

RESIDENTIAL UTILITY CUSTOMER PROTECTIONS¹
(Effective retroactively from March 15, 2022)

Established by the New Jersey Board of Public Utilities (BPU)

If you have questions about these consumer protections, you should contact your utility company at the number on your bill. If you have a complaint about your utility company or if your services are in jeopardy of being shut off, you should call the BPU at 800-624-0241 for assistance. Note: The BPU regulates only investor-owned utility companies.

1. You have the right to utility service if you are a qualified applicant.
2. You have the right to budget billing if you are a utility customer.
3. You have the right to apply for utility assistance programs, which may include arrearage forgiveness. Learn more by calling your utility company or by calling 2-1-1. Information is also available online at www.nj211.org/utility-assistanceprograms.
4. If you are an electric or gas utility customer who did not participate in the Winter Termination Program (“WTP”), current law requires the utility company to offer you a deferred payment plan payable over a minimum of 12 months with no down payment, deposit, reconnection costs, interest, or penalties (“No Money Down Plan”) on any unpaid balances accrued prior to December 31, 2021 or longer if you meet the requirements of numbers 7 and 8 below. You have the right to 30 days to agree to the payment plan before the utility company may begin the collections process.
5. If you are a water, sewer, or municipal electric utility customer or a WTP participant, current law requires the utility company to offer you a No Money Down Plan on any unpaid balances accrued prior to March 15, 2022 or longer if you meet the requirements of numbers 7 and 8 below. You have the right to 30 days to agree to the payment plan before the utility company may begin the collections process.
6. If for any reason you are not eligible for a No Money Down Plan, you are entitled to a deferred payment agreement under BPU’s regulations (“DPA”). You have a right to at least one DPA within a 12-month period with a maximum down payment of 25 percent or less of your unpaid balance, unless current law states otherwise. The utility company shall offer you the same budget plan year, which will last 10, 11, or 12 months, except that the budget plan year for customers protected under the WTP shall be 12 months. Any deferred payment plan or agreement offered by the utility company to you must follow the current law and/or regulations of the BPU.
7. If you submit an application to a State agency for utility bill aid, but still need to provide documents or take some other action requested in the application, you have the right to 60 days from the date you submitted your application to provide the documents and take the necessary steps to complete the application process. During this 60-day period, the utility company may not discontinue your service. These rights apply only if you submitted your application to the State agency before June 15, 2022.
8. If you submit an application to a State agency for utility bill aid with all the necessary documentation, either at the time you submitted the application or within 60 days from the date you submitted your application, and there is no other action required by you to complete the application process, you are protected from discontinuance of service from the date you submitted your application until the date after a decision of eligibility has been made on your completed application. This right applies only if you submit your application to the State agency before June 15, 2022.
9. If you are an electric, gas, water, and sewer utility customer whose service has been disconnected, but you can show you have applied to the Universal Service Fund, Low Income Home Energy Assistance, Payment Assistance for Gas and Electric, or Low Income Household Water Assistance for available benefits, the utility company must reconnect your service upon request and may not require a down payment, deposit, reconnection costs, interest, or penalties to do so.
10. You have the right to have any complaint you make against your utility company handled promptly by that utility company.
11. You have the right to have your utility complaints and concerns investigated. Your service may not be terminated for non-payment of disputed charges during a BPU investigation.¹

¹ Based on order issued by BPU issued April 6, 2022

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- 12.** You have the right to have your meter tested free of charge once a year by your utility company if you suspect it is not working properly. For a \$5 fee, the meter test will be conducted under the supervision of the staff of the BPU.
- 13.** You have the right to a written notice of termination from your utility company at least 10 days prior to the discontinuance of service and only after the utility company has offered you a deferred payment plan based on current law and regulations of the BPU.
- 14.** If you are a participant in an energy assistance program or an electric, gas, water, and/or sewer utility customer having financial difficulties paying your bill, you can request the company enroll you in a budget plan based on your ability to pay. Provided you make good-faith payments toward all reasonable bills for service, you have the right to electric, gas, water, and/or sewer utilities service from November 15 to March 15 without fear of termination of such services if you are a participant under the WTP.
- 15.** You have the right to receive posted notice of any impending shutoff if you live in a multi-family dwelling. This notice must be posted in a common area and/or sent individually to occupants of that dwelling.
- 16.** You have the right to have a "diversion of service" investigation if you suspect the level of consumption reflected in your utility bill is unexplainably high.
- 17.** Service may not be shut off for non-payment of repair or merchandise charges. A utility company may not send you notice threatening discontinuance of your utility service based on these charges.
- 18.** You have the option of having a deposit refund applied to your account as a credit or having the deposit refunded by separate check.
- 19.** A utility² may not add late fees, interest, or liens on your account for late payments.
- 20.** Your service may be shut off only after proper notice has been given to you by the utility company and only on Monday through Thursday between the hours of 8:00 a.m. to 4:00 p.m. A utility may not shut off your service on a Friday, Saturday, Sunday, a holiday or the day before a holiday, or if a valid medical emergency exists in your household.
- 21.** You have the right to notification regarding any moratorium on rate increases.

² Brightspeed provides you with the citation for the definition of "utility" - See NJSA 48:3-2.3.