

**Joyce Lipman\_FAV\_SB628**

Uploaded by: Lipman, Joyce

Position: FAV

TESTIMONY IN FAVOR OF SB628

February, 21, 2020

I am here in support of SB628.

This bill will relieve the stress for many widows, who like me, often find to their surprise that their names are not included on the various accounts they and their spouses have had for years. For so many widows, the first 6 months after their loss becomes a nightmare of sorting through finances and notifying various entities of their spouse's death.

I was confounded that the utility companies (Pepco and Washington Gas) would not let me simply change the name on the account, even though I was a co-owner of all the properties we had lived in for the 53 years we had been married. So I had to go through the process of opening new accounts with these companies. With this bill, a widowed spouse need only show marriage and death certificates to continue an account.

This bill will also resolve other issues. When couldn't continue the account, I realized that all our on-time bills over the years had done nothing for my credit status. Moreover, in calculating discounts, the Verizon rep recently said, "I see you've been our customer for 2 years."

To add insult to injury, Washington Gas wanted a deposit for the new account. I asked to speak with a manager and got the deposit rescinded, but it occurred to me that if this was happening to me, it was happening to others. So I contacted Senator Kagan to see if we could save surviving spouses the added burden of having to open new utility accounts. After a call from Senator Kagan, a Washington Gas supervisor apologized to me and promised to talk to call center workers. Nonetheless, I hope we can get something more solid in place to protect grieving spouses. Thank you for your consideration.

Joyce Lipman  
701 Fallsgrove Dr, #302  
Rockville, MD 20850

# **MaCCRA\_AnnMacKay\_Support\_SB628**

Uploaded by: MacKay, Ann

Position: FAV



**Maryland Continuing Care Residents Association**  
**Protecting the Future of Continuing Care Residents**  
**The Voice of Continuing Care Residents at Annapolis**

**SUBJECT:** SB628: Utilities – Surviving Spouse of Account Holder – Protections

**COMMITTEES:** Senate Finance Committee  
The Honorable Delores Kelley

**DATE:** Friday, February 21, 2020

**POSITION:** **SUPPORT**

The **Maryland Continuing Care Residents Association (MaCCRA)** is a not-for-profit organization representing the residents in continuing care retirement communities (CCRCs). Maryland has over 18,000 older adults living in CCRCs. The principal purpose of MaCCRA is to protect and enhance the rights and financial security of current and future residents while maintaining the viability of the providers whose interests are frequently the same as their residents. MaCCRA SUPPORTS efforts to:

- Enhance: Transparency, Accountability, Financial Security; and
- Preserve existing protections in law and regulation for current and future CCRC residents statewide.

**On behalf of the Maryland Continuing Care Residents Association, we support Senate Bill 628.** SB 628 *“requires a “utility,” as defined, to temporarily keep an account open and then transfer the account to a surviving spouse of a deceased account owner. Specifically, a surviving spouse may present the relevant death and marriage certificates to the utility, at which point the utility must keep the deceased’s account open for at least six months with the surviving spouse as a joint account holder or transfer the account to the surviving spouse. Generally, the utility must complete the entire process without requiring any further information or imposing any fee or penalty; however, a utility may impose a fee or penalty or terminate an account for nonpayment. The utility may also close the account at the request of the surviving spouse.”*

This is a straightforward bill that will help a surviving spouse to transfer and manage the utility accounts of their deceased spouse. Oftentimes this is a complicated and unclear process and is being handled during a difficult time for the individual trying to manage the affairs of their loved one.

For these reasons we support Senate Bill 628 and ask for a favorable report.

**For further information please contact:**

**Barbara Marx Brocato and Associates at (410) 269-1503 or [barbara@bmbassoc.com](mailto:barbara@bmbassoc.com)**

**M Potter\_SB628\_FAV**

Uploaded by: Potter, Michele

Position: FAV



**Michele Potter, MPA**  
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February 19, 2020

**Re: SB628: Utilities – Surviving Spouse of Account Holder – Protections**

To Whom It May Concern:

I am the Executive Director of Asbury Methodist Village in Montgomery County, Maryland. We serve approximately 1500 older adults, who are active, vibrant residents of our community.

I have learned about an upcoming Hearing on a bill: **SB628: Utilities – Surviving Spouse of Account Holder – Protections**, and I have shared the information with our residents.

Currently, it is a lengthy and frustrating process for the surviving spouse to have a public utilities account changed into their name. Grieving widows or widowers should be able to easily transfer utility accounts in a straightforward process.

I personally feel strongly about this because of the difficulties I had when my Father passed away 8 years ago, assisting my Mother through this process. It took many months to work through the procedures to get it right.

This bill will implement a policy that allows the surviving spouse to provide a copy of the marriage and death certificates to add their name on the current account. This common-sense solution would simplify the process for those going through a loss and ensure that they do not have to navigate needless bureaucratic procedures.

Despite the fact that every residential utility ratepayer will die eventually, no statute, regulation, FAQ, webpage, or another resource that we could find for Maryland's major utilities (PEPCO, BGE, WSSC) even mentions the process for post-death account holder changes.

SB628 would improve the customer experience and process of transferring account holder information in the event of a deceased spouse. There should be flexibility to extend the period of time during which a deposit can be paid or waive the deposit. Ideally, new customers should be asked in every instance whether there is a spouse/partner, that should be on the account.

I strongly urge a favorable report of SB628.

Sincerely,

Michele R. Potter  
Executive Director



## **Senator Kagan\_FAV\_SB628**

Uploaded by: Senator Kagan, Senator Kagan

Position: FAV

CHERYL C. KAGAN  
Legislative District 17  
Montgomery County

Education, Health, and  
Environmental Affairs Committee

Senate Chair, Joint Committee on  
Administrative, Executive, and  
Legislative Review

Joint Audit Committee

Joint Committee on Federal Relations



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**SB628: Utilities – Surviving Spouse of Account Holder – Protections**  
**Finance Committee**  
**Hearing: Friday, February 21, 2020, at 1:00pm**

The death of a spouse is inevitable, yet I've learned that most of our utilities don't have a process to handle it. A Rockville constituent had trouble transferring account ownership following her husband's passing and contacted me. She was subject to a credit check, a processing fee, and the general inconveniences that come with opening a new account. This was despite the fact that she and her husband had been responsible customers for decades! Widows and widowers should be allowed to grieve, rather than jumping through needless bureaucratic hoops.

I wrote letters to several major Maryland utilities in order to bring this problem to their attention. I had hoped that legislation would not be needed. We as legislators have a responsibility to protect consumers from unreasonable business practices.

SB628 establishes a reasonable transition process following a spouse's death. It ensures that if an account is solely in a dead spouse's name, the surviving partner has six months to submit marriage and death certificates to transfer it into his or her name. This common sense solution would simplify the process for those going through a loss and protect them from unjustified fees.

I urge a favorable report of SB628 with a modest amendment, requested by a utility, authorizing the request for updated contact information in addition to marriage and death certificates.



**Was Gas\_FAV\_SB628**

Uploaded by: Smith, Brian

Position: FAV

Senate Finance Committee  
02/21/2020

**Senate Bill 628 – Utilities – Surviving Spouse of Account Holder – Protections**

**POSITION: SUPPORT**

Thank you, Chairwoman Kelley and members of the Senate Finance Committee, for the opportunity to comment on SB628.

The bill would not alter internal policies so we are supportive of codifying the language. Generally, a death certificate is what is used to maintain gas service and for transferring the primary account name to the surviving spouse's name.

To avoid confusion in past situations, Washington Gas has been able to post two names on the master record.

The customer can also contact Washington Gas and we routinely accommodate the request—similar to the process for a name change due to marriage—neither of which require a new account with deposits.

For these reasons, we support SB 628 and request a favorable report.

BRIAN SMITH

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**AG\_FAV\_SB628**

Uploaded by: Straughn, Karen

Position: FAV

**BRIAN E. FROSH**  
*Attorney General*

**ELIZABETH F. HARRIS**  
*Chief Deputy Attorney General*

**CAROLYN QUATTROCKI**  
*Deputy Attorney General*



**WILLIAM D. GRUHN**  
*Chief*  
Consumer Protection Division

**STATE OF MARYLAND**  
**OFFICE OF THE ATTORNEY GENERAL**  
**CONSUMER PROTECTION DIVISION**

Writer's Direct Dial No.  
410-576-7942

February 21, 2020

To: The Honorable Delores G. Kelley  
Chair, Finance Committee

From: Karen S. Straughn  
Consumer Protection Division

Re: Senate Bill 628 – Utilities – Surviving Spouse of Account Holder – Protections  
(SUPPORT)

The Consumer Protection Division of the Office of the Attorney General submits the following written testimony in support of Senate Bill 628 submitted by Senator Cheryl C. Kagan. This bill would require a utility to treat a surviving spouse as a joint holder of the account, or as an account holder, upon presentation of the account holder's death certificate and a marriage certificate.

Utilities are routinely placed in the name of one spouse only. Presently, when that individual passes away, it may be difficult for the remaining spouse to establish control of the account that they shared. This bill would ensure that these difficulties are easily overcome and a surviving spouse has the ability to maintain their electrical or gas coverage without having to arrange for a new account and/or be subject to additional fees or charges. By presenting the account holder's death certificate, as well as a marriage certificate, the utility would be required to extend the account for at least 6 months, transfer the account to the surviving spouse or close the account if requested by the surviving spouse, all without imposing any additional fees. In addition, the utility would preserve its rights to impose fees or terminate the account if payments were not made on the account as required. A surviving spouse should not be treated as a new customer and be subject to additional fees, and this bill would preserve those rights without diminishing any rights of the utility.

For these reasons, we ask that the Finance Committee return a favorable report on this bill.

cc: The Honorable Cheryl C. Kagan  
Members, Finance Committee



# **OPC\_Informational\_SB628**

Uploaded by: Carmody, Paula

Position: INFO

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**BILL NO.:** **Senate Bill 628**  
**Utilities – Surviving Spouse of Account Holder –**  
**Protections**

**COMMITTEE:** **Senate Finance**

**HEARING DATE:** **February 21, 2020**

**SPONSOR:** **Senator Kagan**

**POSITION:** **Informational**

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The Office of People's Counsel (OPC) provides informational comments on Senate Bill 628. Senate Bill. 628 is intended to provide certain protections to the surviving spouse of a utility account-holder, when the spouse is not a joint holder of the account. The bill would require the utility to treat the surviving spouse as a de facto joint holder of the account for a period of not less than six months, or transfer the account to the spouse. The utility would be prohibited from imposing any fee or penalty in doing so. It appears that the intention of the bill is to prevent the utility from requiring the surviving spouse to submit a new service application and potentially imposing a security deposit requirement on the surviving spouse during this six-month time period. The bill would allow a utility to impose fees, such as a late fee, or terminate service, for past-due bills or arrearages. As OPC understands it, Senate Bill 628 is intended to make circumstances easier for a surviving spouse at a difficult time.

There may be unintended consequences in the case of a deceased account holder with past-due bills or arrearages. Like any other contracts or service agreements, the utility account-holder is the only person who can be held responsible for the cost of the services incurred. If a spouse is not a joint account holder, he or she cannot be required

to pay any past-due bills of the deceased spouse. If the Bill allows a surviving spouse to be treated as a joint account holder, that spouse may also be held accountable for any arrearages accrued by the deceased spouse. While this situation may only affect a relatively small number of individuals, it could effectively create a legal obligation where there was none.