

How to Negotiate with your Utility Provider

Governor Hogan declared a State of Emergency for Maryland on March 5, 2020. On March 16, he announced an Executive Order prohibiting the termination of public services. These include electric, gas, water, as well as phone, cable, and internet services. The Office of People's Counsel (OPC) recommends that you make every effort to pay your bill during the State of Emergency.

If you cannot make your utility payments during the State of Emergency, OPC recommends you reach out to your utility company and try to work out a reasonable payment plan. Do not wait to talk to your utility until after the State of Emergency is over and the suspension is lifted.

Utilities cannot shut off your service during the State of Emergency, and BGE, Pepco and Delmarva Power have announced that they will continue the moratorium through June 1, even if the State of Emergency ends before then. However, the utility is not required to give you a payment plan, but most utilities have announced that they will work with customers affected by the Covid-19 pandemic. Some utilities also may work with you to help with reconnection of your service.

The utility can look at a number of factors in deciding whether to grant your payment plan request. During the pandemic, the sudden loss of household income or reduced income will impact a customer's ability to pay the mortgage or rent, water bills, and other essential bills. The best way to negotiate a payment plan is to provide **specific reasons for any pre-Covid-19 past-due bills, explain your current income situation, and offer a proposal to temporarily defer or catch up on the payments**. A deferral request may be reasonable if you have applied for unemployment, and are waiting for the payments. Check the list below and be prepared to talk about these issues when you are trying to negotiate a payment plan.

Be prepared before calling to negotiate with your utility company:

- Provide the reason for the past-due bills (job loss, cut in hours or pay, cut in benefits)
- Let them know if someone in your house would suffer hardship if the power was shut off after the State of Emergency (medical equipment, senior, newborn, recent surgery, other serious medical issues)
- Know the amount of the past due bill
- Know your ability to make payments. Figure out what you can reasonably pay before you call. You do not want to set up a payment plan that you may default on.
- Your payment history
 - o How much time has passed since your last payment
 - o How many times have you paid in the last 12 months
 - o Have you defaulted on a previous plan-what was the reason

- Ask about your eligibility to apply for energy assistance benefits – you may be eligible for assistance to pay past due bills and future bills. See OPC's Energy Assistance Information Sheet and Resource Guides.
- Any knowledge of investigation for fraud or theft of energy on your account.

If your utility denies your request, or only offers a plan that you believe is not reasonable, you have the right to file a complaint with the Consumer Assistance Division of the Public Service Commission.

How to file a complaint against your utility:

While Maryland is currently in a State of Emergency you can still make a complaint against a utility. Complaints against utility companies are made to the Public Service Commission (PSC), Community Affairs Division (PSC/CAD). The PSC regulates utilities, and CAD handles consumer complaints about utilities. You must contact the utility first to try to resolve your problem.

Possible examples as to why you may choose to file a complaint with PSC/CAD.

- Your lights are off and your utility company denies you a request for a **reasonable** payment plan to get you reconnected during the State of Emergency. Also see our information [sheet on reconnections](#).
- You believe your bill amount is incorrect and the utility company will not investigate or claims it is the correct amount.
- You have a dispute about a utility supplier amount on your bills. You did not sign a contract with the supplier, or believe that the supplier was deceptive in its marketing. NOTE: The utility is the biller but cannot resolve this dispute. Let them know anyway, and contact the supplier about your dispute before you file the CAD complaint.
- You have had your utility shut off during the State of Emergency, although the Executive Order prohibits the shut offs. Also see our information [sheet on reconnections](#).

During the State of Emergency the PSC/CAD physical office is closed and they cannot accept phone calls. There are currently 2 ways that you can file a complaint against your utility with the PSC/CAD.

- 1) File a complaint online at www.psc.state.md.us.
- 2) If you do not have access to a computer contact the OPC at 410-767-8150 to explain your situation and request that a complaint form be sent to you. Let us know if your service was shut-off after March 13. Once you fill out the PSC/CAD complaint form, you will mail it to:

Maryland Public Service Commission
6 St. Paul Street
16th Floor
Baltimore, MD 21202

Office of People's Counsel
DLInfo_OPC@maryland.gov
410-767-8150; 800-207-4055
www.opc.maryland.gov

When filling out the PSC/CAD complaint form OPC recommends the following:

- Before you file a complaint, make sure you have spoken with your utility.
- Be clear about your complaint and why you are making the complaint. You are telling them why you disagree with the utility's decision.
- List out what actions you have already taken to try and resolve the issue with the utility. Be specific and include any details about documents, dates, and people.
- Have a well-documented response from the utility about your complaint. Who you spoke with, on what date, and what was said. Details matter.

If you are having difficulty filling out the form call the OPC at 410-767-8150 or email OPC at DLInfo_OPC@maryland.gov.