

Women's Law Project

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February 13, 2007

James McNulty
Secretary of the Pennsylvania Public Utility Commission
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Re: Comments to the PUC's Advance Notice of Proposed Rulemaking regarding Chapter 14 and Chapter 56.

Dear Secretary McNulty:

The Women's Law Project (WLP) hereby submits comments pertaining to the needs of domestic violence victims in response to the PUC's advance notice of proposed rulemaking regarding Chapter 14, *Responsible Utility Customer Protection*, and the current Chapter 56 rules. The WLP developed these comments in coordination with Community Legal Services, which has submitted these and additional comments on behalf of Action Alliance.

The Women's Law Project is a non-profit public interest legal advocacy organization with offices in Philadelphia and Pittsburgh, Pennsylvania that seeks to advance the legal, social, and economic status of women through litigation, public policy advocacy, public education, and individual counseling. Since its founding in 1974, the Women's Law Project has worked to abolish sex discrimination in our laws and institutions and to eradicate policies and practices that are harmful to women as a matter of public policy. Domestic violence is a primary focus of our work because of the prevalence of domestic violence among the women we serve.

The recommendations submitted herewith are essential to safeguard domestic violence victims' confidential personal information, improve interactions between domestic violence victims and the PUC and utilities, and simplify the procedures which domestic violence victims will encounter when attempting to avail

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themselves of the protections afforded them by their exclusion from Chapter 14. Without the protections offered by these recommendations, it may be difficult if not impossible for victims to avail themselves of the greater protections intended by the legislature.

Thank you for your consideration.

Very truly yours,



Terry L. Fromson
Managing Attorney



Amal Bass
Staff Attorney

cc: Terrence J. Buda, Law Bureau
Cyndi Page
Daniel Mumford, Bureau of Consumer Services

Domestic Violence Issues in the Response to Advance Notice of Rulemaking

1. Rules that apply to victims with a PFA order.

a. Need for a separate chapter.

The Women's Law Project supports having a separate chapter of regulations to address the utilities and customers who were excluded from Chapter 14 by the legislature and we agree with the Commission's proposal to create a separate chapter which would essentially reflect the current Chapter 56 rules. However in order to effectuate the legislature's intent of providing greater protections to victims with a Protection From Abuse order, some additional provisions must be added to the current Chapter 56 rules in fashioning the new chapter.

In the few instances in which Chapter 14 provides greater protection than the current Chapter 56 rules, those protections should be incorporated into the new separate chapter. The legislature intended to protect victims of abuse, and not to deprive them of additional protections. This includes:

- The medical certification provision allowing "nurse practitioners" to sign the medical certification, discussed in section 7 of these comments;
- The provision requiring restoration of service based on medical certification within 24 hours of receipt of medical certification, instead of "before the end of the next working day." This provision is discussed in section 7 of these comments.
- Chapter 14 requires that a CRP eligible customer who has been shut-off for non-payment can be restored by paying the reconnection fee and being placed on CRP, rather than requiring payment of a percentage of the outstanding arrearage as well

as the reconnection fee in order to obtain service restoration. This provision is discussed in section 9 of these comments.

- Winter Termination prohibitions apply to all service, not just heat related service. This provision is discussed in section 6 of these comments.

In addition, as discussed below, there are additional provisions specific to victims of domestic violence which should be added to the new chapter.

b. The definition of “victims under a Protection From Abuse order.”

The legislature specifically exempted “victims under a protection from abuse order” from the provisions of Chapter 14. See §1417. To effectuate the legislature’s intent to protect victims of domestic violence from further harm, the protections provided must not be limited to victims with a current Protection From Abuse (PFA) order, and must be provided whenever the victim had a PFA at the time of the events resulting in the dispute with the utility, or at the time she seeks an exemption from the chapter 14 provision, or at the time of the dispute with the utility, or when the exemption being sought is needed because of the DV that led to the PFA. This result is required both by the language of §1417 and by the intent of the provision. The language used in §1417 (“victims under a protection from abuse order”) does not require that the PFA be currently in effect. “Under” reinforces the focus on the victim, making clear that an abuser does not benefit from §1417 by virtue of having a PFA entered against the abuser. Had the legislature wanted to limit the scope of the section to victims with a current PFA order, it would have said so.

Limiting the protections of §1417 by requiring a current PFA order would make no sense, because many of the issues raised by the changes in Chapter 14 are inherently

linked to actions or problems dating from a prior time period. For example, the possibility that an individual may be required to pay an outstanding balance on an account on which that individual was not the payment name inherently raises an issue from the past, as does the limitation on provision of a second payment plan, and the issue of denial of credit and creditworthiness. Clearly the legislature did not intend for a victim of domestic violence to be subject to the harsher provisions of Chapter 14 as a result of the prior actions of the abuser. Providing those protections only to individuals with a current PFA would eviscerate the statutory provision. Instead the relevant question, if a PFA has expired, is whether there is a connection between the current utility issue and the prior PFA.

In addition, §1417 applies not only to victims who are customers or applicants for utility service, but also to other household members for whose benefit a PFA order was entered. This flows both from the language of §1417, which refers to “victims,” not to “victims who are customers or applicants,” and from the protective intent. For example the victim involved may be a child (the PFA statute referenced by the legislature explicitly includes child abuse); in that case the customer or applicant would be an adult living with or caring for the child. Or the victim could be another adult household member in need of the protections resulting from §1417. If a victim of domestic violence flees an abuser and moves into another household, and that household then applies for utility service or to enroll in a utility’s low income program, the customer or applicant may be asked to disclose information to the utility about each adult member of the household, including the victim of domestic violence.

c. Verification requirements.

The regulations should require utilities to accept a copy of a PFA order submitted by mail, fax or electronically. Utilities should not be permitted to require in-person visit to submit a PFA order. Utilities should also be required to accept alternate or delayed verification of a PFA order if necessary as a result of the abuse or as a result of delays in the court process. For example, if the victim does not have a copy of the PFA order because she had to flee abuse without any of her papers, or because the abuser destroyed it, alternate or delayed verification would be necessary. In these instances the utility should either accept a verified statement from the victim or a third party or provide additional time for the victim to submit the PFA order, without penalizing the victim for the delay. Similarly if a PFA proceeding is pending but an order has not yet been entered, the utility should extend the protections of §1417 while the proceeding is pending. Sample forms for alternative or delayed verification are attached to these comments.

Neither the PUC nor utilities may second guess the role of the courts in issuing an order of any kind. All PFA orders—including emergency, temporary or final orders—must be taken at face value as satisfying the statutory requirement. The informational materials provided by utilities and/or the PUC, and all forms and notices provided by utilities and/or the PUC should simply refer to PFA orders, and not use any language (like “valid” PFA orders) which implies that some PFA orders are not valid, or that PFA orders are inherently suspect.

d. Instances in which getting a PFA order is too dangerous.

In some instances victims of abuse are unable to obtain a PFA order because doing so would put them in even greater danger, by provoking retaliation, or by revealing their location or placing them in dangerous proximity to the abuser. Seeking a Protection From Abuse order requires repeated contact with the abuser—while serving papers (in Philadelphia, the victim is required to personally serve the PFA papers on the defendant; a police officer may accompany her, but she or another family member are required by the police to be present to identify the defendant) and while appearing at court hearings. The victim is at risk in the courthouse elevator, waiting room or hallway, and can be followed by the abuser when she leaves the courthouse.

As discussed by the Pennsylvania Coalition Against Domestic Violence in their Comments submitted on February 14, 2005 in conjunction with the first Roundtable on Implementation of Chapter 14, “a victim’s attempt to leave a violent relationship is one of the greatest risk factors indicating that a domestic violence offender will seriously injure or kill a victim.” Abusers often escalate the violence when they believe they are about to lose control of a victim, and “obtaining a PFA order may intensify the perpetrator’s violent behavior and place the victim in greater danger.” (Pennsylvania Coalition Against Domestic Violence, Comments on Act 201 of 2004; Chapter 14 Docket M-00041802, February 14, 2005, p.1).

Although utilities are not required by §1417 to provide protections for victims of domestic violence who are not “under a protection from abuse order,” it does not prevent utilities from choosing to provide broader protections. We urge the PUC to issue a Statement of Policy encouraging utilities to provide protections to victims of domestic

violence who are unable to safely obtain a PFA order. Other institutions (including the Pennsylvania Department of Public Welfare and the Office of Victim Advocate) have devised procedures for providing waivers of requirements for domestic violence victims where complying with those requirements would make it more difficult for individuals to escape domestic violence, or place individuals at risk of further domestic violence, or unfairly penalize an individual because of domestic violence. The Pennsylvania Department of Public Welfare has developed a Domestic Violence Verification Form (PA 1747) for use by individuals requesting a domestic violence waiver. We had previously submitted a pdf file with the Domestic Violence Verification Form (PA 1747) from the Pennsylvania Department of Public Welfare, along with our comments filed on July 15, 2005, in the Chapter 14 Docket, M-00041802.

The Office of Victim Advocate administers the Commonwealth's Address Confidentiality Program for victims of domestic violence. Victims may participate if they have a PFA, or if they file an affidavit with the Office of Victim Advocate affirming that they are eligible for a protection from abuse order.

We request PUC to urge utilities to consider developing procedures similar to those used by the Pennsylvania Department of Public Welfare or the Office of Victim Advocate for providing waivers of requirements for victims of domestic violence who do not have protection from abuse orders. A sample form for use in the utility context is attached to these comments, adapted from the Department of Public Welfare form.

e. Notice & consumer education requirements.

(i) Universal notification.

Universal notification—letting all customers and applicants for utility service know that certain protections exist—is far more effective than requiring individuals to disclose abuse prior to providing information about those protections.

While we are very pleased that the PUC has provided The Protection From Abuse Standard Annual Customer Notification which appears on page 6 of the chapter 14 docket M-00041802, this notice should be amended in four respects, and we have attached to these comments a revised draft of the Notification. First, we urge the PUC to replace the first clause of the first sentence with the following: “If you or a member of your household has a Protection From Abuse Order.” Second, the explanation under “What is a Protection From Abuse Order (PFA?” should more fully and accurately describe the individuals against whom a PFA can be obtained. Third, the definition of abuse should be revised to more fully and accurately describe the types of abuse covered by the PFA statute. Finally, the Note at the bottom of the Notice should be amended to state that the utility will keep information concerning the account confidential (not merely the copy of the PFA Order) and to add the following sentence: “If you are unable to provide a copy of the PFA Order as a result of the abuse, you may be allowed to provide an alternative form of proof, or be given additional time to provide the copy of the Order.” As discussed in section 1(b) of these comments, these provisions are necessary to effectuate the legislature’s intent of protecting victims of abuse.

The regulations should require utilities to provide a copy of the Standard Annual Notification at the time of application for service, and once a year to all customers. In

addition to providing the Standard Annual Notification, utilities should be required to post information concerning the availability of these protections in their offices which are used for in-person meetings with customers, applicants or members of the public, including waiting rooms, and women's restrooms, and should be encouraged to include this information periodically in customer service newsletters sent with bills or other similar materials, and to post the Standard Annual Notification on their websites.

(ii) Requirement of specific information on particular notices.

The regulations should require that specific information concerning protections available to victims of abuse with PFA orders be included on termination notices, post-termination notices, application forms, and all other notices or forms where differences in requirements between the current chapter 56 and chapter 14 are relevant—e.g., if the notice includes a statement about liability for prior service to the property based solely on residence at the property pursuant to § 1407(d), it must also state that this requirement does not apply to a victim of abuse who has a PFA order.

Neither the PUC nor utilities may second guess the role of the courts in issuing an order of any kind. All PFA orders—including emergency, temporary or final orders—must be taken at face value as satisfying the statutory requirement. The informational materials provided by utilities and/or the PUC, and all forms and notices provided by utilities and/or the PUC should simply refer to PFA orders, and not use any language (like “valid” PFA orders) which implies that some PFA orders are not valid, or that PFA orders are inherently suspect. For example, the termination and post-termination notices approved by the PUC staff in 2005 after the Second Chapter 14 Implementation Order

should be revised to delete the word “valid” from the bullet points concerning Protection From Abuse orders.

Use of the qualifier “valid” when describing PFA orders also inappropriately implies that only current PFA orders will be considered. As discussed in section 1 b of these comments, PFA orders which have expired are nonetheless relevant whenever the victim had a PFA at the time of the events resulting in the dispute with the utility, or if the exemption from Chapter 14 is needed because of the domestic violence that led to the PFA. This is necessary because many of the issues resulting from the changes in Chapter 14 result from actions or problems dating from a prior time period. Outstanding balances on an account on which the individual was not the payment name, denial of credit and creditworthiness, limitations on the provision of a second payment plan, and security deposit requirements may all involve prior time periods.

(iii) Requirement that specific information be provided orally.

The regulations should require that utilities provide staff with scripts or other instructions for customer calls & for in-person conversations with applicants and customers incorporating the protections available to victims of abuse with PFA orders and information concerning how to obtain those protections. For example, if the customer or applicant is being told they are subject to security deposit requirements pursuant to chapter 14, they must also be told that if they or a member of their household are a victim of abuse with a PFA order, the requirements are more lenient.

The regulations should also specify that customers and applicants seeking connection or reconnection of service should also be informed orally by utility employees that more lenient terms are available to victims of abuse who have PFA orders.

The regulations should require that utility employees inform customers at the time of each personal contact required in the termination process, that PUC regulations provide additional protections to victims who have PFA orders.

f. Confidentiality.

To effectuate the legislature's intent to protect victims of domestic violence from further harm, the Commission should adopt regulations establishing minimum confidentiality and training requirements that ensure a domestic violence victim's interaction with a utility company does not make it more difficult for the victim to escape violence or penalizes her for having been a victim of domestic violence.

The Commission is urged to adopt regulations that impose confidentiality requirements on the handling of domestic violence related information for itself and the utilities it regulates. Since the Commission and utilities will now be collecting information about domestic violence and personal information about domestic violence victims, it is essential that measures be put in place to protect victims of abuse from the harm that results when information about their disclosure of abuse or the location of the victim occurs. Such disclosure may lead to further abuse either in retaliation or by virtue of having been given the previously concealed location of the victim. Protecting the victim's address as well as other pertinent data is vital to family safety. The establishment of protection of highly personal information may also make domestic violence victims feel more comfortable seeking the help they need to maintain utility service, an important step in their path to independence from their batterers.

In cases where domestic violence is present, regulations must require, at a minimum, that utilities provide space where customers or applicants may privately

discuss domestic violence face to face, limit access to customer or applicant information, and identify the files to which these heightened confidentiality safeguards apply. The Commission should also adopt a confidentiality policy that protects customer or applicant information in its own files or records. For example, if a customer or applicant informs the Commission of the existence of a PFA, the Commission must have a confidentiality policy that protects this information.

Confidentiality policies must apply to all situations in which the utility or the PUC is made aware of domestic violence in connection with a household, regardless of whether the victim is the customer, applicant, or another household member. For example, if a victim of domestic violence flees an abuser and moves into another household, and that household then applies for utility service or to enroll in a utility's low income program, the customer or applicant may be asked to disclose information to the utility about each adult member of the household, including the victim of domestic violence.

Access to information concerning victims of domestic violence needs to be restricted to only those employees who actually need to access that information, with a code or flag system which does not implicitly disclose abuse (e.g., "referred to CARES" rather than "domestic violence" or "PFA.") This is necessary because an abuser could be an employee of the utility, or could have friends or relatives who are employees of the utility. Provision of privacy for in-person discussions at the utility office is also critical. Victims of domestic violence will be reluctant to discuss their situation if they must do so in front of everyone else in the waiting room, and such public disclosure can endanger the victim and her family.

The PUC is clearly covered by Act 188 of 2004, the Domestic and Sexual Violence Victim Address Confidentiality Act, which requires state and local government agencies to accept a substitute address provided on the program participation card issued by the Office of Victim Advocate as the victim's address. This procedure permits the victim to keep her actual address confidential, and to receive mail forwarded through the Office of Victim Advocate. We urge the PUC to require utilities to accept the substitute address as the address of record for billing and other correspondence to victims who are participating in the Address Confidentiality Program. While the utility will need an actual address for the building to which utility service is to be provided, minimizing the volume of mail to that location will help protect the confidentiality of that location. Furthermore, in some instances the PUC and the utility will not need to know the victim's current location. For example, if there is a dispute concerning a bill for service at a prior residence, neither the utility nor the PUC will need to know the actual current address of the victim, as long as she can be contacted by mail at the substitute address through the Office of Victim Advocate.

Proposed regulatory language:

- Safeguarding information in domestic violence cases:

The Commission and utilities shall safeguard the personal data of customers and applicants who have disclosed domestic violence to the Commission or the utilities.

(a) The Commission and utilities may not disclose or release to any person any of the following information about a customer, applicant, or household member who is a victim of domestic violence:

- (1) The residential address
- (2) Phone number
- (3) Identity and address of employer and/or school
- (4) Identifying information regarding domestic violence victim's household members.

(5) Facts relating to the abuse, including the fact that the customer, applicant or household member has a PFA.

(b) This section does not prohibit disclosure of any of the above information with the customer's or applicant's informed written consent.

(c) The Commission and the utility staff must protect the above information in both paper and electronic format.

(d) Only the staff person responsible for work on the customer's or applicant's file and his or her supervisors shall be given access to the information listed in part (a) of this section.

(e) Utilities must make provision for privacy for in-person discussions of PFA orders or situations involving domestic violence.

(f) The Commission and utilities must accept the substitute address of a victim of domestic violence who participates in the Address Confidentiality Program administered by the Office of Victim Advocate for billing and other correspondence. In circumstances in which the Commission or a utility need to know the actual address of a participant in the Address Confidentiality Program, the Commission or the utility shall follow the procedures of the Office of Victim Advocate for obtaining a waiver from the Office of Victim Advocate, and shall keep the actual address confidential.

g. Training.

The Commission should require domestic violence training of all utility staff members who interact with customers or applicants exempt from Chapter 14 due to domestic violence. Domestic violence training increases staff awareness of domestic violence and increases sensitivity when interacting with victims. This training is necessary to effectuate the legislature's intent to protect victims.

Proposed regulatory language:

- Domestic Violence Training

(a) All utility staff who interact with customers or applicants who are victims of domestic violence must receive domestic violence training developed in consultation with statewide or community domestic violence service providers that includes:

(1) Basic information about domestic violence.

(2) Information about appropriate responses when a customer or applicant discloses abuse and request assistance requiring a referral to community resources.

3. Credit standards

With respect to credit standards, utilities should be required to include information about the availability of more lenient terms if the applicant or customer is a victim of domestic violence with a Protection from Abuse Order in all notices denying credit, requiring a deposit, or listing the payments which must be made as a condition of the utility providing service.

In addition, notices informing the applicant or customer that a utility asserts a claim of prior residency must also inform the applicant or customer that victims of domestic violence with a Protection from Abuse Order are not liable for an unpaid balance on an account in the name of another person. Because victims of domestic violence, with or without a Protection from Abuse Order, are particularly vulnerable to problems resulting from non-payment of a prior bill by an abuser, this is an area in which utilities should be encouraged to provide broader protections to victims of abuse, including an alternate verification procedure for individuals who were unable to obtain a Protection from Abuse Order because it would be too dangerous to do so, as discussed in section 1 d of these comments.

5. Termination of service

Because victims of abuse with a Protection From Abuse order are exempted from the Chapter 14 changes permitting quicker terminations, including immediate terminations under §1406(c)(1)(ii) and Friday terminations, as well as the elimination under Chapter 14 of the 48 hour notice requirement except during the winter, it is critical that utilities provide information concerning the protections available to victims with PFA orders at every opportunity. As discussed in section 1 of these comments, in

addition to the PFA Standard Annual Notification, all termination or post-termination notices must contain information about these protections, and this information should also be provided orally at each personal contact required in the termination process. The regulations should state that an assertion by a customer that the customer or a member of the customer's household has a Protection From Abuse order should stay the termination process while the customer is given an opportunity to provide the utility with a copy of the PFA, or to complete the verification form for delayed or alternative verification.

Because of the particular dangers inherent in utility terminations, and the vulnerability of victims of domestic violence to financial problems as a result of the abuse, this is an area in which utilities should be encouraged to provide broader protections to victims of abuse, including an alternate verification procedure for individuals who were unable to obtain a Protection from Abuse Order because it would be too dangerous to do so, as discussed in section 1 d of these comments.

6. Winter termination procedures

Victims of abuse with a Protection From Abuse order are exempted from the Chapter 14 changes permitting winter terminations, and therefore it is critical that utilities provide information concerning the protections available to victims with PFA orders at every opportunity. As discussed in section 1 of these comments, in addition to the PFA Standard Annual Notification, all termination or post-termination notices must contain information about these protections, and this information should also be provided orally at each personal contact required in the termination process. In addition, utilities should solicit information concerning PFA orders at every opportunity, along with information concerning customer income and household composition, using language like "If you or

someone in your household is a victim of domestic violence who has a Protection from Abuse order, there are some additional protections available to you. If you want us to consider whether these protections apply to you, please check here.”

The regulations should state that an assertion by a customer that the customer or a member of the customer’s household has a Protection From Abuse order should stay the termination process while the customer is given an opportunity to provide the utility with a copy of the PFA, or to complete the verification form for delayed or alternative verification.

Because of the particular dangers inherent in winter terminations, and the vulnerability of victims of domestic violence to financial problems as a result of the abuse, this is an area in which utilities should be encouraged to provide broader protections to victims of abuse, including an alternate verification procedure for individuals who were unable to obtain a Protection from Abuse Order because it would be too dangerous to do so, as discussed in section 1 d of these comments.

8. Commission Informal Complaint procedures

As discussed in Section 1(f) of these comments, the Commission is urged to adopt regulations that impose confidentiality requirements on the handling of domestic violence related information for itself and the utilities it regulates, including information collected in the process of handling both informal and formal complaints. Such measures are essential to protect victims of abuse from risk of further abuse, either in retaliation or as a result of disclosure of the victim’s current address or other pertinent data. Section 1(f) of these comments contains proposed regulatory language.

In addition, the “Checklist Before Filing A Complaint with the PUC” currently provided on the PUC’s website and in its Informal Complaint materials needs to be revised. The Checklist currently states “If a Protection From Abuse Order has been issued against you, are you willing to admit to this when filing this complaint?” This is problematic in two respects. First, it erroneously refers to Orders issued against the individual filing the complaint, rather than Protection From Abuse Orders issued to protect the individual filing the complaint or her household members (as discussed in section 1(b) of these comments). Second, the language “are you willing to admit to this” is likely to inappropriately discourage victims from disclosing.

WLP urges the Commission to instead state, as it does in the informational page concerning Informal Complaints on its website “If you have a Protection From Abuse (PFA) Order, please indicate thatwhen you provide a summary of your problem ...so that we can make sure your account receives the special protections provided under law.” (http://www.puc.state.pa.us/general/informal_complaint.aspx). The Informal Complaint Instructions, which do not currently discuss Protection From Abuse Orders at all, should be amended to include this information as well. This information is needed so that victims will understand the intent and consequences of the request for information. In addition, the Informal Complaint form should be amended to specifically ask if the individual (or a member of the individual’s household) has a Protection From Abuse Order (and to explain that the purpose of asking this question is that special protections are provided), rather than expecting the individual to add this information into the summary of the problem.

Similarly, the Formal Complaint Form and accompanying Instructions (item number 8 on the instructions and item number 6 on the complaint form) should be amended in several respects. First, the Commission should add “or for the safety of a member of your household” to the question “Has a court granted a “Protection From Abuse” order for your personal safety?” Second, the documents should explain that the purpose of asking this question is that special protections are provided. Without this explanation victims of domestic violence may not feel comfortable disclosing. We urge the use of language along the lines of “If you or someone in your household is a victim of domestic violence who has a Protection From Abuse Order, there are some additional protections available to you concerning your utility service. If you want us to consider whether these protections apply to you, please answer this question.”

The Commission is also urged to revise all of its documents concerning informal and formal complaints to assure victims of domestic violence that their information will be kept confidential. We believe that domestic violence victims will be more likely to feel safe enough to disclose the existence of a Protection From Abuse Order if the Checklist, Instructions and Informal and Formal Complaint forms all stated that information concerning individuals with Protection From Abuse Orders will be kept confidential.

9. Restoration of service

Utilities should be required to include information about the availability of more lenient terms if the applicant or customer is a victim of domestic violence with a Protection from Abuse Order in all notices concerning restoration of service, denying

credit, requiring a deposit, or listing the payments which must be made as a condition of the utility restoring service, and in any oral conversations with applicants or customers concerning restoration of service. Again, because victims of domestic violence, with or without a Protection from Abuse Order, are particularly vulnerable to problems resulting from non-payment of a prior bill by an abuser, this is an area in which utilities should be encouraged to provide broader protections to victims of abuse, including an alternate verification procedure for individuals who were unable to obtain a Protection from Abuse Order because it would be too dangerous to do so, as discussed in section 1 d of these comments.

10. Reporting requirements

The Commission is urged to require utilities to report:

- (a) the number of applicants or customers who disclose to the utility that they are victims of domestic violence with a Protection From Abuse Order who were able to provide a copy of the Protection From Abuse Order;
- (b) the number of applicants or customers who disclosed to the utility that they are victims of domestic violence who were unable to provide a copy of the Protection From Abuse Order as a result of the abuse and who were permitted by the utility to provide alternative or delayed verification;
- (c) the number of applicants or customers who disclosed to the utility that they are victims of domestic violence who were unable to obtain a Protection From Abuse Order due to dangerousness and who were permitted by the utility to provide alternative verification;

(d) the number of applicants or customers who disclosed to the utility that they are victims of domestic violence who were unable to obtain or provide a Protection From Abuse Order and who were not permitted by the utility to provide alternative verification. These reporting requirements are necessary to determine whether or not the legislature's goal of ensuring that victims of domestic violence are not further harmed by the more stringent requirements of Chapter 14 is being met.

Protection From Abuse Order Delayed Verification Form

Name: _____ Utility Account Number: _____

I, _____, request that I be permitted to provide alternative or delayed verification of the Protection From Abuse Order to protect me or a member of my household.

I hereby verify that a Protection From Abuse Order was entered on behalf of me or a member of my household. Due to circumstances caused by the abuse, I am unable to provide a copy of the Order at this time. I request that I be given further time to obtain a copy of the order when I am able to do so.

OR

I hereby verify that I have applied for a PFA Order but have not yet received it. I am awaiting a hearing and /or decision by the Court. Once the Court decides the matter, I will provide a copy of the Order as soon as I am able to do so.

The above information is true and correct to the best of my knowledge.

Date: _____

Signature

Domestic Violence Alternative Verification Form

Name: _____ Utility Account Number: _____

I, _____, request that I be permitted to provide alternative verification of the abuse experienced by me or a member of my household. I hereby verify that I have not been able to safely obtain a Protection From Abuse Order.

Date: _____

(signature)

I submit one of the following types of records, if available:

- Law enforcement records
- Court records
- Participation card from Office of Victim Advocate Address Confidentiality Program

Program

Other _____

OR

Because I cannot safely obtain or provide any of the types of records listed above, I authorize _____ to complete the verification below and to provide it to the Utility for the purpose of verifying the abuse and my inability to safely obtain a Protection From Abuse Order.

Date: _____

Signature

This Statement is submitted by:

(Name)
(Title)
(Organizational Affiliation)
(Address)

I am (check one):

- | | |
|---|---|
| <input type="checkbox"/> A domestic violence service provider | <input type="checkbox"/> A legal representative |
| <input type="checkbox"/> A medical, psychological or social service provider neighbor | <input type="checkbox"/> A relative, friend or neighbor |
| <input type="checkbox"/> A law enforcement professional | <input type="checkbox"/> Other (specify) |

I have knowledge of the claimant's experience with and/or steps to escape domestic violence and submit this statement to verify that the claimant or a member of the

claimant's household has been a victim of abuse and is unable to safely obtain a Protection From Abuse Order.

Date: _____

Signature