# ASSEMBLY, No. 3935

# STATE OF NEW JERSEY

## 219th LEGISLATURE

INTRODUCED APRIL 13, 2020

**Sponsored by:**
**Assemblyman RONALD S. DANCER**
**District 12 (Burlington, Middlesex, Monmouth and Ocean)**

**SYNOPSIS**

Prohibits electric and gas public utilities from collecting payment from residential budget billing plan customers whose service was interrupted as a result of major emergency event.

**CURRENT VERSION OF TEXT**

As introduced.

**AN ACT** concerning certain customer billing practices of electric and gas public utilities and supplementing Title 48 of the Revised Statutes.

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

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

"Board" means the Board of Public Utilities or any successor agency.

"Budget billing plan" means a public utility service payment plan that allows a customer to pay a predetermined monthly rate for a set time period, based on the customer's average usage.

"Customer" means a residential customer receiving service from a public utility and participating in a budget billing plan offered by the public utility, as provided by any board rule, regulation, or order.

"Major emergency event" means a natural or humanly caused occurrence arising from conditions beyond the control of the public utility, including but not limited to, a thunderstorm, earthquake, tornado, hurricane, flood, heat wave, snowstorm, or ice storm, which results in:

a. a sustained service interruption to at least five percent of the customers within an operating area or at least five percent of the utility's customers within a municipality or county located in an operating area; or

b. the declaration of a state of emergency or disaster by the State or by the federal government.

"Operating area" means a defined geographical service territory where a public utility distributes electricity or natural gas, or both, to end users as approved by the board.

"Public utility" means a public utility as that term is defined in R.S.48:2-13, that transmits and distributes electricity or natural gas, or both, to end users within this State.

"Service interruption" means the cessation of electric or natural gas service by one or more customers of a public utility.

2. Notwithstanding the provisions of any other law, rule, regulation, or order to the contrary, the board shall prohibit a public utility from charging a customer for service by that public utility during any time the customer incurred a service interruption due to the customer having sustained damage to the customer's residence from the effects of a major emergency event and until such time service is restored; provided, however, the board may allow a public utility to collect payment from a customer after the billing due date, pursuant to law, if the customer owes the public utility

any charge for service rendered prior to the date of a major emergency event.

3. This act shall take effect immediately.

STATEMENT

This bill directs the Board of Public Utilities (BPU) to prohibit any electric or gas public utility (utility) from charging a residential customer (customer) for electric or gas utility service who participates in a budget billing plan offered by the utility, as provided by any BPU rule or regulation, if the customer incurred a service interruption due to the customer having sustained damage to the customer's residence from the effects of a "major emergency event," as that term is defined in the bill, until such time service is restored. This prohibition does not extend to any utility collecting from a customer, pursuant to law, payment for utility service rendered prior to the date of the major emergency event.