

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2364

BY DELEGATE PACK, HILL, KESSINGER, GRAVES, STEELE,
HIGGINBOTHAM, LINVILLE, MAYNARD, SYPOLT, CADLE AND

FOSTER

[Introduced January 14, 2019; Referred
to the Committee on the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §24-3-11, relating to the underbilling of customers by public utilities; limiting
 3 the amount of time a customer may be backbilled; and providing for payment periods for
 4 the underbillings.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 3. DUTIES AND PRIVILEGES OF PUBLIC UTILITIES SUBJECT TO
 REGULATIONS OF COMMISSION.**

§24-3-11. Underbilling of customers.

1 (a) For purposes of this section, a “backbill” is a bill that represents charges not previously
 2 billed for service that was actually delivered to the customer before the current billing cycle.

3 (b) When a public utility submits a backbill to a customer, the customer shall be notified of
 4 the reason for the backbill. This notification shall be followed by, or include, a written explanation
 5 of the reason for the backbill and be sufficiently detailed to apprise the customer of the
 6 circumstances, error or condition that caused the underbilling.

7 (c) A public utility may not bill a customer for service provided more than 12 months before
 8 the utility actually became aware of the circumstance, error, or condition that caused the
 9 underbilling or that the original billing was incorrect. In the event the customer notified the utility
 10 of being charged less than the amount otherwise due, the utility may not bill a customer for service
 11 provided more than 90 days before the notification occurred.

12 (d) A utility shall permit the customer to make arrangements to pay a backbill without
 13 interest over a time period at least equal in length to the time period over which the backbill was
 14 assessed.

NOTE: The purpose of this bill is to provide for the underbilling of customers by public utilities. The bill limits the amount of time a customer may be backbilled. The bill provides for payment periods for the underbillings.

Strike-throughs indicate language that would be stricken from a heading or the present law

and underscoring indicates new language that would be added.