

Suggested citation if referencing the below information: Sanya Carley and David Konisky, 2023, "Utility Disconnections Dashboard," Energy Justice Lab.



## Massachusetts

Last updated: 11/11/22

Covered utilities: These policies pertain to electricity customers who receive their service from an investor-owned utility, a municipal utility, or an electric cooperative in the State of Massachusetts.

220 CMR 25.01; M.G.L.A. 164A § 1

### Weather Protections

Electricity shall not be shut off between November 15<sup>th</sup> and March 15<sup>th</sup> if that service provides heat or operates a heating system, and a customer has shown inability to pay due to financial hardship. A signed statement by the customer showing his income falls within the financial hardship guidelines shall be presumptive evidence of financial hardship. A utility that received fuel assistance payments the prior winter on behalf of a customer shall presume that a customer meets the financial hardship guidelines for the current winter.

Utilities shall protect accounts from November 15<sup>th</sup> to January 1<sup>st</sup> to give the customer time to apply for fuel assistance for the current winter. If the customer does not apply for fuel assistance or any other certification of financial hardship by January 1<sup>st</sup>, the company may pursue normal collection activity. The financial hardship form shall be renewed quarterly. If the financial hardship is shown to be ongoing between November 15<sup>th</sup> to March 15<sup>th</sup>, renewal shall be waived for that period.

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

220 CMR 25.03; 220 CMR 25.01

### Medical Protections

For customers with medical conditions, disconnections will be initially delayed for 3 months if the customer or someone living in the customer's home is seriously ill. There is no limit for how many times this protection can be renewed. A medical certificate from a registered physician, physician's assistant, nurse practitioner, or local board of health official is required that states the nature of the illness.

If customers receive medical condition protections, they are not required to enter into a payment agreement with their utility. Utilities will delay shutoffs for 72 hours if customer notifies their utility that they intend to obtain a medical certificate.

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After the utility receives notification of a serious illness, the customer shall be sent a financial hardship form from the utility, which must be returned within 7 days of receipt. The customer must meet the financial hardship requirements for medical protection. Certification of serious illness shall be renewed quarterly, but if an illness has been certified as chronic, the serious illness certificate need only be renewed every 6 months.

220 CMR 25.03; 220 CMR 25.01

### Other Customer Protections

Service shall not be shut off if a customer cannot pay because of financial hardship and a child under 12 months of age lives in the home. A customer can initially call to notify the utility that a child under 12 months resides at a home. Certification must then be forwarded to the utility within 7 days, which can come from a birth certificate or official documents from a registered physician, physician's assistant, nurse practitioner, local board of health, hospital official, government official, Department of Transitional Assistance, clergyman, or religious institution. Certification of infancy will remain in effect without renewal until the child reaches 12 months of age.

Service shall not be shut off if all adults in the home are 65 or older and the customer cannot pay a bill because of financial hardship. A utility can only terminate service to a household in which all residents are 65 or older if it has written approval from the Department of Public Utilities. Notice of termination cannot be sent out until such approval is obtained. Written notice of termination must also be sent to the Executive Office of Elder Affairs.

There are no specific protections for individuals with disabilities or military personnel.

220 CMR 25.03; 220 CMR 25.05

### General Exemptions

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

### Notification Requirements

Customers cannot be disconnected until 48 days after a bill is rendered. The first notice of termination cannot be sent any sooner than 27 days after a bill is rendered, while the second and final notice of termination must be given at least 72 hours before termination, but no more than 14 days before termination.

Written notification is required to be delivered to all tenants. In-person or telephone notifications are required for heating account customers during the winter. A utility is not

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required to delay a disconnection if it is unable to reach a customer by a telephone call or an in-person visit.

220 CMR 25.02; 220 CMR 25.03; 220 CMR 25.04

### Payment Information, Delinquency, and Fee Information

Customers have 45 days to pay their bills before becoming past-due. A minimum delinquency period of 3 days is required before disconnection, and termination of service will occur no sooner than 48 days after the receipt of the first bill.

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.

220 CMR 25.02; 220 CMR 25.01(2)

### Landlords and Tenants

Tenants shall receive no less than 30 days’ notice of termination. The notice will also be posted in common areas of the building.

220 CMR 25.04

### Availability of Protection Policies

Utilities and public utility commissions are required to provide information on available sources of financial assistance.

All termination notices shall be accompanied by an explanation of customer’s rights. When a utility representative goes to a customer’s home to shut off power, he shall give notice of customer protections and provide a financial hardship form. If the customer claims protection the day of termination, shut-off will be postponed for 72 hours to allow him time to submit documentation supporting his claim. In preparation for winter, a utility company must send out financial hardship forms and instructions to all customers before November 15<sup>th</sup> each year.

220 CMR 25.02; 220 CMR 25.03