



### **Policy 3 - Discontinuance of Service (Cut-offs)**

**ADOPTION DATE: DECEMBER 3, 1997**

**REVISION #1 DATED: FEBRUARY 3, 1999**

**REVISION #2 DATED: APRIL 5, 2002**

**REVISION #3 DATED: May 2, 2003**

**REVISION #4 DATED: June 3, 2005**

#### **BACKGROUND AND PURPOSE**

It is accepted utility practice in the United States that the customer is responsible for payment of service and other duly authorized charges.

(The customer must also realize that the service he/she doesn't pay for will be paid for by other customers).

The utility is operational for the benefit of all existing and future customers, and while no customer shall intentionally be treated unfairly, no customer shall be treated in a way that compromises the service to other customers.

#### **LIMITATIONS**

The utility is subject to state and federal regulations and has no discretion to allow customers to accumulate unpaid balances which is a direct violation of applicable regulations

#### **POLICY**

1 ... Reasons for Discontinuance of Service:

- (a) Nonpayment of bill or other charges;
- (b) Partial payment of bill which accumulates to 2 months minimum billings.
- (c) Failure to comply with utility rules, regulations or policies;

(d) Any threat to public health on the customer's premises which may endanger other customers;

(e) Tampering with utility equipment or stealing service;

(f) In the event that a customer has allowed more than one service on one tap.

(g) Failure to make good on a returned check and related fees within 10 days of being returned.

(h) Failure to have mailing receptacle within 30 days from signing customer contract.

(i) Failure of customer to maintain customer plumbing in satisfactory condition.

1. Only applies when extreme condition exist within the utility and continue leaking on customer plumbing poses a threat to the stability of the utilities operation.

2. It shall be the policy of the utility to give notice of extreme leakage to customer, giving the customer 5 days to have leakage repaired failure of the customer to repair leakage customer will be cutoff as set forth in (I) 1.

(j) Utility service will immediately be disconnected if customer check is returned for insufficient funds that was for payment to prevent utility service disconnect.

2 ... There will be no second notice.

No "final notice" will be mailed if payment is not received by the due date. Service will be discontinued if not paid by date shown on disconnection notice.

Service cut-offs for non-payment or partial payment of bills will begin the first working day after the 5th day of the month. Service cut-offs will be handled in accordance with the utility's workload.

3 ... For the benefit of the customer, normal service cut-offs will not be made on a Friday or on the day immediately preceding a holiday.

In the following situations the utility reserves the right to discontinue service without customer notice.

- a. When in the opinion of the manager a situation exists that may endanger public health;
- b. Where there is evidence of tampering with utility equipment or stealing of service.
- c. Where it is discovered that a misrepresentation of identity was made in obtaining service.

4 ... Service will be reinstated only during regular working hours, Monday through Friday, except in case of an emergency.

5 ... Utility bills are recurring charges. Failure by the customer to receive a utility bill will not entitle the customer to be relieved of payment.

6 ... The customer shall pay all costs for the discontinuance of service and any reconnection. The charges for these services are shown in the **Schedule of Rates and Charges**.

a). For the convenience of the customer, utility personnel are permitted to collect all of the outstanding bill plus the service call charge when they arrive at the customer's premises to discontinue service. Personnel are permitted to collect outstanding bills plus reconnection fees per customer request. If a transaction is made, a receipt will be rendered.

b). Service that has been disconnected due to **returned checks** will be reinstated only after all fees have been paid in full. Payment for a returned check must be made by guaranteed securities.

7. Discontinuance of service by the utility shall not release the customer from liability for payment for service already received or from liability from payments that thereafter become due under the minimum bill provisions or other provisions of the customer's contract.

8 ... The utility shall not be liable for any loss or damage resulting from the discontinuance of service.

9 ... A landlord shall not use the discontinuance of service to his or her property to force a tenant or occupant to surrender possession of the property. The landlord shall use appropriate legal means for that purpose.

10 ... The customer(s) whose name appears on the application for service is (are) the customer(s) responsible for payment of all charges. That customer is also responsible for any rules or policy violations that occur regarding the utility service to that property. Personal participation by the customer in any such violation shall not be necessary to impose personal responsibility on the customer.

11 ... In the event any customer fails to pay any utility fee or charge, the customer shall pay all costs of collection including court costs and attorney's fees incurred by the utility in collecting such sums.

12 ... The utility shall have the right to refuse to render service to an applicant or to any member of an applicant's household who is living at the same address whenever such person(s) is (are) delinquent on any payment to the utility or had his or her service discontinued because of a violation of the regulations or policies of the utility.

13 ... The utility shall not disconnect the service to any customer on a life support system or dialysis machine. It is the responsibility of the customer to notify the utility if service discontinuance would be life threatening. After notification, the utility will flag the customer's account and meter as an "**Emergency Medical Service**" to ensure that the service is not cut off by utility personnel.

If an emergency medical service customer cannot pay a bill or other charge, it shall be the customer's responsibility to find a social service agency or charitable group to assist the customer within 90 days.

14 ... The customer in whose name the service is furnished may request termination of service by mail or in person at the office of the utility.. No telephone requests for cut-offs will be honored.

15 ... Each customer must give a minimum of five (5) days notice to the utility of service termination. The customer will be responsible for all charges which accrue to the end of the five (5) day period including the minimum charge.

16 ... Where utility service is being furnished to an occupant of premises under a contract not in the occupant's name, the utility reserves the right to impose the following conditions on the right of the customer to discontinue service under such a contract:

(a) Written notice of the customer's desire for such service to be continued may be required.

(b) The utility shall have the right to continue such service for a period not to exceed two (2) business days after receipt of such written notice, during which time the customer will be responsible to the utility for all charges for such service.

### **RECORD KEEPING DURATION**

All records regarding discontinuance of service shall be kept for a minimum of ten years.

### **OMISSIONS**

In the absence of specific rules or policies, the disposition of matters related to discontinuance of service shall be made by the Governing Board in accordance with its usual and customary practices.