

H.753, An act relating to utility service disconnections and ratepayer protections, “Vermont Energy Equity Law.” Carol Flint, Director, Consumer Affairs and Public Affairs Division, Department of Public Service

2/5/2026

Madame Chair and Committee Members, thank you for providing the opportunity to testify. My name is Carol Flint, and I serve as the Director for Consumer Affairs and Public Information at the Department of Public Service.

We are focused on affordability and the burden of electric rates. The Department is actively working to help Vermonters with utility affordability on many fronts. Our work includes efficiency efforts and efforts to keep rates as low as possible. You have likely heard from my colleague, TJ Poor, who leads the Department’s Planning Division, about efforts currently underway and planned.

We looked at disconnection data for April over a 4-year period. April was chosen to serve as proxy for the hardship and challenges consumers are facing because it can be a particularly difficult month with high disconnections. Disconnections increased by about 31% between April of 2022 (1,704 disconnections) and April of 2025 (2,227 disconnections). The data the Department reviewed did not include pre-COVID, but the Energy Justice Labs disconnection dashboard did have summaries for earlier years. Again, looking at just April, in 2017 there were 2,027 disconnections, 2018 there were 2,312 disconnections, and 2019 there were 2,671 disconnections. This data shows that the number of disconnections that occurred last year is about what they were in 2018 but somewhat lower than 2019.

For the years 2022 through 2025, we estimate that 85% of the disconnections were then reconnected within 15 days. The number of disconnections that were disconnected for more than \$301 past due, increased by 37% between April 2024 and April 2025.

I'll turn my attention to specifics in H.753.

In Section (2) (A), it requires that a “certificate from a physician or other licensed health care provider remain in effect for the time-period specified in the certification.” Currently, the PUC will accept notes from other licensed health care providers although that is not explicitly stated in the current rule. The PUC issued guidance [puc-guidance-for-customers-submitting-doctor's-note-to-prevent-disconnection.pdf](#) indicates that the certificate can be signed by a medical doctor (MD), physician assistant (PA), or nurse practitioner (NP, APRN). The current rule allows for appeals to the PUC for additional or subsequent use of a physician's certificate.

“If the customer is using a first or second physician's certificate or a third physician's certificate that is spaced apart from the first two in a calendar year, the customer should work with the utility to submit the certificate. The Commission does not need to be notified. However, if the customer wants to use a third physician's certificate in a row or a fourth (or higher) physician's certificate, then the physician's certificate must be submitted to the Commission because the Commission may order the use of a physician's certificate beyond the limitations listed above.” (from the guidance document linked above)

In Section (2) (B), No gas, electric, or water utility may involuntarily disconnect service to any residential ratepayer during periods of extreme heat, as defined by the Commission. The Department is supportive of curtailing disconnections during periods of extreme heat because of concerns for vulnerable Vermonters. In the past we have addressed this concern by asking electric utilities to voluntarily hold off on disconnects during heat waves. This has been successful.

Extreme heat could be defined in a variety of ways and could vary based upon a region's particular climate. U.S. Environmental Protection Agency interactive maps which paint scenarios for extremely hot days based upon warming temperature trends count extremely hot days as days where the temperature equals or exceeds 95 ° F. National Weather Service data for Burlington for days the temperature equaled or exceeded 90 ° F. Between 2015 and 2019, there were 65 days exceeding 90 ° F and between 2020 and 2025 there were 68 days exceeding 90 ° F indicating a slight warming trend. There wasn't a readily available data set for 95 ° F.

In Section (3), “ The Public Utility Commission shall adopt a rule requiring each gas, electric, and water utility to establish a strategic and realistic plan for achieving the lowest prudently feasible number of monthly and annual involuntary residential service disconnections in the utility’s service territory and to include such plan in a new or revised Service Quality and Reliability Plan, which the utility shall submit to the Commission for approval.”

The water utilities regulated by the PUC are small in both number and size. They aren’t required to have service quality reliability plans currently. This requirement would be a significant regulatory burden for these tiny utilities. Respectfully, I recommend striking “water” from that paragraph.

Regarding Section (3) and (a) (5), so far as establishing metrics for disconnections within the service quality plan and report, this is an emerging topic for performance metrics. I know of only one state, New York, that has an affordability metric tied to disconnections -- Terminations and Uncollectibles Incentive. My information comes from the Performance Incentive Mechanisms database. [PIMs Database - RMI](#)

Sec. 3., 30 VSA 218d (a) refers to alternative regulation plans. The revisions to (a)(5) would only apply to Vermont Gas and GMP, the utilities that currently have alternative regulation plans. Likely revisions to (a) (5) are duplicative and unnecessary, since the revisions on page 3 (paragraph (3)) include a plan and goal in the Service Quality Reliability Plans and would cover more utilities.

Thank you for your time and consideration.