

RULE NO. 10

TERMINATION OF SERVICE

A. NONPERMISSIBLE REASONS TO DISCONNECT SERVICE

1. The Utility may not disconnect service for any of the reasons stated below:
 - a. Nonpayment of a bill until at least a five-day advance written notice is presented to customer stating that the bill is delinquent and that the Utility may discontinue service unless the customer makes payment or contacts the local Utility office to make arrangements for payment satisfactory to the Utility. The written notice shall include the local address and telephone number of the Utility and a list of rights and remedies available to the customer.
 - b. Delinquency in payment for services rendered to a prior customer at the premises where service is being provided, except in the instance where the prior customer continues to reside on the premises.
 - c. Failure of the customer to pay for services or equipment which are not regulated by the Commission.
 - d. Nonpayment of a bill related to another class of service.
 - e. Failure to pay a bill to correct a previous underbilling due to an inaccurate meter or meter failure when the customer agrees to pay over a reasonable period of time.
 - f. The Utility shall not terminate residential service where the customer has an inability to pay and:
 - (1) The customer can establish through medical documentation that, in the opinion of a licensed medical physician, termination would be especially dangerous to the health of the customer or to a permanent resident on the customer's premises, or
 - (2) Life supporting equipment used in a home is dependent on Utility service for operation of such apparatus, or
 - (3) Where weather will be especially dangerous to health as defined herein or as determined by the Commission.

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A. NONPERMISSIBLE REASONS TO DISCONNECT SERVICE *(Continued)*

- g. Residential service to ill, elderly, or handicapped persons who have an inability to pay will not be terminated until all of the following have been attempted:
 - (1) The customer has been informed of the availability of funds from various government and social assistance agencies
 - (2) A third party previously designated by the customer has been notified and has not made arrangements to pay the outstanding Utility bill.
- h. A customer utilizing the provisions of (f) or (g) above may be required to enter into a deferred payment agreement with the Utility within ten days after the scheduled termination date.
- i. The gas service will not be discontinued for nonpayment under any circumstances on the day prior to a national holiday or weekend.
- j. Disputed bills where the customer has complied with the Commission's rules on customer bill disputes.

B. TERMINATION OF SERVICE WITHOUT NOTICE

- 1. Utility service may be disconnected without advance written notice under the following conditions:
 - a. For unsafe apparatus or where service is detrimental or damaging to the Utility, its customers, or the general public.

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TERMINATION OF SERVICE*(Continued)*B. TERMINATION OF SERVICE WITHOUT NOTICE *(Continued)*

- (1) If any unsafe or hazardous condition is found to exist on the customer's premises, or if the use of gas thereon by apparatus, appliances, equipment or otherwise is found to be detrimental or damaging to the Utility, its customers, or the general public, or if the utilization of gas by means thereof is prohibited or forbidden by law, the service may be disconnected without notice. The Utility will attempt to notify the customer or occupant immediately of the reasons for the discontinuance and the corrective action to be taken by the customer before service can be restored.
- (2) The Utility does not assume the duty of inspecting the customer's house piping, appliances or apparatus or any part thereof and assumes no liability therefore.

b. For Fraud

The Utility shall have the right to refuse or to discontinue gas service if the acts of the customer or the conditions upon his premises are such as to indicate intention to defraud the Utility. When the Utility has discovered that a customer has obtained service by fraudulent means, or has used the gas service for unauthorized purposes, the service to that customer may be discontinued without notice. The Utility will not restore service to such customer until that customer has complied with all filed rules and reasonable requirements of the Utility and the Utility has been reimbursed for the full amount of the service rendered and the actual cost to the Utility incurred by reason of the fraudulent use.

c. Unauthorized resale or use of Utility services.

d. Failure of a customer to comply with the curtailment procedures imposed by the Utility during supply shortages.

2. The Utility shall not be required to restore service until the conditions which resulted in the termination have been corrected to the satisfaction of the Utility.
3. The Utility shall maintain a record of all terminations of service without notice. This record will be maintained for a minimum of one year and shall be available for inspection by the Commission.

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C. TERMINATION OF SERVICE WITH NOTICE

1. The Utility may disconnect service to any customer for any reason stated below provided the Utility has met the notice requirements established by the Commission:
 - a. Customer violation of any of the Utility's tariffs.
 - b. Failure of the customer to pay a delinquent bill for Utility service.
 - c. If a customer is receiving gas service at more than one location, service at all locations may be discontinued if bills for service at any one or more of these locations are not paid within 25 days, provided the Utility has given the customer at least five days' prior written notice of such intention. However, domestic residential service will not be discontinued because of nonpayment of bills for other classes of service.
 - d. Failure to meet or maintain the Utility's deposit requirements.
 - e. If, for the convenience of an applicant, the Utility should establish gas service to an applicant before he has established his credit, the Utility may discontinue service if the applicant fails to establish credit within five days thereafter.
 - f. Use of restricted apparatus.
 - g. Failure of the customer to provide the Utility reasonable access to its equipment and property.
 - h. Customer breach of a written contract or agreement for service or service-related work between the Utility and customer.
 - i. When necessary for the Utility to comply with an order of any governmental agency having such jurisdiction.
2. The Utility shall maintain a record of all terminations of service with notice. This record shall be maintained for one year and be available for Commission inspection.

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D. TERMINATION NOTICE REQUIREMENTS

1. The Utility shall not terminate service to any of its customers without providing advance written notice to the customer of the Utility's intent to disconnect service, except under those conditions specified where advance written notice is not required.
2. Such advance written notice shall contain, at a minimum, the following information:
 - a. The name of the person whose service is to be terminated and the address where service is being rendered.
 - b. The Utility tariff that was violated and explanation thereof or the amount of the bill which the customer has failed to pay in accordance with the payment policy of the Utility, if applicable.
 - c. The date on or after which service may be terminated.
 - d. A statement advising the customer that the Utility's stated reason for the termination of services may be disputed by contacting the Utility at a specific address or phone number, advising the Utility of the dispute and making arrangements to discuss the cause for termination with a responsible employee of the Utility in advance of the scheduled date of termination. The responsible employee shall be empowered to resolve the dispute and the Utility shall retain the option to terminate service after affording this opportunity for a meeting and concluding that the reason for termination is just and advising the customer of his right to file a complaint with the Commission.
3. Where applicable, a copy of the termination notice will be forwarded to designated third parties prior to termination of service.

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E. TIMING OF TERMINATIONS WITH NOTICE

1. The Utility shall be required to give at least five days' advance written notice prior to the termination date.
2. Such notice shall be considered to be given to the customer when a copy thereof is left with the customer or posted first class in the United States mail, addressed to the customer's last known address.
3. If after the period of time allowed by the notice has elapsed and the delinquent account has not been paid or arrangements have not been made with the Utility for the payment thereof or in the case of a violation of the Utility's rules the customer has not satisfied the Utility that such violation has ceased, the Utility may then terminate service on or after the day specified in the notice without giving further notice.
4. Service may only be disconnected in conjunction with a personal visit to the premises by an authorized representative of the Utility.

F. LANDLORD/TENANT RULE

In situations where service is rendered at an address different from the mailing address of the bill or where the Utility knows that a landlord/ tenant relationship exists and that the landlord is the customer of the Utility, and where the landlord as customer would otherwise be subject to disconnection of service, the Utility may not disconnect service until the following actions have been taken:

1. Where it is feasible to provide service, the Utility, after providing notice as required in this rule, shall offer the occupant the opportunity to subscribe for service in his or her name. If the occupant then declines to so subscribe, the Utility may disconnect service pursuant to this rule.
2. The Utility shall not attempt to recover from a tenant or condition service to a tenant with the payment of any outstanding bills or other charges due upon the outstanding account of the landlord.