

## Special Protections

HEFPA provides special protections and shut off procedures for circumstances where customer health and safety may be threatened by lack of service.

## Cold Weather Protections

Between November 1 and April 15, your provider must make a special effort to determine whether terminating heat-related service will result in serious impairment to your health or safety.

## Medical Emergencies

If you or someone in your household has a serious illness or medical condition that will be aggravated by the termination of utility service, your service may not be shut off if you get a certification by a doctor or local board of health. If your condition continues for more than 30 days, the doctor will be required to renew the certificate, and you will need to demonstrate your inability to pay. If the electric or gas service is required to operate a life-support system, the medical certificate remains in effect until terminated by the Department of Public Service. However, every three months, you must show your provider why you can't pay your bill. Your provider will code your account to ensure service is maintained at your residence.

## Elderly, Blind and Disabled

If you are blind, disabled or 62 or older and all remaining residents of your household are 62 or older, 18 or younger, or blind or disabled, your utility will make special attempts to contact you before and after shutting off your service. You must notify your utility if you meet the qualifications so that service will not be terminated by mistake.

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

NYS Department of Public Service  
Three Empire State Plaza  
Albany, NY 12223-1350



Department  
of Public Service

# YOUR RIGHTS & PROTECTIONS AS A RESIDENTIAL ENERGY CUSTOMER

The New York State Home Energy Fair Practices Act (HEFPA) provides comprehensive consumer protections to residential customers regarding electric and natural gas utility service.



# YOUR RIGHTS & PROTECTIONS

**The Home Energy Fair Practices Act (HEFPA) provides residential energy customers with comprehensive protections in areas such as application for service, customer billing and payment and complaint procedures. This guide highlights some of those rules, and how you can get help when your rights have been violated.**

- You must be provided with utility service within five business days of your application, subject to certain conditions.
- You must be given a summary of rights and obligations when service is initiated and at least annually thereafter. A copy of customers' rights is also online at [dps.ny.gov/ask-psc](https://dps.ny.gov/ask-psc).
- A toll-free **Emergency HOTLINE (800-342-3355)** is open from 7:30 a.m. to 7:30 p.m. on business days to assist you regarding initiation, threat of termination, or reconnection of service.
- Utilities may demand security deposits from existing customers who are delinquent with their payments. Customers may pay security deposits in up to 12 monthly installments.
- Late payment charges on unpaid balances are limited to no more than 1.5% monthly (18% annually).
- You must be given the option to pay overdue bills in reasonable installments tailored to your financial circumstances.
- You must be offered budget (or levelized) billing.
- You may designate a relative or friend to receive copies of notices relating to service termination or other credit actions.
- If you are on a fixed income, you may have your bill due date adjusted by contacting your service provider.

## Electric or Natural Gas Service Shutoffs

- If you fail to pay overdue bills, your utility may shut off your electric or gas service. However, your service may not be disconnected unless your provider has given you a final notice in writing that it plans to shut off your service and has waited 15 days to allow you to pay the overdue bill or make a payment agreement on the overdue amount.
- If you have a dispute and you file a complaint with the NYS Department of Public Service, your service cannot be shut off for the disputed amount while the complaint is being investigated so long as you pay the undisputed amount.
- Shutoffs are only permitted between 8:00 a.m. and 4:00 p.m., Monday through Thursday, excluding holidays, the day before a holiday and the two-week period encompassing Christmas and New Year's Day.



### Termination of Service

**If you receive a final notice of termination:**

- Call your utility first to try to make a payment agreement that is reasonable and affordable.
- If you are unable to make an arrangement, call our toll-free Emergency HOTLINE at **800-342-3355** for assistance.
- If you live in an apartment building or a two-family house and your landlord is responsible but fails to pay the electric or gas bill for the building, the utility must advise you of the landlord's non-payment and the utility's intention to shut off service. The notice will tell you how to contact the utility so that it can help you and other tenants work out a way to avoid service disconnection, even if the landlord refuses to make payments.



### Complaints & Inquiries

The Department of Public Service will investigate and resolve complaints with your utility service provider. For assistance, call **800-342-3377** or visit [dps.ny.gov/complaints](https://dps.ny.gov/complaints).