



## Heat Shut-Offs

### What happens if I don't pay my utility bills?

If you don't pay your utility bills, your service can be shut-off. This can happen even in the middle of winter. But, between October 1 and April 30 you get extra protection from being shut-off. This fact sheet applies to gas and electric service if they are needed for heat. The rules cover private utility companies. There are similar rules for co-ops and municipal utilities. These rules do not apply to fuel oil, coal, and wood dealers.

You also have some legal protection against shutoffs of your electricity if you have medical equipment in the home that has to be plugged in. This might be something like a nebulizer for asthma or a CPAP for sleep apnea.

### Plan Ahead and Budget

If you are moving into a new place, know how much your bills are going to be so you can avoid a shut-off. Before moving, find out from the landlord, the prior owner, or the utility company how much heat and electric bills are at the new place. Then budget your money to pay for them. Remember your heating bills are much higher in the winter.

But whether you are moving or staying in the same place, utility companies have to offer you an option to use a budget plan. With this plan, your costs are spread out over the year, and you pay the same amount every month. It can make paying the bill easier. Ask your utility about a budget plan and how much it would be.



If your bills are high because the landlord won't fix things, get the landlord to make repairs. See our fact sheet, [Getting a Landlord to Make Repairs](#).

### Get Help

You may be able to get help pay your bills. You can apply for help from Energy Assistance. They make a one-time payment to your utility based on your income. They can also give extra emergency help to stop a shutoff. Energy Assistance takes applications from October 1 until May 31. After you get Energy Assistance, you might be able to qualify for discount programs through your utility to lower your bills for the rest of the year.

To find the energy assistance agency near you, call United Way statewide at 2-1-1. You can also text them your zip code at 898-211 for help or chat online at [www.211unitedway.org](http://www.211unitedway.org).

You may also be able to get help with utilities from county Emergency Assistance or Emergency General Assistance. Contact your county welfare office about these programs.

## If Your Bill is Wrong

If you think the utility made a mistake on your bill, tell them right away. The utility must:

- Check the facts right away
- Tell you how they checked and what they found and
- Try to find a way to work with you to fix the problem

**They can't shut you off until they investigate and tell you what they found out in writing.**

If you still disagree with what they decide, call:

- your legal aid office at 1-(877) 696-6529
- the Public Utility Commission at (651) 296-0406 or 1-(800) 657-3782
- the Minnesota Attorney General at (651) 296-3353 or 1-(800) 657-3787

## Cold Weather Shut-offs of Your Heat

If you can't pay your whole gas or electric bill between October 1<sup>st</sup> and the next April 30<sup>th</sup>, a utility company can't shut off your service if you make **and keep** a payment plan. When you talk to the utility company to make a plan, make notes of who you talked to and what they said. Write them a letter saying what the plan is. Keep a copy. A publicly regulated utility bill (like Xcel or CenterPoint) can't require you to pay more than 10% of your income during the cold weather season.

If you have already been shut-off in the cold weather season, the utility company must make a reasonable effort to restore your service within 24 hours of accepting your payment plan.

## You Do Not Have to Be Paid Up by October 1<sup>st</sup> to Get Cold Weather Shut-off Protection.

But the cold weather law only protects you from a shut-off if shutting off electricity or gas affects your heat. The cold weather law does not apply if your heat is included in your rent, like in some large apartment buildings.

With any utility provider, you can set up a payment plan:

### Payment Plan

You can make a plan with the gas and electric company for the entire cold weather period to pay a set amount each month. This amount can be less than the full bill. The amount must make sense with what your income is. You won't be shut off if you make all the payments. Call the utility if you can't make the payments you agreed to and try to make a new plan.



With any publicly regulated utility provider (like Xcel or CenterPoint), your service is protected if you pay 10% of your monthly income toward your bill:

### 10% Plan

You won't be shut off in any month that you pay at least 10% of your income toward the bill. Energy Assistance doesn't count as income. If you have gas from one company and electricity from another, the 10% gets divided between the two.

## Service Limiters

Utility Companies have tools called “service limiters” that limit the amount of gas or electricity you get. During the cold weather period, a utility **MUST** follow the rules:

- they have to give you notice that they plan to put on a service limiter
- they have to offer you 1 of the 2 ways above to make payments.

If they do not follow the rules, they have violated the law. Call your legal aid office at 1-(877) 696-6529 or the Public Utilities Commission (PUC) at (651) 296-0406 or 1-(800) 657-3782.

## Appeals

If the utility won’t make a fair payment plan, you can appeal to the PUC. Do it fast – the timelines are short. Call your legal aid office at 1-(877) 696-6529 for help.

To appeal:

- Ask the utility company for an appeal form. If they won’t give you one, call the PUC and get one (see below). Fill out the form and send it to the PUC. You must get the form to the PUC within 7 days of the date you got the shut-off notice.
- The PUC will set up a payment plan within 30 days. You can't be shut-off during the appeal.

## If Your Income Changes After You Have a Plan

If something happens and you do not have the money to make the payments on your plan, contact the utility **right away** to change the plan. If the utility won’t agree to a change, appeal to the PUC right away to avoid a shut-off.

You can reach the PUC at: Minnesota PUC  
121 7<sup>th</sup> Place East, Suite 350  
St. Paul, MN 55101

(651) 296-0406 or 1-(800) 657-3782



***Fact Sheets are legal information NOT legal advice. See a lawyer for advice.***

*Don't use this fact sheet if it is more than 1 year old. Ask us for updates, a fact sheet list, or alternate formats.*

© 2024 Minnesota Legal Services Coalition. This document may be reproduced and used for non-commercial personal and educational purposes only. All other rights reserved. This notice must remain on all copies. Reproduction, distribution, and use for commercial purposes are strictly prohibited.