

# North Carolina

Last updated: 9/10/22

Covered utilities: These policies pertain to electricity customers who receive their service from an investor-owned utility in the State of North Carolina. Customers that receive service from a municipal utility or an electric cooperative are not covered by these policies.

N.C. Gen. Stat. § 62-3; 4 NCAC 11.R1-1

## Weather Protections

Customers may not be disconnected from their utility service from November 1<sup>st</sup> to March 31<sup>st</sup> without Commission approval if all the following apply:

- 1) a member of the household is disabled or 65 or older,
- 2) the customer is unable to pay in full and
- 3) the local social service office administering the Energy Crisis Assistance Program, or a similar program has certified the customer is eligible for that program's assistance.

There are no similar protections that limit disconnections during times of hot weather.

4 N.C.A.C. 11 R12-11

## Medical Protections

There are no specific protections for customers with medical conditions.

Each electric utility shall mark in some special way the account of a customer whose household has an individual who is chronically or seriously ill, handicapped or on a life support system. Such accounts shall be "carefully handled" whenever service becomes subject to termination for nonpayment. Lastly, "nothing in this rule shall preclude an electric utility from exercising reasonable discretion in waiving or extending the times provided herein pertaining to termination of service, particularly when such waiver or extension would result in the prevention of undue hardship in those cases where termination of service would be especially dangerous to health or where the customer or a member of the customer's household is elderly or handicapped."

4 N.C.A.C. 11 R12-11

## Other Customer Protections

There are no specific protections for households with children or military personnel.

## General Exemptions

Customers and utilities cannot request an exemption from the rules for reasons of hardship.

### Notification Requirements

Written notification of at least 10 days is required from a utility before a customer may be disconnected. In-person and telephone notifications are also required. However, a utility is not required to delay a disconnection if it is unable to reach a customer by a telephone call or an in-person visit.

4 N.C.A.C. 11 R12-11

### Payment Information, Delinquency, and Fee Information

Customers have 25 days to pay their bills before they are considered late. Payment within this 25-day period will either maintain or count toward improvement of the customer's "credit code classification." Payment of a bill after the specified due date could result in the lowering of a customer's credit code relating to one which permits the utility to disconnect on an earlier date. Regarding the credit code classification:

- 1) For individuals who have been customers for at least 12 months with "good-credit established", delinquency won't begin until 65 days after the meter was read for the first bill they failed to pay.
- 2) Delinquency begins on Day 35 for those that have been customers for less than 12 months, or for those who have been customers for more than 12 months, but don't have good credit established.
- 3) Thus, with Day 1 as the day the meter is read, good credit customers won't receive disconnection notice until Day 79, and they won't be disconnected until at least Day 91. Other customers will receive a disconnection notice on Day 49, and their service will be terminated on Day 61.

There are no minimum arrearages before a utility may disconnect a customer.

Customer may be charged fees associated with a disconnection or a reconnection.

Utilities may provide customers with payment plans.

4 NCAC 11.R12-11

### Landlords and Tenants

Where tenants pay their landlords for utilities: The landlord cannot terminate a tenant's utility service for nonpayment (nor can they request that the utility disconnect it for tenant's nonpayment). If a landlord either anticipates they will be unable to pay a utility bill on time or

have received notice of pending disconnection—whichever comes first—they must tell the Commission and all affected tenants within 24 hours.

A landlord cannot cease to provide electric service to tenants without permission from the Commission. Also, a landlord cannot bill for excess usage resulting from either a meter malfunction or electric condition in home appliances furnished by the landlord to the tenant if the malfunction was not known to the tenant, or if the tenant did know and reported the malfunction to the landlord.

4 NCAC 11.R22-7

#### Availability of Protection Policies

Utilities and public utility commissions are not required to provide information on available sources of financial assistance. Information on customer protections will be sent out with each disconnection notice.

4 NCAC 11.R12-11