

Cold Weather Rule

The Missouri Public Service Commission (Commission or PSC) is a state government agency that regulates the rates and services provided by investor-owned utilities in Missouri. Since 1977, the Cold Weather Rule has been a part of the Commission's rules and regulations.

The Cold Weather Rule applies to any residential natural gas or electric service that is necessary to the proper function and operation of heating equipment. Electric or natural gas service provided by municipalities, electric cooperatives, and propane delivered by truck are not covered by this regulation. The Cold Weather Rule period is November 1 through March 31.

This pamphlet attempts to answer some of the most frequently asked questions about the Cold Weather Rule relating to the responsibility of both the utility company and the customer. It is intended for information purposes only. Individuals having specific legal questions may refer to or consult their own attorney or the Office of the Public Counsel (OPC). OPC can be reached by sending correspondence to: **Office of the Public Counsel**, Governor Office Building, 200 Madison Street, Suite 650, P.O. Box 2230, Jefferson City, Missouri 65102-2230, E-mail: opcservice@ded.mo.gov, Telephone: (866) 922-2959.

When temperatures prohibit heat-related service from being disconnected under the Cold Weather Rule.

Q: Can the utility company shut off my service if the temperature is below 32 degrees Fahrenheit?

Your utility company cannot shut off your service on a day when the National Weather Service has issued a local forecast between 6:00 a.m. and 9:00 a.m. predicting the temperature will drop below 32 degrees Fahrenheit during the following 24 hours.

Q: If the utility company is unable to disconnect my service on the day it is scheduled because it is too cold, can the utility company disconnect my service the day after if the forecast does not predict it will drop below 32 degrees Fahrenheit?

Yes, it can. The utility company is not required to go through the notice process twice if the weather permits and it is within 30 calendar days after the date stated on the notice. Disconnect notices will state that your service is due to be disconnected on or after a certain date. If the weather does not permit disconnection of service on the scheduled date, the utility company may reschedule the disconnect. Don't take any chances. Call the utility company any time a bill cannot be paid on time and make payment arrangements.

Q: What must I do to keep service on if I cannot pay the full bill?

You must:

- Contact the utility company.
- State you are unable to pay in full.
- Provide monthly or annual income information.
- Make a minimum payment.
- Enter into a payment agreement.

Q: What must I pay if I cannot pay my full bill?

If you have not defaulted on a previous Cold Weather Rule payment agreement, the utility company must offer you a 12-month budget plan with an initial payment that cannot exceed 12% of the total amount due under the budget plan.

Q: If I break my Cold Weather Rule payment agreement, can the utility company require the full amount I owe?

No. If you are an electric company customer and break your payment agreement, the electric company will require an initial payment of up to 80% of your total balance. If you are a natural gas company customer you may make an initial payment of 50% of your outstanding balance or \$500, whichever is less, with the remaining amount deferred to be paid in a Cold Weather Rule payment agreement plan over 12 months.

Customers must receive notice from the utility company before a disconnection of service can occur.

Q: What type of notice must I be given if a utility company is going to shut off my service?

The utility company must:

- Mail you a notice 10 days before the date it intends to shut off your service.
- Attempt to contact you within 96 hours before the shut off (this may be a second written notice, a doorhanger, or two attempts to contact you by phone).
- Attempt to contact you right before the shut off.
- Leave notice at your home when your service is shut off.

Q: Is the utility company required to tell me how to avoid the shut off?

Yes. The notices given before shut off must tell you how the payment you must make is calculated and that you may apply for financial assistance from the Missouri Family Support Division. The utility company must also give you a list of other organizations you may be able to get assistance from in paying your bill if these organizations have told the utility company they provide this type of assistance.

Cold Weather Rule Information / Requirements

If you are eligible under the Cold Weather Rule, the rule:

- Allows you to budget your payments over 12 months.
- Allows you to extend payment of pre-existing arrears over 12 months.
- Does not require a deposit if minimum payment agreement is kept.
- Requires that you be notified of possible financial help in paying your bill.
- Allows for the reconnection of your service for less than the full amount owed.

Requirements for registered elderly or disabled customers

Q: What is a registered elderly or disabled customer?

A registered elderly or disabled customer means a customer's household where at least one member of the household has filed with the utility company a form approved by the utility company attesting to the fact that he/she:

1. is 65 years old or older;
2. is disabled to the extent that he/she has filed with the utility company a medical form submitted by a medical physician attesting that such customer's household must have natural gas or electric utility service provided in the home to maintain life or health; or
3. has a formal award letter issued from the federal government of disability benefits.

In order to retain his/her status as a registered elderly or disabled customer, each such customer must renew his/her registration with the utility company annually. Such registration should take place by October 1 of each year following his/her initial registration.

Q: What are the advantages of being a registered elderly or disabled customer?

The customer receives additional notifications during the November 1-March 31 Cold Weather Rule period prior to discontinuance of service.

Q: Who is considered a low-income registered elderly or disabled customer?

A low-income registered elderly or disabled customer is a customer registered under the provision of section (l)(C) of the Cold Weather Rule whose household income is less than 150% of the federal poverty guidelines, and who has a signed affidavit attesting to that fact on file with the utility company. The utility company may periodically audit the incomes of low-income registered elderly or disabled customers. If, as a result of an audit, a registered low-income elderly or disabled customer is found to have materially misrepresented his/her income at the time the affidavit was signed, that customer's service may be discontinued per the provisions of the Cold Weather Rule.

Q: I am a registered low-income elderly or low income disabled customer under a Cold Weather Rule payment plan or agreement and have made my initial payment as required. What is the minimum amount I must pay to keep my services from being disconnected during the cold weather period?

You must make consistent payments during the cold weather period that are a minimum of either:

50% of the actual billed usage for the month,

or

50% of the levelized or budget bill amount agreed to in your cold weather agreement.

NOTE: The utility company may recover unpaid amounts from those warmer months by adjusting the customer's Cold Weather Rule payment installments after March 31.

Federal Low Income Home Energy Assistance Program (LIHEAP)

LIHEAP is a federally funded program to help low income households meet their home heating and/or cooling needs. Applications are accepted in Community Action Agency offices throughout Missouri. Funds are limited. When applying for LIHEAP funds, you may need the following items:

- Recent copies of your utility bills.
- A recent payroll stub or other proof that shows your current gross income.
- Documentation showing income from Social Security, Unemployment Insurance, Pension Funds, Disability, etc. Final Utility Termination Notice (if received).
- Proof of present address (e.g., rent receipt, lease or deed, property tax bill).
- Proof of total members living in your household.
- Proof of U.S. citizenship or permanent residence.

PSC contact information

If you have an issue regarding your bill or service, you should first try to solve the problem with the utility company involved. If that fails, you have the right to file an informal complaint with the PSC. Please contact the PSC at:

Telephone: 1-800-392-4211(voice) or
Relay Missouri at 711

E-mail: pscinfo@psc.mo.gov



Missouri Public Service Commission

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Website: psc.mo.gov **Email:** pscinfo@psc.mo.gov **Phone:** 1-800-392-4211