

MINNESOTA'S COLD WEATHER RULE

Minnesota's Cold Weather Rule

Presentation by

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June 5, 2007

2007 National Low Income Energy Consortium Conference

Nashville, Tennessee

WHO'S COVERED

A household with
combined income
at or below 50% of
state median

Family Size	Income
1	\$20,500
2	\$26,800
3	\$33,100
4	\$39,400
5	\$45,700

HOW IS INCOME VERIFIED?

- Utilities can:
 - accept a signed attestation
 - ask the local community action agency
 - do it themselves

WHAT'S COVERED

- Affects “natural gas or electricity used as a primary heating source”
- Includes “electricity service necessary to operate gas heating equipment.”
- Service limiters ARE disconnections for purposes of cold weather rule protections

WHEN ARE THEY COVERED?

October 15 – April 15

WHAT'S THE DEAL?

- ❑ Utility CANNOT disconnect and MUST reconnect*
if customer:
 - ✓ Enters into a “mutually acceptable payment agreement based on the financial resources and circumstances of the household” (2007 Amendment)
 - ✓ Makes “reasonably timely payments” under the agreement (Reasonably timely = payment w/in 5 working days of due date)

* 2007 Amendment

WHAT'S THE REST OF THE DEAL?

- ❖ Cap of 10% of household income toward current and past bills
- ❖ Customer (or designated 3d party) may request modification if financial circumstances have changed

(2007 Amendment)

WHAT UTILITIES CAN'T DO

- Can't charge deposit or late charge
- Can't shut off during appeal/complaint
- Can't shut off:
 - ✓ Friday, unless personal contact and offer made
 - ✓ Saturday, Sunday, holidays, day before holidays
 - ✓ When utility office closed
 - ✓ When PUC office closed
 - ✓ When no utility personnel available to resolve disputes, enter into payment agreements, reconnect

REPORTS TO PUC

- On November 1, utilities must report to PUC:
 - ✓ # customers without service as of
 - Oct. 1
 - Oct. 15

- After November 1, utilities must report weekly to PUC:
 - ✓ # customers without service
 - ✓ # customer reconnected

(2007 Amendment)

ONE STATUTE TO “RULE” THEM ALL

- ❖ 2007 Amendments put PUC Rules into Statute
 - Pros
 - ✓ If rules outdated; inconsistent (internally & with statute)
 - ✓ If staff resources limited
 - ✓ If PUC not pro-consumer
 - Cons
 - ✓ If PUC pro-consumer, creative with rules, responsive
 - ✓ Statutes hard to change

A TALE OF TWO TYPES (OF UTILITIES)

- ❑ One law for investor-owned utilities

- ❑ One law for municipals and cooperatives

IOU vs. MUNI/COOP

- Vive (or curse) la difference
 - No notice of rights pre-cold weather period
 - No third party notice required
 - No cap of 10% of HH income
 - Payment agreements not “mutually acceptable”
 - May charge deposits/late fees
 - No reporting

WANT COPIES?

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