



# Utility Suspensions Fact Sheet

## Introduction

Arkansas utility companies are subject to State Consumer laws, including those providing natural gas, electricity, cable, and telephone services. Arkansas' Public Service Commission, the state agency governing most utilities statewide, has taken many steps to ensure customers of these companies have adequate notice of, and protection from, unnecessary suspension of their utility service. The information contained in the fact sheet sets forth the notice requirements you must follow to ensure adequate utility service, and your rights, duties, and protections guaranteed as a regulated public utility customer.

## Reasons for Shutting Off Utilities

No one likes having utility service shut off, including those who regulate such actions. The Public Service Commission, also known as the PSC, follows certain rules or regulations which ensure that utility service may only be shut off, or disconnected in severe situations.

### These include:

- not paying a disputed bill, failing an agreed payment arrangement or security deposit
- tampering with utility company equipment
- stealing service
- making false statements or otherwise committing a fraud to obtain the service
- refusing to allow a meter to be read or the equipment to be checked
- failure to abide by safety conditions which could cause personal harm or equipment damage
- wrongful use of the utility service that interferes with other customers' use of the service
- using and operating non-approved equipment or unauthorized attachments
- federal, state, local laws, or regulation violations caused by using the service

## Avoiding Suspension

Arkansas consumers are normally responsible citizens who meet their financial obligations, which includes utility bill payment. However, personal emergencies can arise, making payment difficult. Customers can avoid en-

countering utility non-payment shut-off by promptly contacting the utility company if they will have bill payment emergencies to arrange for payment. Personal emergencies can happen that make paying your utilities hard. You can avoid having your utilities shut off by calling the utility company immediately. Let them know. Sometimes, the utility company may extend the date for payment due or work out ways to pay in installments.

The utility company may also have a type of "good neighbor" or other compassion program to help you in making payments. There may also be a government agency that can help if you qualify for that kind of help.

### Some public and private programs include:

- Crowley's Ridge Development Council, Inc.
- Arkansas Home Emergency Assistance Program – Mississippi County EOC
- Home Energy Assistance Programs (HEAPs)

Always be sure to have pencil and paper, so you can write down any agreement or arrangements made with the utility company. You should write the information down and mark any deadlines on a calendar as a reminder. Try to keep all payment or other arrangements you make with the utility company. Do not miss a payment. If you have an issue in the future, contact the utility company immediately to let them know. By doing so, you and the utility company know what is happening on the account.

## Special Protections

The PSC requires that regulated utility companies offer special protections against disconnection for customers under the following conditions:

### Cold Weather Rule

A gas or electric utility company must not disconnect service for residential customers on a day when the National Weather forecast predicts the outside temperature to fall to 32 degrees Fahrenheit or lower within the following 24-hour period.

### Gas Moratorium

Qualified low-income residential gas customers may not have gas service suspended during a moratorium. Moratorium means no shut offs can happen between



November 1 to March 31 for not paying under certain specific conditions. Low-income means gas utility customers approved to get SNAP benefits, WIC, TEA, Medicaid, or LIHEAP benefits. If you qualify, you must give written proof within 14 days of asking for an exemption under this condition.

### Hot Weather Rule

The gas or electric utility company must not suspend service if a customer is 65 years old or older or disabled if the National Weather forecast predicts a temperature of 95 degrees Fahrenheit to occur within the following 24 hours. Gas utility customers have hot weather protection if they use gas-operated air-conditioning units only.

### Social Service Agency Payment Guarantee

A social service agency like one described in the How to Avoid Suspension of Services may give a written agreement to pay at least one quarter of the customer's overdue bill. When that happens, a delayed payment agreement is made to pay any past due amount.

### Rights of Tenants

A shut-off notice must be sent to the landlord when service will be shut off. If the landlord does not respond within 7 days, a shut-off notice must be given to tenants. The tenants have 30 days from the delinquency date to make arrangements directly with the utility company for service. Tenants are not responsible for the bill that the landlord owes.

## Reconnecting Utilities

If your utilities are disconnected or shut off, you must contact the utility company immediately. Your goal should be to have the utility service turned on as quickly as possible.

If there is information or something else that has not been discussed before, be sure to tell the utility company, so you can have your utilities turned back on.

Keep in mind that once the service has been disconnected, the utility company can normally charge you a reconnection fee and require payment of all past due bills before reconnecting your utility service.

If the utility is reconnected after normal business hours, an approved fee may also be charged for this service.

## Complaints

If you have an informal complaint, you can file a grievance or complaint with the Public Service Commission (PSC) under Rule 9.01 "Informal Complaints." The complaint will be investigated by PSC staff. These complaints are not formally registered or kept on file with the agency.

If you have a formal complaint, you can file it with the PSC under Rules 3.02 and 9.02. This complaint is a formal pleading asking for relief as authorized by Arkansas law. The utility company has 20 days to respond to the complaint.

If you have additional questions about a regulated utility or a utility-related problem that you have not been able to fix, contact the Consumer Services Office. You can visit the local utility office in person, write a letter, or call them at the toll-free number listed on your bill.

**Little Rock:** (501) 682-1718  
**Toll-Free:** 1-800-482-1164

### Mailing Address

P.O. Box 400  
Little Rock, AR 72203

### Street Address

1000 Center Street  
Little Rock, AR 72201

---

*This fact sheet is a collaboration of the Center for Arkansas Legal Services and Legal Aid of Arkansas, Inc. These nonprofit organizations provide free legal assistance to eligible Arkansans who meet income, asset, and other guidelines. Legal assistance may also include advice and counsel, brief services, or full representation depending on the situation. For more information about civil legal aid in Arkansas, please visit [arlegalservices.org](http://arlegalservices.org). For information specific to Legal Aid of Arkansas, Inc., visit [arlegalaid.org](http://arlegalaid.org). Apply for services online or by calling 1-800-9-LAW-AID (1-800-952-9243).*

*The information and statements of law in this fact sheet should not be considered legal advice. This fact sheet is provided as a broad guide to help you understand how certain legal matters are handled in general. Courts may interpret the law differently. Before you take action, talk to an attorney and follow his or her advice. Always do what the court tells you to do.*

**Content provided by:  
Center for Arkansas Legal Services**

*Updated January 2017*