

## Termination Without Notice

- The utility may shut off service without providing advanced notice if it determines that service was being supplied through tampered equipment, as long as it has:
  - Evidence that the customer did not inherit the condition or knew (or should have known) that service was not being fully billed;
  - Tried to provide a person in charge at the premise with a written unmetered service bill and notice of the conditions under which the utility will continue service; and
  - Allowed up to two hours for the payment of some portion of the bill, not to exceed 50 percent.

## Inquiries and Complaints



The PSC will investigate and resolve complaints on behalf of non-residential customers of utilities after they have contacted their utility. For complaints or inquiries, call 1-800-342-3377.

- If you have a dispute and you file a complaint with the PSC, your service cannot be shut off for the disputed amount while the complaint is being resolved and you are paying the non-disputed amount.
- If you are purchasing your natural gas and/or electricity from an Energy Services Company (ESCO) and have a complaint about that natural gas and/or electricity service, your sales agreement with the ESCO may prescribe a procedure to file and resolve disputes or complaints. However, if you believe you have been switched to an ESCO without your authorization you can contact the PSC.



Department  
of Public Service

For more information, visit  
[www.dps.ny.gov](http://www.dps.ny.gov)  
call **1-800-342-3377** toll-free or  
email [web.questions@dps.ny.gov](mailto:web.questions@dps.ny.gov)

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Department  
of Public Service

# YOUR RIGHTS & PROTECTIONS

## AS A NON-RESIDENTIAL ELECTRIC, NATURAL GAS AND STEAM CUSTOMER

New York State Rules provide comprehensive consumer protections to non-residential customers regarding electric, natural gas and steam utility services.

# YOUR RIGHTS & PROTECTIONS

## Application for Service

- You must be provided with utility service within ten calendar days of your application, subject to certain conditions.
- You must be given a summary of your rights and obligations when service is initiated and at least annually thereafter. A copy of customers' rights is also online at [www.dps.ny.gov](http://www.dps.ny.gov).
- Your utility may require you to complete a service application prior to accepting you as a customer and providing service.
- A service classification is a category of service—such as residential, small commercial or large commercial—in which customer accounts having certain characteristics are placed. Part of the service application process requires you to respond to specific questions that will help the utility to classify your service properly. Because the rates under each service classification are different, it is important for your account to be placed in the most beneficial classification of those for which you are eligible.
- The service application must provide a plain language summary about the eligibility standards for the various service classifications, their rates, and the terms and conditions of service. The summary is to help you learn which is the most advantageous service classification, including whether there is an incentive rate for which you are eligible.

## Deposit

- As a new, non-residential customer, you may be required to pay a deposit when applying for, or before receiving, service. Utilities may waive the deposit based on certain criteria. Check with your utility about its policy.
- If you are an existing customer who has not previously paid a deposit to the utility, you may only be required to pay a deposit to continue service
  - you made two or more late payments in the past 12 months
  - information such as a financial assessment or information from credit reporting agencies indicates that you are unable to pay future bills
  - you filed for reorganization or bankruptcy, or you received a backbill within the last 12 months for previously unbilled charges for service if, supplied through tampered equipment.
- You have the right to pay a required deposit in three installments subject to certain conditions.
- Utilities must accept alternatives to a cash deposit, such as an irrevocable bank letter of credit or a surety bond.
- You have the right to see how the utility has calculated the deposit.

## Billing and Payment Options

- Your utility must read your meter(s) regularly and bill you based on actual readings. Meter readings must be scheduled between 8:00 a.m. and 5:00 p.m. on a business day. Under certain circumstances, a utility may send you an estimated bill as long as it clearly indicates that it is an estimate.
- You may receive a backbill if your utility determines that it has underbilled your account. The backbills are limited to a two-year period unless the utility can show that the customer knew, or should have known, about the underbilling. If the underbilling was caused by a utility deficiency, the backbill is limited to 12 months.

- Late payment charges on unpaid balances are allowed to be added to any bill that is not paid within 20 calendar days of the date payment was due. The current chargeable rate can be found in your utility's tariff.
- If you meet certain requirements, you may be eligible to pay overdue bills in installments.
- With certain exceptions, you must be offered budget (or leveled) billing. Contact your utility to see if you are eligible.

## Utility Service Shutoffs

- Your utility service may be shut off if you fail to pay overdue bills, the amounts due under a payment agreement, a required security deposit, or if you do not provide reasonable access to your meter.
- Your utility is permitted to shut off service:
  - Between 8:00 a.m. and 6:00 p.m., Monday through Friday, excluding holidays and days when the utility or PSC offices are closed; or
  - Only between 3:00 p.m. and 6:00 p.m. on the day before a holiday and the day before the utility or PSC offices are closed, but only if the utility makes personal contact with someone in charge of the premises and is prepared to accept payment by check; or
  - Anytime there are safety problems.
- You have the right to make a payment to the utility's field representative at the time of scheduled shut off.
- If you are eligible for a payment agreement, you can continue service by paying the required down payment and signing the agreement.



### Disconnection of Service

- Generally your service may not be disconnected unless your utility has given you a final notice, in writing or in person, in enough time to remedy the situation.
- If you receive a final notice, call your utility first. If you need further assistance, you may call the PSC.