022, municipal water providers must give at least 30 days written notice before terminating or disconnecting the service of, or placing, selling or enforcing any lien on the real property of a residential customer, a non-residential customer whose account serves residential premises, or a qualified small business customer. Additionally, municipalities must continue to offer deferred payment agreements that comply with HEFPA to customers financially impacted by the COVID-19 pandemic until June 30, 2022. The term of these agreements is governed by HEFPA and may extend beyond June 30, 2022.

Utility customers should take advantage of assistance programs as soon as possible to keep their utility services connected and reduce the financial burden of winter energy bills. After December 21, 2021, utility companies and municipalities may resume disconnecting customers who do not obtain a HEAP or LIHWAP grant or enter into a deferred payment agreement. HEFPA requires energy, telephone, and private water utility companies to provide their customers with a disconnection notice

at least 15 days before the disconnection date shown on the notice. HEFPA also prohibits disconnections during a two-week period encompassing Christmas and New Year's Day.

Meanwhile, the PSC has undertaken several actions to address the financial ramifications of the ongoing pandemic on consumers. These ongoing proceedings include, but are not limited to, impacts on rate-setting, rate design, utility financial strength, low-income programs, regulatory priorities, collections and termination of service; ensuring the provision of safe and adequate service at just and reasonable rates in recognition of the ramifications from the COVID pandemic; and the extent, if any, that the PSC's clean energy programs should be maintained or accelerated.

Today's guidance may be obtained by going to the Documents section of the Department's Web site at www.dps.ny.gov and entering Matter Number 20-01676 in the input box labeled "Search for Case/Matter Number". Many libraries offer free Internet access. Department documents may also be obtained from the Department's Files Office, 14th floor, Three Empire State Plaza, Albany, NY 12223 (518-474-2500). If you have difficulty understanding English, please call us at 1-800-342-3377 for free language assistance services regarding this press release.