

Reprint 3/2

Small Business and Commerce: Chiodo, Chair: Gronstal, Holveck, McIntee, Parker, Renken, Schroeder and Sturgeon.

Amend for 5036, Dr. (P. 125 (p. 21))

HOUSE FILE 2062

JAN 12 1984

BY STURGEON

SMALL BUSINESS AND COMMERCE

Passed House, Date 2-15-84 (p. 376) Passed Senate, Date 3-28-84

Vote: Ayes 57 Nays 37 Vote: Ayes 33 Nays 14

Approved May 14, 1984

Motion to Rescind (p. 380) 7/18 2/1 (but)

A BILL FOR

1 An Act providing for a moratorium on certain disconnections
 2 of gas and electricity by regulated public utilities from
 3 October 1 to April 1 for residents age sixty or over and
 4 making civil penalties applicable.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2062

1 Section 1. Section 476.20, subsections 2 and 3, Code
2 Supplement 1983, are amended to read as follows:

3 2. The commerce commission shall establish rules requiring
4 a regulated public utility furnishing gas or electricity to
5 include in the utility's notice of pending disconnection of
6 service a written statement advising the customer that the
7 customer may be eligible to participate in the low income
8 home energy assistance program or weatherization assistance
9 program administered by the energy policy council. The written
10 statement shall also state that the customer is advised to
11 contact the public utility to settle any of the customer's
12 complaints with the public utility, but if a complaint is
13 not settled to the customer's satisfaction, the customer may
14 file the complaint with the commerce commission. The written
15 statement shall include the address and phone number of the
16 commerce commission. If the notice of pending disconnec-
17 tion of service applies to a residence, the written state-
18 ment shall advise that the disconnection does not apply from
19 October 1 through April 1 for a resident who is age sixty
20 or over and that if such a resident resides within the serviced
21 residence, the customer should promptly notify the public
22 utility. The commerce commission shall establish rules
23 requiring that the written notice contain ~~such~~ additional
24 information as it deems necessary and appropriate.

25 3. The commerce commission shall establish rules which
26 shall be uniform with respect to all public utilities
27 furnishing gas or electricity relating to disconnection of
28 service. Notwithstanding subsection 1, such public utilities
29 shall not disconnect service to a residential customer from
30 October 1 through April 1 for nonpayment of the customer's
31 account if a resident who is age sixty or over resides in
32 the serviced residence.

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EXPLANATION

34 This bill provides a moratorium on public utility gas or
35 electricity disconnections for nonpayment of the account from

1 October 1 through April 1 if the service is provided to a
2 resident who is age 60 or over. The bill requires inclusion
3 of this provision in the written statement accompanying the
4 disconnection notice. A public utility which knowingly
5 violates these provisions is subject to civil penalties im-
6 posed by the commission under section 476.51, Code Supplement
7 1983.

8 The bill takes effect July 1 following its enactment.

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HOUSE FILE 2062

H-5084

1 Amend House File 2062 as follows:

2 1. Page 1, by inserting after line 32 the
3 following:

4 "Sec. 2. Section 476.20, Code Supplement 1983.

5 is amended by adding the following new subsection:

6 NEW SUBSECTION. 3A. A scheduled payment that
7 has not been made within twenty days from the date
8 the billing was sent to the customer is a delayed
9 payment pursuant to section 476.54 even though the
10 utility company cannot disconnect service pursuant
11 to subsection 3. The public utility may charge up
12 to one and one-half percent per month on the balance
13 due."

H-5084 FILED FEB. 2, 1984 BY COREY of Louisa

Loss 2/13 (p. 374)

H-5036

1 Amend House File 2062 as follows:

2 1. Page 1, line 9, by inserting after the word
3 "council." the following: "The written statement
4 shall list the address and telephone number of the
5 local agency which is administering the customer's
6 low income home energy assistance program and the
7 weatherization assistance program."

8 2. Page 1, by striking line 19 and inserting in
9 lieu thereof the following: "November 1 through April
10 1 for a resident who is a "head of household", as
11 defined by law and who is age sixty".

12 3. Page 1, line 28, by inserting after the word
13 "service." the following: "This subsection applies
14 both to regulated utilities and to municipally-owned
15 utilites and unincorporated villages which own their
16 own distribution systems, and violations of this
17 subsection subject the utilities to civil penalties
18 under section 476.51, Code Supplement 1983."

19 4. Page 1, by striking lines 30 and 31 and
20 inserting in lieu thereof the following: "November
21 1 through April 1 for nonpayment of the customer's
22 account if a resident who is a "head of household",
23 as defined in section 422.4, subsection 11, and who
24 is age sixty or over resides in".

25 5. Amend the title, line 3, by striking the word
26 "October" and inserting in lieu thereof the word
27 "November".

BY COMMITTEE ON SMALL BUSINESS

H-5036 FILED JANUARY 26, 1984

AND COMMERCE

Adopted 2/13 (p. 374)

HOUSE FILE 2062

H-5075

1 Amend House File 2062 as follows:

2 1. Page 1, line 32, by inserting after the word
3 "residence." the following: "The public utility shall
4 notify the local agency administering such resident's
5 low income home energy assistance program and
6 weatherization assistance program the name and address
7 of the resident. The agency shall contact the resident
8 to determine if the resident qualifies for the programs
9 and instruct the resident on how to apply for the
10 programs."

BY CHIODO of Polk

H-5075 FILED FEB. 2, 1984

McINTEE of Black Hawk

Adopted 2/13 (p. 374)

H-5157

1 Amend the Committee on Small Business and Commerce
2 amendment, H-5036, to House File 2062 as follows:

3 1. Page 1, by striking lines 8 through 11 and
4 inserting in lieu thereof the following:

5 " . Page 1, by striking lines 19 through 22
6 and inserting in lieu thereof the following: "November
7 1 through April 1 for a resident who is a "head of
8 household", as defined by law, and who has been
9 certified to the public utility by the local agency
10 which is administering the low income home energy
11 assistance program and weatherization assistance
12 program as being eligible for either the low income
13 home energy assistance program or weatherization
14 assistance program, and that if such a resident resides
15 within the serviced residence, the customer should
16 promptly have the qualifying resident notify the local
17 agency which is administering the low income energy
18 assistance program and weatherization assistance
19 program. The commerce commission shall establish
20 rules"."

21 2. Page 1, by striking lines 12 through 27 and
22 inserting in lieu thereof the following:

23 " . Page 1, by striking lines 28 through 32
24 and inserting in lieu thereof the following: "service.
25 This subsection applies both to regulated utilities
26 and municipally-owned utilities and unincorporated
27 villages which own their own distribution systems,
28 and violations of this subsection subject the utilities
29 to civil penalties under section 476.51.

30 A qualified applicant for the low income home
31 energy assistance program or the weatherization
32 assistance program who is also a "head of household",
33 as defined in section 422.4, subsection 11, shall
34 be promptly certified by the local agency administering
35 the applicant's program to the applicant's public
36 utility that the resident is a "head of household"
37 as defined in section 422.4, subsection 11, and is
38 qualified for the low income home energy assistance
39 program or weatherization assistance program. The
40 local agency shall also inform the applicant of the
41 applicant's right to establish a reasonable payment
42 plan with the public utility. Notwithstanding
43 subsection 1, a public utility furnishing gas or
44 electricity shall not disconnect service from November
45 1 through April 1 to a residence which has a resident
46 that has been certified under this paragraph."

47 . Title page, by striking line 3 and inserting
48 in lieu thereof the following: "November 1 to April
49 1 for certain residents and"."

50 3. Renumber as necessary.

BY McINTEE of Black Hawk
HANSON of Delaware
SCHROEDER of Pottawattamie
DIEMER of Black Hawk
RENKEN of Grundy
HARBOR of Mills
HUMMEL of Benton
KREWSON of Polk

H-5156

1 Amend the Committee on Small Business and Commerce
2 amendment, H-5036, to House File 2062 as follows:

3 1. Page 1, by striking lines 8 through 11 and
4 inserting in lieu thereof the following:

5 " . Page 1, by striking lines 19 through 22
6 and inserting in lieu thereof the following: "November
7 1 through April 1 for a resident who is a "head of
8 household", as defined by law, who is age sixty or
9 over, and who has been certified to the public utility
10 by the local agency which is administering the low
11 income home energy assistance program and
12 weatherization assistance program as being eligible
13 for either the low income home energy assistance
14 program or weatherization assistance program, and
15 that if such a resident resides within the serviced
16 residence, the customer should promptly have the
17 qualifying resident notify the local agency which
18 is administering the low income energy assistance
19 program and weatherization assistance program. The
20 commerce commission shall establish rules"."

21 2. Page 1, by striking lines 12 through 27 and
22 inserting in lieu thereof the following:

23 " . Page 1, by striking lines 28 through 32
24 and inserting in lieu thereof the following: "service.
25 This subsection applies both to regulated utilities
26 and municipally-owned utilities and unincorporated
27 villages which own their own distribution systems,
28 and violations of this subsection subject the utilities
29 to civil penalties under section 476.51."

30 A qualified applicant for the low income energy
31 assistance program or the weatherization assistance
32 program who is also age sixty or over, and a "head
33 of household", as defined in section 422.4, subsection
34 11, shall be promptly certified by the local agency
35 administering the applicant's program to the
36 applicant's public utility that the resident is age
37 sixty or over, is a "head of household" as defined
38 in section 422.4, subsection 11, and is qualified
39 for the low income home energy assistance program
40 or weatherization assistance program. The local
41 agency shall also inform the applicant of the
42 applicant's right to establish a reasonable payment
43 plan with the public utility. Notwithstanding
44 subsection 1, a public utility furnishing gas or
45 electricity shall not disconnect service from November
46 1 through April 1 to a residence which has a resident
47 that has been certified under this paragraph."

48 . Title page, by striking line 3 and inserting
49 in lieu thereof the following: "November 1 to April
50 1 for certain residents age sixty or over and", ""

Page Two

1 3. Renumber as necessary.

BY MC INTEE of Black Hawk
SCHROEDER of Pottawattamie
HANSON of Delaware
RENKEN of Grundy
DIEMER of Black Hawk
HARBOR of Mills
HUMMEL of Benton
KREWSON of Polk

Loss 2/13 (p. 374)

H-5156 FILED FEB. 10, 1984

HOUSE FILE 2062

BY STURGEON

(As Amended and Passed by the House)

Passed House, Date 4-5-84 (p. 1680) Passed Senate, Date 3-28-84 (p. 1118)

Vote: Ayes 75 Nays 21 Vote: Ayes 33 Nays 14

Approved April 6, 1984 (p. 114) 1984
motion to reconsider 3/24 w/d 4/2

A BILL FOR

1 An Act providing for a moratorium on certain disconnections
2 of gas and electricity by regulated public utilities from
3 November 1 to April 1 for residents age sixty or over and
4 making civil penalties applicable.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments _____

1 Section 1. Section 476.20, subsections 2 and 3, Code
2 Supplement 1983, are amended to read as follows:

3 2. The commerce commission shall establish rules requiring
4 a regulated public utility furnishing gas or electricity to
5 include in the utility's notice of pending disconnection of
6 service a written statement advising the customer that the
7 customer may be eligible to participate in the low income
8 home energy assistance program or weatherization assistance
9 program administered by the energy policy council. The written
10 statement shall list the address and telephone number of the
11 local agency which is administering the customer's low income
12 home energy assistance program and the weatherization
13 assistance program. The written statement shall also state
14 that the customer is advised to contact the public utility
15 to settle any of the customer's complaints with the public
16 utility, but if a complaint is not settled to the customer's
17 satisfaction, the customer may file the complaint with the
18 commerce commission. The written statement shall include
19 the address and phone number of the commerce commission.
20 If the notice of pending disconnection of service applies
21 to a residence, the written statement shall advise that the
22 disconnection does not apply from November 1 through April
23 1 for a resident who is a "head of household", as defined
24 by law and who is age sixty or over and that if such a resident
25 resides within the serviced residence, the customer should
26 promptly notify the public utility. The commerce commission
27 shall establish rules requiring that the written notice contain
28 ~~such~~ additional information as it deems necessary and
29 appropriate.

30 3. The commerce commission shall establish rules which
31 shall be uniform with respect to all public utilities
32 furnishing gas or electricity relating to disconnection of
33 service. This subsection applies both to regulated utilities
34 and to municipally-owned utilities and unincorporated villages
35 which own their own distribution systems, and violations of

1 this subsection subject the utilities to civil penalties under
2 section 476.51, Code Supplement 1983. Notwithstanding
3 subsection 1, such public utilities shall not disconnect
4 service to a residential customer from November 1 through
5 April 1 for nonpayment of the customer's account if a resident
6 who is a "head of household", as defined in section 422.4,
7 subsection 11, and who is age sixty or over resides in the
8 serviced residence. The public utility shall notify the local
9 agency administering such resident's low income home energy
10 assistance program and weatherization assistance program the
11 name and address of the resident. The agency shall contact
12 the resident to determine if the resident qualifies for the
13 programs and instruct the resident on how to apply for the
14 programs.

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Amend House File 2062 as amended, passed and reprinted by the House as follows:

3 1. Page 1, by striking lines 24 through 26 and
4 inserting in lieu thereof the following: "by law,
5 and who has been certified to the public utility by
6 the local agency which is administering the low income
7 home energy assistance program and weatherization
8 assistance program as being eligible for either the
9 low income home energy assistance program or
10 weatherization assistance program, and that if such
11 a resident resides within the serviced residence,
12 the customer should promptly have the qualifying
13 resident notify the local agency which is administering
14 the low income home energy assistance program and
15 weatherization assistance program. The commerce
16 commission".

5593 17 2. Page 2, by striking lines 2 through 14, and
18 inserting in lieu thereof the following: "section
19 476.51, Code Supplement 1983.

20 A qualified applicant for the low income home
21 energy assistance program or the weatherization
22 assistance program who is also a "head of household",
23 as defined in section 422.4, subsection 11, shall
24 be promptly certified by the local agency administering
25 the applicant's program to the applicant's public
26 utility that the resident is a "head of household"
27 as defined in section 422.4, subsection 11, and is
28 qualified for the low income home energy assistance
29 program or weatherization assistance program.
30 Notwithstanding subsection 1, a public utility
31 furnishing gas or electricity shall not disconnect
32 service from November 1 through April 1 to a residence
33 which has a resident that has been certified under
34 this paragraph."

35 3. Title page, line 3, by striking the words
36 "residents age sixty or over" and inserting in lieu
37 thereof the words "certain residents".

S-5453 FILED
MARCH 20, 1984

BY COMMITTEE ON COMMERCE
GEORGE KINLEY, CHAIR

Adopted 3/28 (j. 1118)

S-5598

1 Amend the Committee on Commerce amendment S-5453
2 to House File 2062 as amended, passed and reprinted
3 by the House as follows:

4 1. Page 1, by striking lines 3 through 34 and
5 inserting in lieu thereof the following:

6 " . Page 1, by striking lines 23 through 26
7 and inserting in lieu thereof the following: "1 for
8 nonpayment of the customer's account if the customer
9 resides in the serviced residence, is a "head of
10 household" as defined by law, has applied and been
11 certified to the public utility to be eligible for
12 either the low income home energy assistance program
13 or the weatherization assistance program, and continues
14 to make timely monthly payments in November through
15 March which are equal to the resident's "level payment
16 amount" as defined by the Iowa state commerce.
17 commission's rules. The commerce commission".

18 . By striking page 1, line 33 through page
19 2, line 14, and inserting in lieu thereof the
20 following: "service. The rules shall include
21 protection for certain residential customers from
22 disconnection of service from November 1 through April
23 1 in accordance with this subsection. Notwithstanding
24 subsection 1, a public utility shall not disconnect
25 service to a residential customer from November 1
26 through April 1 for nonpayment of a customer's account
27 if the customer resides in the serviced residence,
28 is a "head of household" as defined in section 422.4,
29 subsection 11, has applied and been certified to the
30 public utility to be eligible for either the low
31 income home energy assistance program or the
32 weatherization assistance program administered by
33 the energy policy council, and continues to make
34 payments in November through March which are equal
35 to the resident's level payment amount. "Level payment
36 amount" shall be defined by commission rules.

37 This subsection applies to regulated utilities,
38 to municipally-owned utilities, and to incorporated
39 villages which own their own distribution systems."

40 2. Renumber as necessary.

S-5598 FILED
MARCH 28, 1984

BY WILLIAM W. DIELEMAN
JOHN W. JENSEN

Last 3/28 (p. 1118)

SENATE AMENDMENT TO HOUSE FILE 2062

H-6050

- 1 Amend House File 2062 as amended, passed and
2 reprinted by the House as follows:
- 3 1. Page 1, by striking lines 24 through 26 and
4 inserting in lieu thereof the following: "by law,
5 and who has been certified to the public utility by
6 the local agency which is administering the low income
7 home energy assistance program and weatherization
8 assistance program as being eligible for either the
9 low income home energy assistance program or
10 weatherization assistance program, and that if such
11 a resident resides within the serviced residence,
12 the customer should promptly have the qualifying
13 resident notify the local agency which is administering
14 the low income home energy assistance program and
15 weatherization assistance program. The commerce
16 commission".
- 17 2. Page 2, by striking lines 2 through 14, and
18 inserting in lieu thereof the following: "section
19 476.51, Code Supplement 1983.
20 A qualified applicant for the low income home
21 energy assistance program or the weatherization
22 assistance program who is also a "head of household",
23 as defined in section 422.4, subsection 11, shall
24 be promptly certified by the local agency administering
25 the applicant's program to the applicant's public
26 utility that the resident is a "head of household"
27 as defined in section 422.4, subsection 11, and is
28 qualified for the low income home energy assistance
29 program or weatherization assistance program.
30 Notwithstanding subsection 1, a public utility
31 furnishing gas or electricity shall not disconnect
32 service from November 1 through April 1 to a residence
33 which has a resident that has been certified under
34 this paragraph."
- 35 3. Title page, line 3, by striking the words
36 "residents age sixty or over" and inserting in lieu
37 thereof the words "certain residents".

H-6050 FILED APRIL 3, 1984

RECEIVED FROM THE SENATE

House concurred 4/5 (p. 1679)

HOUSE FILE 2062

AN ACT

PROVIDING FOR A MORATORIUM ON CERTAIN DISCONNECTIONS OF GAS AND ELECTRICITY BY REGULATED PUBLIC UTILITIES FROM NOVEMBER 1 TO APRIL 1 FOR CERTAIN RESIDENTS AND MAKING CIVIL PENALTIES APPLICABLE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 476.20, subsections 2 and 3, Code Supplement 1983, are amended to read as follows:

2. The commerce commission shall establish rules requiring a regulated public utility furnishing gas or electricity to include in the utility's notice of pending disconnection of service a written statement advising the customer that the customer may be eligible to participate in the low income home energy assistance program or weatherization assistance program administered by the energy policy council. The written statement shall list the address and telephone number of the local agency which is administering the customer's low income home energy assistance program and the weatherization assistance program. The written statement shall also state that the customer is advised to contact the public utility to settle any of the customer's complaints with the public utility, but if a complaint is not settled to the customer's satisfaction, the customer may file the complaint with the commerce commission. The written statement shall include the address and phone number of the commerce commission.

If the notice of pending disconnection of service applies to a residence, the written statement shall advise that the disconnection does not apply from November 1 through April 1 for a resident who is a "head of household", as defined by law, and who has been certified to the public utility by the local agency which is administering the low income home energy assistance program and weatherization assistance program as being eligible for either the low income home energy assistance program or weatherization assistance program, and that if such a resident resides within the serviced residence, the customer should promptly have the qualifying resident notify the local agency which is administering the low income home energy assistance program and weatherization assistance program. The commerce commission shall establish rules requiring that the written notice contain such additional information as it deems necessary and appropriate.

3. The commerce commission shall establish rules which shall be uniform with respect to all public utilities furnishing gas or electricity relating to disconnection of service. This subsection applies both to regulated utilities and to municipally-owned utilities and unincorporated villages which own their own distribution systems, and violations of this subsection subject the utilities to civil penalties under section 476.51, Code Supplement 1983.

A qualified applicant for the low income home energy assistance program or the weatherization assistance program who is also a "head of household", as defined in section 422.4, subsection 11, shall be promptly certified by the local agency administering the applicant's program to the applicant's public utility that the resident is a "head of household" as defined in section 422.4, subsection 11, and is qualified for the low income home energy assistance program or weatherization assistance program. Notwithstanding subsection 1, a public utility furnishing gas or electricity shall not disconnect service from November 1 through April 1 to a

residence which has a resident that has been certified under
this paragraph.

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 2062, Seventieth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 14, 1984

TERRY E. BRANSTAD
Governor