

Model Citations From State Statutes That Recognize A Right To Universal Energy Service

Excerpt from Press Statement by John Howat, National Consumer Law Center May 2001:

.....There is broad recognition in our society of the necessity nature of utility service. Our courts and legislative bodies have often noted the necessity of utility service. Even in recently-enacted state legislation to restructure the utility industry, access to affordable utility service is noted. Here are but a few examples of legislative language that addresses the notion of universal service:

MAINE: electricity is a basic necessity to which all residents of the State should have access, ...[1](#)

MASSACHUSETTS: Electricity service is essential to the health and well-being of all residents of the commonwealth...Affordable electric service should be available to all consumers on reasonable terms and conditions...[2](#)

NEW HAMPSHIRE: Universal Service . . . electric service is essential and should be available to all customers . . .[3](#)

OKLAHOMA: "mechanisms that enable . . . consumers with limited incomes to obtain affordable essential electric service" shall be ensured [4](#)

However, even in these states, existing regulations set out the means by which utility companies may terminate customers for non-payment. **These regulations, need to be modified in light of the existing energy burden crisis, and if we are to live up to the ideal of universal access to utility service.** The existing regulations fail to recognize the extent to which non-payment occurs as a result of inability to pay.

1 Maine Rev. Stat. Tit. 35-A, 3214(1)

2 Mass. St. 1997, C-164, § § 1(a), 1(b), 1(j), 1(n).

3 N.H. Rev. Stat. C-374-F:3(v)

4 Okla. Stat. Tit.17§194.4.