

Frequently Asked Questions

1. Q. You plan to disconnect a rental premises. Who do you need to notify?

A. You must notify the customer, but if service is in the name of a non-resident landlord, then you need to notify the landlord and the occupant/s of the rental unit. If there are children in the household, you may want to notify a social service agency, but there is nothing in the rules that requires you to do that. See § PSC 185.37(11)(a).

2. Q. The customer declared bankruptcy. Are you required to provide service?

A. Yes, if the bankruptcy was properly filed. The past bill is removed by the bankruptcy process. After the filing date of a bankruptcy petition, the utility cannot disconnect service, file a lawsuit, file or enforce a lien or seek to enforce a judgment. If service was disconnected prior to the bankruptcy petition filing date you should reconnect service.

3. Q. If the customer asks you to add his utility bill to his property taxes because he doesn't have the money to pay right now, do you have to do that?

A. No. The tax roll process is a utility requirement. It is not a customer option.

4. Q. How many times do I have to negotiate a deferred payment agreement (DPA)?

A. Once. If the customer defaults, you don't have to renegotiate prior to disconnection unless there has been a significant change in the customer's ability to pay since the agreement was established. After disconnection, you must renegotiate. However, you may ask for a larger initial down payment to establish the DPA and a shorter time period for repayment. See § PSC 185.38(6).

5. Q. How many times might you want to renegotiate a deferred payment agreement?

A. It depends. If you believe that renegotiation might facilitate payment of the bill you might choose this as an option.

6. Q. Can a customer go on a budget payment plan if they have an outstanding bill?

A. Yes, if they sign a deferred payment arrangement (DPA) for the arrears. See § PSC 185.33(16)(e). You may also want to add a percentage of the arrearage to the customer's budget payment amount until the arrearage is paid in full.

7. Q. If a customer pays the amount currently owing on the DPA after receiving a disconnection notice, but prior to the disconnection happening, do you have to accept the payment?

A. The PSC's position is that if the customer "cures the default" of the DPA prior to disconnection of service that service should not be disconnected. There is nothing in the rules that addresses this, however.

8. Q. Can you require that the names of all occupants listed on the lease for a property, be listed on the bill for service at that address?

A. No. You can request the names of all occupants at that address for billing purposes, but you can't require it. See § PSC 185.33(18)(a).

9. Q. Do you need to accept payment of the bill at the door when you go to disconnect?

A. No, but you probably would want to. In cases where a customer makes a habit of not paying until you get to the door to disconnect, you may refuse to accept the money, but notify them upfront what your process is going to be.

10. Q. The customer objects to being charged a late payment fee. He says he has never been late before and asks you to waive the fee. May you do that?

A. No. A properly applied late payment fee cannot be waived. (See § PSC 185.33(9)(e) and § PSC 185.33(10)(f).

11. Q. A heat advisory is issued by the National Weather Service in your service territory. May you disconnect service?

A. No. Section PSC § 185.37(8)(h) prohibits disconnection of water service during periods of extreme heat.

12. Q. Does the utility have to prove that a customer with an outstanding bill is still living at a residence?

A. No. It's not the utility's responsibility to prove where the customer is living. The new customer needs to provide proof that the previous customer is no longer living there. The best way to do this is to prove they are living somewhere else.

13. Q. A customer receives a disconnect notice and pays by check. You later learn that the bank is not honoring the check because of insufficient funds. Can you disconnect without sending another disconnection notice?

A. Yes, if you are still within the disconnection span or if you can use the 24/48-hour notice prior to the due date on the next bill. If you are beyond that timeframe, you have to re-notice.

14. Q. The owner of a duplex calls and requests that you put service in the name of the tenant. There are currently two tenants but only one meter. Can you do this?

A. No. This is service measured jointly for two or more rental dwelling units. The bill needs to be in the name of the landlord. (See Wis. Stat. § 196.643(2))

15. Q. A property owner calls and requests that you put service in the name of the tenant because the tenant is renting both sides of a duplex. There is only one meter serving the property. Can you do this?

A. No. The PSC interpretation regarding this question is that if the property is such that it can be rented as more than one living unit (whether or not it is at the time), then the service must stay in the name of the landlord.

16. Q. You sent the disconnect notice by certified mail but the customer didn't pick up the certified letter. Can you still disconnect the service?

A. No. Since the rules require that a disconnect notice be sent by first-class mail, you would have to resend the disconnect notice using first-class mail. See § PSC 185.37(11)(a).

17. Q. Upon application for service, you ask a customer to provide verification of identity and residency. All bills have been paid at the service address during the previous 24 months. If the customer doesn't provide you with verification of identity may you refuse service?

A. No. You may only request the information listed in § PSC 185.33(18)(a) and (b). When there's no outstanding bill at the service address, you may request additional information but you can't deny service if it's not provided.

18. Q. The utility requested a deposit from an applicant for service because the customer had an outstanding balance from a previous address. The customer failed to pay the deposit. Can you issue a disconnect notice?

A. Yes, if the deposit was requested in compliance with § PSC 185.36(1). A deposit may only be requested "if the applicant has an outstanding account balance with any Wisconsin gas, electric, water, or sewer utility which accrued within the last 6 years and for which there is no agreement for payment being honored by the customer, and which at the time of the request for new service remains outstanding and not in dispute. "

You cannot refuse service if the deposit was requested and:

- The amount of the account balance is in dispute
- The applicant agreed to a deferred payment agreement offered by the utility under § PSC 185.36(4) for the account balance
- The applicant's gross quarterly income is at or below 200% of federal income poverty guidelines. Poverty level information is available at <http://psc.wi.gov/consumer/general/poverty.htm>

19. Q. A customer who is subject to disconnection says they have a medical condition which requires them to take frequent baths. Does this qualify for postponement of disconnection under § PSC 185.37(10), the 21-day medical provision?

A. Probably not. In most cases, this would not be a condition that would "aggravate an existing medical...emergency." The key word is emergency. Each case should be evaluated individually, however. Review the documentation provided by the customer's physician and consult with Commission staff if in doubt.