

**GENERAL INFORMATION SYSTEM**  
**Center for Employment & Economic Supports**

**March 12, 2015**

Page: 1

**TO:** Subscribers

**SUGGESTED DISTRIBUTION:** Commissioners, TA Directors, SNAP Directors, WMS Coordinators,  
HEAP Coordinators, Staff Development Coordinators

**FROM:** Phyllis D. Morris, Deputy Commissioner, Center for Employment and Economic Supports

**SUBJECT:** Calculation of Utility Arrears When TA, HEAP and/or Customer Payments Have Been Made

**EFFECTIVE DATE:** Immediately

**CONTACT PERSON:** TA Program Questions: TA Bureau at 1-800-343-8859, ext. 4-9344  
HEAP Program Questions: HEAP Bureau at 1-800-343-8859, ext. 3-0332

The purpose of this GIS is to highlight for Social Services Districts (SSDs) the correct application of Temporary Assistance (TA), Home Energy Assistance Program (HEAP), and/or personal payments made by or for TA, Non-Temporary Assistance (NTA), and Supplemental Security Income (SSI) recipient households to the utility company during an energy emergency arrears period. This GIS does not reflect any change to existing policy. The correct application of customer payments is necessary to ensure that the household receives the correct benefit amount and that the utility is not underpaid for service they have provided. SSL 131-s dictates that payment be made for services provided during the four months immediately preceding the request for assistance or the most recent four of ten months, depending on household type. Whether payments made during the energy emergency arrears period should be deducted from the calculation of a TA utility arrears payment depends on the type of household requesting emergency assistance: TA, NTA, or SSI.

Each Public Service Commission (PSC) regulated utility has a PSC approved tariff which dictates how that utility company applies customer payments. In accordance with these PSC approved tariffs, personal payments made by individuals not on guarantee to their utility company are not required to be applied to current bills, but may be applied by the utility company to utility arrears.

Personal Payments Made by a TA Recipient During the Energy Emergency Arrears Period

For TA households, in accordance with 18 NYCRR § 351.9(a)(2), payments must not be made which duplicate assistance granted. Therefore, any TA or personal payments paid to the utility during the energy emergency arrears period must be deducted from the calculation of the TA utility arrears payment. For TA households, it is important to distinguish when the payment was made, rather than to what period it was applied. For these households only, it is appropriate to subtract personal payments made to the utility during the arrears period.

**GENERAL INFORMATION SYSTEM**  
**Center for Employment & Economic Supports**

**March 12, 2015**

Page: 2

TA Payments Made by or for TA, NTA or SSI Households During the Energy Emergency Arrears Period

For all household types, it is necessary for the SSD to determine if a TA payment has been made to the utility during the arrears period, and if so, to deduct that amount from the total paid so as to prevent the duplication of assistance. Once the 131-s TA utility arrears payment is made, all prior arrears are suspended and any subsequent TA payment made for utilities while the client is in receipt of TA or SSI should be applied by the utility company to the current bill.

Personal Payments Made by NTA or SSI Households During the Energy Emergency Arrears Period

For NTA and SSI households, SSDs must not deduct any personal payments made to the utility from the calculation of the TA utility arrears payment. These payments must be applied by the utility company in accordance with their PSC approved tariff. These tariffs tend to permit the application of payments to the oldest amount a customer owes.

If the arrears that the utility company applied the payment to were from a period prior to the energy emergency arrears period, the customer still owes the full amount of the arrears that fall within the energy emergency arrears period. In such cases, it would not be appropriate to deduct the payment from the four month arrearage calculation. If the SSD deducts the payment from the total cost of service provided in the energy emergency arrears period, and the utility had applied that payment to an amount owed prior to the arrears period, the SSD would not be paying the total cost of service in the four months prior to the request for assistance.

If the arrears that the utility company applied the payment to were from a period during the energy emergency arrears period, that amount will have already been deducted by the utility from the bill, and therefore, would not be reflected in the utility bill as an amount that is owed.

In either case, it is not necessary for the SSD to manually deduct the payment from the arrearages to be paid.

HEAP Payments Made for TA, NTA or SSI Households during the Energy Emergency Arrears Period

For all household types, SSDs must not deduct any HEAP payments made to the utility on behalf of households from the calculation of the TA emergency arrears period payment.

The New York State HEAP vendor agreement for Public Service Regulated utilities requires that HEAP benefits will be credited to the customer's current account to provide future utility service. Payments to accounts held in abeyance are not permitted.

For additional information on processing and issuing HEAP payments, see the NYS HEAP Manual (rev. 12/9/2014).

Example 1:

Ms. Hyde is on SSI and has a total four month arrearage of \$500. In the most recent four months, she has made a personal payment of \$50 to her utility company. The personal payment must not be deducted from the total arrearage, so the arrearage amount the SSD will pay to her utility is \$500.

**GENERAL INFORMATION SYSTEM**  
**Center for Employment & Economic Supports**

March 12, 2015

Page: 3

Example 2:

Ms. Roth is not in receipt of TA or on SSI, but is an NTA applicant. She has a total four month arrearage of \$500. In the most recent four months, she has made a personal payment of \$50. The personal payment must not be deducted from the total arrearage, so the arrearage amount the SSD will pay to her utility is \$500.

Example 3:

Ms. Red is a TA recipient and has a total four month arrearage of \$500. In the most recent four months, she has made a personal payment of \$50 and the SSD has paid \$50 by voucher to the utility. Both the personal and the voucher payments must be deducted from the arrearage amount to prevent duplicate TA payments, so the arrearage amount the SSD will pay to her utility is \$400.

Example 4:

Mr. Smith is an NTA applicant. He has a total four month arrearage of \$500. In the most recent four months, a HEAP benefit of \$35.00 was paid to his utility company. The HEAP payment must not be deducted from the total arrearage. The arrearage amount the SSD will pay to his utility is \$500.

For additional information on determining household type, see section V of the TA Energy Manual; for calculating arrearages and issuing payments, see sections VI A-J, VII A-J, and VIII A; and for handling shared meter situations, see section XIII B.