

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-EIGHTH SESSION**

**S.F. No. 2752**

(SENATE AUTHORS: **DIBBLE and Brown**)

DATE	D-PG	OFFICIAL STATUS
03/17/2014	6286	Introduction and first reading Referred to Environment and Energy
03/24/2014		Comm report: To pass as amended Second reading

1.1 A bill for an act  
 1.2 relating to energy; utilities; modifying residential customer protections pertaining  
 1.3 to medically necessary equipment; amending Minnesota Statutes 2012, section  
 1.4 216B.098, subdivision 5.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 216B.098, subdivision 5, is amended to  
 1.7 read:

1.8 Subd. 5. **Medically necessary equipment.** (a) A utility shall reconnect or  
 1.9 continue service to a customer's residence where a medical emergency exists or where  
 1.10 medical equipment requiring electricity necessary to sustain life is in use, provided that  
 1.11 the utility receives ~~from a medical doctor~~ written certification, or initial certification by  
 1.12 telephone and written certification within five business days, that failure to reconnect or  
 1.13 continue service will impair or threaten the health or safety of a resident of the customer's  
 1.14 household. ~~The customer must enter into a payment agreement.~~

1.15 (b) Certification of the necessity for service is required. Certification may be  
 1.16 provided by:

1.17 (1) a licensed medical doctor;

1.18 (2) a licensed or registered physician's assistant;

1.19 (3) a licensed or registered nurse practitioner; or

1.20 (4) a registered nurse, but only to the extent of verifying the current diagnosis or  
 1.21 prescriptions made by a licensed medical doctor for the customer or member of the  
 1.22 customer's household.

1.23 (c) The certification must indicate the estimated duration of the need for service, but  
 1.24 in no case may the certification extend beyond six months from the date of the certification.

2.1 (d) Certifications may not extend beyond six months from the date of the  
2.2 certification unless a utility determines, at its sole discretion, that a 12-month certification  
2.3 is appropriate given a particular customer's circumstances. A certification is eligible for  
2.4 renewal subject to paragraphs (b) and (c).

2.5 (e) A certification may be renewed by the same or another medical professional who  
2.6 meets the qualifications of paragraph (b), subject to paragraphs (c) and (f).

2.7 (f) A customer in arrears must contact and enter into a payment agreement with the  
2.8 utility. The payment agreement must consider a customer's financial circumstances and  
2.9 any extenuating circumstances of the household. The payment agreement may, at the  
2.10 discretion of the utility, contain an arrears forgiveness component which, if implemented,  
2.11 extinguishes individual liability for the amount forgiven.

2.12 **Sec. 2. STUDY ON USE OF ENERGY ASSISTANCE FUNDS FOR MEDICAL**  
2.13 **EMERGENCIES.**

2.14 The commissioner of commerce shall study the legality, feasibility, and advisability  
2.15 of dedicating all or a portion of unspent energy assistance funds to compensate public,  
2.16 municipal, and cooperative electric utilities for unpaid bills of customers with the lowest  
2.17 incomes and highest usage who are: (1) receiving service under Minnesota Statutes,  
2.18 section 216B.098, subdivision 5; and (2) eligible for energy assistance.