

P.L. 2002, CHAPTER 107, *approved December 2, 2002*
Assembly Bill No. 1769 (*Second Reprint*)

1 AN ACT concerning ²notice of certain² public utility shutoffs and
2 supplementing Title 48 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. Any public utility as defined in R.S.48:2-13, which
8 discontinues gas, electric or water service to a ²multifamily housing
9 unit² customer ²[, other than for nonpayment of utility bills or upon
10 the customer's request,] for safety related purposes.² shall provide
11 written ²or verbal² notice of the discontinuance to the chief law
12 enforcement officer of the municipality in which the customer's
13 premises are located or the Superintendent of the State Police, as
14 appropriate, within ¹[24] 12¹ hours after the utility discontinues
15 service to the customer¹, except that if service has been fully restored
16 to the customer prior to the expiration of the 12 hours, the utility shall
17 not be required to provide ²[written]² notice pursuant to this
18 subsection.¹

19 ²For the purposes of this section, "multifamily housing unit
20 customer" means a customer who resides in housing in which three or
21 more units of dwelling space are occupied, or are intended to be
22 occupied, by three or more persons who live independently of one
23 another.²

24 b. The notice required by subsection a. of this section shall include
25 the name of the customer and the address of the premises where
26 service was discontinued ²provided that such information is available
27 to the public utility².

28

29 ²[2. The Board of Public Utilities shall promulgate rules and
30 regulations, in accordance with the "Administrative Procedure Act,"
31 P.L.1968, c.410 (C.52:14B-1 et seq.), as may be necessary to
32 effectuate the purposes of this act.]²

33

34 ²[3.] 2.² This act shall take effect ²[immediately except that
35 section 1 shall take effect]² on the 90th day following enactment.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly floor amendments adopted March 14, 2002.

² Senate SEG committee amendments adopted September 26, 2002.

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3 Requires certain public utilities to notify appropriate law enforcement
4 official of service shutoffs to multifamily housing unit customers under
5 certain circumstances.

ASSEMBLY, No. 1769

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED FEBRUARY 4, 2002

Sponsored by:

Assemblyman ALBIO SIRES

District 33 (Hudson)

Assemblyman UPENDRA J. CHIVUKULA

District 17 (Middlesex and Somerset)

SYNOPSIS

Requires utility notice to appropriate law enforcement agency of shutoffs of utility service to customers.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning public utility shutoffs and supplementing Title 48
2 of the Revised Statutes.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. a. Any public utility as defined in R.S.48:2-13, which
8 discontinues gas, electric or water service to a customer, other than
9 for nonpayment of utility bills or upon the customer's request, shall
10 provide written notice of the discontinuance to the chief law
11 enforcement officer of the municipality in which the customer's
12 premises are located or the Superintendent of the State Police, as
13 appropriate, within 24 hours after the utility discontinues service to the
14 customer.

15 b. The notice required by subsection a. of this section shall include
16 the name of the customer and the address of the premises where
17 service was discontinued.

18
19 2. The Board of Public Utilities shall promulgate rules and
20 regulations, in accordance with the "Administrative Procedure Act,"
21 P.L.1968, c.410 (C.52:14B-1 et seq.), as may be necessary to
22 effectuate the purposes of this act.

23
24 3. This act shall take effect immediately except that section 1 shall
25 take effect on the 90th day following enactment.

26
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28 STATEMENT

29
30 This bill requires public utilities to give written notice to the
31 appropriate law enforcement agency that serves the municipality in
32 which a customer's premises are located, within 24 hours after the
33 utility discontinues gas, electric or water service to the premises, for
34 any reason other than nonpayment of utility bills or upon the
35 customer's request.

36 Under current regulations, municipalities have the option to request
37 that utilities give them notice when gas or electric service is
38 discontinued. This bill will make it mandatory for utilities to give
39 written notice of discontinuance of gas, electric or water service to the
40 local police department that serves the municipality where the
41 customer's premises are located or, if the municipality does not have
42 a police department, to the State Police.

ASSEMBLY TELECOMMUNICATIONS AND UTILITIES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1769

STATE OF NEW JERSEY

DATED: MARCH 4, 2002

The Assembly Telecommunications and Utilities Committee reports favorably Assembly Bill No. 1769.

As reported, this bill requires public utilities to give written notice to the appropriate law enforcement agency that serves the municipality in which a customer's premises are located, within 24 hours after the utility discontinues gas, electric or water service to the premises, in instances of extraordinary situations such as system upgrades or maintenance or where weather-related repairs are necessary.

Under current regulations, municipalities have the option to request that utilities give them notice when gas or electric service is discontinued. This bill will make it mandatory for utilities to give written notice of discontinuance of gas, electric or water service to the local police department that serves the municipality where the customer's premises are located or, if the municipality does not have a police department, to the State Police.

SENATE ECONOMIC GROWTH, AGRICULTURE AND
TOURISM COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1769

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 26, 2002

The Senate Economic Growth, Agriculture and Tourism Committee reports favorably and with committee amendments Assembly Bill No. 1769 (1R).

This bill, as amended, requires a gas, electric or water public utility to give written or verbal notice to the appropriate law enforcement agency that serves the municipality in which the premises of a customer who resides in a multifamily housing unit is located within 12 hours after the utility discontinues gas, electric or water service to the premises for safety related purposes. The requirement for such notice is waived if the utility fully restores service to the customer within 12 hours after the discontinuance. The notice required shall include the name of the customer and the address of the premises where service was discontinued provided that such information is available to the utility.

Under current regulations, municipalities have the option to request that gas and electric public utilities give them written notice when gas or electric service to residential customers is involuntarily discontinued.

The committee amended the bill to: 1) have the notification provisions apply only to safety-related utility shutoffs of customers who reside in multifamily housing units; 2) allow the affected utility to give such notification verbally as well as in written form; and 3) include in the notification the name of the customer and the address of the premises where service was discontinued only if such information is available to the public utility.

STATEMENT TO
ASSEMBLY, No. 1769

with Assembly Floor Amendments
(Proposed By Assemblyman CHIVUKULA)

ADOPTED: MARCH 14, 2002

These amendments shorten the time period from 24 hours to 12 hours within which the utility is required to send written notice of discontinuance.

The amendments also would waive the requirement for written notice to be sent if the utility fully restores service to the customer within 12 hours after the discontinuance.