

220 CMR: DEPARTMENT OF PUBLIC UTILITIES

25.03: Termination of Service to Customers During Serious Illness, Infant, and Winter Protection

(1) Statement of Protection from Shut-off due to Financial Hardship. No company may shut off or refuse to restore utility service to the home of any customer if:

(a) It is certified to the company:

1. That the customer or someone living in the customer's home is seriously ill; or
2. That there is domiciled in the home of the customer a child under 12 months of age; or
3. Between November 15th and March 15, that the customer's service provides heat or operates the heating system and that the service has not been shut off for nonpayment before November 15; or
4. That all adults domiciled in the home are age 65 or older and a minor resides in the home; and

(b) The customer is unable to pay any overdue bill, or any portion thereof, because of financial hardship, as defined in 220 CMR 25.01(2).

(2) Procedure for Certifying Protections. A claim of protection under 220 CMR 25.03(1) may initially be made by telephone. The telephone certification shall remain valid until the filing time periods specified hereunder have expired. In the case of serious illness, the telephone call must be made by a registered physician, physician assistant, nurse practitioner or local board of health official. In response to a claim of protection, the company shall forward to the customer a financial hardship form in such a form as shall be approved by the Department and shall instruct the customer or party acting on behalf of the customer that the financial hardship form forwarded to the customer must be filled out and returned to the company within seven days from the date of receipt. The company shall also, where applicable to the particular claim:

(a) Inform the customer or party acting on behalf of the customer that a registered physician, physician assistant, nurse practitioner or local board of health must forward to the company a certificate of serious illness within seven days from the date of notice. Said certificate shall state the name and address of the seriously ill person, the nature of the illness and the business address and telephone number of the certifying physician, physician assistant, nurse practitioner, or local board of health; or

(b) Inform the customer or party acting on behalf of the customer that written certification must be forwarded to the company within seven days from the date of notice stating the name, birth date and domicile of the child claimed to be under 12 months of age. Certification may be in the form of a birth certificate, or a letter or official documents issued by a registered physician, physician assistant, nurse practitioner, local board of health, hospital or government official, Department of Transitional Assistance, clergyman, or religious institution. The company, in turn, shall determine within seven days from the date all certifications were due back whether all claims have been appropriately certified. If the company determines that any claim has not been certified, the company shall so notify the customer in accordance with the provisions of 220 CMR 25.03(8)(c). Notice to the customer shall include a statement of the customer's right to dispute the company's determination by contacting the Department within seven days from the date of receipt of such notice.

(3) Conclusive Effect of Certificates. Certification of serious illness and infancy shall be conclusive evidence of the existence of the condition claimed unless otherwise determined by the Department after investigation.

A company which received fuel assistance payments in the prior winter season on behalf of a customer shall presume that customer meets the financial hardship guidelines set out in 220 CMR

25.01(2) and shall protect the account from November 15th through January 1st, in order to give the customer sufficient time to apply for fuel assistance for the current winter season. If application for fuel assistance or other certification of financial hardship is not made by January 1st the company may pursue normal collection activity consistent with 220 CMR 25.00. For all customers, the company must provide financial hardship forms and appropriate instructions for completion on or before November 15. A signed statement by the customer showing that his/her income falls within the financial hardship guidelines as set out in 220 CMR 25.01(2) shall be considered presumptive evidence of financial hardship unless otherwise determined by the Department.



AVON BOARD OF HEALTH

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March 11, 2010

RE: Susan Leach
84 East High Street
Avon, MA 02322

National Grid
Customer Service Center
PO Box 960
Northborough MA 01532-0960
(Acct# 75103-23008)

Bay State Gas Company
Credit Department
P.O. Box 2025
Springfield, MA 01102-2025
(Acct# 312-785-0031)

To Whom It May Concern:

Please accept this letter as a certification that Ms. Susan Leach of the above address has a serious illness and is protected from termination of utility services or refusal to restore utility services as stated in 220 CMR 25.03 Termination of Service to Customers During Serious Illness, Infant, and Winter Protection.

Attached is the certification from her physician and a copy of Financial Hardship Form.

If you have any questions, please feel free to contact me by phone or by email.

Thank you for your assistance in this matter.

Very truly yours,

Jeanmarie Kent Joyce
Health Agent

cc: occupant