

# GRAND HAVEN BOARD OF LIGHT AND POWER

## MINUTES

January 21, 2010

A regularly scheduled meeting of the Grand Haven Board of Light and Power was held on Thursday, January 21, 2010 at 4:00 p.m. at the Board's office located at 1700 Eaton Drive in Grand Haven, Michigan.

The meeting was called to order at 4:03 p.m. by Chairperson Smant.

Present were Directors Kieft, Naser, Smant, VanderMolen, and Witherell.

Also present were Annette Allen, General Manager; Renee Molyneux, Administrative Services Coordinator and Secretary to the Board; James Bonamy, City Finance Manager; Jim Bleicki, Distribution Superintendent; Dan Bush, Director of Production; and Faith Biros, former Board member.

Director Witherell, supported by Director Kieft, moved to accept the consent agenda and to revise the regular agenda by adding to item 4.A.2. Dispute and Hearing Procedure. The motion was unanimously approved.

Director Witherell, supported by Director Naser, moved for approval of the Minutes of the December 17, 2009 Board meeting. The motion was unanimously approved.

### ACCOUNTS AND FINANCE

10-01A Director Witherell, supported by Director Naser, moved for approval of the bills in the amount of \$1,754,596.09 from the Operations and Maintenance Fund; bills in the amount of \$28,268.46 from the Renewal and Replacement Fund; bills in the amount of \$116,477.36 from the Transfer Fund; and bills in the amount of \$651,014.00 from the Receiving Fund. The motion was unanimously approved.

### MOTIONS AND RESOLUTIONS

10-01B Director Witherell, supported by Director Kieft, moved to approve the agreement for traffic signal maintenance services between the Grand Haven Board of Light and Power and Ottawa County Road Commission. The motion was unanimously approved.

10-01C Director Witherell, supported by Director VanderMolen, moved to approve the Residential Shutoff Policy, Residential Payment Plan Policy, and Dispute and Hearing Procedure (attached). The motion was unanimously approved.

10-01D Director Witherell, supported by Director Naser, moved to approve extending the deadline to notify senior citizens of the winter Shutoff Protection Policy to January 31, 2010. The motion was unanimously approved.

10-01E Director VanderMolen, supported by Director Kieft, moved to approve extending our Safety Incentive Program for 2010 with a maximum payout of \$7,000 if employees meet all safety incentive goals for the year. The motion was unanimously approved.

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10-01F Director Naser, supported by Director Witherell, moved to approve moving forward with the 2010 NOx compliance option to run the SNCR for two months during the ozone season. The Board will review this option for final approval prior to the ozone season when we have firm costs on purchasing urea. The motion was unanimously approved.

At 5:05 p.m. by motion of Director Witherell, supported by Director Kieft, the January 21, 2010 Board meeting was adjourned.

Respectfully submitted,

Renee Molyneux  
Secretary to the Board

RM/ak  
Attachment

BOARD OF LIGHT AND POWER GRAND HAVEN, MICHIGAN

**SUBJECT: Shutoff Policy**

**POLICY: Residential Shutoff Policy**

**I. Residential Shutoff Policy:**

- A. Grand Haven Board of Light & Power (BLP) will not use an electric service limiter.
- B. The BLP shall refund any late fees, fines, or payments related to a shutoff or resumption of service if those late fees, fines, or payments were improperly assessed because of the failure to provide notice as required by this Policy.
- C. Notwithstanding other requirements of this Policy, service may be shut off temporarily for reasons of health or safety or in a state of national emergency. When service is shut off for reasons of health or safety, the BLP shall leave a notice at the premises if feasible.
- D. The BLP may shut off or terminate service to a residential customer for any of the following reasons:
  1. The customer has not paid a delinquent account that occurred within the last six (6) years.
  2. The customer has failed to provide a deposit or guarantee as required.
  3. The customer has engaged in unauthorized use of the utility's service.
  4. The customer has failed to comply with the terms and conditions of a payment plan.
  5. The customer has refused to arrange access at reasonable times for the purpose of inspection, meter reading, maintenance, or replacement of equipment that is installed upon the premises or for the removal of a meter.
  6. The customer misrepresented his or her identity for the purpose of obtaining service or put service in another person's name without permission of the other person.
  7. The customer has violated any policies of the BLP so as to adversely affect the safety of the customer or other persons or the integrity of the system.
  8. A person living in the customer's residence meets both of the following:
    - i. Has a delinquent account for service with the BLP within the past three (3) years that remains unpaid.
    - ii. The customer lived in the person's residence when all or part of the debt was incurred. The BLP may transfer a prorated amount of the debt to the customer's account, based upon the length of time that the customer resided at the person's residence. This subdivision does not apply if the customer was a minor while living in the person's residence.
  9. The customer has not paid for service at a premise occupied by another person in any of the following circumstances and proper notice is given:

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- a. It is not feasible to provide service to the occupant as a customer without a major revision, as determined by the utility, of existing distribution facilities.
  - b. The customer supplies a written, notarized statement that the premise is unoccupied.
  - c. The premise is occupied and the occupant agrees, in writing, to the shutoff of service.
  - d. It is feasible to provide service to the occupant as a customer without major revision of existing distribution facilities and the occupant refuses to put the account in their name.
- E. The BLP will not shut off service if a customer has not paid for concurrent service received at a separate metering point, residence, or location.
- F. Subject to applicable third-party consent, a customer will be permitted to designate a third party to receive bills notifications, including shutoff notices, on the customer's behalf. Such notices may be provided to both the designated third party and the customer.
- G. The BLP shall supply information regarding the following to customers at least two (2) times a year:
1. The energy assistance telephone line number at the Michigan Department of Human Services or an operable 211 system telephone number.
  2. Medical emergency and critical care protections provided in these Policies.
  3. Military shutoff protections pursuant to MCL 460.9c.
  4. Low income protections provided in these Policies.
  5. Senior citizen protections provided in these Policies.
- H. The information required under Subsection (G) may be supplied in or on a customer's bill, in a bill insert, in a newsletter issued to customers, a public forum, newspaper announcement, an electronic communication, or in any other manner approved by the governing body of the utility.
- I. The BLP shall, at least once per year, attempt to identify senior citizen customers by at least one (1) of the following methods:
1. Conducting customer interviews.
  2. Obtaining information from a consumer reporting agency or consumer reporting service.

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3. A personal or automated telephone call where direct contact is made with a member of the customer's household or a message is recorded on an answering machine or voice mail.
  4. First class mail.
  5. A personal visit to the customer.
  6. A written notice left at or on the customer's door.
  7. On a bill or in a bill insert
- J. If a bill is unpaid after 30 days of the billing date, a first notice of discontinuance of service will be mailed. If the bill remains unpaid after seven (7) calendar days of the date of the first notice, a second notice will be mailed. If the bill remains unpaid after five (5) calendar days of the second notice, a disconnect notice will be placed at the premise to be disconnected. Electric service will be disconnected if the bill remains unpaid after one complete working day after the notice has been placed at the premise. Service will be reconnected when the past due amount plus any associated charges have been paid in full.
- K. A notice of shutoff shall contain all of the following information:
1. The name and address of the customer, and the address at which service is provided, if different.
  2. A clear and concise statement of the reason for the proposed shutoff of service.
  3. The date on or after which service may be shut off unless the customer takes appropriate action.
  4. That the customer has the right to enter into a payment plan for an amount that is not in dispute and customer is presently unable to pay in full.
  5. The telephone number and address where the customer may make inquiry, enter into a payment plan, or file a complaint.
  6. That shutoff will be postponed at a residence where a certified medical emergency exists and the customer provides documentation of that medical emergency.
  7. That during the heating season, shutoff will be postponed if a customer is an eligible low-income customer that enters into a winter protection payment plan with the BLP.
  8. That the customer can call 211 for financial assistance.
- L. Service may be shut off to a customer on the date specified in the notice of the shutoff or within a reasonable time following that date. If service is not shut off and a subsequent notice is sent, then service shall not be shut off before the date specified in the subsequent notice. Shut off shall occur only between the hours of 8 a.m. and 3 p.m.

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- M. Service shall not be shut off on a day, or a day immediately preceding a day, when services cannot be restored.
- N. Not later than two hours before the close of the utility's business on the day service is shut off, a notice shall be left at the customer's residence stating that service has been shut off and providing the address and telephone number where the customer may arrange to have service restored. No later than three (3) business days after shutting off service to a eligible senior citizen customer, the BLP shall make at least two attempts to contact that customer to advise the customer of the actions that the customer must take to have his or her service restored.
1. The following notification methods may be used to contact the customer:
    - i. A personal or automated telephone call where direct contact is made with a member of the customer's household or a message is recorded on an answering machine or voice mail.
    - ii. First-class mail.
    - iii. A personal visit to the customer.
    - iv. A written notice left at or on the customer's door.
    - v. Any other method approved by the governing body of the utility.
  2. A communication described in Subsection (O)(1)(iii) or (iv) made on the day of disconnection meets the requirements of this Policy.
  3. A message left on an answering machine or voice mail or a written notice left at or on a customer's door must include a toll free or local telephone number indicating that it may be used to contact a representative of the BLP regarding restoration of service.
  4. The notice requirement of this section may be met with regard to a senior citizen customer by, within three (3) business days of shutting off service, making a documented referral of that customer to a social service or government agency.
- O. Reasonable efforts shall be made to restore service on the day the customer requests restoration when cause has been cured or a satisfactory credit arrangement has been made. Except for reasons beyond the control of the BLP, the service shall be restored not later than the first working day after the customer's request.
- P. A charge may be assessed for notices and restoring service as follows.
1. Disconnect Notice Charge per tag: \$5.00
  2. Reconnect and Turn-On Charges:
    - i. Charge for restoring service which has been disconnected at the meter:
      - a. During business hours within 30 days of disconnect \$15.00

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- b. During business hours after 30 days from disconnect \$30.00
- c. After business hours \$45.00
- ii. Charge for restoring service which has been disconnected at a location other than the meter:
  - a. During business hours within 30 days of disconnect \$35.00
  - b. During business hours after 30 days from disconnect \$50.00
  - c. After business hours \$70.00
- 3. At its discretion, the BLP may agree to payment arrangements for the reconnect charge.
- 4. After the second disconnect for nonpayment in any consecutive 12 month period, an additional deposit equal to an estimated reasonable exposure of the BLP, to be determined by Customer Service personnel, or \$50 minimum, will be required prior to reconnection.
- Q. After a notice of delinquency has been mailed, payment must be received at the BLP Administrative Office before the disconnect date. Failure to receive a notice of delinquency will not extend time for payment. A charge may be assessed for restoring service.
- R. Any payment made to a BLP employee at the customer's premise will be subject to a \$15 collection fee.

**COOLING SEASON SHUTOFFS**

- S. If the temperature forecast for the current day OR the following day is 95 degrees or greater, eligible senior citizen customers will not be disconnected on the current day. For Fridays, customers will not be disconnected if the forecast is for 95 degrees or greater for Friday, Saturday or Sunday.

**HEATING SEASON SHUTOFFS**

- T. The BLP shall not shut off service to a customer during the heating season for nonpayment of a delinquent account if the customer is an eligible senior citizen customer or if an eligible low income customer enters into a winter protection payment plan to pay to the utility a monthly amount equal to 7% of the estimated annual bill for the eligible low income customer or the eligible low income customer and the utility mutually agree upon a winter protection payment plan with different terms and the eligible low income customer demonstrates, within 14 days of requesting shutoff protection, that he or she has applied for state or federal heating assistance. If an arrearage exists at the time an eligible low income customer applies for protection from shut off of service during the heating season, the customer should be permitted to pay the arrearage in equal monthly

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installments between the date of application and the start of the subsequent heating season.

- U. If an eligible low income customer fails to comply with the terms and conditions of a winter protection payment plan, or if the customer fails to pay a monthly installment on a preexisting arrearage, service may be shut off after giving the customer a notice, by personal service, or first class mail, that contains all of the following information:
1. That the customer has defaulted on a winter protection payment plan or has failed to pay a monthly installment on a preexisting arrearage.
  2. The nature of the default.
  3. That unless the customer makes the payments that are past due within ten (10) days of the date of mailing, service will be shut off.
  4. The date on or after which service will be shut off, unless the customer takes appropriate action.
  5. That the customer may dispute the claim in writing before the date of the proposed shutoff of service.
  6. That the utility will not shut off service pending the resolution of a dispute.
  7. The telephone number and address where the customer may make inquiry, enter into a payment plan, or file a complaint.
  8. That the customer should contact 211 immediately if the customer believes he or she might be eligible for emergency economic assistance.
  9. That the shut off will be postponed if a medical emergency exists at the customer's residence.
  10. That a deposit and restoration charge may be required if the utility shuts off service for nonpayment of a delinquent account.

**SHUTOFF OF CRITICAL CARE CUSTOMERS OR MEDICAL EMERGENCY**

- V. Shutoff shall be postponed for not more than 21 days if the customer or a member of the customer's household is a critical care customer or has a certified medical emergency. The customer's certification shall identify any medical or life-supporting equipment being used, and the specified time period during which the shutoff of service will aggravate the medical emergency. Shut off may be extended for further periods of not more than 21 days, not to exceed a total postponement of shutoff of service of 63 days, only if the customer provides additional certification that the customer or a member of the customer's household remains a critical care customer or has a certified medical emergency. If shutoff of service has occurred without any postponement being obtained, the service shall be restored for not more than 21 days, and shall continue for further

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periods of not more than 21 days, not to exceed a total of 63 days in any 12-month period per household member. Annually, shutoff extensions totaling more than 126 days per household will not be given.

W. As used in these Policies:

1. "Critical care customer" means a customer who requires, or has a household member who requires, home medical equipment or a life support system, and who has provided appropriate documentation from a physician or medical facility to the BLP identifying the medical equipment or life-support system and certifying that an interruption of service would be immediately life threatening.
2. "Electric Service Limiter" means an electric meter or device used in conjunction with an electric meter that automatically interrupts all electric service to a customer without intervening direction from the BLP when a utility-imposed peak usage limit is exceeded.
3. "Eligible low income customer" means a customer whose household income does not exceed 150% of the poverty level, as published by the United States Department of Health and Human Services, or who receives any of the following:
  - i. Assistance from a state emergency relief program.
  - ii. Food stamps.
  - iii. MedicaidCustomer is responsible for providing documentation proving eligibility.
4. "Eligible senior citizen customer" means a customer who is 65 years of age or older and who advises the BLP of his or her eligibility.
5. "Heating season" means November 1 through March 31.
6. "Medical Emergency" means the existence of a medical condition of the customer or a member of the customer's household, certified by a physician or public health official on official stationery, which will be aggravated by the lack of utility service.
7. "Senior Citizen Customer" means a customer of the BLP who is 65 years of age or older.

X. These Policies shall be part of the terms and conditions of the contract for service between the BLP and the customer.

Adopted by the Board of Light & Power on January 21, 2010

Effective January 22, 2010

BOARD OF LIGHT AND POWER GRAND HAVEN, MICHIGAN

**SUBJECT: Payment Plan Policy**

**POLICY: Residential Payment Plan Policy**

**I. Residential Payment Plan Policy:**

- A. If a customer receives a shut off notice and is unable to pay in full, they may enter into a payment plan. The payment plan will apply to the amount that is past due at the time the request is made.
- B. If the customer is able to pay the past due amount within three business days after their scheduled shut off date, they may be eligible to enter into a verbal arrangement.
  - 1. The BLP will note the account and collection efforts, including shut off of the service, will be held until the termination date of the arrangement.
  - 2. If at that time, the customer has not fulfilled the arrangement, service may be terminated without further notice.
  - 3. The customer is not eligible to make an additional arrangement on the original arrangement.
  - 4. The customer is eligible for one verbal arrangement within a 12 month period
- C. If the customer requires in-excess of three business days to make a payment on a past-due amount, they may be eligible to enter into a written arrangement.
  - 1. This arrangement will give the customer up to 14 calendar days from the scheduled date of shut off to pay their past-due amount.
  - 2. The customer must come into the customer service office to sign the arrangement.
  - 3. The BLP will note the account and collection efforts, including shut off of the service, will be held until the termination date of the arrangement. If at that time, the customer has not fulfilled the arrangement, service may be terminated without further notice.
  - 4. The customer is eligible for two written arrangements within a 12 month period.
- D. Customers who do not comply in full with their payment plan will not be eligible to enter into subsequent payment plans unless they can demonstrate a significant change in their economic circumstances.
  - 1. If a customer has defaulted on a payment plan within the last 12 months they are not eligible to enter into a new payment plan.
  - 2. On a case-by-case basis, the BLP may allow additional arrangements to residential customers.

Adopted by the Board of Light & Power on January 21, 2010

Effective January 22, 2010

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**SUBJECT:                 Dispute and Hearing Procedure**

**POLICY:                 Dispute and Hearing Procedure**

**PROCEDURE:**

**I. Dispute and Hearing Procedure:**

- A. When a bill or service is disputed by a customer the date will be recorded by Customer Service and the amount owing directly related to dispute will be exempt from penalties and normal collection procedures. The customer is responsible for payment of all other bills or portions of bills which are not in dispute.
- B. Customer Service will attempt to resolve the dispute in a manner mutually satisfactory to both parties.
- C. If the customer is not satisfied with the results he/she may then request a hearing with the General Manager.
- D. If matter is still not resolved satisfactorily, the customer may request to have the issue placed on the agenda for the Board of Directors at a regular scheduled Board Meeting.
- E. Complaints related to Michigan Public Service Commission Act, 1993 PA 3, MCL 460.1 to 460.11:
  1. A customer who believes the BLP has violated the Michigan Public Service Commission Act, 1993 PA 3, MCL 460.1 to 460.11, may file an informal complaint with BLP. Such complaint is a legal prerequisite to any suit in circuit court against BLP, and failure to file such may bar such suit.
  2. Any such complaint must be directed to the General Manager and specifically state that the Customer intends to sue, the basis for such suit, and the relief sought.
  3. Within thirty (30) days of receipt of such a complaint, a representative of BLP will meet with the Customer at the office of BLP and both parties will make a good faith attempt to determine if there is a credible basis for the complaint. If the parties agree that there is a credible basis for a complaint, BLP will take all reasonable and prudent steps necessary to bring themselves into compliance with applicable provisions of the Act within 10 days of the meeting. BLP and the customer may also enter into a compliance agreement with may include payment of a voluntary contribution to the State of Michigan low income and energy efficiency fund.

Adopted by the Board of Light & Power on January 21, 2010

Effective January 22, 2010