

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 933**

Introduced by Crawford, 45.

Read first time January 10, 2020

Committee:

- 1 A BILL FOR AN ACT relating to utility service; to amend sections 70-1605
- 2 and 70-1606, Reissue Revised Statutes of Nebraska; to change
- 3 provisions relating to discontinuance of utility service; and to
- 4 repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 70-1605, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 70-1605 No public or private utility company, other than a municipal  
4 utility owned and operated by a village, furnishing water, natural gas,  
5 or electricity at retail in this state shall discontinue service to any  
6 domestic subscriber for nonpayment of any past-due account unless the  
7 utility company first gives notice to any subscriber whose service is  
8 proposed to be terminated. Such notice shall be given in person, by  
9 first-class mail, or by electronic delivery, except that electronic  
10 delivery shall only be used if the subscriber has specifically elected to  
11 receive such notices by electronic delivery. If notice is given by first-  
12 class mail or electronic delivery, such notice shall be conspicuously  
13 marked as to its importance. Service shall not be discontinued for at  
14 least seven days after notice is sent or given. Holidays and weekends  
15 shall be excluded from the seven days. A public or private utility  
16 company shall not charge a fee for the discontinuance or reconnection of  
17 utility service that exceeds the reasonable costs of providing such  
18 service.

19 Sec. 2. Section 70-1606, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 70-1606 (1) The notice required by section 70-1605 shall contain  
22 the following information:

23 (a) ~~(1)~~ The reason for the proposed disconnection;

24 (b) ~~(2)~~ A statement of intention to disconnect unless the domestic  
25 subscriber either pays the bill or reaches an agreement with the utility  
26 regarding payment of the bill;

27 (c) ~~(3)~~ The date upon which service will be disconnected if the  
28 domestic subscriber does not take appropriate action;

29 (d) ~~(4)~~ The name, address, and telephone number of the utility's  
30 employee or department to whom the domestic subscriber may address any  
31 inquiry or complaint;

1           (e) ~~(5)~~ The domestic subscriber's right, prior to the disconnection  
2 date, to request a conference regarding any dispute over such proposed  
3 disconnection;

4           (f) ~~(6)~~ A statement that the utility may not disconnect service  
5 pending the conclusion of the conference;

6           (g) ~~(7)~~ A statement to the effect that disconnection shall ~~may~~ be  
7 postponed or prevented upon presentation of a duly licensed physician's,  
8 physician assistant's, or advanced practice registered nurse's  
9 certificate, which shall certify that a domestic subscriber or resident  
10 within such subscriber's household has an existing illness or handicap  
11 which would cause such subscriber or resident to suffer an immediate and  
12 serious health hazard by the disconnection of the utility's service to  
13 that household. Such certificate shall be filed with the utility within  
14 five days of receiving notice under this section, excluding holidays and  
15 weekends, and will prevent the disconnection of the utility's service for  
16 a period of at least sixty ~~thirty~~ days from such filing. Only one  
17 postponement of disconnection shall be required ~~allowed~~ under this  
18 subdivision for each incidence of nonpayment of any past-due account;

19           (h) ~~(8)~~ The cost that will be borne by the domestic subscriber for  
20 restoration of service;

21           (i) ~~(9)~~ A statement that the domestic subscriber may arrange with  
22 the utility for an installment payment plan;

23           (j) ~~(10)~~ A statement to the effect that those domestic subscribers  
24 who are welfare recipients may qualify for assistance in payment of their  
25 utility bill and that they should contact their caseworker in that  
26 regard; and

27           (k) ~~(11)~~ Any additional information not inconsistent with this  
28 section which has received prior approval from the board of directors or  
29 administrative board of any utility.

30           (2) A public or private utility company, other than a municipal  
31 utility owned and operated by a village, shall make the service

1 termination information required under subdivisions (d), (e), (f), (g),  
2 (i), (j), and (k) of subsection (1) of this section readily accessible to  
3 the public on the web site of the utility company and available by mail  
4 upon request.

5       Sec. 3.   Original sections 70-1605 and 70-1606, Reissue Revised  
6 Statutes of Nebraska, are repealed.