

**RULE NO. 11**

**DISCONTINUANCE AND RESTORATION OF SERVICE**

**A. DISCONTINUANCE OF SERVICE FOR NONPAYMENT**

Upon a Customer's failure to pay, when due, all bills rendered for services provided by the Company, or failure to comply with any of Company's rules and regulations, the Company may, in addition to all other rights and remedies at law or in equity, cancel or terminate the contract under which service is being supplied or discontinue the furnishing of service.

1. Residential Customers:

The Company shall provide a minimum of 19 days within which to pay a monthly bill, and a minimum of 15 days notice before termination can occur. When a bill for electric service has become past due and a 15 day discontinuance of service notice for nonpayment of bill has been issued, service may be discontinued if payment is not received by the due date of the notice provided. When the past due balance on a 15 day notice is unpaid, the Company will issue a notice of termination for nonpayment 5 days prior to terminating service.

If a Customer makes a payment subsequent to the issuance of a 15 days notice of disconnection, whether payment is made to prevent a service discontinuance or to reactivate a previously discontinued service, and the Customer's financial institution fails to honor said payment, the account shall be deemed unpaid. The Company will attempt to notify the Customer of the payment failure. The Customer shall have one business day to correct the failure. If a valid payment is not received, service to the Customer may be discontinued without further notice after the due date of the previously issued 5 day notice.

2. Nonresidential Customers:

The Company shall provide a minimum of 19 days within which to pay a monthly bill, and a minimum of 5 days notice before termination can occur. When a bill for electric service has become past due and a 5 day discontinuance of service notice for nonpayment of bill has been issued, service may be discontinued if payment is not received by the due date of the notice provided.

**B. PAYMENT ARRANGEMENTS**

A residential Customer who does not owe an outstanding balance on a defaulted payment arrangement shall be considered eligible for payment arrangements, provided they contact the Company prior to the termination of service. The Customer shall be permitted to pay installments on the unpaid balance along with accrued monthly charges over a reasonable period of time, not to exceed 12 months.

(Continued)

**Issued by**

Advice Letter No.	<u>337-E</u>	<u>Andrea L. Kelly</u>	Date Filed	<u>December 21, 2006</u>
		Name		
Decision No.	<u>(D)06-12-011</u> <u>(D)06-12-036</u>	<u>VP, Regulation</u>	Effective	<u>January 1, 2007</u>

Title

**RULE NO. 11 (Continued)**

**DISCONTINUANCE AND RESTORATION OF SERVICE**

**C. CONDITIONS WHERE THE COMPANY CANNOT DISCONNECT SERVICE FOR NONPAYMENT**

**1. Residential Service**

The Company may not terminate residential service for nonpayment in any of the following situations:

- a. During a pending investigation by the Company of a Customer dispute or complaint.
- b. Due to nonpayment of bills for other classes of service.
- c. On any Saturday, Sunday or Legal Holiday.
- d. On the certification of a licensed physician or surgeon that to do so will be life threatening to the Customer. Customers who submit such certification and who are financially unable to pay for service within the normal payment period shall be permitted to pay installments on the unpaid balance along with accrued monthly charges over a reasonable period of time, not to exceed 12 months.
- e. When a Customer has been granted an extension of the period for payment of a bill.

**2. Nonresidential Service**

The Company may not terminate nonresidential service for nonpayment in any of the following situations:

- a. During a pending investigation by the Company of a Customer dispute or complaint.
- b. On any Saturday, Sunday or Legal Holiday.
- c. When a Customer has been granted an extension of the period for payment of a bill.

**D. DISCONTINUANCE OF SERVICE FOR OTHER CAUSES**

**1. Unauthorized Use**

The Company may terminate service without notice when it has determined that unauthorized usage has occurred, as defined in Rule 17.1. When the Customer's service has been terminated under this section, Company may refuse to restore service until:

- a. The unauthorized use has ceased;
- b. The Company has received full compensation for all related charges specified in Rule 17.1; and
- c. The Applicant or Customer has reestablished credit, per Rule 6.

(Continued)

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		Title		

**RULE NO. 11 (Continued)**

**DISCONTINUANCE AND RESTORATION OF SERVICE**

**D. DISCONTINUANCE OF SERVICE FOR OTHER CAUSES (Continued)**

**2. Unsafe Wiring or Equipment**

The Company shall have the right to refuse or discontinue electric service if any part of the Customer's wiring or equipment, or the use thereof shall be found to be unsafe by the Company or in violation of applicable laws, ordinances, rule or regulations of public authorities until it shall have been put in a safe condition or the violation remedied. The Company does not assume the duty of inspecting or repairing the Customer's lines or appliances or apparatus or any part thereof and assumes no liability therefore.

**3. Service Detrimental to Other Customers**

The Company will not provide service to utilizing equipment, the operation of which will be detrimental to the service of its other Customers, and may discontinue service to any Customer who shall continue to operate such equipment after having been directed by Company to cease such operation.

**4. Fraud**

The Company may refuse or discontinue electric service if the acts of the Customer or the conditions upon the Customer's premises are such as to indicate intention to defraud the Company. This may include discontinuance or denial of service for nonpayment of a bill where the Company determines that the same person or persons continue to occupy the service address.

**5. Access to Company Facilities**

The Company shall have the right to refuse or discontinue service, after reasonable notice, where the Customer does not cooperate in providing access to the Company's facilities as specified in Rule 16.

**6. Vegetation Management**

The Company shall have the right to discontinue service to a Customer who does not allow access to his or her property for vegetation management activities as specified in Rule 16.

A. The authority to disconnect service to a customer is limited to situations where:

i. There is a breach of the minimum vegetation clearances required for power lines in General Order (GO) 95, Rule 35, Table 1, Cases 13 and 14 under the provisions in effect at the time the breach is discovered.

ii. For service(s) in a High Fire-Threat District, as defined by GO 95, Rule 21.2-D, there is breach of the minimum vegetation clearances required for power lines and support structures in Cal. Pub. Res. Code Sections 4292 and 4293 for State Responsibility Areas.

(Continued)

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Decision No. 17-12-024 VP, Regulation Effective July 12, 2018

Title

**RULE NO. 11 (Continued)**

**DISCONTINUANCE AND RESTORATION OF SERVICE**

**D. DISCONTINUANCE OF SERVICE FOR OTHER CAUSES (Continued)**

**6. Vegetation Management (Continued)**

- iii. For service(s) in a High Fire-Threat District, the Company has obtained from an arborist a written determination that a dead, rotten, diseased, leaning, or overhanging tree (or parts thereof) poses an imminent or immediate risk for falling onto, or otherwise contacting, a power line. The written determination shall provide one or more photographs of the tree and explain the basis for the arborist's determination. The arborist shall possess dual certification from the International Society of Agriculture as a Certified Master Arborist and a Certified Utility Specialist. An "imminent risk" is a risk that will, in the arborist's professional judgment, very likely to be realized at any moment. An "immediate risk" is a risk that will, in the arborist's professional judgment, certainly be realized at any moment.
- B. The authority to disconnect service to a customer who obstructs vegetation management activities does not extend to customers that are state and local governments and agencies.
- C. The authority to disconnect service to a customer is limited to one meter serving the property owner's primary residence, or if the property owner is a business entity, the entity's primary place of business. This one meter is in addition to disconnecting service, if necessary for public safety, at the location of the vegetation-related fire hazard.
- D. Prior to disconnecting service, PacifiCorp shall follow the then current procedures and notice requirements applicable to discontinuance of service for non-payment, including the requirements applicable for sensitive customers, customers who are not proficient in English, multifamily accommodations, and other customer groups, except as set forth in section E below.
  - i. To the extent practical, the applicable procedures and notice requirements shall be completed prior to a breach of the minimum vegetation clearances required by (i)GO 95, Rule 35, Table 1, Case 13 and 14, and/or (ii) Cal. Pub. Res. Code Sections 4292 and 4293.
  - ii. In situations that pertain to Section A.iii. above, the notice shall include the arborist's written determination and photographs provided to PacifiCorp.
- E. For vegetation hazards in Item A, above, that pose an immediate threat to public safety, PacifiCorp may disconnect service to the obstructing property owner's residence or primary place of business at any time without prior notice, except when the customer receives service under a medical baseline allowance. If service is disconnected without prior notice, PacifiCorp shall attempt to contact the property owner for five consecutive business days by daily visits to the property owner's residence or primary place of business, in addition to sending a written notice, to inform the property owner why service has been disconnected and how to restore service. If PacifiCorp determines that it is necessary to disconnect service to a medical baseline customer, PacifiCorp shall attempt to notify the customer by telephone prior to the service disconnection.

(Continued)

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**RULE NO. 11 (Continued)**

**DISCONTINUANCE AND RESTORATION OF SERVICE**

**D. DISCONTINUANCE OF SERVICE FOR OTHER CAUSES (Continued)**

**7. No Customer of Record**

Anyone taking electric service, for which an application has not been accepted and who is therefore not a Customer, may have service discontinued without notice, as specified in Rule 17.1, and shall be liable for charges, under the applicable schedule, for any service taken.

**E. RESTORATION OF SERVICE**

Whenever service has been discontinued by the Company because of any default by the Customer, as provided in these rules, the Company shall have no obligation to reconnect such service until the causes for disconnection have been remedied.

When a customer's service has been terminated because access to overhead electric facilities for vegetation management purposes has been obstructed, the customer's service will not be restored until appropriate vegetation management has been achieved or vegetation hazard has been mitigated, and payment for all applicable restoration of service charges as provided in Schedule 300 has been received.

**F. CHARGES FOR COLLECTION ACTIVITY**

**1. Reconnection Charge**

A reconnection charge as specified in Schedule No. 300 may be assessed by the Company before restoring service that has been disconnected for nonpayment of bills, fraud or failure to comply with tariff rules of the Company. The Schedule 300 reconnection charge will be based on whether the meter is a meter with the ability to remotely reconnect or a meter without the ability to remotely reconnect.

**2. Field Visit Charge**

The Company may assess the Customer the Field Visit Charge shown on Schedule 300 when payment is collected at the service address or when the employee, without receiving payment, does not disconnect at the Customer's request. The employee accepting payment for a delinquent account at the service address will not dispense charge for payment tendered in excess of the amount due or owing. Any excess payment shall be credited to the Customer's account.

**3. Tampering/Unauthorized Reconnection Charge**

Where damage to the Company's facilities has occurred due to tampering or where reconnection of service has been made by other than Company personnel, a Tampering/Unauthorized Reconnection Charge may be collected as specified in Schedule No. 300. This charge is not a waiver by the Company of the rights to recover losses due to tampering. In addition to the above mentioned charge, the person(s) receiving service shall be liable for any damage to Company property.

(Continued)

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TF6 R11-5.E			Resolution No.	<u></u>	

**RULE NO. 11 (Continued)**

**DISCONTINUANCE AND RESTORATION OF SERVICE**

**G. DISPUTE OF DISCONNECTION**

Any Customer may appeal a decision resulting from a complaint or request for investigation made to the Company to the Consumer Affairs Branch, California Public Utilities Commission.

1. In lieu of paying the disputed past due amount, the Customer should write to the Commission's Consumer Affairs Branch to file an informal complaint. It is the responsibility of the Customer to timely inform the Commission to avoid discontinuance of service.
2. Within ten business days, the Commission will advise both parties of its findings.
3. Service will not be discontinued for nonpayment of the disputed bill until the Commission's review is completed.
4. If the Customer is not satisfied with the proposed resolution by the Commission, he may file within ten business days after the date of the Commission reply, a formal complaint using a form supplied by the Consumer Affairs Branch of the Commission.
5. Failure of the Customer to observe these time limits will entitle the Company to insist upon payment and failure to do so will warrant discontinuance of their service in accordance with this rule.
6. The Company will not be required to connect service for a Customer who has not paid for service previously rendered. However, if service is connected by oversight or agreement, such service may be discontinued for nonpayment of a bill for service at a previous location if such bill is not paid within fifteen days after presentation of a notice of discontinuance of service for nonpayment of such bill.
7. Under no circumstances may service be discontinued for nonpayment of a bill to correct previously billed incorrect charges for a period in excess of the preceding three months, unless such incorrect charges have resulted from the Customer not abiding by the filed rules.
8. The Company has available to all Customers, a complete copy of the Company's termination rules, as well as a list of organizations and agencies which possibly could help the Customer pay their bill.

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