

# Residential Rights and Responsibilities for Jamestown Board of Public Utilities Electric Customers Jamestown, New York

*This document summarizes your rights and responsibilities as a Jamestown, NY, Board of Public Utilities (BPU) electric customer. Once you have read it, keep it for future reference. These rights and responsibilities result from New York State Department of Public Service rules and a regulation – the Home Energy Fair Practices Act (HEFPA) - which is called the “Consumer Bill of Rights.”*

## **QUESTIONS, PROBLEMS, APPEALS**

Contact the Board of Public Utilities as soon as possible if you have any complaints, questions or problems regarding your electric service. You are entitled to a prompt answer. The BPU Customer Service Office is located at 92 Steele Street, Jamestown, New York, or you may reach the BPU by telephone at (716)661-1660 or by mail at P.O. Box 700, Jamestown, NY, 14702-0700. BPU Customer Service Office hours are: 9 a.m.—4 p.m. Monday-Wednesday, and 8 a.m.—5 p.m. Thursday-Friday, excluding holidays. You may also reach us via email through our website at [www.jamestownbpu.com](http://www.jamestownbpu.com).

For consumer complaints that cannot be resolved with the company, you may contact the New York Department of Public Service (DPS). DPS complaints may be directed as follows: Website: [www.dps.ny.gov/complaints](http://www.dps.ny.gov/complaints); Phone: DPS Helpline at 1-800-342-3377 (M-F 8:30 a.m.—4:00 p.m.); or Mail: Office of Consumer Services, NYS Department of Public Service, 3 Empire State Plaza, Albany, NY 12223. DPS consumer representatives will investigate your complaint and determine whether the BPU has acted properly.

The DPS also has a special emergency HOTLINE for residential customers for matters concerning the connection or disconnection of electric service. 1-800-342-3355 is the DPS toll-free HOTLINE number. It is staffed every business day from 7:30 a.m. to 7:30 p.m.

The BPU cannot turn off your electric service for your failure to pay the amount in question while your complaint is being considered by the Department of Public Service. All other amounts and bills are payable when rendered.

## **BILLING**

The BPU uses actual automated meter readings to determine your monthly bill. The BPU has a responsibility to supply electricity to you in a reasonably reliable manner, and customers have the responsibility to pay utility bills promptly. Here are some important points about billing:

**Billing Accuracy** — The BPU does everything it can to bill your account accurately. Under certain circumstances, the utility may issue you an estimated bill if it cannot read your meter or if it appears that the reading may be wrong. The procedure the utility uses to calculate an estimated bill is approved by the Department of Public Service. Each estimated bill clearly states that it is based on an estimate. If, by using estimated bills, the BPU has understated the amount you owe by 50% of the actual usage or \$100 (whichever is greater), the utility must notify you of that fact in writing and you may make monthly payments on the difference.

**When To Pay** – The BPU electricity bill is for electricity already used, so the bill is due and payable when received. A payment is considered overdue 23 days after the bill is **mailed** to you. This date is printed on the bill. If you pay after that, you will have to pay a late payment charge. Late payment charges are 1.5% of the past-due amount and are assessed each month on any unpaid past-due balance. If you have any questions about your bill, contact the BPU Customer Service Office right away. The telephone number is (716)661-1660.

**Where and How To Pay** – Most of our customers **pay by mail**, using the return envelope provided with the bill.

You may **pay online**: log in at: <http://account.jamestownbpu.com> or click “My Account” on our homepage at [www.jamestownbpu.com](http://www.jamestownbpu.com). Follow directions to set up your account. Credit cards, debit cards and e-checks are accepted. Customers may schedule advance payments & may select AutoPay, Paperless, Pay by Text and view utility bills, usage and past bills.

**AutoPay** – You may pay your BPU bill automatically. Once you authorize automatic payment, the BPU will withdraw the billed amount from your checking account on the last day before the bill becomes delinquent. We will continue mailing your regular monthly bill to you to keep you informed of payments posted and received, your energy use and costs, your meter information and the BPU customer newsletter.

**Pay by Text** — BPU Pay by Text allows you to pay your bill 24 hours a day, seven days a week, with credit card, debit card or e-check. Once you have registered and authorized a payment method, you'll receive text notification of your bill which can be paid with a text message reply.

**Budget Billing** – This payment method is available for all qualified customers and may be established at any time during

the year. The budget amount will be established at the time of enrollment. Throughout the year, these accounts are monitored and the amount of monthly payments is adjusted if necessary.

If there is a rate increase mid-way during the customer's budget year, the budgeted amount will be increased by the percentage of the rate increase. Either party can request an adjustment at any time. Customers enrolled in Budget Billing may withdraw at any time.

**Pay by phone:** Call (716)661-1660, select extension 3 and follow prompts to complete the transaction. Customers may choose English or Spanish options. Payments may be made by credit card, debit card and e-check. Customers also can check on past payments.

**Pay in person** at the City Treasurer's Office on the first floor of City Hall, Third Street, Jamestown, NY; at the BPU Customer Service Office at 92 Steele Street; and at the Town of Ellicott Administration Building, 215 S. Work Street, Falconer, NY.

**Drop boxes for payment of bills after hours** are located at the Tracy Plaza entrance to City Hall, in the vestibule at the Jamestown Police Department and in the parking lot, across from the BPU Customer Service Office, 92 Steele Street. **For drop box payments, please do not leave cash. Use checks or money orders only and include your bill stub with your payment in order to be credited correctly.**

**No private business has authority to accept payments for the BPU.**

## **ACCESS TO YOUR METER**

The BPU reads your meter so that it can send you an accurate bill based on the amount of electricity you use. If the utility is unable to read a meter for four months in a row, the BPU will send you a notice requesting that you either provide the utility with a reading or make an appointment for a special reading during or after normal working hours. You may phone your electric meter reading to the BPU or send it electronically through the website, [www.jamestownbpu.com](http://www.jamestownbpu.com). If you do not control access to your meter, please arrange with the building owner or manager to let the utility service worker into the building.

If, *after eight straight months*, you haven't made an appointment or provided the BPU with a meter reading, you or the individual who controls access to the meter may be subjected to a charge of \$25.

## **DEPOSIT POLICY**

The deposit amount is based on two times the average monthly bill for the previous twelve months. The DPS rules govern deposit policies as follows:

**New Customers** – The BPU may charge a deposit for all residential customers who are seasonal or short-term customers (requesting less than one year of service).

**Existing Customers** – Existing residential customers who have had their services disconnected for non-payment in the preceding six months or who have accumulated two consecutive months of arrears without making reasonable payment or have filed bankruptcy, may be charged a deposit by the BPU.

**Public Assistance** – If you receive public assistance, supplemental security income (SSI) or additional State payments, the BPU cannot require you to pay a deposit.

**Deposit Request** – If you are required to post a deposit due to bankruptcy, the BPU will give you 20 days notice before the deposit becomes due.

**Refund** – The BPU can hold the deposit and will credit interest to your account on a yearly basis, until you are not delinquent in payments for a period of one full year.

## **FINAL TERMINATION NOTICE, SERVICE TURN-OFF AND TURN-ON PROCEDURES AND SPECIAL PROTECTIONS**

If you fail to pay overdue bills, the BPU may turn off your service only after it has given the required notice and offered you a deferred payment agreement for your overdue bills.

**Final Termination Notice** – Before the BPU can turn off service for an overdue bill or deposit, the utility must send you a Final Termination Notice. The BPU does not send a Final Termination Notice until you have failed to pay a bill more than 23 days after it

is mailed to you. Once you receive a Final Termination Notice, you have 15 more days in which to pay the bill or arrange for an approved payment agreement; your service can be turned off if you haven't paid or arranged for an approved payment agreement within this 15-day period. If you think the BPU has made a mistake in your account, call the BPU Customer Service Office at (716)661-1660. The BPU will check it and postpone turning off your service while it is looking into the matter.

The BPU will offer you a deferred payment agreement before turn-off if you contact the Customer Service Office, unless it is determined that you have the financial resources to pay the owed amount. If you sign a deferred payment agreement and comply with its terms, and also pay your regular monthly utility bill, the utility cannot turn off service. If you are unable to reach an agreement with the BPU, the New York Department of Public Service (DPS) staff will help you make such an agreement.

Unless you qualify for the special protections described in the section "Hardship Procedures" described further on, your services will be turned off if:

- You fail to pay the amount due as shown on the Final Termination Notice or
- You do not work out a deferred payment agreement.

**Time of Termination** – The BPU is only allowed to turn off utility service for nonpayment between 8 a.m. and 4 p.m., Monday through Thursday. The BPU cannot turn off service on a holiday, the day before a holiday, any day the utility's business office is closed or for a two-week period during the Christmas - New Year season. The BPU can turn off service without notice any time there are serious safety problems and the BPU will restore service as soon as the problem is corrected.

**Landlord Problems** – If you live in an apartment building or two-family house with your electric included in your rent and your landlord fails to pay the electric bills for the building, you may be able to have the service kept on by joining with the other tenants to pay the current bill. You only have to pay for charges billed after the disconnect notice to the landlord. The BPU will notify you if the landlord has failed to pay by posting notices on the building.

**Reconnection of Service** – If the BPU turns off your service, they will reconnect it within 24 hours:

- Once you have either paid the amount due or signed a deferred payment agreement and made the down payment;
- When the DPS directs the BPU to reconnect service; or
- When you face a serious threat to your health or safety.

If you receive public assistance, the BPU will turn your service back on after they receive a commitment of full payment from the social service agency helping you. The BPU has the right to charge a fee of \$30 to turn service back on during normal work hours (8 a.m. to 4 p.m., Monday to Friday); or \$70 outside those hours and days. Commercial customers also pay tax.

**Deferred Payment Agreement** – If you have a financial problem that prevents you from paying your bills, the BPU will work with you to establish a deferred payment agreement. The agreement can be for as little as \$10 per month with no down payment, but must be fair and must be based on your ability to pay. The BPU may require you to make a down payment but it cannot be more than 15% of the amount owed or one-half your average monthly bill, whichever is greater. The balance owed after the down payment can be paid in equal payments of up to one half of your average monthly bill or one-tenth of the balance, whichever is greater together with your current bills, over a period that you and the utility agree on. The agreement can be changed if you can show the BPU that there are significant changes in your financial condition beyond your control. If you cannot reach an agreement with the BPU, the DPS will help you. You may reach a DPS representative at HELPLINE number 1-800-342-3377.

#### **HARDSHIP PROCEDURES**

In accordance with DPS rules, the BPU will continue electric service if a person's health or safety is threatened by the lack of service. The BPU also will refer health or safety problems to the Department of Health and Human Services. In the following hardship cases, the BPU will not turn off service:

**Medical Hardship** – If you or a family member is faced with a medical emergency, providing the BPU with a medical certificate from your doctor will continue emergency service for 30 days. To renew the certificate after 30 days, your doctor must explain in writing why you still need the emergency service. You will be required to provide financial information to determine if you are eligible for a renewal. The BPU will NOT shut off your service during your health emergency, but you still are responsible for paying your bills.

**Life Support Customers** - If you need utility service to operate a life-support device, your doctor's medical certificate will remain in effect as long as the device is needed. You will be required to provide financial information to show that you are unable to pay your utility bills initially, and at least quarterly, during the time that a resident is on life support.

The BPU will also code your account to assure added protection to you.

**Elderly (62 or older), Blind or Disabled** – If you and all people living with you are 62 years of age or older, blind or disabled, the BPU will make special attempts to maintain your utility service. The BPU will attempt to contact you by telephone or in person at least 72 hours before turn-off is scheduled to try to work out a fair payment plan.

If arrangements cannot be made, the BPU will notify the Department of Health and Human Services of the possible turn-off and will continue service for 15 days. If the BPU ultimately turns off service, they must, within 10 days after that, attempt to reach you and devise a plan for restoring service.

If you qualify for protection under this section, notify the BPU immediately.

#### **Cold Weather Protections — November 1 to the following April 15**

If you pay the utility for your heat, the BPU cannot turn off your service until it has tried to determine if a serious problem with health or safety would result because of the service turn-off. The BPU will try to contact you by telephone or in person at least 72 hours before service turn-off is scheduled. The BPU will try to contact you during business hours, and again at the time of turn-off. If the BPU finds that service turn-off might cause serious harm to your health or safety, the utility must ask the Department of Social Services to investigate and the BPU must continue service for at least 15 business days.

For the cold weather protections, the BPU considers "heating" to include utility services needed to provide heat. It may include direct electric space heating, electric service needed to operate a furnace or, if you notify the BPU in writing, a safe electrical heating device.

#### **THIRD PARTY NOTIFICATION**

A third party notice may keep your service from being turned off by mistake. Request this form from the BPU Customer Service Office at (716)661-1660.

All residential customers may choose a third party to be notified regarding service turn-off. You may choose a relative, a friend, a member of the clergy or an agency (such as the Department of Health and Human Services) to be a "third party" for copies of any Final Disconnect Notices that the BPU sends to you because of overdue utility bills. The third party can contact us on your behalf and help you work out payment terms with the BPU, however, the third party is not responsible for paying your bills.

#### **REGISTRATION FOR SPECIAL PROTECTION AND REQUEST FOR INFORMATION**

If you have a medical hardship, need electric service to operate life support equipment, are 62 years or older, blind or disabled, receive public assistance, SSI or additional State payments or wish to sign up for third party notification, please call the BPU Customer Service Office and request that your account be coded for special protection from turn-off. The BPU Customer Service Office number is (716)661-1660.

#### **DIVERSION OF SERVICE – Important information for Tenants and Landlords**

By law, tenants are required to pay only for the electricity they use. Sometimes a tenant's electric meter also registers electricity used outside the tenant's dwelling. This is called a "shared meter" condition. A tenant that is billed for a shared condition must be reimbursed by law and/or under certain conditions, with BPU approval, a tenant may enter into a mutually acceptable agreement with their landlord to address the situation. To determine if a shared meter condition might exist, the BPU will need access to the apartment, the meters and any common areas of the building.

The BPU is required by law to provide written notifications of a pending investigation and the resulting determination to all parties involved. Failure by the landlord to cooperate with the BPU's request to investigate may still result in the BPU determining a "shared meter" condition. If the landlord fails to take any action within 120 days of a "shared meter" determination, the law requires that the BPU can establish an account in the landlord's name for all future service measured on the shared meter until they meet compliance requirements. Under certain circumstances, the landlord may be billed for other charges, where applicable, regardless if the situation is corrected or not.

#### **SPECIAL NOTICE**

The Jamestown Board of Public Utilities (BPU) will make available, free-of-charge, to any landlord or lessor of a residential rental property, information consisting of charges incurred at such premises for electric service for the life of the dwelling unit or for the preceding two-year period, whichever is shorter. The information must be supplied within ten days of receipt of a written request from any prospective tenant or lessee, prior to the commencement of tenancy or execution of a lease. Information will be identified solely by the address of the dwelling unit with no other information identifying the owner, lessee or other occupant of the dwelling.