

# ASSEMBLY, No. 4555

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED OCTOBER 15, 2018

**Sponsored by:**

**Assemblyman RAJ MUKHERJI**

**District 33 (Hudson)**

**Assemblyman WAYNE P. DEANGELO**

**District 14 (Mercer and Middlesex)**

**Assemblywoman LISA SWAIN**

**District 38 (Bergen and Passaic)**

**SYNOPSIS**

Prohibits electric public utilities from discontinuing service to customers using life-sustaining equipment without BPU approval or court order.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 11/27/2018)**

1    **AN ACT** concerning certain public utility service discontinuances  
2       and supplementing Title 48 of the Revised Statutes.

3  
4       **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7       1. As used in P.L.     , c.     (C.     ) (pending before the  
8 Legislature as this bill):

9       “Board” means the Board of Public Utilities or any successor  
10 agency.

11       “Electric public utility” or “utility” means a public utility, as that  
12 term is defined in R.S.48:2-13, that provides electric distribution  
13 service.

14       “Emergency” means any condition constituting a clear and  
15 present danger to life, health, or property requiring a public utility  
16 to immediately discontinue or interrupt service or provide an  
17 unscheduled discontinuance or interruption in service caused by a  
18 sudden natural or man-made disaster or related event.

19       “Medical customer” means a residential utility customer of  
20 record who affirmatively responds to a request for information  
21 pursuant to subsection a. of section 2 of P.L.     , c.     (C.     )  
22 (pending before the Legislature as this bill).

23  
24       2. a. An electric public utility shall request from every  
25 residential customer, on a semi-annual basis, information,  
26 determined by the board, as to whether the residential customer, or  
27 any person living at the residential customer’s address, uses life-  
28 sustaining equipment powered by electricity at the residential  
29 customer’s address. If a residential customer responds to the  
30 utility’s request for information indicating the residential customer  
31 or a person living at the residential customer’s address uses life-  
32 sustaining equipment powered by electricity, the utility shall  
33 designate that residential customer as a medical customer.

34       b. Except after first receiving approval to discontinue service  
35 from the board pursuant to R.S.48:2-24 or pursuant to court order,  
36 or except when a utility experiences an emergency, a utility shall  
37 not discontinue service to a medical customer for utility bill  
38 nonpayment if a medical customer’s condition would be aggravated  
39 by a discontinuance of electric service. A utility may require the  
40 medical customer to:

41       (1) provide reasonable proof of an inability to pay a utility bill  
42 on or before the bill’s due date; and

43       (2) semi-annually submit a written physician's statement to the  
44 utility, stating:

45       (a) the existence of the medical customer’s use of life-sustaining  
46 equipment powered by electricity at the medical customer's  
47 premises;

1 (b) the nature of the condition of the medical customer and its  
2 probable duration, only if the disclosure of the information is not  
3 otherwise prohibited by law; and

4 (c) that the discontinuance of service to the medical customer  
5 will aggravate the condition of the medical customer.

6  
7 3. A medical customer who does not pay in full a utility bill on  
8 or before the date the bill is due shall be liable for any bill payment  
9 balance for service rendered by the utility.

10  
11 4. This act shall take effect immediately, but shall remain  
12 inoperative for 60 days following the date of enactment.

13  
14  
15 STATEMENT

16  
17 This bill requires an electric public utility (utility) to request  
18 from every residential customer, on a semi-annual basis,  
19 information determined by the Board of Public Utilities (BPU), as  
20 to whether the residential customer, or any person living at the  
21 customer's residence, uses life-sustaining equipment powered by  
22 electricity at the residential customer's premises. If a residential  
23 customer responds to the utility's request for information indicating  
24 the residential customer or a person living at the residential  
25 customer's address uses life-sustaining equipment powered by  
26 electricity, the utility is to designate that residential customer as a  
27 "medical customer."

28 The bill requires that, except after first receiving approval to  
29 discontinue service from the BPU or pursuant to court order, or  
30 except when a utility experiences an "emergency," as that term is  
31 defined in the bill, a utility is prohibited from discontinuing service  
32 to a medical customer for utility bill nonpayment if a medical  
33 customer's condition would be aggravated by a discontinuance of  
34 service. A utility may require the medical customer to: (1) provide  
35 reasonable proof of an inability to pay a utility bill on or before the  
36 bill's due date; and (2) semi-annually submit a written physician's  
37 statement to the utility, stating the existence of the medical  
38 customer's use of life-sustaining equipment powered by electricity  
39 at the customer's premises, the nature of the condition of the  
40 medical customer and its probable duration only if the disclosure of  
41 the information is not otherwise prohibited by law, and that the  
42 discontinuance of service to the medical customer will aggravate  
43 the condition of the medical customer.

44 The bill provides that a medical customer who does not pay in  
45 full a utility bill on or before the date the bill is due is liable for any  
46 bill payment balance for service rendered by the utility.