

119TH CONGRESS
1ST SESSION

S. _____

To express the sense of Congress regarding the need for a nationwide moratorium on electric and natural gas utility disconnections during a Government shutdown, to ensure that electric service is not disconnected for electric consumers during certain lapses in appropriations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. MARKEY (for himself, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To express the sense of Congress regarding the need for a nationwide moratorium on electric and natural gas utility disconnections during a Government shutdown, to ensure that electric service is not disconnected for electric consumers during certain lapses in appropriations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stop Shut-Offs During
5 Shutdowns Act”.

1 **SEC. 2. SENSE OF CONGRESS REGARDING THE NEED FOR A**
2 **NATIONWIDE MORATORIUM ON ELECTRIC**
3 **AND NATURAL GAS UTILITY DISCONNEC-**
4 **TIONS DURING A GOVERNMENT SHUTDOWN.**

5 It is the sense of Congress that, for the duration of
6 any lapse in interim continuing appropriations or full-year
7 appropriations for the Department of Health and Human
8 Services, each relevant State regulatory authority and
9 each electric or natural gas utility that sells electric energy
10 or natural gas to a consumer should ensure that—

11 (1) no electric or natural gas service to a con-
12 sumer is terminated based on inability to pay;

13 (2) reasonable efforts are made to safely recon-
14 nect electric and natural gas consumers that have
15 lost service;

16 (3) no electric or natural gas consumer is
17 charged for reconnection services;

18 (4) late fees and other penalties are waived for
19 electric and natural gas consumers; and

20 (5) there are no increases in cost-of-service to
21 electric and natural gas consumers.

22 **SEC. 3. PROCEDURES FOR TERMINATION OF ELECTRIC**
23 **SERVICE.**

24 Section 115(g) of the Public Utility Regulatory Poli-
25 cies Act of 1978 (16 U.S.C. 2625(g)) is amended—

26 (1) in paragraph (2)—

1 (A) by striking “such service may not be
2 terminated.” in the undesignated matter fol-
3 lowing subparagraph (B);

4 (B) in subparagraph (B)—

5 (i) by striking the comma at the end
6 and inserting “; and”; and

7 (ii) by striking “(B) he is” and insert-
8 ing the following:

9 “(ii) is”;

10 (C) in subparagraph (A)—

11 (i) by striking “, or” at the end and
12 inserting “; or”; and

13 (ii) by striking “(A) he is” and insert-
14 ing the following:

15 “(i) is”;

16 (D) in the matter preceding clause (i) (as
17 so redesignated)—

18 (i) by striking “and such consumer es-
19 tablishes that” and inserting “if the con-
20 sumer establishes that the consumer”; and

21 (ii) by striking “(2) during any period
22 when termination of service to an electric
23 consumer” and inserting the following:

1 “(B) no electric service to an electric con-
2 sumer may be terminated during any period in
3 which such termination”;

4 (2) in paragraph (1)—

5 (A) by striking “, and” at the end and in-
6 serting a semicolon; and

7 (B) by striking “(1) no” and inserting the
8 following:

9 “(A) no”;

10 (3) in the matter preceding subparagraph (A)
11 (as so redesignated), by striking “The procedures”
12 and inserting the following:

13 “(1) PROCEDURES.—The procedures”;

14 (4) in the undesignated matter following para-
15 graph (1)(B)(ii) (as so redesignated), by striking
16 “Such procedures” and inserting the following:

17 “(2) REQUIREMENT.—The procedures under
18 paragraph (1)”;

19 (5) in paragraph (1) (as so redesignated), by
20 adding at the end the following:

21 “(C) no electric service to an electric con-
22 sumer may be terminated during any period in
23 which interim continuing appropriations or full-
24 year appropriations are not in effect for the De-
25 partment of Health and Human Services.”; and

1 (6) by adding at the end the following:

2 “(3) RECOVERY OF CERTAIN COSTS.—Costs in-
3 curred by an electric utility to comply with para-
4 graph (1)(C) may not be retroactively assessed on
5 electric consumers for whom electric service would
6 have been terminated if not for the requirements of
7 that paragraph, but a State regulatory authority,
8 after notice and an opportunity for comment, may
9 establish an alternative mechanism that permits an
10 electric utility to recover those costs if the State reg-
11 ulatory authority determines that the costs—

12 “(A) are substantial;

13 “(B) were prudently incurred; and

14 “(C) cannot reasonably be recovered
15 through—

16 “(i) regulated rates or market prices
17 for the electric energy or any services sold
18 by the electric utility; or

19 “(ii) any supplemental funding re-
20 ceived by the State or electric utility for
21 the purpose of responding to the applicable
22 lapse in appropriations.”.