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Testimony of Joby Thoyalil, Maine Equal Justice
In support of LD 1328, An Act To Protect Maine Electricity Customers from
Threats of Disconnection in the Wintertime

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Good morning Senator Lawrence, Representative Berry and members of the Joint Standing Committee on Energy, Utilities and Technology. My name is Joby Thoyalil and I am a senior policy advocate at Maine Equal Justice, a nonprofit legal aid organization working to increase economic security, opportunity, and equity for people in Maine. I am testifying today in support of LD 1328.

What the Bill Does

Current regulations provide that during the winter months a utility provider may only disconnect customers with the permission of the Public Utilities Commission (PUC) consumer assistance and safety division (Chapter 815 Section 2(HH)). Similarly, during portions of the current pandemic, utility providers were prevented from disconnecting a customer's electric power.

Despite these rules utility providers currently send notices that give the impression that customers may face disconnection during these periods without approval from the PUC.

LD 1328 limits utility providers' ability to send notices to residential customers. Specifically, the bill prevents such notices unless the utility already has permission for the disconnection from the PUC. The bill also requires that any such notice also state prominently that a disconnection cannot take place without the advance permission of the PUC and that the customer will be notified and will have the opportunity to be heard prior to any disconnection of service.

Why we Support It

Winter disconnection notices are misleading and cause fear for customers. Most of the examples we have seen of disconnection notices in the winter give the impression that the customer must pay or they will lose service, even though the utility has not obtained the authority to disconnect service and the customer has the opportunity to contest any disconnection of service before it occurs.

This would be stressful for anyone, but for a family struggling to pay their bills, it could mean the difference between having to make a choice between heating their home during the Maine winter and adequately feeding their children. People in poverty actually have to make hard choices like this far too often, but they shouldn't feel the need to make such choices based upon misleading information.

In the case of someone who relies on life-sustaining equipment such as a ventilator or an oxygen pump, the fear caused by such a notice is only that much more intense. Generally speaking, people living near or in poverty and who struggle to afford their bills live under chronic stress - stress that impacts their health, their life outcomes, and their ability to get out of poverty. The last thing someone in poverty needs is to be misled by the threat of immediate termination of their electricity service.

More and more people in Maine and in the country live with unstable income. Many people with lower incomes depend on stringing together multiple low-wage jobs to make ends meet, and the reality is that those jobs don't provide consistent income all year round. A misleading disconnection notice in November could lead to a family unnecessarily making the hard decision to forego one basic need for another, when the same family may be getting a tax refund in January that would allow them to catch up on their bills.

This bill is a common sense solution that requires utility providers to communicate clearly to customers. It's a simple fix that could prevent unnecessary stress and harm to those struggling the most to get by in our state. For this reason, we hope you will support this bill. Thank you for the opportunity to testify and I would be happy to answer any questions.