



Procedures Governing Discontinuance of Electric Service

as stated in New York Codes, Rules and Regulations (NYCRR), Title 21, Chapter X, Part 459

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Any municipal utility or rural electric cooperative (referred to below as the “utility”) must adhere to the following guidelines regarding the discontinuance of electric service.

Prior Notice: A utility must wait at least 35 days after a payment due date before terminating service for unpaid electric bills or deposits. They must also give at least 15 days' notice, either by personal delivery to an adult resident or via registered/certified mail to the service address. If a customer has requested an alternate billing address, the notice must be sent to both that address and the service location.

Notice format: Notices about service discontinuance due to nonpayment or failure to provide a required deposit must clearly state in nontechnical language:

1. Reason for service discontinuance
2. Total amount required to be paid by the customer to avoid discontinuance of service
3. Method whereby the customer may tender payment
4. Availability of utility procedures to consider customer complaints prior to discontinuance of service, including contact information of utility
5. Earliest date on which discontinuance of service may be attempted
6. The following information in bold type on a disconnect notice: "THIS IS A FINAL DISCONNECT NOTICE. TO AVOID INCONVENIENCE, BRING THIS NOTICE TO THE ATTENTION OF THE UTILITY WHEN PAYING THIS BILL."
7. Every notice shall include a statement advising customers that they should contact the utility's business office immediately if there is any acute hardship, or if they are a recipient of financial assistance from the local social services department

Two family dwellings: The utility cannot cut off electric service to a dwelling that contains units where service is not metered separately without providing 15 days' written notice of its intent to terminate service.

Multiple unit dwellings: The utility cannot cut off electric service to a multiple unit dwelling (3 or more individual dwelling units), unless the billing customer has failed to pay electric bills for 35 days. The utility must give 15 days' written notice of its intention to terminate service.

Tampering and theft of services: The utility may terminate service to a customer if it is reasonably certain that the meter or service connections have been tampered with to affect the proper operation of the metering equipment.

Days and hours during which service may be discontinued: Electric service may be disconnected from Monday to Thursday during the utility's regular business hours, but not on holidays or on the day prior to a day when the utility office is closed.

Winter discontinuance procedures: During the period November 1 to April 15, the following discontinuance procedures are to be observed where electric service is necessary to heat, or to operate a heating system in a residence.

1. The utility is required to diligently reach out to the delinquent customer, making at least one contact during regular business hours and another during designated non-business hours (6 p.m. to 9 p.m. on weekdays, and 9 a.m. to 5 p.m. on weekends and holidays). They must also take appropriate measures to communicate effectively with customers facing language barriers before discontinuing service. The utility will assess the potential health impacts of service discontinuation; if no health risks are found, service may be stopped. However, if discontinuation poses health risks to residents, the utility shall not discontinue service.
2. For the purpose of this procedure, a serious impairment to human health is indicated if a customer or other resident appears to be seriously impaired and/or requires assistance from others. Indicators of serious impairment to human health include, but are not limited to:
 - a. Age, infirmity or mental incapacitation
 - b. Use of life support systems
 - c. Serious illness
 - d. Physical disability, including blindness and limited mobility
 - e. Recent death in the family
 - f. The presence of young children
 - g. Any other factual circumstances which indicate severe or hazardous health situations
3. If serious impairment to human health is to be documented, the account is referred to the local social services commissioner. No utility shall terminate service for nonpayment where a customer or other resident exhibits an indication of a serious impairment to human health, unless:
 - a. The utility notifies the local social services commissioner of the indication of a serious impairment to human health, and after an investigation, the local social services commissioner informs the utility that the health-impairing condition does not exist or is not serious, or that an alternative means for protecting the person's health has been devised. The utility may terminate service to a customer if it does

not receive an update from the local social services commissioner within 15 business days following the utility's initial notification.

4. If contact with a customer cannot be established after several attempts, a utility representative must visit the property on the scheduled termination day to check for occupancy and health risks. If there are concerns about health or suspected occupancy, service will not be shut off, and the case will be referred to local social services for evaluation. The utility is required to request findings and actions from social services for these cases. If it is determined that there are no health risks or adequate health protections are in place, the utility may discontinue electric service.
5. From September 1 to November 1 each year, the utility will review cases of service discontinuation over the past year where the electric supply was essential for heating residences and has not yet been restored. A utility representative must contact the affected customer to assess whether the lack of service poses a serious health risk. If so, the customer shall be referred to local social services for assistance.

Special provision for elderly and handicapped: Where the utility knows, or reasonably should know, that all the residents of a household are elderly, handicapped, or 18 years of age or younger, the winter discontinuance procedure described above shall be followed throughout the entire year.

Medical Emergencies: Electric service to a residence shall not be terminated where a medical doctor or local board of health has certified in writing that termination of service will aggravate an existing medical emergency at a customer's residence, provided that an initial certification by telephone is authorized if written certification is received by the utility within the next five business days.

Unsafe or hazardous conditions: In the event of special situations such as storms, cable breaks, accidents, or other cases involving emergency maintenance and unsafe or hazardous conditions, electric service may be temporarily terminated without prior notice.

Reconnection: Except in extreme and unusual circumstances or where a customer requests otherwise, the utility shall reconnect service to any disconnected residential customer not more than 24 hours after any of the following events:

1. receipt by the utility of the full amount due and owing (including arrears, reconnection charges, collection charges, and, if applicable, a security deposit when requested in writing) for which service had been disconnected;
2. agreement by the utility to a plan by which the customer is obliged to satisfy the arrears;
3. receipt of a commitment of a direct payment or a written guarantee of payment from the local social services commissioner; or
4. direction by the New York Power Authority, but only when it reasonably appears, in exceptional circumstances, that there is a genuine dispute over unpaid bills, an apparent

error in disconnection, or where serious impairment to human health and safety seems to exist.

Installment Plan: No utility shall terminate service unless the utility has first offered a monthly installment plan that is just and equitable. Each utility must offer a just and equitable monthly plan to all customers whose service has been disconnected for nonpayment.

The New York Power Authority has created this guide to advise you about the process regarding discontinuance of electric service. Note that this guide contains general information on this subject. For the full procedures, see 21 NYCRR Ch. X, Part 459 (available at <https://www.law.cornell.edu/regulations/new-york/title-21/chapter-X/part-459>).

If you have a complaint, first try to resolve it with your utility. If you are unable to resolve the matter, please use the link below to submit a complaint to the New York Power Authority.

Contact information

Online Inquiry Form

<https://www.nypa.gov/municipal-discontinuance-of-electrical-service>

Complaint Hotline Contact Information

Phone: (914) 718-4287

Email: PCT.Services@nypa.gov