

FEB 13 2002

COMMERCE AND REGULATION

HOUSE FILE 2293

BY HATCH

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to winter disconnection of service provided by  
2 public gas and electric utilities and providing an effective  
3 date.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2293

1 Section 1. Section 476.20, subsection 2, Code 2001, is  
2 amended to read as follows:

3 2. For the purposes of this subsection unless the context  
4 otherwise requires, "federal poverty level" means the poverty  
5 level as defined by the most recently revised poverty income  
6 guidelines published by the United States department of health  
7 and human services. The board shall establish rules requiring  
8 a regulated public utility furnishing gas or electricity to  
9 include in the utility's notice of pending disconnection of  
10 service a written statement advising the customer that the  
11 customer may be eligible to participate in the low income home  
12 energy assistance program or weatherization assistance program  
13 administered by the division of community action agencies of  
14 the department of human rights. The written statement shall  
15 list the address and telephone number of the local agency  
16 which is administering the customer's low income home energy  
17 assistance program and the weatherization assistance program.  
18 The written statement shall also state that the customer is  
19 advised to contact the public utility to settle any of the  
20 customer's complaints with the public utility, but if a  
21 complaint is not settled to the customer's satisfaction, the  
22 customer may file the complaint with the board. The written  
23 statement shall include the address and phone number of the  
24 board. If the notice of pending disconnection of service  
25 applies to a residence, the written statement shall advise  
26 that the disconnection does not apply from November 1 through  
27 ~~April 1~~ May 31 for a resident who is a "head of household", as  
28 defined by law, and who has been certified to the public  
29 utility by the local agency which is administering the low  
30 income home energy assistance program and weatherization  
31 assistance program as being ~~eligible~~ qualified for either the  
32 low income home energy assistance program or weatherization  
33 assistance program, or for a resident who is a head of  
34 household and has a family income that is equal to or less  
35 than one hundred eighty-five percent of the federal poverty

1 ~~level~~7-and-that-if-such. If a resident qualifying for the low  
2 income home energy assistance program or weatherization  
3 assistance program resides within the serviced residence, the  
4 customer should promptly have the qualifying resident notify  
5 the local agency which is administering the low income home  
6 energy assistance program and weatherization assistance  
7 program. The board shall establish rules requiring that the  
8 written notice contain additional information as it deems  
9 necessary and appropriate.

10 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
11 immediate importance, takes effect upon enactment.

12 EXPLANATION

13 This bill relates to the restrictions on winter  
14 disconnection of service provided by public gas and electric  
15 utilities.

16 Under current law in Code section 476.20, relating to  
17 disconnection of utility service, gas and electric utilities  
18 must inform customers that if a head of household is eligible  
19 for the low income home energy assistance program and  
20 weatherization assistance program, the utilities cannot be  
21 disconnected during the period of November 1 through April 1.  
22 The bill extends this moratorium on disconnection through May  
23 31 and provides that the moratorium also extends to a person  
24 who is a head of household with a family income that is equal  
25 to or less than 185 percent of the most recently published  
26 federal poverty level.

27 The disconnection requirements in Code section 476.20 also  
28 apply to municipally owned gas or electric utilities under  
29 Code section 384.84, small electrical public utilities and  
30 cooperatives under Code section 476.1A, municipally owned  
31 utilities under Code section 476.1B, and small gas utilities  
32 under Code section 476.1C.

33 The bill takes effect upon enactment.

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