

House Bill 3459

Sponsored by Representative HARTMAN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits energy utility from disconnecting service to residential customer for failure to pay amount owed for energy services.

Prohibits energy utility from seeking to collect from residential customer who spends six percent or more of household income on energy costs.

Requires energy utility to accept reasonable partial payment or payment plan for overdue amounts. Requires any partial payment or payment plan to be less than six percent of customer's household monthly income.

Permits energy utility to recover costs for overdue amounts in rates to all residential service customers.

Requires energy utility to provide Housing and Community Services Department with contact information for residential customers who have higher than average energy usage. Requires department to contact customers to help customers access programs and resources that may assist with reducing energy usage.

A BILL FOR AN ACT

1
2 Relating to energy utility residential customers.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Sections 2 and 3 of this 2023 Act are added to and made a part of ORS**
5 **chapter 757.**

6 **SECTION 2. (1) As used in this section:**

7 (a) **"Customer" means the person in whose name an energy utility residential service is**
8 **provided.**

9 (b) **"Energy burden" means the percentage of household monthly gross income spent on**
10 **energy costs.**

11 (c) **"Energy utility" means a public utility, a people's utility district organized under ORS**
12 **chapter 261, a municipal utility operating under ORS chapter 225 or a cooperative organized**
13 **under ORS chapter 62 that provides or delivers electricity or gas service.**

14 (d) **"Seek to collect" includes:**

15 (A) **Engaging in collection efforts for an amount owed that is overdue.**

16 (B) **Hiring a third-party person or agency to collect an amount owed that is overdue.**

17 (C) **Assigning to a third party an amount owed that is overdue.**

18 (2) **An energy utility may not disconnect service to a customer of the energy utility for**
19 **the reason that the customer failed to pay an amount owed to the energy utility.**

20 (3)(a) **An energy utility may not seek to collect from a customer who fails to pay an**
21 **amount owed if the customer has an energy burden of six percent or more.**

22 (b) **Notwithstanding paragraph (a) of this subsection, the energy utility may:**

23 (A) **Continue to conduct the energy utility's regular billing practices;**

24 (B) **Contact the customer for purposes of offering or accepting a reasonable partial pay-**
25 **ment or payment plan for the amount owed that is overdue; or**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (C) Provide the customer with information about organizations, programs or other re-
 2 sources that provide financial assistance or support services.

3 (4)(a) Subject to the requirements in paragraph (b) this subsection, an energy utility may
 4 seek to collect from a customer who fails to pay an amount owed if the customer has an
 5 energy burden of less than six percent.

6 (b) The energy utility shall:

7 (A) Provide written notice to the customer at least 20 days prior to beginning to seek to
 8 collect on an amount owed that is overdue; and

9 (B) Accept a reasonable partial payment or payment plan for an amount owed that is
 10 overdue.

11 (5)(a) A partial payment or payment plan agreed to under this section may not include
 12 terms that require a customer to pay a monthly amount that is six percent or more of the
 13 customer's household monthly gross income.

14 (b) An energy utility shall provide written notice to the customer at least 20 days prior
 15 to beginning to seek to collect on an amount owed under an agreed-upon partial payment or
 16 payment plan if a customer fails to pay under the agreed-upon partial payment or payment
 17 plan.

18 (6)(a) An energy utility shall provide the Housing and Community Services Department
 19 the name and address of each customer from whom the energy utility seeks to collect whose
 20 annual income is 50 percent of the federal poverty rate guidelines or less.

21 (b) The department shall contact the customer whose name is provided under paragraph
 22 (a) of this subsection for purposes of helping the customer access programs or resources
 23 that provide low-cost weatherization or other assistance for reducing energy usage.

24 (7) An energy utility shall establish billing procedures that provide a period of no less
 25 than 30 days from the date of a billing transmittal for all current charges, including payment
 26 for final bills, to the date the payment for the charges is due.

27 (8) The Public Utility Commission, for an energy utility that is a public utility, or the
 28 governing body, for an energy utility that is a people's utility district, municipal utility or
 29 cooperative, may allow for costs of overdue amounts owed to be recoverable in the rates of
 30 the energy utility, at a rate increase not to exceed one percent of the total revenues col-
 31 lected by the energy utility from all of the energy utility's residential service customers.

32 **SECTION 3.** (1) As used in this section, "energy utility" means a public utility, a people's
 33 utility district organized under ORS chapter 261, a municipal utility operating under ORS
 34 chapter 225 or a cooperative organized under ORS chapter 62 that provides or delivers elec-
 35 tricity or gas service.

36 (2) The Public Utility Commission, for an energy utility that is a public utility, or the
 37 governing body, for an energy utility that is a people's utility district, municipal utility or
 38 cooperative, shall establish a program to identify residential customers who have higher than
 39 average energy usage and to connect those residential customers with the Housing and
 40 Community Services Department for assistance with reducing their energy usage.

41 (3) Under the program, an energy utility shall:

42 (a) Identify each residential customer of the energy utility that has an energy usage that
 43 is at least 135 percent of the average residential customer energy usage for the period from
 44 November 1 through March 31;

45 (b) Provide the department with the name, address and energy usage of each residential

1 **customer identified under paragraph (a) of this subsection; and**

2 **(c) Notify each residential customer identified under paragraph (a) of this subsection the**
3 **residential customer's energy usage in comparison to the average residential customer's**
4 **energy usage and provide the residential customer with the following:**

5 **(A) Contact information to an appropriate office within the department that may help the**
6 **residential customer access programs or resources to assist with reducing energy usage; and**

7 **(B) Information on programs and resources that may assist with reducing the residential**
8 **customer's energy usage.**

9 **(4) The department may reach out to a residential customer whose name was provided**
10 **by an energy utility under subsection (3) of this section for purposes of helping the residen-**
11 **tial customer access programs or resources to assist with reducing the residential**
12 **customer's energy usage.**

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