National Energy Assistance Directors' Association

Tracking the Home Energy Needs of Low-Income Households Through Trend Data on Arrearages and Disconnections

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Table of Contents

Table of Figures

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Executive Summary

How many low-income households have recently had service terminated by their natural gas or electric company, or are on the verge of service termination? The sad fact is that we cannot begin to comprehensively, or even adequately, answer this question.

There is mounting evidence that, because of historically high prices and increasing price volatility, there are growing arrearage levels across the country, in terms of both numbers of customers in arrears and the dollar value of total arrears. Further, more and more households are seeking assistance in paying their utility bills. Arrearages and terminations are becoming less connected to severe weather (e.g., high winter heating or summer cooling bills). They instead reflect the growing gap between household incomes and energy prices.

Despite this sea change in utility payment hardships, few utility commissions collect even the most basic data about arrearages and terminations. What is needed now from the states is a solid base of information that will allow for the tracking of trends in residential low-income arrearages and disconnections. Information must be comprehensible, timely and internally consistent between companies to allow for its use by regulators and other public policymakers. Consistency of reporting within states will allow for examination of changes over time in the important indicators of low-income payment difficulties. *Intrastate* reporting consistency is more important than minor *interstate* data definition inconsistencies.

Without timely trend data, it is not possible to appropriately respond to the payment troubles increasingly being experienced within the low-income population. It is, for example, unfeasible to satisfy one of the possible statutory criteria permitting the release of LIHEAP emergency contingency funds. The LIHEAP statute defines "emergency" to include "a significant *increase* in home energy disconnections reported by a utility, a State regulatory agency, or another agency with necessary data." (42 U.S.C. § 8622(1)(D)). (Emphasis added.) With the exception of a few jurisdictions that require systematic reporting of the numbers of customers in arrears, the severity (dollar amount) of the arrearages, the number of customers whose service has been terminated, and the duration of terminations, today's data gathering and reporting does not allow for this determination to be made.

In order to obtain more complete data than that which already exists, this paper provides practical guidelines for the regular reporting of arrearages and terminations, based on working models in several states.

This paper summarizes the residential data collection practices in five states to demonstrate the broad range of data-gathering practices currently performed. The paper then proposes a template of four to eight data points that utilities routinely collect, and, therefore, should be readily available to utility commissions. The goal of this template is to propose a streamlined set of data points to use in identifying both short- and long-term trends in residential arrearages and disconnections. Data analysis can be prepared for individual states as well as on an aggregated national basis.

Introduction

As the energy and utility industries continue to undergo rapid and sweeping structural change, state and federal policymakers and consumers are faced with difficult questions regarding the effectiveness of programs and policies designed to ensure regular payment for utility service while recognizing the essential nature of that service. What is the appropriate expenditure for energy efficiency and payment assistance? Are we currently spending enough? Are we spending too much? What credit and collection practices best meet broad policy goals? How effective are existing state regulatory consumer protections in meeting such goals? The answers to such questions can only come through careful analysis of trends in customer arrearages, service terminations and related indicators of the magnitude of utility payment troubles.

Systematic reporting of the data points outlined in the protocols proposed in this paper is needed to better understand the extent to which energy prices, weather, and general economic conditions affect low-income customers' access to energy and utility service. In addition, the data collection and reporting are necessary to make informed determinations regarding the adequacy and effectiveness of low-income energy assistance (payment assistance, energy efficiency measures and services and energy education services). Finally, implementation of a protocol as outlined below is necessary to determine the effectiveness of credit and collection policies and practices.

Traditionally, severe weather (especially cold weather) has been the primary cause of increased attention on low-income energy arrearages and disconnections. While severe weather generally causes increases in arrearages and disconnections due to higher consumption of fuel for heating or cooling, high natural gas prices combined with an overall loss of jobs in the economy have become increasingly important factors as well. Home energy costs have become an unbearable burden for millions of low-income households.

Consumers now have a hard time affording their utility bills even when weather conditions are not extreme. Indeed, in the spring of 2003, following a relatively mild winter in Iowa, arrearage data from the state charted an increase in the number of low-income clients that had fallen behind on their energy bills and an increase in the size of the outstanding balances. This pattern continued in the spring of 2004 with the combined total of outstanding balances owed by these households exceeding any monthly total reported in the last six years.

Natural gas prices have reached an historically unprecedented plateau. Electricity prices are now tied to natural gas prices because virtually all newer electric generation plants use natural gas. Unfortunately, state and federal policymakers do not have current data that track the impact of rising prices on the most vulnerable segment of the population, low-income consumers. Getting this missing information is the key to fully understanding the changing nature of the need for low-income energy assistance.

There are significant utility system costs associated with credit and collection activities, and the write-off of uncollectible accounts is ultimately borne by all utility ratepayers.[1] Data as described herein are necessary to determine the extent to which these activities and the policies on which they are based are effective. Further, ratepayers and taxpayers nationwide spend over 3 billion dollars annually on federal and non-federal energy assistance programs. Timely data that can track the scope and magnitude of low-income payment problems are vital for demonstrating the need for appropriate funding for energy assistance, and for determining the effectiveness of existing programs.

[1] See e.g., Howat and Oppenheim, "Analysis of Low-Income Benefits in Determining Cost-Effectiveness of Energy Efficiency Programs," National Consumer Law Center (1999); R. Grosse, "Win-Win Alternatives to Credit & Collections," Wisconsin Public Service Co. (1997); Quaid, M. and Pigg, S., "Measuring the Effects of Low-Income Energy Services on Utility Customer Payment Behavior," Proceedings of the 1991 Fifth International Energy Program Evaluation Conference, 1991; Alliance to Save Energy, "Evaluating the Benefits of Comprehensive Energy Management for Low-Income, Payment-Troubled Customers," (1992); Colton, "Identifying Savings Arising From Low-Income Programs," National Consumer Law Center (1994).

The Role of Data Collection and Distribution

Arrearages and service terminations are two important indicators that illustrate the unmet need for energy assistance among low-income households.

Past data collection

The HHS LIHEAP Home Energy Notebook for FY 2002 shows that during the winter of 2000-2001, 904,000 low-income households did not have heat for at least some period of time because they were unable to pay for their heating fuel. One reason for this loss of service is the fundamental unaffordability of home energy. In addition, the 2002 Notebook indicates that 3.5 million low-income households had energy bills that exceeded 25 percent of the household's income in FY 2002. This limited data dramatically highlights the extent to which low-income households cannot pay for basic utility service.

While the RECS collects data on a national and regional basis, the data are not only highly aggregated, but data collection occurs only once every four years. There is also a need for state-level collection of better arrearage and termination data. Data need to be timely enough to allow for prompt analysis, local enough to allow for a consideration of local factors underlying the data, and uniform enough to allow for aggregation in order to gain a complete picture within a state or region.[2]

[2] The scope of this paper is limited to data provided by franchised electric and natural gas utility companies whose distribution activities are regulated by state public utility commissions. Included within this scope are electric and natural gas distribution companies operating in states that have adopted and implemented some form of "retail access," where supply functions have been "unbundled" from the activities traditionally performed by vertically integrated utility companies. We have assumed, for purposes of this paper, that credit and collection activities will continue to be performed by distribution companies operating under jurisdiction of state public utility commissions. It would be useful to obtain arrearage and termination data from publicly owned utility companies (e.g., municipal utilities, rural electric cooperatives) and bulk fuel delivery companies, particularly in light of the fact that there are several states where such companies provide a large proportion of home energy service. However, given the lack of straightforward means of enforcement of data collection protocols for these non-jurisdictional entities, they are beyond the scope of this paper.

In addition to this periodic RECS, the 2003 National Energy Assistance (NEA) Survey found that some LIHEAP-recipient households faced serious health risks or even life-threatening situations. In the prior 12 months, 17% did not have heat for some period of time due to disconnected utility service or an inability to pay for fuel, and 8% had their electricity shut off due to nonpayment. While the NEA Survey moves beyond the anecdotal and provides a national description of how households cope with unaffordable energy bills, it is a one-time snapshot of the distress LIHEAP households face and does not begin to document the incidence of utility arrearages and disconnections.[3]

Prior arrearage and disconnection surveys of the U.S. Department of Health and Human Services (HHS), the National Association of Regulatory Utility Commissions (NARUC) and the National Regulatory Research Institute (NRRI)[4] have provided insight into how low-income households have fared during a particular window in time. But they do not provide the longitudinal data that are proposed in this protocol.

Finally, utility commissions are familiar with the regular collection of service quality metrics for another utility sector, telecommunications carriers. Since 1987, the largest "incumbent local exchange carriers" (local phone companies) have been collecting monthly service quality data and reporting the monthly data to federal and state regulatory commissions.[5] A recent NARUC white paper on telecommunications service quality[6] articulated the policy justification for such extensive, coordinated data collection:

> "Periodic and consistent reporting of these metrics will insure that consumers are receiving appropriate quality of service and it will at least identify areas of concern. Publicizing service quality performance results will both draw attention to potential problem areas before consumers are substantially impacted and provide strong incentive for carriers to improve quality year after year."

Analogous policy rationales also ring true for the collection of data regarding residential electric and natural gas customer arrearages and terminations.

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[3] While this paper focuses on utility bill payment problems, it is important to remember that LIHEAP-recipient households across the country face common hardships in order to pay their utility bills. The NEA Survey documented the array of sacrifices that LIHEAP households make to pay their energy bills. Thirty-eight percent went without medical or dental care; 30% went without filling a prescription or taking a full dose of a prescribed medicine; 28% did not make a rent or mortgage payment; 22% went without food for at least one day; 21% became sick because their home was too cold; and, 7% became sick because their home was too hot.

[4] In 1985 NARUC, in cooperation with HHS, published a "Survey of Electric and Natural Gas Utility Uncollectible Accounts and Service Disconnections for 1984". In the early 1990's, also in cooperation with HHS, NARUC prepared a "Survey of Electric and Natural Gas Utility Uncollectible Accounts and Service Disconnections for 1990". In 2003, the National Regulatory Research Institute released its "Low-Income Energy Policy Survey" (Sept. 2003).

[5] The FCC collects operational data for the largest incumbent local exchange carriers in its Automated Reporting Management Information System (ARMIS) database.

[6] NARUC Service Quality Subgroup, "NARUC Service Quality Whitepaper" March 5, 2004. Available at www.naruc.org.

Future data collection

By looking at indicators involving arrearages and service terminations, not only regulators, but also service providers and the energy industry itself can track the extent to which federal fuel assistance combined with supplemental state and utility funding are sufficient to help ward off bill payment problems. In FY 2003, approximately 4.6 million households received about $2 billion in energy assistance benefits from the Low Income Home Energy Assistance Program (LIHEAP). However, even with LIHEAP, many low-income households lose their utility service through terminations for nonpayment, or build up significant arrearages.

The level of service terminations not only highlights the need for adequate funding of LIHEAP – it can act as a trigger for the release of LIHEAP "emergency" contingency funds:[7] The LIHEAP statute defines the term "emergency" to mean "a significant *increase* in home energy disconnections reported by a utility, a State regulatory agency, or another agency with necessary data." (42 U.S.C.§ 8622 (1)(D)). (Emphasis added.)

In order to produce the type of disconnection data called for by § 8622(1)(D) and additionally to have adequate information to respond to problems associated with utility payment troubles, legislators and other decision makers need reliable, time-series data for each state regarding:

- the total number of residential customers, and the number who are low income

- the total number of residential customers in arrears and total dollar amount of those arrearages

- the number of low-income customers in arrears and the total dollar amount of their arrearages

- the total number of residential disconnections and of low-income disconnections.

Additional information that would also be very useful, but that may be more difficult to collect, includes the number of low-income and general residential service restorations, the dollar value of low-income and general residential accounts determined uncollectible, the number of disconnection notices issued to residential and low-income customers, total revenues from low-income and general residential customers, and the number of operative low-income deferred payment agreements. Only a handful of state regulatory commissions currently collect some or all of this information. Among the states that collect the data, even fewer routinely make it available – either in state-level aggregate form or disaggregated by individual utility company – to policymakers and the general public.

The proposed protocol would result in the collection of data on a monthly basis for eight essential data points (number of residential accounts, number and dollar amount of

[7] In March 2002 the National Energy Assistance Directors' Association (NEADA) adopted a resolution encouraging state public utility commissions to require the utilities they regulate to make arrearage and disconnection data readily available to the public and to the state energy assistance agencies.

arrearages and number of disconnections, along with the same data points for identifiable low-income customers).

The monthly reporting of this data would allow for tracking of the number of households who begin the winter heating season in trouble, the number of households in trouble as winter ends, the number of households in trouble as the summer cooling season begins, etc.

The data will provide a powerful tool to help state LIHEAP agencies tailor energy assistance to meet upcoming needs; to help state commissions formulate better policies to assist residential customers; and to assist with administration of LIHEAP, especially regarding release of emergency funds and gauging the adequacy of the funding level.

This paper is designed to serve as a departure point in future federal and state policy discussions regarding the systematic collection and distribution of arrearage and termination data.

Model State Data Collection and Distribution Protocols

Legislators, utility regulators and others involved with LIHEAP and addressing the needs of low-income households will greatly benefit from the collection of termination and arrearage data. But most states' utility regulatory commissions do not require jurisdictional electric and natural gas utilities to regularly report on terminations and arrearages. In this section we examine the practices in the following states where data is gathered and, in some cases, distributed on a monthly basis:

- Iowa
- Massachusetts
- Ohio
- Pennsylvania
- Rhode Island

The states noted above do not comprise the complete list of states where public utility commissions (PUCs) gather arrearage and termination data. Rather, the states were chosen to demonstrate the broad range of data-gathering practices currently used around the United States. In each of the summaries that follow, we will identify the specific data points that are provided by utility companies to the state PUC, the means by which data is compiled and distributed, and the legal authority asserted to compel utility compliance with specific data reporting protocols.

Iowa

Provisions in the Iowa Administrative Code require that investor-owned electric[8] and natural gas[9] utilities report residential customer statistics to the Iowa Utilities Board (IUB) on a monthly basis. Utilities report the number of accounts, the number of accounts in arrears, dollar amounts in arrears, disconnection notices issued, number of disconnections, number of reconnections, and uncollectible accounts. Except for disconnection and reconnection reporting, companies differentiate between general residential customers and those who have been deemed eligible for energy assistance benefits. The data collected by the IUB are distributed to interested parties on a monthly basis.

Massachusetts

At the request of low-income advocates in 2003, the Massachusetts Department of Telecommunications and Energy (DTE) directed Massachusetts investor-owned electric and natural gas utilities to report monthly on the numbers of accounts, billed amounts, numbers of customers with accounts in arrears, dollar value of arrears, and the dollar value of uncollectible account write-offs. Arrearage data are broken down into 30 to 60 day, 61 to 90 day, and 90+ day vintage increments. Arrearage and amount billed

[8] Iowa Admin Code 199-20.2(5)j.
[9] Iowa Admin Code 199-19.2(5)j.

information is reported separately for general residential and commercial/industrial accounts, as well as for accounts of households identified as "financial hardship," "fuel assistance," "serious illness," "elderly," or having one or more infants. In addition, the Massachusetts model calls for reporting of payment plans that are made, number of customers receiving LIHEAP, and the number of customers receiving the low-income discount rate that is mandated by Massachusetts statute. The DTE also collects data on numbers of termination notices sent, numbers of accounts terminated for nonpayment, numbers of accounts restored, and the average duration of termination for each of the customer types noted above. Currently there is no order, regulation or statute that requires data reporting, and some companies have not been reporting regularly. The information that has been compiled is not routinely distributed or released but is available upon request.

Ohio

Of the models examined in this paper, Ohio reports the greatest volume of information, in part because the reports include detailed information about that state's Percentage of Income Payment (PIP) program. Ohio's reporting requirement is the result of a stipulation in the first case adopting the state's Percentage of Income Payment Program (PIPP), which affected all regulated companies. The Public Utilities Commission of Ohio (PUCO) collects and tracks by fuel type (electric and gas) the number of general residential customers and, separately, the number of low-income customers receiving payment assistance through the PIP program. For both general residential and PIP customers, PUCO also tracks the number of accounts in arrears by both vintage (e.g., 30-60 days overdue, 61-90 days overdue) and dollar value increments (e.g., owing less than $1,000, $1,000 to $2,000, etc.). The PUCO also tracks the number of termination notices, number of disconnections, number of reconnections, and duration of disconnections by customer type. Utility payment plans are tracked by dollar value of arrears of participating customer accounts. Ohio regulators also compile the total number of accounts with security deposits and the dollar amount of deposits by residential customer type. Similarly, the PUCO tracks uncollectible accounts by customer type and dollar amount. Finally, the PUCO gathers data on energy usage and revenues by customer type. Monthly data from individual utilities are compiled by PUCO staff and made available to the public in aggregate by fuel type (gas and electric).

Pennsylvania

Pennsylvania Public Utility Commission (PA PUC) regulations[10] require that electric, natural gas and steam heat utilities file on a monthly basis information regarding residential customer accounts. Monthly information includes arrearages by heating and non-heating usage, and dollar value and vintages of residential accounts in arrears. In addition, utilities provide monthly data on residential termination notices sent and personal contacts made with customers prior to termination. Companies also report on numbers of terminations completed by heating or non-heating usage, dollar value and vintage of arrears, and zip code. Reconnections are reported by usage type, by circumstances associated with reconnection (i.e., payment plan settlement between

[10] Monthly reporting requirements are in 52 PA Code § 56.231. Annual reporting requirements are in 52 PA Code § 62.5 and § 54.75.

company and customer, presentation of a medical certificate, or through making payment in full). In addition to monthly data, utilities are required to report on an annual basis on number of residential payment arrangements entered into, annual collection expenses incurred, dollar value of residential uncollectible write-offs, numbers of residential customers in arrears but not in payment agreements, and total number of low-income households served. The PA PUC produces and publicizes a detailed annual report presenting by company the information gathered pursuant to provisions in the PA Code.

Rhode Island

Electric and natural gas utilities provide the Rhode Island Public Utilities Commission (RIPUC) with monthly reports of residential customer terminations and reconnections. Data are not disaggregated by residential customer type, and no information regarding arrearages, termination notices, payment plans or uncollectible account write-offs is reported. Rhode Island utilities currently report on terminations and reconnections in response to requests by the RIPUC, and formal data requests from consumer advocates. The information is provided by utility company to consumer advocates, who in turn provide the data to state and local media outlets.

Analysis of State Protocols

There is considerable variability between the data reporting approaches that the states noted above have adopted. The authority used to request data ranges from informal agreement between Commission and companies to provisions from Commission orders or regulations, to state statutory provisions. Those states where regulations have been promulgated or a statute has been adopted achieve better compliance. States that gather data by informal consensus are at greater risk of not obtaining complete and consistent data.

There is also substantial variation in the number of data points that companies report. Ohio, on one end of the spectrum, gathers data using an 86-column spreadsheet. Reporting of customer accounts, arrears, termination notices, terminations, reconnections and other indicators of payment troubles are fully disaggregated by customer type, and where applicable, by dollar value and vintage. Rhode Island utilities, on the other hand, report on two data points: residential terminations and residential reconnections. Pennsylvania gathers very detailed information, similar to Ohio, and Massachusetts has begun to gather fairly detailed information that is disaggregated by a broad range of customer types. Iowa gathers information on 12 critical data points. However, a substantial number of residential utility customers in Iowa are served by combined, or "dual-fuel," utility companies that deliver both electric and natural gas service. The dual-fuel utilities currently do not specify the fuel to which reported statistics apply.[11] Other

[11] However, the vast majority of Iowa's investor-owned utility consumers heat with gas-fired forced air systems where both natural gas and electric services are required in order to operate the heating system. From the customer's point of view termination of either service for nonpayment will result in a loss of heat.

states examined in this report require that information be reported on a fuel-specific basis. The table on the following page provides a comparative summary of the data points collected in the model states.

State	Customer Types, Rate Classes and Fuels Tracked						Accounts		Revenues		Arrears				Termination Notices				Disconncetions		Reconnections		Uncollectibles		Payment Plans				Deposits				Usage		Payment Assistance $s
	General Residential	Payment Assistance	Elderly	Disabled	Commercial/Industrial	By Fuel (for Dual-Fuel Utilities)	# By Customer Type	$ Amount By Customer Type	$ Amount	$ Amount By Customer Type	# Accts By $ Increments	$ By Customer Type	$	# Accts By Vintage Increments	# Accts By Customer Type	# Accounts	$ Arrears By Customer Type	$ Arrears	# By Customer Type	#	$ Arrears By Customer Type	$ Arreras	# By Customer Type	#	Duratioin By Customer Type	Duration of Disconnection	# By Customer Type	#	$ Amount By Customer Type	$ Amount	# of Accounts By Customer Type	# of Accounts	$ Arrears By Customer Type	$ Arrears	# By Customer Type	#	$ By Customer Type	$	# of Accounts By Customer Type	Total # of Accunts with Deposits	Amount (KWH/MCF) By Customer Type	Amount (KWH/MCF)	
IA	X	X					X	X			X	X	X		X	X			X		X		X	X											
MA	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X			X	X	X	X	X	X	X										
OH	X	X				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
PA	X	X				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	X	X	X			X	X	
RI																			X		X														

Figure 1 - State Data Collection Summary

States considering the implementation of a data reporting program similar to one of the models outlined above will have to make tradeoffs between administrative efficiency (requiring few data points) and confidence that the data are providing an accurate view of utility affordability problems (requiring more data points). For example, while the Rhode Island "minimalist" approach may have some value in terms of ease of administration, it does not provide a meaningful overview of the extent to which low-income customers face payment troubles.

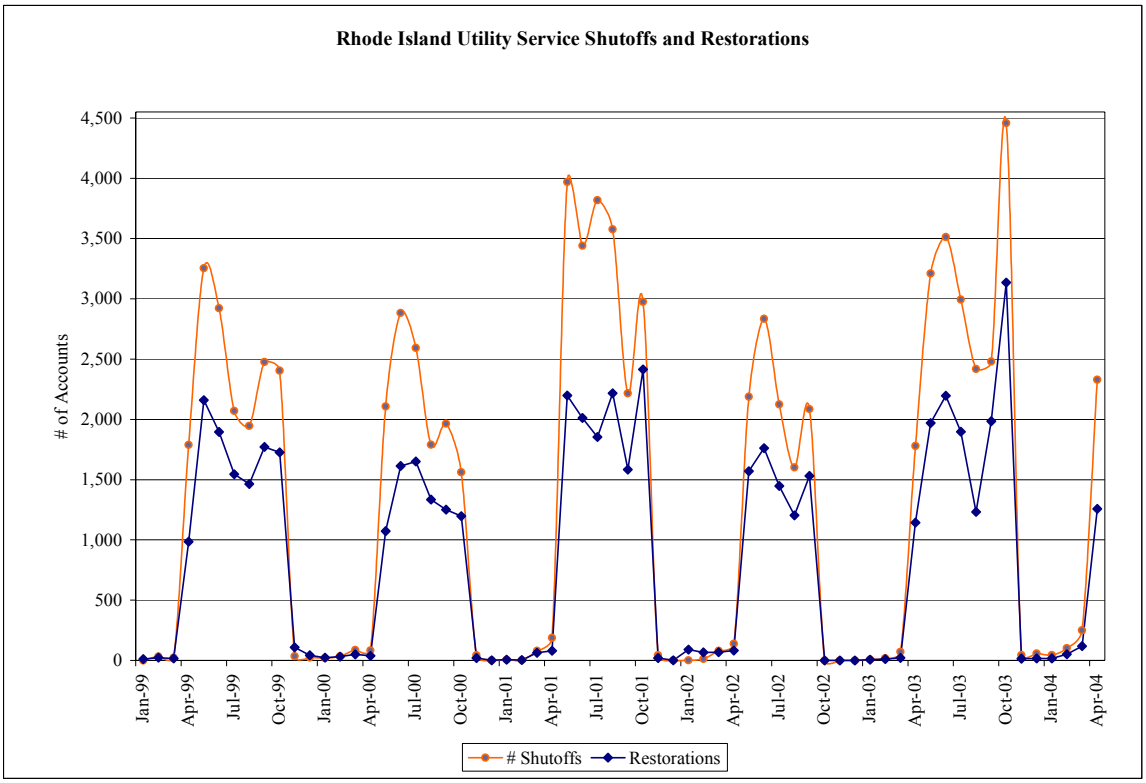

Figure 2 - Rhode Island Service Terminations and Restorations

This chart, produced using data supplied by Rhode Island electric and natural gas utilities, usefully portrays the absolute levels of terminations and disconnections for residential customers as a whole. It also illustrates the gap between terminations and restorations for those customers (a good indicator of levels of uncollectible accounts and duration of account termination). However, the data provides no clear information about the extent to which low-income customers are faced with termination of service because of unaffordable bills.

On the other end of the spectrum, the PA PUC staff produce a 58-page annual report with dozens of tables that describe the many details of customer payment experience and utility credit and collection activities.[12]

States considering implementation of a new data collection protocol for their public utilities would do well to emulate the Iowa regulatory scheme (apart from its weakness in not segregating gas from electric data, for companies that provide both services[13]). The Iowa protocol involves specific data, delineated in the administrative regulations of the Iowa Utilities Board, that is required to be reported to the Board on a monthly basis. This ensures that the data will continue to be compiled and reported regularly. (The Iowa code language is provided in Appendix C). In addition, the Iowa model appropriately balances considerations of administrative efficiency with data adequacy for policy-making purposes. The reported data provide a good indication of the extent to which low-income households are having difficulty affording and paying for vital utility service.

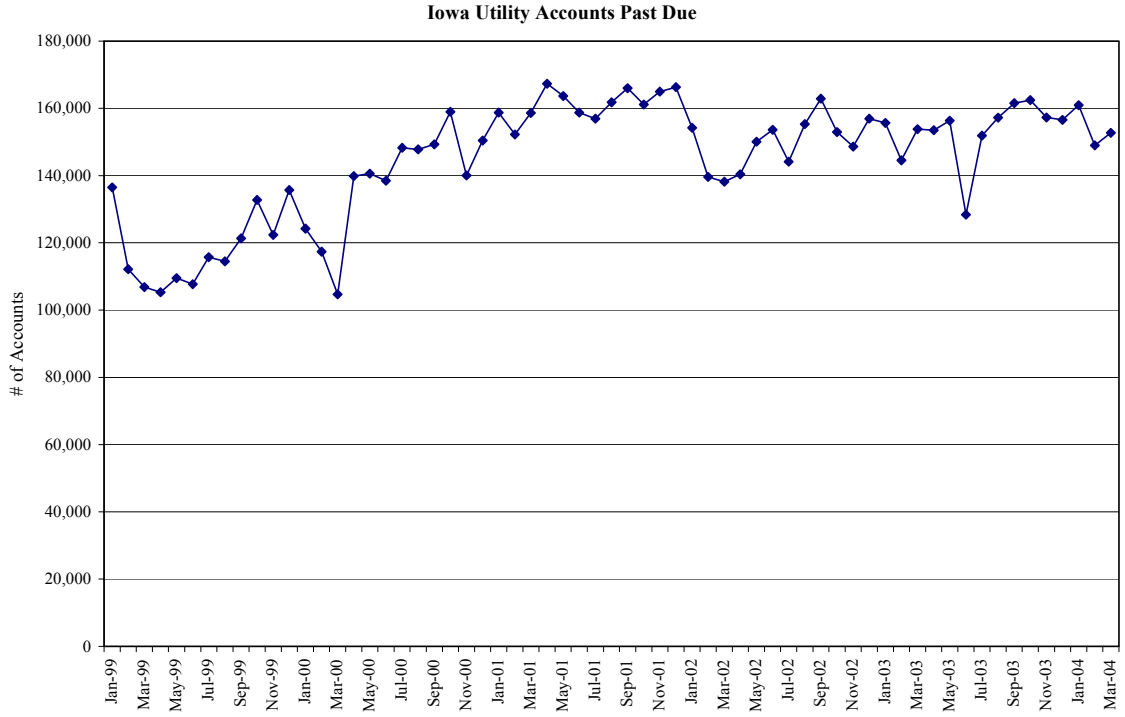

Figure 3 - Iowa Accounts Past Due

[12] See Report on 2002 Universal Service Programs and Collection Performance of the Pennsylvania Electric Distribution Companies and Natural Gas Distribution Companies, PA PUC (2003).

[13] However, the vast majority of Iowa's investor-owned utility consumers heat with gas-fired forced air systems where both natural gas and electric services are required in order to operate the heating system. From the customer's point of view termination of either service for nonpayment will result in a loss of heat.

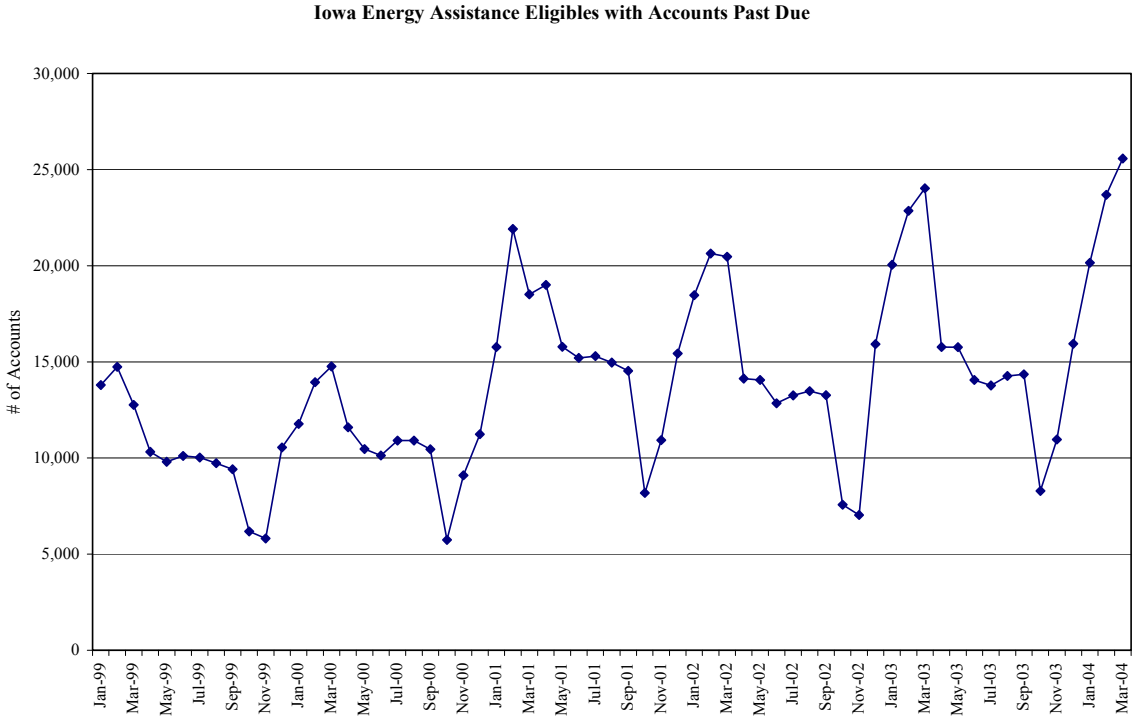

Figure 4 - Iowa Energy Assistance Eliglbles with Accounts Past Due

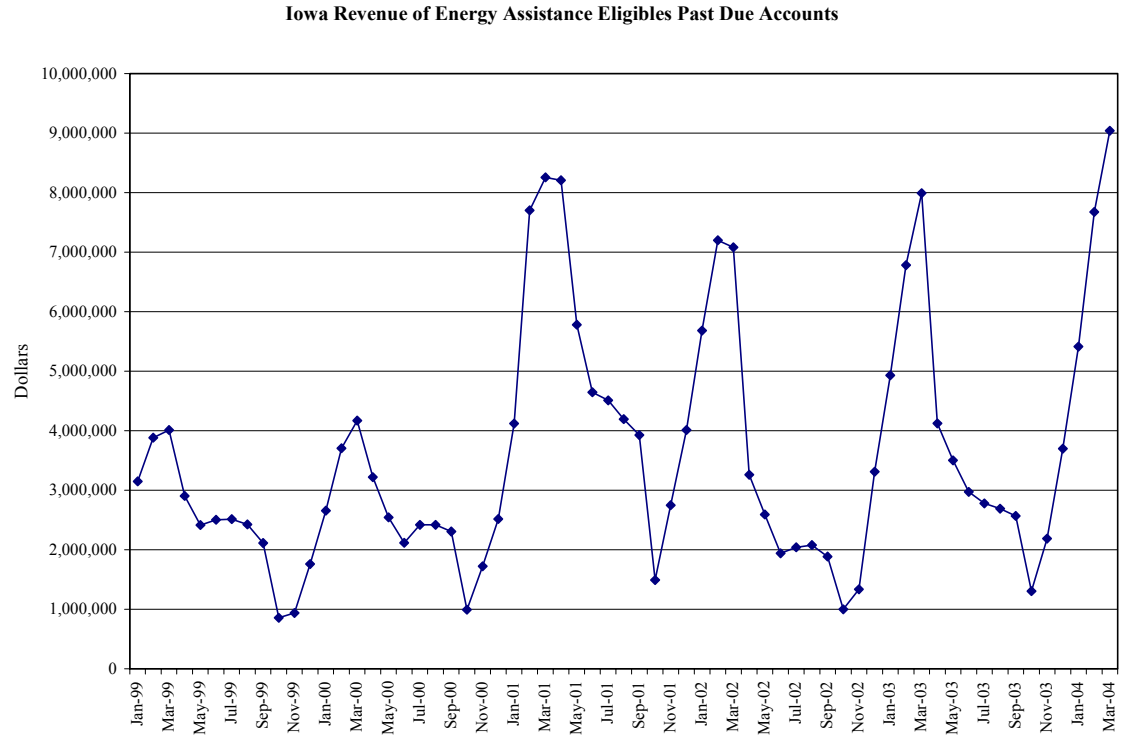

Figure 5 - Iowa Revenue of Energy Assistance Eliglbles with Accounts Past Due

Template for Data Collection

This section presents a protocol through which public utility commissions can collect basic data on utility arrearages, service terminations and bad debt write-offs from their jurisdictional utilities. The protocol builds upon categories of data that are already readily available to public utilities and, accordingly, should be readily subject to collection by state commissions. The discussion that follows defines a uniform set of metrics (data points collected) that will be useful and acceptable to the key stakeholders: utility companies, utility commissions, HHS, and low-income consumer advocates.

The goal of this data collection protocol is to generate periodic and consistent data throughout the various states.[14] The streamlined template for data collection captures the four to eight most essential points.

The Four to Eight Most Essential Data Points

Residential arrearages and residential service disconnections are the two categories of data that are direct indicators of households in payment trouble. Data on both indicators must be collected in order to track trends consistently on a statewide level, as well as to identify national trends.

Data on arrearages and service disconnections have been divided into three tiers based on their ease of collection, as well as their importance in identifying areas of concern for state commissions, state and federal agencies, and low-income and consumer advocates.

Tier 1 – Data That Commissions Should Be Able to Gather Immediately and on a Monthly Basis From Electric and Natural Gas Utilities

1. Total Number of Residential Accounts
2. Total Number of Residential Accounts in Arrears
3. Total Dollar Amount of Accounts in Arrears
4. Total Number of Residential Disconnections

[14] It is not contemplated here that, in developing data collection protocols, all states will adopt a uniform definition of lateness and arrearage. States differ in their adopted definitions of what constitutes a late payment and an arrearage. Rather, there is a need for reporting to be uniform *within* each state, so that changes over time within states may be analyzed. As an increasing number of states report on arrearage and termination data, there will be a growing need to identify an appropriate coordinating entity to collect and analyze data, and to regularly report on regional and national trends.

Tier 2 – Additional Data That Commissions Should Gather, but That May Take Some Time and Resources in Some States: Data on Identified Low-Income Customer Accounts (all subsets of Tier 1 data)

1. Total Number of Low-Income Residential Accounts
2. Total Number of Low-Income Residential Accounts in Arrears
3. Total Dollar Amount of Low-Income Accounts in Arrears
4. Total Number of Low-Income Residential Disconnections

----------**Optional**----------

Tier 3 –Additional Data Points for Tracking the Well-Being of Low-Income Energy Customers, in States Where These Data Are Available

1. Dollar Value of Residential Accounts Written Off as Uncollectible
2. Dollar Value of Low-Income Residential Accounts Written Off as Uncollectible
3. Total Number of Residential Accounts Having Service Restored
4. Total Number of Low-Income Residential Accounts Having Service Restored
5. Total Number of Residential Accounts Sent Notice of Disconnection
6. Total Number of Low-Income Residential Accounts Sent Notice of Disconnection
7. Total Number of Low-Income Customer Deferred Payment Agreements (DPAs)

Explanation of Data Points and Definitions

Tier 1

Tier 1 data points should be easily obtained from utilities in the vast majority of states without any substantial delay, so long as utility commissions request that this data be reported. Since the focus of this template is to develop a tool to track trends (changes in the reported data across reporting periods), the fact that each state's definition of the data points may vary somewhat will not undermine the primary purpose of tracking trends within particular states and nationwide.[15]

[15] For example, a 20% increase in reported "dollar amount of accounts in arrears" will be significant, even if one state counts only amounts overdue by 30 days or more as "in arrears" while another state counts only amounts overdue 45 days or more as "in arrears." So long as each state uses a consistent definition for all of its utilities, the changes in reported results from one period to the next will be highly significant.

1. Total Number of Residential Accounts means the total number of residential accounts for the reporting month. There should be virtually no variability in how any utility or state would define and report these data.

2. In the category Total Number of Residential Accounts in Arrears, the goal is to have utilities consistently report all amounts that are not paid as of the due date. In some states, a bill may be "due" upon receipt; in another, it may be "due" tens days after receipt. However, any variations will not undermine the overall validity of the data.[16]

3. Total Dollar Amount of Accounts in Arrears is the dollar amount due on all outstanding bills that are past their due date. Where available, these should be sorted into amounts that are 1-30 days overdue, 31-60 days, 61-90 days and more than 90 days past due. Many utilities routinely sort their arrearage dollars into these "buckets" in order to better manage collections activities and bad debt write-offs. Reporting of this disaggregated data will provide much more useful information to policymakers, by revealing, for example, whether any growth in the dollar amount is very recent and not yet creating a significant threat of massive terminations (i.e., an increase in 1-30 day arrearages) versus a longer-term and more serious problem (i.e., a growth in 90+ day arrearages).

4. Total Number of Residential Disconnections tracks the number of residential accounts disconnected for nonpayment during the reporting month.

Tier 2

Tier 2 data points are a low-income specific subset of the Tier 1 data points. While these data are ideal for tracking specifically the energy security of low-income households, not all utilities currently know which of their customers are low-income customers. The utilities that can separately report on their low-income customers generally rely on account codes or flags that serve as a good proxy for their low-income customer base: codes for whether the customer receives LIHEAP payments on the account; whether the account is protected against termination (i.e., during a winter moratorium); or whether the customer receives a low-income discounted rate. While the coding of these accounts as low-income will vary by utility and by state, the data on identified low-income households should be collected wherever available.[17] Tier 1 data should be available in

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As indicated above, the most critical aspect of arrearage reporting is consistency over time. However, for companies that are able to do so, reporting arrears that are 60 or more days old will provide the most meaningful account of customers with payment troubles. Many customers delay paying their utility bills for a short period after they are due for reasons that may have little to do with ability to pay. As the vintage of arrears increases, there is a greater likelihood that the delay is due to customer financial strain.

[16] (See previous footnote.) So long as each state maintains a consistent definition of "arrears" for all of its reporting utilities, any changes in the reported data will be meaningful.

[17] Analysts should be aware that use of participation in one or more means-tested benefit programs (e.g., LIHEAP or a utility energy assistance program) as a proxy for low-income population is somewhat problematic. Participation in the proxy program will undoubtedly be less than 100% of the income-eligible

any state where the utility commission is willing to request the data from utilities. Tier 2 data will likely be available in a smaller number of states. However, national trends for all residential customers will be readily identifiable through the Tier 1 data, and useful conclusions will be able to be drawn about trends among low-income customers so long as any reasonable number of states can collect this additional Tier 2 level of detail.

1. Total Number of Low-Income Residential Accounts means the total number of low-income residential accounts for the reporting month. "Low-income" will have to be defined by each state commission, as utilities across the country vary in the extent to which they code accounts as "low-income" (receiving LIHEAP, receiving a low-income discount rate, etc.).

2. Total Number of Low-Income Residential Accounts in Arrears (see discussion under Tier 1, item 2, above).

3. Total Dollar Amount of Low-Income Accounts In Arrears (see discussion under Tier 1, item 3, above). Where available, the amounts in arrears should be sorted by vintage (1-30 days, 31-60 days, 61-90 days, and 90+ days past due).

4. Total Number of Low-Income Residential Disconnections tracks the number of low-income residential accounts disconnected for nonpayment during the reporting month.

Tier 3

Tier 3 data points are helpful for tracking other indicators of how low-income customers are faring, but are not essential for the core data necessary for making the case for the release of emergency energy assistance. As indicated in the five-state data collection chart in Section III, some states are already collecting these data.

1. Dollar Value of Residential Accounts Written Off as Uncollectible, the dollar value of residential accounts the utility has written off as uncollectible during the reporting period. Increases in this number would indicate the extent to which residential customers have fallen significantly enough into arrears to be terminated, have not been reconnected, and have not paid the outstanding bill for so long that the amount has been written off. In Pennsylvania, the PA PUC asks utilities to report both gross uncollectibles and net uncollectibles. Gross uncollectibles refer to the number of accounts that have been written off and sent to a collection agency. Net uncollectibles refer to the number of accounts that are written off after the collection agency attempts to obtain payment from the customer. We recommend that PUCs focus primarily on gross uncollectibles, since this measure has more to do with payment trouble than the practices of an individual collection agency.

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population. In such cases, it must be understood that general residential arrearages and terminations are attributable to some extent to non-participant low-income households. In other words, when a program participation proxy is used, the full extent of low-income payment troubles will not be described.

2. Dollar Value of Low-Income Residential Accounts Written Off as Uncollectible refines data point #1 to focus on low-income residential customer accounts.

3. Total Number of Residential Accounts Having Service Restored means the number of residential accounts designated as having natural gas or electricity service restored during the recording month. These numbers help in the analysis of how many households that have been disconnected for nonpayment are getting reconnected. If there is a growing gap between the number of houses terminated for nonpayment and becoming reconnected, it should be a flag for policymakers that there is a growing affordability problem. This is a Tier 3 data point because some companies do not track reconnections, while other companies have varying definitions of when a terminated account is so old that any "reconnection" by the same customer is recorded as the opening of a new account. However, as some utilities do track such reconnections, utility commissions in those states should collect that reconnection data.

4. Total Number of Low-Income Residential Accounts Having Service Restored refines data point #3 to focus on low-income residential customer accounts.

5. Total Number of Residential Accounts Sent Notice of Disconnection means the number of residential accounts for the reporting month that were sent a notice of disconnection for nonpayment. Tracking this data point provides an indicator of those residential accounts facing immediate crisis, and also provides an earlier indication of the severity of payment problems than simply collecting termination data.

6. Total Number of Low-Income Residential Accounts Receiving Notice of Disconnection calls for breaking out the number of accounts reported in #5 that are coded as low-income.

7. Total Number of Low-Income Customer Deferred Payment Agreements (DPAs) means the number of low-income customers that are being served under the terms of a utility-approved deferred payment plan. In most states customers with arrears may be offered a DPA to retain service.[18]

[18] It should be noted that while the number of low-income DPAs that are operative in a given month may be a useful indicator of systemic payment troubles, caution should be used in the interpretation of this data point. Conceivably, DPA trends could have as much to say about an individual utility company's credit and collection policies and practices as changes in customers' ability to pay. Further, it should not be assumed that a customer has obtained more secure access to service simply because he or she has entered into a DPA. Only the terms of a DPA when viewed in the context of a particular customer's income and expense circumstances can shed light on whether the customer's energy security has increased as a result of the DPA.

Responding to Possible Objections to Data Collection

Several states already collect at least the four to eight essential data points included in Tiers 1 and 2 above. Some states collect much more data – Ohio has been using an 86-column reporting form for years. But utilities and commissions in states that do not currently gather data may well raise objections to any new reporting obligation. Possible grounds for objection appear below, along with the reasons why such objections should not impede the pursuit of the needed data collection.

- **As a utility, we do not have the capability to provide these data in the desired format. The data request will require redesign of our customer information system. This could be cost prohibitive.** It is unlikely that more than a small handful of companies would need to modify their information systems to gather and report the Tier 1 data. Tier 2 and 3 data should be sought where they are already collected, or easily collected with minimal modifications to existing information gathering and reporting systems. Tier 2 data are ideal for tracking specifically the energy security of low-income households and is of higher priority than Tier 3. Utility commissions should exercise their sound judgment and confer with their utilities in deciding the depth and detail of data that will be collected.

  Numerous companies in several states have demonstrated that the data can be readily collected. Utility companies routinely gather and prepare reports on numbers of service terminations, level and vintage of customer arrearages, levels of bad debt, and number of termination notices sent for internal management purposes. Managing collection activities and bad debt is an important utility function. While standard definitions for the data points may require some companies to modify their systems, there does not appear to be any significant barrier to collecting the four to eight high-priority data points described above.

- **As a utility, we do not track customer income and therefore cannot identify low-income customers.** Utilities in numerous states have developed systems to identify accounts associated with customers who participate in one or more means-tested benefit programs. Probably the most frequently used method is to flag customer accounts where a LIHEAP payment is applied against bills. In addition, for states where there is a utility-funded payment assistance or energy efficiency program, participants can readily be identified and flagged. It is also possible for utilities to receive and match electronic data from participants in non-energy means-tested benefit programs (e.g., Food Stamps, Medicaid), particularly in cases where participants consent to information transfer to utility service providers for data reporting purposes. While such methods will never capture all low-income households in a utility service area,[19] they provide information that can serve as a reasonable proxy for the population. If we are able to develop consistent arrearage trend data on the LIHEAP recipient population, for example,

[19] LIHEAP is not an entitlement program, and only serves a fraction of income-eligible households. Even entitlement programs such as Food Stamps do not achieve full participation.

we may reasonably make certain inferences on arrearages in all low-income households.

- **If we report this data, it will be misused.** Two primary purposes for collecting this data are to be able to meet one of the federal criteria for the release of LIHEAP emergency contingency funds and to further document unmet need for energy assistance in general. Whenever low-income advocates seek additional resources for LIHEAP and comparable state programs, they are asked to produce evidence of need. Providing anecdotal evidence of terminations and arrearages is helpful but generally not sufficient. Producing hard data on arrearages and terminations makes a difference. Better data will lead to better public policy decisions, with benefits for low-income consumers, utility companies, and society in general.

- **The reported information will become a public record. Who else will be interested in this information?** Information about real threats to the health and safety of vulnerable customers rightly belongs in the public domain. Various groups interested in utility and low-income issues need this information as they work to develop state and national policies to assure adequate utility services for all American households. Utility commissions, of necessity, will collect data on a company-specific level. However, the reporting of the data would be in the aggregate, to allow for the identification of state-level trends. State-level data would ultimately be aggregated at the national level. The company-specific data could be treated as confidential, and would not become part of the public domain.

- **What if some conclude from what the data reveals that states should be doing more? Will there be new rules or standards as a result of this information?** The intent is to use the nationally aggregated data to allow policymakers to determine the level of customer need that is critical in establishing funding levels for LIHEAP and that triggers release of LIHEAP emergency contingency appropriations. However, in states where these data are already collected, some PUCs use this information to devise policies that address the needs of low-income consumers. This type of information has been used to make recommendations about customer payment agreements that allow customers to maintain utility service while holding the line on utility debt.

- **How will this benefit the customer?**

  Low-income customers clearly will benefit from the collection of data that can form the basis for release of LIHEAP emergency funds, for increases in federal funding for LIHEAP, and for supplemental state programs that help low-income energy consumers. All utility customers benefit from such federal and state programs as they reduce arrearages, uncollectibles, and the costs of collection activities. On behalf of their customers, utilities should be in the forefront of supporting better data collection.

- **Our state PUC doesn't have adequate staff now, and this will require staff time.**

  PUCs can collect the information with relatively little effort. The reporting obligation is on the utility companies. While some states devote resources to carefully compiling and analyzing the data that the utilities file in annual or other periodic reports, each PUC can decide the level of resources that it wishes to devote to this type of effort. The experience in states that already collect data is that the mere collecting of the data from utilities takes relatively little time and resources.

Conclusion

The energy and utility industries have undergone fundamental changes over the past decade. Gas prices are at much higher levels than in the past, with few predicting any price declines. Electricity prices have become much more volatile, with wholesale markets largely deregulated and many states moving away from strict price regulation as well. Higher prices and increased price volatility threaten the ability of low-income families to stay warm in the winter and cool in the summer. Utility terminations can be devastating to low-income households, especially the elderly, disabled and families with young children. Loss of utility service places health and safety at risk and inevitably disrupts normal daily activities. Studies of LIHEAP households show paying for even a basic level of utility service requires that other necessities such as food or medicine be forgone. Utility bills that exceed low-income households' ability to pay result in high credit and collection costs for utilities and increasing write-off of bad debt costs borne by all utility ratepayers.

Utility regulators and other policymakers can and should design responses to the problems that low-income households face, and better collection of termination and arrearage data will make it far easier to do so. Several state PUCs have recognized the value of collecting such data, and the electric and natural gas utilities that they regulate report it on a monthly basis. While there will be some obstacles to address in order to implement an effective data-reporting program, the experience in these states shows they are certainly not insurmountable. To minimize those obstacles, this paper strongly recommends collecting a short list of four to eight data points (Tiers 1 and 2, previously outlined) that should prove relatively easy to collect in almost every jurisdiction. We recommend that all states that do not currently collect these data begin doing so as soon as is practicable.

Clearly, all utility companies currently track number of residential accounts, number of accounts in arrears, the dollar value of those arrears, and the number of residential service terminations for nonpayment. State PUCs should require that this information be provided forthwith. In addition, PUCs should immediately begin discussions with their regulated companies to determine the extent to which information can be readily collected on a monthly basis on the number of low-income residential accounts, the number of low-income accounts that are in arrears, the dollar value of those arrears, and the total number of low-income accounts terminated for nonpayment. PUCs that desire a more accurate and complete portrait of payment-troubled accounts and the costs associated with them may also decide to collect monthly data on the number of residential accounts written off as uncollectible, number of accounts having service restored, and the number of termination notices that are issued.

There are a variety of routes to initiate the gathering and reporting of arrearage and termination data – legislative, formal regulatory proceedings, and less formal commission action. The unique circumstances of each state will ultimately dictate which forum is most appropriate. Moreover, if we are to preserve the concept of universal utility service for all, then we must do a better job of tracking information regarding threats to access to that service.

Appendix A Sample Letter to the State Utility Commission

This appendix includes a sample letter to the state utility commission by which the signatories to the letter seek monthly reporting of arrearage and termination data. Each state will present different possible routes for initiating a new protocol for collecting arrearage and termination data. In some states, those who seek better data collection may decide to file a formal petition requesting that the Commission open its own investigation into rates of disconnection and companies' payment policies. Such investigations are underway or have recently been conducted in Rhode Island, Maryland and Texas. Alternatively, it may make more sense in some states for advocates to file a motion to obtain relevant information in an existing docket, so long as the motion is within the scope of the existing proceeding. Another option may entail using an existing, less formal, "collaborative" process that operates under the approval and scrutiny of the Commission. Whatever forum makes the most sense given the circumstances of a particular state, the idea is to obtain arrearage and termination data as expeditiously as possible.

SAMPLE LETTER TO PUBLIC UTILITY COMMISSION SEEKING ADOPTION OF PERIODIC REPORTING BY COMPANIES OF ARREARAGE AND TERMINATION DATA

[Insert names/address of the Commission's Chair, or all commissioners]

Dear ***[Commission Chair, or all commissioners]***

We write this letter[20] urging you to adopt protocols under which regulated gas and electric companies would be required to periodically report to the Commission ***[or other name of the regulatory body]*** basic information about the number of customers in arrears on their bills; the dollar amount of arrearages; and the numbers of customers being terminated.[21] We believe that the Commission itself would greatly benefit from having current, accurate information about the problems customers are having in paying their bills. We know that elected and appointed officials, both in Congress and here in ***[name of state]***, who oversee and operate the Low-Income Home Energy Assistance Program (LIHEAP) would value having a better understanding of client need, which this reporting would certainly provide. A number of states have been collecting this type of information for years and find it very beneficial. Additionally, the National Regulatory

[20] **[EDITING NOTE]** Try to choose a signer(s) of the letter, whether one or more individuals (advocates; sympathetic legislators; etc.) or one or more organizations, who the Commissioners know and respect, since they will be under no legal obligation to adopt protocols that require companies to report this data.
[21] **[EDITING NOTE]** In some states, the Commission may be collecting some information, and your letter will be seeking more regular or more complete reporting of data. This sentence should be revised accordingly.

Research Institute (NRRI), in conjunction with NARUC's [22] Consumer Affairs Committee, has begun collecting this information on an occasional, snapshot basis from states willing to report this information voluntarily to NRRI. We are happy to share the information we have about existing reporting protocols. We also would welcome working with the Commission and utilities in a collaborative process to design protocols that would not be burdensome to the companies yet that would generate very useful information.

LIHEAP is a $2 billion program that serves over 4 million households. For the past several years, Congress has appropriated base funds for the program (in recent years around $1.7 billion) and a separate amount of $100 million to $200 million for "emergency" needs. See 42 U.S.C. § 8621(e), authorizing additional LIHEAP funds to deal with emergency needs. Release of those emergency funds is contingent on actual circumstances during the heating and cooling season, and information about the numbers of low-income households with high arrearages or without utility service plays an important role in determining whether these funds are released. See 42 U.S.C. § 8622, defining "emergency" to include "a significant increase in home energy disconnections ***reported by a utility [or] a State regulatory agency."*** In addition, Congress routinely seeks information about arrearages and terminations in the annual debates over funding for this important program. Furthermore, access to timely information on arrearages and disconnections is vital in arguing for additional fuel assistance funds, especially in a year such as FY 2004 where the full amount of emergency contingency funds was released in early February, leaving nothing for summer crises. The Commission can play a very useful information-gathering role by requiring utilities to report arrearage and termination data.

The Commission itself would also benefit by having this type of data. On a daily basis, the regulated companies and Commission staff deal with customers having problems with paying their bills – resolving issues around the size of a security deposit, or the monthly amount of any payment plan established to catch up on an arrearage, or determining whether a particular customer's service will be terminated or restored.[23] The Commission would be in a much better position to establish fair and equitable policies around these issues by knowing more about how many customers are having problems paying their bills and the aggregate magnitude of the arrearage problem for each regulated company. Recently, the NARUC Natural Gas Task Force published a "Toolkit" which addressed the problems that customers are having in light of high and increasingly volatile gas prices. High on the list of its recommendations of actions for state commissions was the following:

> States may want to review, and perhaps modify or consider, adopting these [consumer protection and assistance] practices [including] . . . cold weather disconnection rules . . . service disconnection policies . . . levelized/budget billing plans [and] notifying consumers about existing energy assistance programs.

NARUC, "Natural Gas Information 'Toolkit'" (Nov. 2003), at 42. The Commission will be in a much better position to develop reasonable policies if it knows more about the actual number of customers who are having difficulty in paying their bills or experiencing termination of service, and the trends in those numbers over time.

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[22] **[EDITING NOTE]** "NARUC" is the "National Association of Regulatory Utility Commissions," the association that includes every commission in the country.

[23] The wording of this sentence should be tailored to the circumstances of each state, as the commission staff in each state will play a more or less active role in helping customers negotiate payment plans; restore terminated service; etc.

We hope you will seriously consider our request. We look forward to discussing this further with you. [24]

[24] This sentence should also be tailored to circumstances in your state. Suggest a follow-up step that fits your circumstances – whether a meeting with one or more commissioners, or a meeting with key staff, or the opening of a docket or proceeding to consider the adoption of reporting rules.

Appendix B State Definitions of Late Payment

States have, through rules and by statute, defined when a natural gas or electric service payment can be considered late. Appendix B provides a chart of state regulatory and statutory definitions of when a payment is considered late. Additionally, states have varying policies on the amount (if any) of late payment fees that utilities charge their customers. One useful indicator of when a significant number of residential customers are falling behind is to track utility late payment fee revenues for both the number of residential customers assessed late payment fees and the dollar amount collected in late payment fees. Regular tracking of this data could serve as an indicator of an increasing number of households falling behind. This proxy metric is far inferior to the template provided in Section IV, but where there is no data collection at all in a state, it is one way to try to get a pulse on an emerging crisis.

States & D.C.	Utilities Covered	Definition of Late Payment	Source	Additional Notes
Alabama	gas & electric	Payments due 10 days after billing date	AL PSC gen rules, R.12	
Alaska	electric	Payments due 25 days after due date	3 AAC §52.430	
Arizona	gas & electric	payments due, gas: 10 days from rendering, electric: 15 days from rendering	AZ Comp. R. & Regs. 14-2-310(C); 14-2-210(C)	
Arkansas	gas & electric	payments due 14 (22 if late paymt fee included) after mailing	AR PSC, Gen.Serv. R. 5.05	utilities must offer extended due date to certain seniors, customers with disabilities, TANF recipients, veterans
California			CA PUC §392 et seq	
Colorado	electric	payments are delinquent if over 30 days past due	4 CO Code Regs.§723-3, Rule 13(c)	payments due 10 days from mailing or delivery
Connecticut	gas & electric	payments are delinquent if unpaid over 30 days from receipt (monthly bill)	CN Agency Regs. §16-3-100(a)	payments are delinquent if over 60 days of receipt of quarterly or bi-monthly bill
Delaware	gas & electric	payments due w/in 20 days (monthly bills)	DE Code Regs. §10 800 020 4.5	
Dist. of Col.	gas & electric	payments due w/in 20 days (monthly bills)	D.C. Mun. Regs. Tit 15, § 306.1	
Florida	gas & electric	payments due w/in 20 days of mailing or delivery	Fla Admin. Code Ann. R.25-6.101; 25-7.090	
Georgia	gas & electric		GA Comp. R. & Regs. R.	utility can disconnect if overdue for 45 days
Hawaii	gas & electric	payments due at least 15 days after bill issued	Code HI Rules, tit.6, ch.60, §6-60-8	
Idaho	gas & electric	payments due at least 15 days after billing date or 12 days after mailing or delivery	IDAPA 31.21.01	
Illinois	gas & electric	payments due 21 days after postmark; late if 2 days after due	IL Admin. Code § 280.90	
Indiana	gas & electric	payments due 17 days of postmark/mailing	Ind. Admin. Code tit. 170, r. 4-1-17; 6-1-13(A)	
Iowa	gas & electric	payments due w/in 20 days	IA Admin. Code r.199-19.4	residential customers can choose a payment date up 15 days after reciept of income, but not more than 30 days after bill???
Kansas	gas & electric	?????	KS CC §II A	
Kentucky	gas & electric	payment due w/in 27 days	KY Admin Regs 5:006(14)	
Louisiana		payments are delinquent if over 20 days from billing date	LA PSC Gen Order 7-12-76	
Maine	gas & electric	payments due not less than 25 days after mail or delivery	Code ME. R. § 65 -407-81(2)(J)	payments due not less than 30 days if mailed from or payment sent to a location out of state
Maryland	gas & electric		MD Regs. Code, tit. 20 § 31.01	
Massachusetts	gas & electric	payments due not less than 45 days of receipt or the time between receipt of bill and most recent previous bill, whichever is greater	220 CMR 25.02(1)	
Michigan	gas & electric	payments due not less than 17 days from rendering of bill or day of mailing	MI Admin Code r. 460.21116, 460.2117	
Minnesota	gas & electric ??	late charge may be assessed no less than 25 days from current billing date	MN R. 7820.5300	
Mississippi	gas & electric		MS ADC 26 000 002???	
Missouri	gas & electric	payments due w/in 21 days (monthly bills) or 16 days (quarterly)????	MO Code Regs, tit. 4m § 240-13.020(7)	
Montana	gas & electric		MT Admin R. 38.5.901 to 38.5.904	
Nebraska	???		NE Admin R. & Regs. Tit. 291 ???	
Nevada	gas & electric	payments due no earlier than 15 days after issuance	NV Admin. Code ch. 704.339	
New Hampshire	gas & electric	payments due no earlier than 25 days from mailing of bill	NH Code Admin. R. PUC 1202.08	
New Jersey	gas & electric	payment due at no earlier than 15 days from postmark	NJ Admin. Code, Tit, 14 § 3-7.12	payment received w/in 2 business days of due date is still timely
New Mexico	gas & electric	payment due 20 days from billing	NM Admin. Code § 17.5.401.13	discontinuance permitted after 15 days from due date
New York	gas & electric	no earlier than 3 days after mailing of bill	NY tit. 16, §§11.4, 11.15	final termination notice may not be sent before 20 days from due date; no late fee if payment made withing 20 days of due date
North Carolina	gas & electric	payment due w/in 15 days of billing date or receipt	NC Admin. Code R. 12-9	late payment fee if after 25 days from due date
North Dakota	gas & electric		ND Admin. Code §§ 69-09-02-02, 69-09-05-01	
Ohio	gas & electric	14 days??	OH Admin. Code § 4933.122	
Oklahoma	gas & electric	payment due no earlier than 20 days after mailing	OK Admin. Code §§165-35-19-32, 165-45-11-42	
Oregon	gas & electric		OR Admin R. 860-021-0326, 860-021-0405	15 days for nonpaymnet, then a 5 days notice
Pennsylvania		payment due no earlier than 20 days after mailing or physical delivery	52 PA Code §56.21	
Rhode Island	gas & electric		RI Code R.90 000 013 § III(2) and (3)	termination permitted if bill not paid w/in 40 days after mailing or 10 days after due (whichever is later)
South Carolina	gas & electric		SC Code Regs. 103-339, 103-439	late payment fee permitted ????
South Dakota	gas & electric	payment due w/in 20 days	SD Admin R. 20:10:20:03	
Tennessee	gas & electric		Tenn R. & Regs. §§ 1220-4-4, 1220-4-5	
Texas	electric	payment due no earlier than 16 days after issuance	Tex. Admin. Code tit 16, § 26.25	
Utah	gas & electric	payment due no earlier than 20 days from date of current bill	Utah Admin. R. 746-200-4	
Vermont	gas & electric	payment due in 30 days	30 000 CVR 004 3.301	
Virginia	gas & electric	payment due in 20 days	VA CC opinion and Final Order 1/10/77	Utility must provide 1 full billing period before starting termination proceedings VA Code 56-247.1
Washington	gas & electric	minimum of 15 days to pay	WA Admin Code §§ 480-90-178, 480-100-178	
West Virginia	gas & electric	due when rendered, delinquent if not paid w/in 30 days of becoming due	WV Code of State Rules §§150-4-4.83,150-3-4.83	
Wisconsin	gas & electric	payment due 20 days after issuance	WI Ad. Code PSC §§113.0406,134.062(7)	
Wyoming			WY Code PSC 1925	

Appendix C Iowa's Collection and Reporting Provision

Iowa Administrative Code: Natural Gas Utilities' Reporting Requirement

199-20.2(5)j. ***Residential customer statistics****.* Each rate-regulated gas utility shall file with the board on or before the fifteenth day of each month one copy of the following residential customer statistics for the preceding month:
(1) Number of accounts;
(2) Number of accounts certified as eligible for energy assistance since the preceding October 1;
(3) Number of accounts past due;
(4) Number of accounts eligible for energy assistance and past due;
(5) Total revenue owed on accounts past due;
(6) Total revenue owed on accounts eligible for energy assistance and past due;
(7) Number of disconnection notices issued;
(8) Number of disconnection notices issued on accounts eligible for energy assistance;
(9) Number of disconnections for nonpayment;
(10) Number of reconnections;
(11) Number of accounts determined uncollectible; and
(12) Number of accounts eligible for energy assistance and determined uncollectible.

Iowa Administrative Code: Electric Utilities' Reporting Requirement

199-19.2(5)j. ***Residential customer statistics.*** Each rate-regulated electric utility shall file with the board on or before the fifteenth day of each month one copy of the following residential customer statistics for the preceding month:
(1) Number of accounts;
(2) Number of accounts certified as eligible for energy assistance since the preceding October 1;
(3) Number of accounts past due;
(4) Number of accounts eligible for energy assistance and past due;
(5) Total revenue owed on accounts past due;
(6) Total revenue owed on accounts eligible for energy assistance and past due;
(7) Number of disconnection notices issued;
(8) Number of disconnection notices issued on accounts eligible for energy assistance;
(9) Number of disconnections for nonpayment;
(10) Number of reconnections;
(11) Number of accounts determined uncollectible; and
(12) Number of accounts eligible for energy assistance and determined uncollectible.