

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2599**

1 On page 1 of the printed bill, delete lines 5 through 29 and delete page  
2 2.

3 On page 3, delete lines 1 through 41 and insert:

4 **“SECTION 1. As used in sections 1 to 5 of this 2015 Act:**

5 **“(1) ‘Heating season’ means a billing period for a residential cus-**  
6 **tomer of a utility any portion of which occurs between December 1 and**  
7 **February 15.**

8 **“(2) ‘Utility’ means a public utility as defined in ORS 757.005, an**  
9 **electric cooperative organized under ORS chapter 62, a municipal**  
10 **utility organized under ORS chapter 225 or a people’s utility district**  
11 **organized under ORS chapter 261.**

12 **“SECTION 2. (1) A utility may not terminate, for nonpayment of a**  
13 **delinquent account, electric or natural gas service to a residential**  
14 **customer of the utility during the heating season or on any date on**  
15 **which the National Weather Service forecasts that a location both**  
16 **within this state and within the service territory of the utility will**  
17 **exceed a temperature of 100 or more degrees Fahrenheit, or will be less**  
18 **than a temperature of 32 or fewer degrees Fahrenheit, if:**

19 **“(a) The customer successfully requests protection from termi-**  
20 **nation of service under subsection (3) of this section; and**

21 **“(b) One of the following conditions is met:**

22 **“(A) The customer is a low-income senior citizen;**

1       **“(B) The customer is an active duty member of the Armed Forces**  
2 **of the United States;**

3       **“(C) The customer’s household includes a disabled or seriously ill**  
4 **member;**

5       **“(D) The customer’s household includes a child under the age of 12**  
6 **months;**

7       **“(E) The member of the customer’s household whose earnings are**  
8 **the primary source of support for the customer’s household has died**  
9 **within the past six months; or**

10       **“(F) The member of the customer’s household whose earnings are**  
11 **the primary source of support for the customer’s household lost a job**  
12 **within the past six months.**

13       **“(2)(a) The Public Utility Commission shall adopt by rule the**  
14 **method by which a public utility may verify that a condition described**  
15 **in subsection (1) of this section is met.**

16       **“(b) The governing body of an electric cooperative organized under**  
17 **ORS chapter 62, a municipal utility organized under ORS chapter 225**  
18 **or a people’s utility district organized under ORS chapter 261 shall**  
19 **adopt processes by which the electric cooperative, municipal utility or**  
20 **people’s utility district may verify that a condition described in sub-**  
21 **section (1) of this section is met.**

22       **“(3) A utility that provides electric or natural gas service shall es-**  
23 **tablish a process by which a customer described in subsection (1) of**  
24 **this section may request protection from termination of service. At a**  
25 **minimum, the process must provide that the utility will not terminate**  
26 **service if within 14 or more business days after requesting protection**  
27 **the customer:**

28       **“(a) Demonstrates to the satisfaction of the utility that the cus-**  
29 **tomer has applied for state or federal heating assistance; and**

30       **“(b) Agrees to pay the utility a monthly payment in an amount that**

1 is not more than an amount equal to seven percent of the estimated  
2 annual amount owed by the customer to the utility.

3 **“SECTION 3.** Section 2 of this 2015 Act does not apply to an electric  
4 cooperative organized under ORS chapter 62, a municipal utility or-  
5 ganized under ORS chapter 225 or a people’s utility district organized  
6 under ORS chapter 261 that provides electric or natural gas service to  
7 fewer than 5,000 residential customers during a calendar year if the  
8 electric cooperative, municipal utility or people’s utility district ter-  
9 minated electric or natural gas service to fewer residential customers  
10 during the preceding calendar year than the calendar year that pre-  
11 ceded the preceding calendar year.

12 **“SECTION 4.** A utility may not terminate electric or natural gas  
13 service to a residential customer of the utility during the heating  
14 season or on any date on which the National Weather Service fore-  
15 casts that a location both within this state and within the service  
16 territory of the utility will exceed a temperature of 100 or more degrees  
17 Fahrenheit, or will be less than a temperature of 32 or fewer degrees  
18 Fahrenheit, unless the utility serves notice of the termination of ser-  
19 vice under this section. Notice of termination of service under this  
20 section must be made in the following manner:

21 **“(1)** The utility shall serve written notice of the termination of  
22 service to the customer in person or by certified or registered mail.  
23 Notice served in person must be delivered directly to the customer or  
24 attached to the primary door of the customer’s address. The notice  
25 served under this subsection must include:

26 **“(a)** The date on which the utility will terminate service. For pur-  
27 poses of this paragraph, the date on which the utility may terminate  
28 service may not be less than:

29 **“(A)** Eight business days after the date on which the utility delivers  
30 the notice in person or mails the notice if the notice is mailed from a

1 location within Oregon, Washington or Idaho; or

2 “(B) Eleven business days after the date on which the utility mails  
3 the notice if the notice is mailed from a location outside Oregon,  
4 Washington or Idaho.

5 “(b) All relevant information about the termination of service, in-  
6 cluding the reason that service is being terminated, any amount owed  
7 by the customer to the utility and how the customer may prevent the  
8 termination of service. If notice is served during the heating season,  
9 the utility must include in the notice an explanation of how a cus-  
10 tomer described in section 3 (1) of this 2015 Act may request protection  
11 from termination of service under section 3 (3) of this 2015 Act.

12 “(c) All relevant information about any charges that the utility may  
13 assess against the customer.

14 “(d) The utility’s name and address and an explanation of how the  
15 customer may contact the utility to discuss the upcoming termination  
16 of service. At a minimum, the contact information must include a  
17 toll-free number that the customer may call.

18 “(2) In addition to serving the written notice required by subsection  
19 (1) of this section, the utility shall serve secondary notice of the ter-  
20 mination of service to the customer. The secondary notice served un-  
21 der this subsection must include the information described in  
22 subsection (1)(b), (c) and (d) of this section and must be delivered in  
23 one of the following ways:

24 “(a) The utility may deliver the secondary notice in person to the  
25 customer. Secondary notice delivered under this paragraph must be  
26 delivered directly to the customer or attached to the primary door of  
27 the customer’s address. The notice must include the date and time of  
28 termination of service. For purposes of this paragraph, the date and  
29 time of termination of service may not be earlier than 5 p.m. of the  
30 second business day after the date on which the utility delivers the

1 **notice.**

2 **“(b) The utility may deliver the secondary notice by certified or**  
3 **registered mail. The notice must include the date and time of termi-**  
4 **nation of service. For purposes of this paragraph, the date and time**  
5 **of termination of service may not be earlier than:**

6 **“(A) 5 p.m. of the third business day after the date on which the**  
7 **utility mails the notice if the notice is mailed from a location within**  
8 **Oregon, Washington or Idaho; or**

9 **“(B) 5 p.m. of the sixth business day after the date on which the**  
10 **utility mails the notice if the notice is mailed from a location outside**  
11 **Oregon, Washington or Idaho.**

12 **“(c) The utility may deliver the secondary notice by telephone dur-**  
13 **ing regular business hours. If the utility attempts to deliver secondary**  
14 **notice under this paragraph, the utility shall keep a record of all at-**  
15 **tempts to call the customer for a minimum of 90 calendar days after**  
16 **making the final call. The record must include each telephone number**  
17 **called, the date and time of each call and the result of each call. If the**  
18 **utility is unable to contact the customer by telephone, the utility must**  
19 **provide secondary notice as described in paragraph (a) or (b) of this**  
20 **subsection.**

21 **“(3) If the utility discovers that any of the information included in**  
22 **a notice described in subsection (1) of this section is inaccurate, the**  
23 **utility may not terminate service until the utility serves new written**  
24 **notice as required by subsection (1) of this section and new secondary**  
25 **notice as required by subsection (2) of this section.**

26 **“(4) If the utility has not terminated service within 10 business days**  
27 **of the date specified on a notice pursuant to subsection (1)(a) of this**  
28 **section, the utility may not terminate service until the utility serves**  
29 **new written notice as required by subsection (1) of this section and**  
30 **new secondary notice as required by subsection (2) of this section.**

1       **“(5) The utility may not terminate service on Friday, Saturday,**  
2 **Sunday, a legal holiday or on any other day on which the utility can-**  
3 **not reestablish service or cannot reestablish service on the next day.**

4       **“(6) If the billing address for a customer is different from the ad-**  
5 **dress for which service is provided, the utility shall determine whether**  
6 **the customer of record and the person for whom service is provided**  
7 **are the same person. If the customer of record and the person for**  
8 **whom service is provided are not the same person, the utility shall**  
9 **serve notice to the person for whom service is provided in the same**  
10 **manner in which the utility serves notice to the customer of the util-**  
11 **ity under this section.**

12       **“(7) If service is provided to multiple addresses through the use of**  
13 **a master meter, the utility shall serve notice to each person for whom**  
14 **service is provided in the same manner in which the utility serves**  
15 **notice to the customer of the utility under this section.**

16       **“SECTION 5. A utility representative dispatched to terminate elec-**  
17 **tric or natural gas service of a residential customer shall accept pay-**  
18 **ment of the delinquent account at the address for which service is**  
19 **provided. The representative does not need to provide change for cash**  
20 **paid in excess of the amount owed by the customer to the utility.**  
21 **However, the utility shall credit the customer’s account for any**  
22 **amount paid in excess.”.**

23       In line 43, delete “3” and insert “2”.

24       On page 4, line 6, delete “3” and insert “2”.

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