OPC

OFFICE OF PEOPLE'S COUNSEL

State of Maryland

Gas and Electric Consumer Rights

August 2025

This resource guide is designed to explain the rights you have as a residential utility customer. If you have any questions, reach out to our office at 410-767-8150 or OPC@maryland.gov.

Applying for utility service

You can apply for utility service by phone, in person, or in writing. One or more people can be listed as the customer on a household's utility account if requested.

The utility company may ask you to verify your identity and give the following information:

- Your name, address, and phone number
- Your employer
- A different mailing address and phone number (if you don't live at the service address)
- Your previous address where you had utility service
- Names of others who have had service at the address
- Your credit history

Reasons you can be denied service

The utility company can deny your application if:

- You have an unpaid bill from a previous address
- You applied under a false name or used someone else's name without their permission
- You lied or left out important information
- You didn't pay a required deposit
- Someone living with you (a co-occupant) has an unpaid bill from the same address, and both of you lived there at the same time
- You applied for service just to help someone else avoid paying their past due bill

Reasons you cannot be denied service

You cannot be denied service if:

- The unpaid bill is more than 7 years old, unless you agreed in writing to pay it, or the service was fraudulently used
- The unpaid bill belongs to a previous occupant or was not in your name
- The unpaid bill is for goods or service contracts (not utilities)
- The unpaid bill is from a non-residential address
- The unpaid bill is from another customer that you agreed to help but are not legally responsible for

Temporary service while they investigate

The utility company may give you service for up to 30 days while they review your information. If they decide to deny or shut off your service, they must

give you a written notice explaining why.

Security deposits for utility service

A utility company may ask for a security deposit if it believes you are a credit risk (not "creditworthy"). However, they cannot require a deposit just because of where you live or your living situation.

What utilities look at to decide if you need a deposit

- Your payment history with utilities over the past 2 years
- Whether your current utility accounts are in good standing
- If you had service shut off in the past year
- If you were late paying more than twice in the past 12 months

They may also ask for:

- Proof that you've worked for the same employer for 3 years
- Proof that you own your home

Utilities may check your credit report or score to help decide if they need a deposit or a guarantor.

When a deposit can be requested from existing customers

Even if you already have service, the utility can ask for a deposit if:

- You've had two or more late or missed payments in a year
- Your service was shut off
- You're more than two months behind on your bill
- Your financial situation has significantly changed

How much the deposit can be

The utility has to follow a formula. Most of the time, the deposit can't be more than 2 months' worth of service.
Example: If your average yearly utility bill is $2,000:
2/12 × $2,000 = $333.33 deposit

Getting your deposit back

You'll get your deposit back, with interest (minus anything you owe), if:

- You stop service
- You've made on-time payments for a year
- You've proven your creditworthiness another way

The utility must offer a payment plan if you can't pay the full deposit upfront.

Deposit exemptions for seniors (60+)

You don't have to pay a deposit if you all of these are true:

- Are 60 or older
- Are the main person responsible for the utility (your name is on the lease or title)
- Don't owe any past utility bills

If you qualify and already paid a deposit, you can ask for a refund.

Payment plans

Even monthly payment plans

Utilities may offer even monthly payment plans to help spread out your energy costs across the year. These are also sometimes called budget billing programs. These programs are approved by the Public Service Commission however, you must meet the utility's rules to join. Some plans are only available to creditworthy customers.

How it works:

- The utility estimates your yearly usage and divides it by 12 to set your monthly payment.
- Example: If your yearly bill is $1,800, your monthly payment would start at $150. This amount is recalculated throughout the year based on your usage, so the amount may change.
- Over time, you may build up a credit (you paid more than you used) or a debit (you used more than you paid for).

Important notes:

- The payment amount is reviewed and adjusted at least twice a year. It can also be changed more often if needed.
- If rates go up, your payment may also increase.
- These plans help with budgeting, but they don't guarantee affordability.

For customers using a retail energy supplier:

- The utility may only include distribution charges in the even monthly plan.
- Some utilities like Potomac Edison or Washington Gas may include more.
- Your energy supplier might offer a separate payment plan for its part of the bill.

Alternate payment plans

If you're behind on your utility bill, you may be able to set up an alternate payment plan to avoid having your service shut off.

If you are a low-income customer:

- The utility **must** try, in good faith, to work out a reasonable payment plan with you.

If you are not low-income:

- The utility **may** try to work out a payment plan with you in good faith.

In creating a payment plan, the utility must consider your situation, including:

- How much you owe
- What you can afford to pay
- Your past payment history
- Any help you might get from energy assistance programs
- How long your bill has been unpaid
- Why your bill is overdue
- Any hardship you would face without utility service
- Any other relevant personal circumstances

When a utility can refuse a payment plan

The utility may refuse to offer a plan if:

- You broke the terms of a previous payment plan in the last 18 months
- You committed fraud
- You stole utility service
- You denied the utility access to its equipment on your property

If you're behind on your bill

- Contact the utility as soon as possible and consider asking for a payment plan.
- Don't wait until you get a shut-off notice.

If the utility refuses to work out a reasonable plan and you disagree you can file a complaint with the Public Service Commission.

Disputes may include:

- The utility refused to talk to you about a payment plan
- You don't agree that you broke the terms of a past plan
- You don't agree that you committed fraud or theft
- You don't agree that you blocked the utility from accessing equipment

Common reasons for a high bill

- Past-due charges were added to your current bill
  Make sure the charges actually belong to you. They could be:
  - Unpaid bills from a previous address
  - Charges from more than one address in your name
  - Bills that belong to a landlord or a former tenant

- Broken appliances or heating systems
  A defective furnace, water heater, or other appliance can use extra energy and raise your bill.

- Inefficient appliances or home
  Old or poorly insulated homes and outdated appliances use more energy. Help may be available through energy efficiency programs from your utility company or the Department of Housing and Community Development.

- Old charges (more than 7 years old)
  Your service can't be shut off for these charges unless certain exceptions apply, but you must challenge them with the utility.

- Unregulated charges
  Charges for things like appliances or service contracts (not part of your basic gas or electric service) can't be used to shut off your service.

- Estimated meter readings
  Your bill might be based on an estimate instead of an actual reading.
  - If you don't have a smart meter, you can ask the utility to take a reading—or read the meter yourself and call it in. This may lead to a corrected bill.

- Wrong meter reading or faulty meter
  This isn't common, but it can happen.
  - Ask your utility to test the meter. If you disagree with their results, you can ask the Public Service Commission for a referee test (there may be a small fee).

What is USPP?

USPP stands for Utility Service Protection Program. It's a special program required by the Public Service Commission that helps low-income customers keep their gas and electric service on during the winter.

What USPP offers

- Even monthly payments
  You pay about the same amount each month through budget billing, based on your average yearly usage.
- No reconnection fee or deposit
  If your service is off, you don't have to pay a reconnection fee or a security deposit to get back on service.

Special payment rules under USPP

- First-time USPP applicants
  If your service is off, you can be reconnected by paying just enough to reduce your past-due amount (arrears) to $400.
- Current USPP participants (off-service)
  To be reconnected, you must pay either:
  - Enough to bring your arrears down to $400, or
  - The full amount of all missed monthly USPP payments whichever is more.
- Using energy assistance
  - First-time applicants can apply energy assistance benefits to past-due bills.
  - For current USPP customers, utilities usually request permission (a waiver) to apply energy assistance to past-due balances as well.

Bill extender plan

The Bill Extender Plan lets you change your utility bill's due date so it matches when you get your Social Security or other government assistance check. If you receive government benefits, signing up for this plan can help you avoid late fees by making sure your bill is due after your check arrives.

Utility service terminations

A utility company can only shut off your service for specific reasons that are approved by the Public Service Commission (PSC).

Reasons a utility can shut off service

A utility may disconnect your service if you:

- Don't pay your bill or required security deposit
- Don't follow the utility's rules
- Refuse to let the utility access its equipment on your property
- Gave false or misleading information on your application
- Left out important (material) facts when applying for service
- Are responsible for unpaid co-occupant bills (from others living in your home)
- Have a safety hazard at the property
- Tampered with the meter or other utility equipment
- Stole electricity or gas

Important: Utilities are investigating theft of energy (TOE) more often since installing smart meters. If you're being investigated for TOE, it may affect your ability to use energy assistance funds to pay off past-due bills.

Reasons a utility cannot shut off service

A utility cannot shut off your service for the following reasons:

- You have filed a PSC complaint disputing the bill or shut-off before disconnection. You must pay any part of the bill that's not in dispute. If your service is already shut off, filing a complaint won't require the utility to turn it back on.
- The bill belongs to a previous occupant of the home
- The bill is for merchandise or service contracts (not utility service)
- The charges are for service used in a non-residential unit (like a business)
- The bill is for someone else's account that you guaranteed
- The unpaid bill is less than 3 months old and your security deposit is more than the bill
- The bill is $100 or less and delinquent less than 3 months
- The utility is charging you to fix a meter error that they didn't find for over 4 months
- The bill is more than 7 years old, unless you signed an agreement to pay it, or the charges are for fraudulently obtained service

Service termination procedures

Before shutting off your service, a utility must make a reasonable effort to collect any unpaid bills. It also has to follow clear steps and provide proper notice.

Types of termination notices

A utility must send you written notice before it shuts off your service, unless it's an emergency.

14-day notice

You must get at least 14 days' notice before shutoff for:

- Not paying your bill or required deposit
- Not following utility rules
- Refusing to allow access to utility equipment

7-day notice

You must get at least 7 days' notice if:

- You gave false or misleading information on your application
- You left out important facts when applying
- There are unpaid co-occupant bills (from others living in the home)

No notice required

The utility can shut off service immediately (no notice) if there is:

- A safety hazard
- Tampering with meters or equipment
- Unauthorized use or theft of service

What must be included in the shut-off notice

All termination notices must include:

- Your name and account number
- The address where service will be shut off
- The reason for termination
- The date service will be shut off
- Any reconnection fees (Note: USPP customers don't have to pay this)
- The total amount you owe
- A statement explaining your rights and remedies
- A statement explaining your responsibilities

What must be included in the 7-day notice

The 7-day notice must also explain:

- How the utility believes service was obtained

- The time period when the service was used
- The amount owed
- A summary of the facts the utility is using to justify shutoff

Special rule for multi-unit (master-metered) buildings
If you live in a master-metered building (where multiple units share one utility meter):

- The utility must give a 14-day notice before shutoff.
- Notices must be sent by first-class mail or delivered by flyers.
- The utility must also post notices in visible areas of the building.

Restrictions on service termination

In some situations, utility companies are not allowed to shut off your service especially when doing so could put someone's health or safety at risk.

Health or life concerns

A utility cannot shut off service if it has reason to believe doing so would endanger the health or life of someone living in the home.
This includes:

- If the shut-off would make a serious illness worse
- If someone relies on life support equipment

To qualify:

1. The person must have a physical or mental condition that seriously limits daily activities
   AND
2. They must either:
   - Receive disability payments, or
   - Have a certificate proving the disability

To use this protection, you must:

- Provide a Medical Certification Form from the Public Service Commission, filled out by a doctor, physician assistant, or certified nurse practitioner
- Set up a payment plan with the utility

Extreme weather protections

Utilities cannot shut off your service during extreme weather if certain temperature conditions are met. These protections are meant to keep people safe during very hot or very cold weather.

Hot weather shut-off protections

- If the forecast at 6 AM predicts temperatures of 95°F or higher, or a heat index of 95°F or higher in the next 72 hours, then your service cannot be shut off that day.
- The utility must check the weather forecast daily and update its decision based on current conditions.

For gas service, the hot weather rule only applies if:

- Your gas is used for cooling (air conditioning),
- AND you have informed the utility about this use.

Winter shut-off protections

- These protections are in place from November 1 to March 31.
- If the forecast at 6 AM shows temperatures of 32°F or lower in the next 72 hours, then your service cannot be shut off that day.
- The utility must check the weather forecast daily and update its decision based on current conditions.

There is no full ban (moratorium) on shut-offs during winter or summer, but these extra protections help reduce the risk of harm during extreme temperatures.

Minimum bill amount protection

A utility cannot shut off your service if:

- Your gas or electric bill is $200 or less, or
- Your combined gas and electric bill is $300 or less

Vegetation management

Who is responsible for trees and power lines?

The electric utility company is responsible for:

- Regular tree trimming and maintenance to keep power lines clear and service reliable
- Removing trees from power lines after storms or natural events (also called "acts of nature")

The property owner is responsible for:

- Cleaning up tree debris that has fallen in their yard after a storm or natural event

The Maryland Public Service Commission (PSC) has rules that electric companies must follow for vegetation management. These rules are found in RM43 and COMAR 20.50.12.09.

Meter access

Utility companies in Maryland have the right to access your property to:

- Read meters
- Perform maintenance
- Test or inspect equipment

You must allow access to utility-owned equipment. If you refuse, the utility can shut off or deny service.

Safety tip: If someone comes to your home claiming to be from the utility company, and you're unsure if they're legitimate, call the utility directly to confirm their identity. This helps protect you from scammers.

Damage from power surges and outages

Utilities are usually not responsible for damage caused by:

- Power outages
- Voltage surges

These events are often considered out of the utility's control.

But the utility *may be responsible* if:

- The damage was caused by the utility's intentional failure to do its job, or
- The utility showed conscious disregard for its duties to customers

To hold the utility liable, you must prove:

- The utility acted on purpose or ignored a known responsibility
- The damage or loss is directly linked to that action

If you suffer damage due to a power surge or outage, contact your utility, but also consider filing a claim with your homeowner's insurance.

Public Service Commission (PSC) Complaint Process

The Maryland Public Service Commission (PSC) regulates utility companies and retail energy suppliers. If you have a problem that you can't resolve directly with your utility or energy supplier, you can file a complaint with the PSC.

You can file a complaint for issues like:

- Being switched to a retail energy supplier without your permission
- Deceptive marketing or contract issues with energy suppliers
- Billing problems
- Being denied service or having your service shut off
- Poor service quality

Steps to take before filing a complaint

1. First, contact the utility or supplier directly
    - Speak with Customer Service
    - If needed, ask to speak with a supervisor
2. If you still can't resolve the issue, you can file a complaint with the PSC's Consumer Assistance Division (CAD)

How to file a complaint

Choose one of these options:

1. Online

- File a complaint at: mdpsc.my.site.com/complaints

2. By mail

- Download the complaint form at: www.psc.state.md.us
- Mail your form and any documents to:
  Maryland Public Service Commission
  Consumer Assistance Division (CAD)
  6 St. Paul Street, 15th Floor
  Baltimore, MD 21202

3. By phone (if you don't have computer access)

- Call: 410-767-0280 or 1-800-492-0474

- Tell them if you have a shut-off notice or are already off service
- Ask for a complaint form to be mailed to you or ask to file a complaint by phone

4. By fax
- Fax your written complaint and documents to: 410-333-6844

What happens next?

- The PSC will investigate your complaint
- You will receive a written decision
- If you disagree with the decision, you have the right to appeal