

Rochester Public Utility Board Policy

POLICY 21: Involuntary Disconnection

POLICY OBJECTIVE:

The Board's objective is to ensure that residential customer accounts are protected during cold weather periods, extreme heat conditions, and military service, as prescribed in Minnesota Statutes §§ 216B.097, 216B.0975, and 325E.028.

POLICY STATEMENT:

1. Service Disconnections

Service disconnections will follow RPU's Billing, Credit, and Collections Policy.

RPU is committed to supporting customers in accordance with the Customer Relations Policy. Management will exercise discretion to ensure the disconnect process is carried out consistently across all customer classes.

2. Cold Weather Rule

Minnesota Statutes, Section 216B.097 states that RPU must reconnect the utility service of a residential customer during the period between October 1 and April 30, if the disconnection affects the primary heat source for the residential unit and all of the conditions described in the statute are met. For the purposes of this policy, "disconnection" includes a service or load limiter or any device that limits or interrupts electric service in any way. This protection does not prohibit RPU from disconnecting service but requires several steps to be taken before disconnection.

A. Application: Notice to Residential Customer

RPU will not disconnect or will reconnect the utility service of a residential customer if the disconnection affects the primary heat source for the residential unit and all of the following conditions are met:

1. The household income of the customer is at or below 50 percent of the state median household income. RPU may verify income on forms it provides or obtain verification of income from the local energy assistance provider. A customer is deemed to meet the income requirements of this clause if the customer receives any form of public assistance, including energy assistance, that uses an income eligibility threshold set at or below 50 percent of the state median household income.
2. A customer enters into and makes reasonably timely payments under a payment agreement that considers the financial resources of the household. "Reasonably timely payment" means payment within five working days of agreed-upon due dates.
3. A customer receives referrals to energy assistance, weatherization, conservation, or other programs likely to reduce the customer's energy bills.

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4. RPU will notify all residential customers between August 15 and October 1 each year of the provisions of this policy and Minnesota Statute Section 216B.097.

B. Notice to Residential Customer Facing Involuntary Disconnection

1. Before disconnecting service to a residential customer during the period between October 1 and April 30, RPU will provide the following information to a customer:
 - a) a notice of proposed disconnection;
 - b) a statement explaining the customer's rights and responsibilities;
 - c) a list of local energy assistance providers;
 - d) a form on which to declare inability to pay; and
 - e) a statement explaining available time payment plans and other opportunities to secure continued utility service.
2. At the same time that notice is given under paragraph one (1), RPU must also give written or electronic notice of proposed disconnection(s) to the local energy assistance provider and the Minnesota Department of Commerce.

C. Restrictions, if Involuntary Disconnection is Necessary

1. If a residential customer must be involuntarily disconnected between October 1 and April 30 for failure to comply with Section 2A of this policy, the disconnection will not occur:
 - a) on a Friday,
 - b) on a weekend, holiday, or the day before a holiday,
 - c) when RPU offices are closed, or
 - d) after the close of business.
 - e) when the forecast low temperature on the day of disconnect is projected to be lower than 32 degrees Fahrenheit.
 - f) during the months of November, December, January or February.
2. Further, the disconnection will not occur until at least 30 days after the notice required in section 2B of this policy, has been mailed to the customer, or 15 days after the notice has been personally delivered to the customer.
3. The customer will not be disconnected until RPU attempts to confirm whether the residential unit is occupied, which RPU may accomplish by:
 - a) visiting the residential unit;
 - b) examining energy usage data obtained through AMI to determine whether there is energy usage over at least a 24-hour period that indicates occupancy.
4. RPU will not disconnect a residential customer who is in compliance with Minnesota Statute Section 216B.098, Subd. 5 in regards to medically necessary equipment. Please refer to RPU's Life Support Policy for additional information.
5. If prior to disconnection, a customer appeals a notice of involuntary disconnection, as provided within RPU's Billing, Credit, and Collections Policy, RPU will not disconnect until the appeal is resolved.

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3. Disconnection During Extreme Heat Conditions

Minnesota Statute, Section 216B.0975 states that RPU may not disconnect a residential service when an excessive heat watch, heat advisory, or excessive heat warning has been issued by the National Weather Service.

4. Permissible Service Disconnection with Notice

Per guidance from Minnesota Administrative Rule 7820.1000, RPU will perform disconnections of service with notice to any customer for any reason stated below:

- a. for failure of the customer to pay a bill for utility service;
- b. for failure of the customer to meet the utility's deposit and credit requirements;
- c. for customer's violation of any of the utility's rules;
- d. for failure of the customer to provide the utility reasonable access to its equipment and property;
- e. or for other situations listed in Minnesota statutes and rules.

5. Permissible Service Disconnection without Notice

Per guidance from Minnesota Administrative Rule 7820.1100, RPU will perform disconnections for service without notice to any customer for any reason stated below:

- a. in the event of an unauthorized use of or tampering with the utility's equipment;
- b. in the event of a condition determined to be hazardous to the customer, to other customers of the utility, to the utility's equipment, or to the public.

6. Appeals Process

A residential customer has the right to dispute or appeal in the event RPU and the residential customer are unable to agree on the establishment, reasonableness, or modification of a payment schedule as stated in the Disputes and Appeals section in RPU's Billing, Credit and Collections Policy. RPU will not disconnect service while a payment schedule is pending appeal.

RELEVANT LEGAL AUTHORITY: Minnesota Statute, Section 216B.097
Minnesota Statute, Section 216B.0975
Minnesota Statute, Section 216B.098, Subd. 5
Minnesota Statute, Section 325E.028
Minnesota Administrative Rule 7820.1000
Minnesota Administrative Rule 7820.1100

EFFECTIVE DATE OF POLICY: September 10, 1991

DATE OF POLICY REVIEW: March 25, 2025

POLICY APPROVAL:

Signed by:

Melissa Johnson

Board President

3/26/2025 | 11:47:09 CDT

Date