



## KCC Issue Brief: Utility Disconnections

**Legislation Involved:** [HB180](#) (Willner, Nemes). “An Act Relating to Public Utilities.” **[KCC Strong Support]**. The bill has bipartisan sponsorship.

**ASK** House members to support this bill and consider co-sponsoring this legislation.

### What HB180 Does:

The bill makes it more difficult for utilities to disconnect service during extreme winter and summer temperatures. Requires a hardship reconnection order for persons at risk who have had service terminated by the utility after meeting specific repayment requirements and require the Public Service Commission to issue an order setting forth any applicable rules and procedures.

### What are the Current Rules on Shutoffs?

According to the [Kentucky Public Service Commission](#), a utility may shut off service: (1) For dangerous conditions, (2) when ordered to terminate immediately by a governmental office for noncompliance with state, local or other codes, or (3) for illegal use or theft of service.

**In all other cases**, utilities are required to mail customers a disconnect notice (10 days for electric and gas; 5 days for water, sewer, and telephone). The utility is required to send a disconnect notice but the utility is not responsible for lost mail.

### Additional Background Information About Utility Shutoffs:

After three days of extended sub-zero weather in Kentucky just prior to the Christmas holiday, on December 23, 2022, Kentucky Utilities and Louisville Gas & Electric [announced they were implementing “rolling blackouts”](#) citing the extreme cold temperatures and high energy demand that they claimed were placing pressure on the regional electric grid. Several other utilities in the state and [Tennessee Valley Authority](#) also began a series of “planned outages.” By the AM on Christmas Eve, [Governor Beshear reported](#) there were 43,000 Kentuckians without power, reporting that the unique combination of extreme temperatures and lack of a diversified energy plan, both at the micro and macro levels, had a role. However, the short notice of these actions [caught customers by surprise](#) and unprepared during the extremely dangerous cold.

**Further reading:** National Consumer Law Center Report: [“Protecting Seriously Ill Consumers from Utility Disconnections: What States Can Do to Save Lives Now.”](#) (Sept. 2022). Center for Biological Diversity [“Powerless in the US” \(2022\).](#)