

# Energy\_Utility Rights

**1**

- 4 Person Household - \$10,981 max 3-month income

You must report all of the income made by household members over the age of 18 years old when completing the application for LIEAP. Proof of income must be supplied by providing pay stubs from the last 3 months, supplying a statement from the employer, or if self-employed, sending the full tax return statement from the last year.

**2**

The application must also include proof of heating costs. The cost can be either paid directly to the energy supplier or paid to the landlord as part of rent. The applicant can provide proof of cost by:

- A copy of a recent bill statement or fill ticket
- A statement from energy supplier that verifies account number and type of heat used
- Statement from landlord that verifies that heat is paid as part of or in addition to rent

If the application is not complete with income and heat cost verification, the application will be automatically denied. Make sure to double check that all of the necessary paper work is included with the application to avoid denial. The applicant is also unable to receive LIEAP and Tribal Energy Assistance within the same year.

**3**

If all of the paperwork is in order and the applicant is found to be eligible for assistance, the payment will be sent straight to the energy supplier or landlord, not as a reimbursement to the applicant. Types of heating that qualify for assistance with LIEAP are:

- Natural gas and electric heat
  - Assistance for these types of heat are available from October 10 through May 15th.
- Propane and fuel oil
  - Assistance with tank refills are available from July 1 through April 30.

The application is done through the Department of Social Services at: [DSS.SD.GOV](http://DSS.SD.GOV)

If the household is income eligible and also in an energy crisis, it may be eligible for Energy Crisis Intervention

As a residential utility customer, you have both rights and responsibilities to make sure fair dealings between you and your utility company.

## What are my public utility rights?

- Safe and reliable utility service
- Fair credit and security deposit policies
- The ability to question and dispute your bill's accuracy with the utility
- The choice to file a complaint with the Public Utilities Commission (PUC)

Your utility company has the responsibility to honor all of these rights. You, the customer, should know your rights and fulfill your responsibilities to keep your utility service.

# **What are my public utility responsibilities?**

- Paying your bill on time
- Providing the utility with access to their meter
- Giving proper and prompt notice before moving or discontinuing service

## **How can I dispute my gas or electric bill if it has an error?**

There may come a time you may have a dispute or complaint about your electric, natural gas or telephone service or provider. Common areas of dispute include:

- termination or suspension of service
- billing or meter accuracy
- deposits
- quality of service

If you don't agree with a utility bill, you must dispute the charge with the utility provider either in writing, in person or by telephone. Service cannot be shut off for charges legitimately disputed 24 hours before to shut-off, but frivolous disputes will not stop a service shut-off. You must pay the undisputed part of the bill. You must cooperate in resolving the dispute.

You should always first try to resolve any issue or dispute with the company before doing anything. If after that you are unable to resolve the problem, you can contact the South Dakota Public Utilities Commission (PUC). The PUC will try to help you and

your utility company settle the complaint through discussions and agreements.

## **What are the reasons the utilities may be shut off?**

- Non-payment of a bill
- If you don't let the utility company read the meter, inspect its equipment or investigate possible hazardous conditions on your property
- Failure to pay an increased deposit or a deposit
- Failure to pay per an agreement between you and the utility company.

## **What procedures does the utility provider have to follow before shutting off my utilities?**

They utility provider must give a written notice of the intention to disconnect. The notice must be mailed or delivered to the address to which bills are customarily sent or the address where the service is provided.

- If this is your first disconnection, the utility provider shall give personal notice by either telephone, visit, or certified mail.
- The written notice and personal notice shall contain a statement of the customer's right to appeal and where to appeal the decision to disconnect.
- The utility shall make every reasonable effort to give notice of a pending disconnection;

- Notice must be given to you at least 30 days from the date of the last bill.
- Between November 1 to March 31 a utility company must give an extra thirty (30) days before disconnecting service. The utility shall tell the customer before the normal disconnection date that the customer has an extra 30 days until disconnection.
- This is not necessary if you have committed fraud, illegal use, or have clearly left or are preparing to leave without paying a past due bill.
  - You have refused to enter into an agreement with the utility company or didn't honor an agreement you have already made.
  - There is no bona fide and just dispute surrounding the bill.
- A dispute may not be defined as bona fide and just if a customer does not pay the undisputed part of a bill and does not contact the commission with the unresolved dispute within 10 working days after the disconnect notice was sent; and
  - Your utility provider cannot turn off your utilities:
- For non-payment for merchandise or special services purchased from the utility;
- For failure to pay for a different class of utility service.
- Failure to pay a bill for which the customer is a guarantor.

## **What about a Medical extension?**

A utility provider shall postpone the disconnection of a utility service if:

1. the disconnection will aggravate an existing medical emergency of the customer
2. a member of the customer's family
3. other permanent resident of the premises

Such extensions are limited to a single 30-day period. The 30 days starts from the date of a physician's certificate or a notice from a public health or social services official which states that disconnection of service.

## **Is there financial aid to help pay my utility bills?**

Yes, programs and resources throughout South Dakota can help the low to moderate income pay their energy bills, including heating and utility bills. Contact your energy provider for more details:

### **South Dakota Department of Social Services Office of Energy Assistance -**

Offers aid to low income South Dakotans pay for heating costs. Aid is offered on a first come first served basis. Eligibility and aid amounts are based on the number of people in your home and total household income. These payments are made directly to your energy supplier.

To apply fill out the [application](#)

Office hours: 8 a.m. – 5 p.m. (CT) Monday-Friday.

If it is an emergency, call 1.800.233.8503.

**West River Electric Association, Inc.** - This energy provider also runs Operation Roundup for its South Dakota customers. A local Board of Directors administers the funds from this program, and they will review each and every application for help. Individuals, families and customers can apply for grants from Operation Roundup, as well as local charities and non-profits. These organizations can use the money to pay for their own charitable programs.

Apply for emergency cash and funds from Operation Roundup for paying utility and heating bills, medical expenses, health care, and other unexpected bills. Dial any of the following.

- Rapid City South Dakota 605-393-1500 or 888-393-1500.
- Wall 888-279-2135 or 605-279-2135.

**MidAmerican Energy** - This utility company offers its customers an aid program known as I Care. It was created in partnership with local charities and non-profits. What it does is the I CARE financial aid program provides grants and support to your local community action agency. This organization then takes those funds and provides direct financial aid for paying heating and energy bills.

In addition, the I Care program from MidAmerican Energy also offers home weatherization services for free for qualified low-income applicants. This can help people conserve energy and save money on their energy bills. MidAmerican Energy and the government contribute funds to the program that are based on customer contributions and the utility also pays all administrative costs. Call 1-888-427-5632 to apply or for more information.

### Applying for the South Dakota Low Income Energy Assistance Program (LIEAP)

The LIEAP helps South Dakotans who are having troubles affording the costs of heating their residence during the winter months. There are a few important things to keep in mind during the application process.

- 1** The household's income must be within the income eligibility guidelines. For the 2018/2019 season, the income limits were:
  - 1 Person Household - \$5,211 max 3-month income
  - 2 Person Household - \$7,201 max 3-month income
  - 3 Person Household - \$9,091 max 3-month income
  - 4 Person Household - \$10,981 max 3-month incomeYou must report all of the income made by household members over the age of 18 years old when completing the application for LIEAP. Proof of income must be supplied by providing pay stubs from the last 3 months, supplying a statement from the employer, or if self-employed, sending the full tax return statement from the last year.
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  - Natural gas and electric heat
    - Assistance for these types of heat are available from October 19 through May 15th.
  - Propane and fuel oil
    - Assistance with tank refills are available from July 1 through April 30.The application is done through the Department of Social Services at: [DSS.SD.GOV](http://DSS.SD.GOV)
- 4** If the household is income eligible and also in an energy crisis, it may be eligible for Energy Crisis Intervention Program (ECIP). An energy crisis is:
  - Having a disconnection notice for the current primary heat source
  - Needing cash-on-delivery and being unable to come up with the cash
  - Having an eviction notice for unpaid heat bills if the heat is included in rent or paid in addition to the rent to the landlord.ECIP runs from October 1 through March 31.

Need help? Contact us at: [WWW.SDLAWHELP.ORG/Apply](http://WWW.SDLAWHELP.ORG/Apply)  
335 N Main Ave Suite 200, Sioux Falls, SD 57104 - (605) 336-6230

Last updated on May 19, 2022.

[Consumer Energy Public Utility Rights](#)

Files

[Applying for the South Dakota Low Income Energy Assistance Program \(LIEAP\).pdf](#)

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