

# WINTER HEATING FACT SHEET



Everyone's heating and housing situation is different. Here is some very general information from New Hampshire Legal Assistance.

## What if I heat with electricity or gas?

- *You Could Get a Bill Discount:* If you are a natural gas heating customer, you may be eligible for the low-income discount rate. Please call your gas company to see if you are eligible. If you are an electric customer, you may be eligible for the Electric Assistance Program ("EAP") discount. Please call your local Community Action Program to see if you are eligible for EAP.
- *Can I Get Disconnected in the Winter?* Yes, if you do not pay your bills or make a reasonable payment agreement with your electric or gas company. However, you have added protections under the Chapter 1200 Rules of the New Hampshire Public Utilities Commission (See: <http://www.gencourt.state.nh.us/rules/puc1200.html>). During the winter period of November 15 through March 31, if you are 65 or older, your utility must get Public Utilities Commission ("PUC") approval before disconnection. You cannot be disconnected in the winter unless you owe the utility over \$450 for service received during the winter and non-winter periods, or if you haven't paid some of your deposit. You are entitled to at least 14 days written notice before disconnection, unless you broke a payment agreement you agreed to. [Please note that Public Utilities Commission rules do not apply to electricity service you receive from your town or city.]
- *A Medical Emergency May Prevent Disconnection:* At any time during the year, you cannot be disconnected if it would result in a medical emergency AND you enter into a reasonable payment agreement. You must provide your utility with a letter from your doctor or mental health provider explaining your health condition, your need for service and how disconnection would affect you, or someone in your home.
- *What are My Rights to a Repayment Agreement?* Before you are disconnected, you have the right to enter a reasonable repayment agreement. At least six things must be considered, including your "ability to pay". Make sure you sit down and make a list of all your expenses before agreeing to a specific amount you might

not be able to afford. Usually you will need to agree to pay your current monthly bill, plus some amount per month to the old amount you owe. During the winter, you may be able to change an existing repayment agreement you have to pay only 10% of what you owe each month, but only if you request the change.

- Who do I call if my utility does not agree to a repayment agreement I can afford?  
You can call the Consumer Affairs Division of the PUC at: 1-800-852-3793. The Consumer Affairs Division tries to help consumers resolve disputes with utilities.

## What if I heat with wood, wood pellets, propane or fuel oil?

- These suppliers are not considered “utilities”. The PUC does not regulate them.
- Some fuel suppliers provide a small discount if you pay your bill within a certain number of days. You do not have a right to a payment arrangement. However, you should contact your fuel supplier as soon as possible if you are having difficulty paying because you may be able to work something out. You do not have added disconnection rights.
- If you receive “fuel assistance”, your fuel supplier cannot treat you differently than customers that do not receive “fuel assistance”. You should contact your local Community Action Program if you think you are being treated differently because you receive fuel assistance.

## Where do I go for financial assistance to heat my place?

- Your local Community Action Program administers the Low-Income Heating Energy Assistance Program (“LIHEAP”), otherwise known as “fuel assistance”.
- Fuel assistance begins December 1. However, you may be eligible for assistance earlier than that. Either way, you should apply for fuel assistance with your local Community Action Program as soon as possible. You do not want to wait until your heating situation becomes an emergency.
- Sometimes you may fall behind in rent because of your bills. You may be eligible for emergency housing assistance from New Hampshire Housing Finance Authority. Their number is 1-(800)-439-7247.
- If you receive Temporary Assistance to Needy Families (“TANF”), you may be eligible for assistance in an emergency. You should call your case worker with the State Department of Health and Human Services and ask for an application.
- Try your local church, synagogue or mosque.
- GO to your town or city welfare office.

## When does my town or city have to help me heat my place?

- If you have tried other places for help, or you are facing an emergency heating problem (or eviction), apply for assistance with your town or city welfare office.
- Applying for assistance from your town or city is your right under state law.
- You have a right to fill out a written application and receive a written decision for financial assistance. Make sure to list all of your expenses in your application, including any and all amounts you owe your heating suppliers. Your town welfare officer must give you a decision in writing if you fill out an application.
- Your town or city should provide you with financial assistance if you are financially eligible. Generally, you should be eligible if your countable expenses are more than your income.
- If you owe a back bill to your heating service provider, ask your town or city to count this as an expense if payment is “necessary to ensure the health and safety” of yourself and your family. Ask your town or city to consider assisting with your back bills if it is necessary to put (or keep) the heat on in the winter.
- If you run out of fuel when the town offices are closed, call the police, or call 9-1-1 to see if they can contact the town welfare officer to assist you.

## What if my landlord does something to affect my heat?

- If your landlord provides heat service through electricity or gas, but fails to pay the bill, you should receive a disconnection notice from the utility company at least 10 days prior to the scheduled disconnection. If service is disconnected without notice, call the utility company – they may not know you were a tenant and they would have to turn service back on immediately. If your landlord fails to pay, you (and other tenants) might be able to have service put in your name. You would not be responsible for paying what the landlord owes.
- If you have a Section 8 Voucher, and your landlord is required to pay for heating service but fails to pay, you can contact the housing authority that you receive the voucher from.
- According to state law, except for emergency repairs, it is illegal for your landlord to “willfully cause, directly or indirectly, the interruption or termination” of your heating service (regardless of source of heat and even if the interruption is temporary. (RSA 540-A:3, I). If you pay for your heating service, it is illegal for your landlord to do something that prevents you from heating your place. Should that happen, you can file a “540-A” petition at your nearest District Court. In the petition, you can ask the court for an immediate order requiring the landlord to get the service turned back on right away. (RSA 540-A:4, VIII).

## CONTACT INFORMATION

\*\*\*You may be eligible to get free or low-cost services to help reduce your bills, like new windows, insulation and lights. This is sometimes called “weatherization”. For more information, please contact your local Community Action Program, visit <http://www.staywarmnh.org> and <http://www.nhsaves.com> , or call the N.H. Office of Energy and Planning at 603-271-2155.

\*\*\*If you would like to know about other available programs and services you can call “2-1-1”.

\*\*\*If you have questions about your legal rights and obligations you can contact New Hampshire Legal Assistance (NHLA), at the NHLA office nearest you:

<u>Berlin</u>	1-800-698-8969
<u>Claremont</u>	1-800-562-3994
<u>Concord</u>	1-800-921-1115
<u>Littleton</u>	1-800-548-1886
<u>Manchester</u>	1-800-562-3174
<u>Nashua</u>	1-800-517-0577
<u>Portsmouth</u>	1-800-334-3135



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