

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PUBLIC UTILITIES COMMISSION

IN RE: MORATORIUM ON TERMINATION :
OF GAS AND ELECTRIC SERVICE : Docket No. 1725

ORDER

On March 18, 2004, the George Wiley Center submitted a letter to the Public Utilities Commission (“Commission”) requesting an extension of the winter moratorium on shutoffs from April 15, 2004 to “the end of April in 2004” (“Request”). The Request stated that the Center has been receiving calls that people are receiving shutoff notices despite the fact that it is the moratorium. In support of the Center’s request, Mr. Henry Shelton indicated that the winter had been colder than normal.¹

Pascoag Utility District (“Pascoag”) filed a response to the request, indicating that the moratorium should not be extended and New England Gas (“NEGas”) filed an Objection to the Request.² In support of its position, Pascoag maintained that, contrary to the Request, although January was colder than normal, the winter as a whole has been about average.

In support of its Objection, NEGas noted that in a prior Commission Order, the Commission noted that, “what has become abundantly clear to the Commission, especially after hearing the testimony presented in Docket No. 3400, is that it appears the moratorium causes more harm than good....[noting that] the longer the moratorium, the

¹ The Request was not sent to any of the parties to this docket. Therefore, the Commission sent the Request to NEGas, Narragansett Electric Co., Pascoag Utility District and Block Island Power Company, setting a response deadline of April 1, 2004.

² Two days prior to the open meeting, after the deadline for filing objections, Narragansett Electric filed an Objection to the George Wiley Center’s Request. Narragansett argued that under the Commission’s Rules and previous orders, no emergency exists such that the Commission should issue an emergency rule extending the moratorium.

larger the balances that must later be addressed grow.”³ NEGas recognized that there may be customers facing personal hardships and that the Company and the Division of Public Utilities and Carriers are available to assist these customers with maintaining their service, through the establishment of payment plans.

On April 15, 2004, the Commission considered and denied the request to extend the winter moratorium on utility service terminations beyond the permanent moratorium date of April 15, as set forth in the Commission’s Rules and Regulations Governing the Termination of Residential Electric, Gas and Water Utility Service (“Rules”).

The Commission reiterated that when the Rules were amended in 2002, the winter moratorium was permanently extended an additional two weeks, from March 31st to April 15th. At the time, the Commission had recognized that it had allowed the extension to April 15 in 10 out of the 12 previous years due to cold weather. The Commission noted that no other state has a later moratorium than that of Rhode Island. Furthermore, the Commission noted that according to the National Weather Service data, the winter of 2003/2004 has been average, if not slightly warmer than average.

The Commission also reiterated that one of the goals of amending the Rules in 2002 was to provide certainty to both customers and to the utilities. Extension of the moratorium would only serve to create uncertainty and would defeat one of the goals of the Rules.

Accordingly, it is

(17805) ORDERED

The request for an extension of the winter moratorium on utility service terminations beyond April 15, 2004 is hereby denied.

³ Order No. 17617 (issued November 21, 2003).

EFFECTIVE AT WARWICK, RHODE ISLAND PURSUANT TO AN OPEN
MEETING DECISION ON APRIL 15, 2004. WRITTEN ORDER ISSUED ON APRIL
16, 2004.

PUBLIC UTILITIES COMMISSION

Elia Germani, Chairman

Kate F. Racine, Commissioner

Robert B. Holbrook, Commissioner