

Vermont Public Utility Commission
Guidance for Customers Submitting a Doctor's Note to Prevent Utility Disconnection

[Commission Rule 3.302\(B\)\(5\)](#) provides an exception to utility disconnection of residential gas, electric, or water service for nonpayment. The exception may be available to a customer when “the disconnection would represent an immediate and serious hazard to the health of the customer or a resident within the customer’s household” and the customer can produce a physician’s certificate supporting the immediate and serious health hazard.

Use of this exception is limited in the following ways. A physician’s certificate:

- will be valid 30 days or the duration of the health hazard, whichever is less;
- cannot be used for more than two consecutive 30-day periods; and
- must not exceed three 30-day periods in any calendar year.

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.

What is a physician’s certificate?

A physician’s certificate is a written statement by a duly licensed physician certifying that a customer or resident within the customer’s household would suffer an immediate and serious health hazard due to the disconnection of utility service, or by failure to reconnect service, to that household.¹

A physician’s certificate submitted to the Commission must

- be faxed to the Commission (802-828-3351) directly from the doctor’s office;
- state that an immediate and serious health hazard would exist without (power, gas, or water); and
- be signed by a medical doctor (MD), physician assistant (PA), or nurse practitioner (NP, APRN).

What information will the Commission need to collect?

- Customer name and address (both physical and mailing)
- Phone number
- Name of utility
- Has the customer received a disconnection notice and, if so, when is the disconnection window? Otherwise, is the customer currently disconnected?
- What number of physician’s certificates is the one being submitted to the Commission for this calendar year?
- How much does the customer owe?
 - Current disconnect amount (how much the customer must pay to avoid disconnection/get reconnected)
 - Total amount outstanding

¹ Commission Rule 3.301(G).

- Payment history:
 - Date and amount of last payment
 - Whether the customer is under a payment arrangement with the utility
 - How many payment arrangements has the customer had with the utility?
 - Has the current payment arrangement (or past payment arrangements) been broken?
- When can the customer make another payment and in what amount?

Who else will the Commission contact about the use of a physician’s certificate?

The Commission will verify the information provided by the customer and gather other information by contacting the electric, gas, or water utility.

How does the Commission make a decision?

Among the factors considered by the Commission in determining whether to order a utility to continue service to a customer are:

- the amount of the outstanding unpaid balance;
- the customer’s history of making payments to reduce the unpaid balance; and
- the customer’s efforts to enter into a payment plan with the utility and, if eligible, to obtain support from private and governmental agencies and programs that may be able to assist the customer in making payments.

How will the customer be notified of the Commission’s decision?

The Clerk or Deputy Clerk will contact the customer by phone as soon as a decision is made. The customer will receive a letter documenting the Commission’s decision and providing further details.

The Commission also contacts the utility about its decision and provides the same letter to the utility.

Can I appeal the Commission's decision?

The Commission’s decision on a request to use a physician’s certificate is final. Appeal of a Commission decision is to the Supreme Court of Vermont and must be filed with the Clerk of the Commission within 30 days of the Commission’s decision. Appeal will not stay the effect of a Commission decision.²

What help is available to customers facing disconnection?

Customers facing disconnection are encouraged to work with their utility to see if a solution can be reached. You may contact the Consumer Affairs and Public Information Division (“CAPI”) of the Department of Public Service at 802-828-2332 (toll-free: 1-800-622-4496). You could contact the Vermont Department for Children and Families about energy assistance at 800-775-0516.

Additionally, you could reach out to the Community Action Agency for your area of Vermont for help determining your eligibility for a bill discount or other assistance program. The contact information for all

² Motions for reconsideration or stay, if any, must be filed with the Clerk of the Commission within 28 days of the date of a Commission final decision.

Community Action Agencies is available at <https://dcf.vermont.gov/contacts/partners/caps>. You can also reach them by phone.

Chittenden County Residents: Champlain Valley Office of Economic Opportunity at 802-862-2771 or 800-287-7971.

Washington County Residents: Capstone Community Action for Washington County at 802-479-1053 or 800-639-1053.

Lamoille County Residents: Capstone Community Action at the Lamoille Integrated Services Center for Lamoille County at 802-888-7993 or 800-639-8710.

Orange County East Residents (Topsham, Newbury, Corinth, Bradford, Vershire, West Fairlee, Fairlee, Strafford, Thetford): Capstone Community Action for Orange County East at 802-222-5419.

Orange County West Residents (Orange, Washington, Chelsea, Tunbridge, Randolph, Brookfield, Williamstown, Braintree): Capstone Community Action for Orange County West at 802-728-9506 or 800-846-9506.

Windham/Windsor County Residents: Southeastern Vermont Community Action at 802-460-1553 or 800-460-1554.

Rutland/Bennington County Residents: Community Action of Southwestern Vermont at 802-775-0878 or 800-717-2762.

Caledonia/Essex/Orleans County Residents: Northeast Kingdom Community Action at 855-663-5224.