

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: REGULATIONS GOVERNING :
TERMINATION OF RESIDENTIAL : Docket No. 1725
ELECTRIC, GAS AND WATER UTILITY :
SERVICE FOR SERIOUS ILLNESS :

ORDER

On December 5, 2006, the George Wiley Center filed with the Rhode Island Public Utilities Commission (“Commission”) a petition “to open up a docket on the issue of illness as a reason for the protection of the person against a shut off by a utility company doing business in R.I.” The petition also indicated that “there is a great need for clarification” regarding “the implementation of the PUC rules governing sickness.”¹

On December 11, 2006, National Grid (“NGrid”) filed a letter in opposition to opening a rulemaking. NGrid stated that the Commission’s Rules and Regulations Governing the Termination of Residential Electric, Gas and Water Utility Service (“Termination Rules”) are clear. NGrid noted that the definition of a Protected Status Customer includes the seriously ill, and that seriously ill is defined as “an illness that is life threatening or that will cause irreversible adverse consequences to human health.” NGrid explained that the Termination Rules prohibit a residential customer who is seriously ill from having service terminated if certified by a licensed physician and the Termination Rules provide specific instruction regarding physician certification with regard to customers with serious illness.²

¹ The petition was docketed in Docket No. 1725 for administrative purposes since the Commission decided not to engage in a rulemaking at its open meeting on December 19, 2006.

² The Division of Public Utilities and Carriers (“Division”) filed a letter indicating that the Commission’s Termination Rules are clear regarding serious illness and opposing the opening of a docket in this matter.

At an open meeting on December 19, 2006, the Commission decided not to open a rulemaking regarding the termination of utility service for serious illness. The definition of serious illness is well defined in the Termination Rules and prohibition against termination of utility service during a serious illness is also quite clear.³ Furthermore, the Termination Rules provide a clear requirement to obtain a physician's certification in cases of serious illness and also imposes clear requirement on utilities for those with a serious illness.⁴ The Commission's Termination Rules are in compliance with R.I.G.L. §39-1.1-1 by protecting residents with a serious illness, and Termination Rules are clear regarding procedures related to protecting residents with a serious illness. Since the George Wiley Center may be confused regarding how the Termination Rules addresses residents with serious illness, the Commission will host, in January 2007, an informal meeting of the Division, NGrid, and the George Wiley Center at which the Termination Rules regarding serious illness can be further explained.⁵

Accordingly, it is

(18799) ORDERED:

1. The Petition of the George Wiley Center to open a rulemaking regarding the termination of utility service for residents with a serious illness is hereby denied and dismissed.

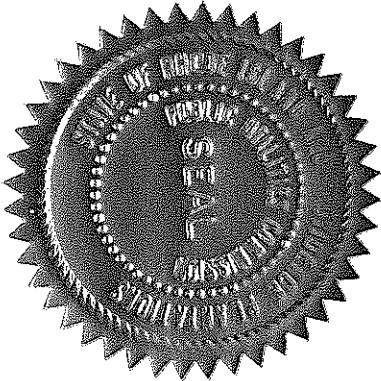
³ Termination Rules, Part II, Section 1 (E)(3) and (H), and Part III, Section 3 (B)(1).

⁴ Termination Rules, Part III, Section 3 (B)(1).

⁵ For purposes of clarification, R.I.G.L. § 42-35-3(a)(2) is only triggered when rules are being adopted, amended or repealed. This petition does not require a hearing since the Commission is not engaging in a rulemaking regarding the termination of utility service for residents with a serious illness.

EFFECTIVE AT WARWICK, RHODE ISLAND PURSUANT TO AN OPEN
MEETING DECISION ON DECEMBER 19, 2006. WRITTEN ORDER ISSUED
JANUARY 4, 2007.

PUBLIC UTILITIES COMMISSION

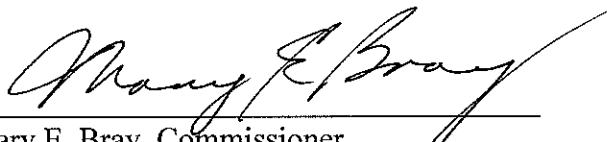




Elia Germani, Chairman



Robert B. Holbrook, Commissioner



Mary E. Bray, Commissioner