

CALIFORNIA PUBLIC UTILITIES COMMISSION

**ADVICE LETTER FILING SUMMARY
ENERGY UTILITY**

MUST BE COMPLETED BY LSE (Attach additional pages as needed)

Company name/CPUC Utility No. **Liberty Utilities (CalPeco Electric) LLC (U 933-E)**

Utility type:

- ELC GAS
 PLC HEAT WATER

Contact Person: Daniel W. Marsh

Phone #: (562) 299-5104

E-mail: Dan.Marsh@libertyutilities.com

EXPLANATION OF UTILITY TYPE

ELC = Electric GAS = Gas
 PLC = Pipeline HEAT = Heat WATER = Water

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: 101-E

Tier Designation: 1 2 3

Subject of AL: Revisions to Electric Rule 11 – Discontinuance and Restoration of Service in compliance with Decision 17-12-024

Keywords (choose from CPUC listing):

AL filing type: Monthly Quarterly Annual One-Time Other

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution: D. 17-12-024

Does AL replace a withdrawn or rejected AL? No If so, identify the prior AL

Summarize differences between the AL and the prior withdrawn or rejected AL:

Resolution Required? Yes No

Requested effective date: September 7, 2018

No. of tariff sheets: 6

Estimated system annual revenue effect (%): ____

Estimated system average rate effect (%): ____

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected: Rule 11 – Discontinuance and Restoration of Service

Service affected and changes proposed: N/A

Pending Advice Letters that revise the same tariff sheets: N/A

Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this filing, unless otherwise authorized by the Commission, and shall be sent to:

CPUC, Energy Division Utility Info (including e-mail)

Attention: Tariff Unit
505 Van Ness Ave., 4th Floor
San Francisco, CA 94102
edtarriffunit@cpuc.ca.gov

Liberty Utilities (CalPeco Electric) LLC
Attention: Advice Letter Protests
933 Eloise Avenue
South Lake Tahoe, CA 96150
Email: Dan.Marsh@libertyutilities.com



Liberty Utilities (CalPeco Electric) LLC
933 Eloise Avenue
South Lake Tahoe, CA 96150
Tel: 800-782-2506
Fax: 530-544-4811

July 18, 2018

**Advice Letter 101-E
(U 933 E)**

California Public Utilities Commission
Energy Division, Tariff Unit
505 Van Ness Avenue, 4th Floor
San Francisco, CA 94102-3298

Subject: Liberty Utilities (CalPeco Electric) LLC (U-933 E) – Revisions to Electric Rule 11 – Discontinuance and Restoration of Service in compliance with Decision 17-12-024

PURPOSE

Pursuant to Ordering Paragraph (“OP”) 7 of Decision (D.) 17-12-024, Liberty Utilities CalPeco Electric LLC (“Liberty CalPeco”) hereby submits for approval by the California Public Utilities Commission (“Commission”), revisions to Electric Rule 11, Discontinuance and Restoration of Service, Section L, Vegetation Management.¹

BACKGROUND

On December 21 2017, the Commission issued D.17-12-024, which adopted new and revised fire safety regulations including the definition of a new High Fire Threat District. The intent of the new regulations is to protect public safety in accordance with Public Utilities Code Sections 451 and 8386(a). The Decision amends Liberty CalPeco’s Rule 11 to allow Liberty CalPeco to disconnect electric service to a customer or property owner who obstructs access to overhead power-line facilities for vegetation management activities, subject to the conditions adopted in D.17-12-024 Appendix B.

PROPOSED TARIFF CHANGES

Liberty CalPeco is updating its Electric Tariff Rule 11 with Amended Pro Forma Rule 11 in accordance with D.17-12-024, OP 7. This filing will not increase any rate or charge, cause the withdrawal of service, or conflict with any other schedule or rule.

Attached to this advice letter are the red-lined and clean copies of the revised pages for Liberty CalPeco’s Rule 11, along with the current Liberty CalPeco Rule 11.

¹ Revised from original Liberty Rule 11 tariff document “Termination, Restoration and Refusal of Service” Section L, Vegetation Management.

EFFECTIVE DATE

Liberty CalPeco requests that this **Tier 3** Advice Letter be effective as of September 7, 2018.

PROTESTS

Anyone wishing to protest this Advice Letter may do so by letter sent via U.S. mail, by facsimile or by email, any of which must be received no later than August 7, 2018, which is 20 days after the date of this Advice Letter. There are no restrictions on who may submit a protest, but the protest shall set forth the grounds upon which it is based and shall be submitted expeditiously.

Protests should be mailed to:

California Public Utilities Commission
Energy Division, Tariff Unit
505 Van Ness Avenue, 4th Floor
San Francisco, CA 94102-3298
Facsimile: (415) 703-2200
Email: edtariffunit@cpuc.ca.gov

The protest should be sent via email and U.S. Mail (and by facsimile, if possible) to Liberty CalPeco at the address shown below on the same date it is mailed or delivered to the Commission:

Liberty Utilities (CalPeco Electric) LLC
Attn: Advice Letter Protests
933 Eloise Avenue
South Lake Tahoe, CA 96150
Fax: 530-544-4811
Email: Dan.Marsh@libertyutilities.com

Energy Division Tariff Unit
California Public Utilities Commission
July 18, 2018
Page 3

NOTICE

In accordance with General Order 96-B, Section 4.3, a copy of this Advice Letter is being sent electronically to parties shown on the attached list.

If additional information is required, please do not hesitate to contact me.

Respectfully submitted,

LIBERTY UTILITIES (CALPECO ELECTRIC) LLC

/s/ Daniel W. Marsh

Daniel W. Marsh
Liberty Utilities (CalPeco Electric) LLC
Manager, Rates and Regulatory Affairs
Phone: 562-299-5104
Email: Dan.Marsh@libertyutilities.com

Attachments

Liberty Utilities (CalPeco Electric) LLC
Advice Letter Filing Service List
General Order 96-B, Section 4.3

VIA EMAIL

gbinge@ktminc.com;
emello@sppc.com;
epoole@adplaw.com;
cem@newsdata.com;
rmccann@umich.edu;
sheila@wma.org;
abb@eslawfirm.com;
cbk@eslawfirm.com;
bhodgeusa@yahoo.com;
chilen@nvenergy.com;
phanschen@mofo.com;
liddell@energyattorney.com;
cem@newsdata.com;
dietrichlaw2@earthlink.net;
ericj@eslawfirm.com;
clerk-recorder@sierracounty.ws;
plumascoco@gmail.com;
marshall@psln.com;
stephenhollabaugh@tdpud.org;
gross@portersimon.com;
mccluretahoe@yahoo.com;
catherine.mazzeo@swgas.com;
Theresa.Faegre@libertyutilities.com;
SDG&ETariffs@semprautilities.com;
greg.campbell@libertyutilities.com;
bcragg@goodinmacbride.com;

AdviceTariffManager@sce.com;
edtariffunit@cpuc.ca.gov;
jrw@cpuc.ca.gov;
rmp@cpuc.ca.gov;
jaime.gannon@cpuc.ca.gov;
mas@cpuc.ca.gov;
txb@cpuc.ca.gov;
efr@cpuc.ca.gov;
tlg@cpuc.ca.gov;
dao@cpuc.ca.gov;
ljt@cpuc.ca.gov;
mmg@cpuc.ca.gov;
kjl@cpuc.ca.gov;
denise.tyrrell@cpuc.ca.gov;
fadi.daye@cpuc.ca.gov;
winnie.ho@cpuc.ca.gov;
usrb@cpuc.ca.gov;
Rob.Oglesby@energy.ca.gov;
stevegreenwald@dwt.com;
vidhyaprabhakaran@dwt.com;
judypau@dwt.com;
dwtcpucdockets@dwt.com;
patrickferguson@dwt.com;
travis.ritchie@sierraclub.org;
dan.marsh@libertyutilities.com;
sharon.yang@libertyutilities.com;
ginge@kinectenergy.com

Attachment A: Clean Copy of Revised Liberty Utilities CalPeco
Electric LLC Rule 11 Section L

Attachment B: Redline Copy of Revised Liberty Utilities
CalPeco Electric LLC Rule 11 Section L

Rule No. 11

TERMINATION, RESTORATION AND REFUSAL OF SERVICE

A. Past Due Bills. When bills are rendered monthly or bimonthly, they will be considered past due if not paid within 17 days after date of presentation. When bills are rendered weekly, they will be considered past due if not paid within 4 days after date of presentation.

B. Nonpayment of Bills.

1. When a bill for electric service has become past due and a 15-day termination of service notice for nonpayment has been issued, service may be terminated if the bill is not paid within the time required by such notice provided a final notice is served at least 24 hours prior to termination of service. A customer's service, however, will not be terminated for nonpayment until the amount of any deposit made to establish credit for that service has been fully absorbed.

Any customer who has initiated a complaint or requested an investigation within 5 days of receiving a contested bill shall not have domestic service to a residential dwelling terminated for nonpayment during the pendency of an investigation by the company of such customer dispute or complaint. Such domestic service shall not be terminated for nonpayment for any customer complying with an amortization agreement entered into with the Company, provided the customer also keeps current his account for electric service as charges accrue in each subsequent billing period. If a residential customer fails to comply with an amortization agreement, the Company shall not terminate service without giving notice to the customer at least 48 hours prior to termination, of the conditions the customer is required to meet to avoid termination; but, such notice shall not entitle the customer to further investigation by the Company.

2. Electric Service to a domestic customer will not be terminated for nonpayment when the customer has established to the satisfaction of the company that:

- a. Such termination would be especially dangerous to the health of the customer or a full time resident of the customer's household*; or
- b. The customer or a full time resident of the customer's household is among the elderly (age 62 or older) or disabled*; and
- c. He or she is temporarily unable to pay for such service in accordance with the provisions of the Company's Tariffs; and

(Continued)

Advice Letter No. 28-E

Issued by

Michael R. Smart

Date Filed July 15, 2013

Name

Decision No. _____
2013

President

Effective July 13,

Title

Resolution No. _____

Rule No. 11

TERMINATION, RESTORATION AND REFUSAL OF SERVICE

(Continued)

B. Nonpayment of Bills (Continued)

2. (Continued)

d. The customer is willing to arrange installment payments, satisfactory to the company, including arrangements for prompt payment of subsequent bills.

The company shall make available to customers, upon request, information regarding agencies and/or organizations that may provide financial assistance.

However, service may be terminated to any customer who does not comply with an installment payment agreement or keep current his account for electric service as charges accrue in each subsequent billing period.

* Certification from a licensed physician, public health nurse, or a social worker may be required by the company.

3. A customer's service may be terminated for nonpayment of a bill for service previously rendered him at any location served by the company provided such bill is not paid within 15 days after presentation of a termination of service notice that present service will be terminated for nonpayment of such bill for prior service, but in no case will service be terminated for nonpayment of such bill if less than 15 days after establishment of service at the new location. However, domestic service will not be terminated because of nonpayment of bills for other classes of service.

4. Where electric service is provided to residential users through a master meter, the company shall make every good faith effort to inform the actual users of the electric service when the account is in arrears that service will be terminated in 10 days.

5. If a customer is receiving more than one service, any or all services may be terminated when any service, regardless of location is terminated for nonpayment. However, domestic service will not be terminated because of nonpayment of bills for other classes of service.

6. Under no circumstances may service be terminated 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.

(Continued)

Advice Letter No. 28-E

Issued by

Michael R. Smart

Date Filed July 15, 2013

Decision No. 2013

Name

President

Effective July 15,

Title

Resolution No. _____

Rule No. 11

TERMINATION, RESTORATION AND REFUSAL OF SERVICE

(Continued)

B. Nonpayment of Bills (Continued)

7. Service will not be terminated by reason of delinquency in payment for electric service on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the company are not open to the public.

C. Unsafe Equipment. The company may refuse or terminate service to a customer without prior notice if any part of his wiring or other equipment, or the use thereof, shall be determined by the company to be unsafe or in violation of applicable laws, ordinances, rules or regulations of public authorities, or if any condition existing upon the customer's premises shall be thus determined to endanger the company's service facilities, until it shall have been put in a safe condition or the violation remedied.

D. 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 the company or its other customers, and will terminate electric service to any customer who shall continue to operate such equipment after having been given notice by the company to cease so doing.

E. Fraud. The company may refuse or terminate service without prior notice if the acts of the customer or the conditions upon his premises are such as to indicate to it an intent to defraud the company.

F. Unauthorized Use. The utility may discontinue service if the acts of the customer or the conditions upon his/her premises indicate an intent to deny the utility full compensation for services rendered, including, but not limited to, tampering or unauthorized use. Discontinuance of service for nonpayment of a bill for unauthorized use shall be in accordance with the provision's of Rule 11B.

G. Failure to Establish or Re-establish Credit. If, for an applicant's convenience, the company should provide service before credit is established or should continue service to a customer when credit has not been re-established in accordance with Rule No. 6, and he fails to establish or re-establish his credit as provided by a written notice of not less than 7 days for service, the company may terminate service.

H. Noncompliance. Except as otherwise specifically provided in the Rule No. 11, the company may terminate service to a customer for noncompliance with tariff schedules if, after written notice of at least 5 days, he has not complied with the notice. The company may dispense with the giving of such notice in the event of a dangerous condition, thus rendering the immediate termination of service to the premises imperative.

(Continued)

Advice Letter No. 28-E

Issued by

Michael R. Smart

Date Filed July 15, 2013

(T)

Name

Decision No. 2013

President

Effective July 15,

Title

Resolution No. _____

Rule No. 11

TERMINATION, RESTORATION AND REFUSAL OF SERVICE

(Continued)

- I. Customer's Request for Service Termination. When a customer desires to terminate his responsibility for service, he shall give the company not less than two days' notice of his intention and state the date on which he wishes the termination to become effective. A customer may be held responsible for all service furnished at the premises until two days after receipt of such notice by the company or until the date of termination specified in the notice, whichever date is later.
- J. Restoration – Reconnection Charge. The company may require payment of a reconnection charge before restoring service that has been terminated for nonpayment of bills or for failure otherwise to comply with tariff schedules. In case the customer requested that such service be reconnected on the same day or outside regular business hours an additional charge may be made. The charges for restoration or reconnection of service are set forth in Schedule No. S.E. Service wrongfully terminated shall be restored without charge for the restoration of service, and a notification thereof shall be mailed to the customer at the billing address.
- K. Inability to Pay. If upon receipt of a 15-day termination of service notice, a customer is unable to pay, he must first contact the company within the termination of service notice period to make special payment arrangements to avoid termination of service.

After contacting the company, if the customer alleges to the Commission an inability to pay and that lawful payment arrangements have not been extended to him, he should write to the Commission's Consumer Affairs Branch (CAB), Public Utilities Commission, 505 Van Ness Avenue, San Francisco, California 94102, to make an informal complaint. It is the responsibility of the customer to timely inform CAB to avoid termination of service. The company shall not require a customer to deposit with the Commission the amount of the overdue bill in such a termination dispute.

With 10 business days after receiving the informal complaint, the CAB will report its proposed resolution to the company and the customer by letter.

If the customer is not satisfied with the proposed resolution of the CAB, he shall file within 10 business days after the date of the CAB letter a formal complaint with the Commission under Section 1702 on a form provided by the CAB. The complaint shall be processed under the expedited complaint procedure.

Failure of the customer to observe these time limits shall entitle the company to insist upon payment, or upon failure to pay, to terminate the customer's service.

Advice Letter No. 28-E

Issued by

Michael R. Smart

Date Filed July 15, 2013

Name

Decision No. 2013

President

Effective July 15,

Title

Resolution No. _____

Rule No. 11

TERMINATION, RESTORATION AND REFUSAL OF SERVICE

(Continued)

L. Vegetation Management

Liberty may disconnect service to customers who do not allow access to their property for vegetation management activities, subject to the following conditions:

1. ~~4.~~ The authority to disconnect service to a customer is limited to situations where: ~~there is a breach of the minimum vegetation clearances required for power lines in General Order (GO) 95, Rule 35, Table 1, Case 13; or when the company has knowledge obtained through normal operating practices that there is an occurrence of dead, rotten, or diseased trees or dead, rotten, or diseased portions of trees that overhang or lean toward and may fall into a span of supply lines; or under the provisions in effect at the time the breach is discovered.~~

a. There is 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.

b. In the 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 §§ 4292 and 4293 for State Responsibility Areas.

c. In the High Fire-Threat District, Liberty 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 Arboriculture as a Certified Master Arborist and a Certified Utility Specialist. An "imminent risk" is a risk that will, in the arborist's professional judgement, very likely to be realized at any moment. An "immediate risk" is a risk that will, in the arborist's professional judgement, certainly be realized at any moment.

2. ~~1.~~ 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.

3. ~~2.~~ The authority to disconnect service to a customer is limited to one meter serving the customer's primary residence, or if the customer is a

Issued by

Advice Letter No. 10128-E

Gregory S. Sorensen~~Michael R. Smart~~

Date Filed

July 185, 20183

Name

Decision No. _____

President

Effective

July 185, 20183

Title

Resolution No. _____

business entity, the customer'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.

4. Prior to disconnecting service, Liberty 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 not proficient in English, multifamily accommodations, and other customer groups, except as set forth in section 5 below.

Rule No. 11

TERMINATION, RESTORATION AND REFUSAL OF SERVICE

(Continued)

- a. 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, Cases 13 and 14, and/or (ii) Cal. Pub. Res. Code §§ 4292 and 4293.
- b. In situations that pertain to Section 1.c above, the notice shall include the arborist's written determination and photographs provided to Liberty.

~~3. Prior to disconnecting service, Liberty 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 4 below. To the extent practical, the applicable procedures and notice requirements shall be completed prior to a breach of the minimum vegetation clearances required by GO 95, Rule 35, Table 1, Cases 13.~~

54. For vegetation hazards that pose an immediate threat to public safety, Liberty may disconnect service to the obstructing customer'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, Liberty shall attempt to contact the customer for five consecutive business days by daily visits to the customer's residence or primary place of business, in addition to sending a written notice, to inform the customer why service has been disconnected and how to restore service. If Liberty determines that it is necessary to disconnect service to a medical baseline customer, Liberty shall attempt to notify the customer by telephone prior to the service disconnection.

6. SERVICE RESTORATION

Issued by

Advice Letter No. 10128-E

Gregory S. Sorensen~~Michael R. Smart~~

Date Filed

July 18~~5~~, 2018~~3~~

Name

Decision No. _____

President

Effective

July 18~~5~~, 2018~~3~~

Title

Resolution No. _____

LIBERTY UTILITIES (CALPECO ELECTRIC) LLC
SOUTH LAKE TAHOE, CALIFORNIA

~~2nd~~^{1st}
~~Revised~~

CPUC Sheet No. 215A

Canceling

~~1st~~

CPUC Sheet No. _____

~~Revised~~^{Original}
~~nal~~

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 the vegetation hazard has been mitigated, and payment for all applicable restoration of service charges as provided in Electric Rule 11, Section J, Charges for Termination and/or Restoration of Service have been received.

(T)

Issued by

Advice Letter No. 10128-E

Gregory S. Sorensen~~Michael R. Smart~~

Date Filed July 18~~5~~, 2018~~3~~

Name

Decision No. _____

President

Effective July 18~~5~~, 2018~~3~~

Title

Resolution No. _____

Rule No. 11

TERMINATION, RESTORATION AND REFUSAL OF SERVICE

A. Past Due Bills. When bills are rendered monthly or bimonthly, they will be considered past due if not paid within 17 days after date of presentation. When bills are rendered weekly, they will be considered past due if not paid within 4 days after date of presentation.

B. Nonpayment of Bills.

1. When a bill for electric service has become past due and a 15-day termination of service notice for nonpayment has been issued, service may be terminated if the bill is not paid within the time required by such notice provided a final notice is served at least 24 hours prior to termination of service. A customer's service, however, will not be terminated for nonpayment until the amount of any deposit made to establish credit for that service has been fully absorbed.

Any customer who has initiated a complaint or requested an investigation within 5 days of receiving a contested bill shall not have domestic service to a residential dwelling terminated for nonpayment during the pendency of an investigation by the company of such customer dispute or complaint. Such domestic service shall not be terminated for nonpayment for any customer complying with an amortization agreement entered into with the Company, provided the customer also keeps current his account for electric service as charges accrue in each subsequent billing period. If a residential customer fails to comply with an amortization agreement, the Company shall not terminate service without giving notice to the customer at least 48 hours prior to termination, of the conditions the customer is required to meet to avoid termination; but, such notice shall not entitle the customer to further investigation by the Company.

2. Electric Service to a domestic customer will not be terminated for nonpayment when the customer has established to the satisfaction of the company that:

- a. Such termination would be especially dangerous to the health of the customer or a full time resident of the customer's household*; or
- b. The customer or a full time resident of the customer's household is among the elderly (age 62 or older) or disabled*; and
- c. He or she is temporarily unable to pay for such service in accordance with the provisions of the Company's Tariffs; and

(Continued)

Advice Letter No. 28-E

Issued by

Michael R. Smart

Date Filed July 15, 2013

Name

Decision No. _____
2013

President

Effective July 13,

Title

Resolution No. _____

Rule No. 11

TERMINATION, RESTORATION AND REFUSAL OF SERVICE

(Continued)

B. Nonpayment of Bills (Continued)

2. (Continued)

d. The customer is willing to arrange installment payments, satisfactory to the company, including arrangements for prompt payment of subsequent bills.

The company shall make available to customers, upon request, information regarding agencies and/or organizations that may provide financial assistance.

However, service may be terminated to any customer who does not comply with an installment payment agreement or keep current his account for electric service as charges accrue in each subsequent billing period.

* Certification from a licensed physician, public health nurse, or a social worker may be required by the company.

3. A customer's service may be terminated for nonpayment of a bill for service previously rendered him at any location served by the company provided such bill is not paid within 15 days after presentation of a termination of service notice that present service will be terminated for nonpayment of such bill for prior service, but in no case will service be terminated for nonpayment of such bill if less than 15 days after establishment of service at the new location. However, domestic service will not be terminated because of nonpayment of bills for other classes of service.

4. Where electric service is provided to residential users through a master meter, the company shall make every good faith effort to inform the actual users of the electric service when the account is in arrears that service will be terminated in 10 days.

5. If a customer is receiving more than one service, any or all services may be terminated when any service, regardless of location is terminated for nonpayment. However, domestic service will not be terminated because of nonpayment of bills for other classes of service.

6. Under no circumstances may service be terminated 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.

(Continued)

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Michael R. Smart

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Effective July 15,

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Resolution No. _____

Rule No. 11

TERMINATION, RESTORATION AND REFUSAL OF SERVICE

(Continued)

B. Nonpayment of Bills (Continued)

7. Service will not be terminated by reason of delinquency in payment for electric service on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the company are not open to the public.

C. Unsafe Equipment. The company may refuse or terminate service to a customer without prior notice if any part of his wiring or other equipment, or the use thereof, shall be determined by the company to be unsafe or in violation of applicable laws, ordinances, rules or regulations of public authorities, or if any condition existing upon the customer's premises shall be thus determined to endanger the company's service facilities, until it shall have been put in a safe condition or the violation remedied.

D. 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 the company or its other customers, and will terminate electric service to any customer who shall continue to operate such equipment after having been given notice by the company to cease so doing.

E. Fraud. The company may refuse or terminate service without prior notice if the acts of the customer or the conditions upon his premises are such as to indicate to it an intent to defraud the company.

F. Unauthorized Use. The utility may discontinue service if the acts of the customer or the conditions upon his/her premises indicate an intent to deny the utility full compensation for services rendered, including, but not limited to, tampering or unauthorized use. Discontinuance of service for nonpayment of a bill for unauthorized use shall be in accordance with the provision's of Rule 11B.

G. Failure to Establish or Re-establish Credit. If, for an applicant's convenience, the company should provide service before credit is established or should continue service to a customer when credit has not been re-established in accordance with Rule No. 6, and he fails to establish or re-establish his credit as provided by a written notice of not less than 7 days for service, the company may terminate service.

H. Noncompliance. Except as otherwise specifically provided in the Rule No. 11, the company may terminate service to a customer for noncompliance with tariff schedules if, after written notice of at least 5 days, he has not complied with the notice. The company may dispense with the giving of such notice in the event of a dangerous condition, thus rendering the immediate termination of service to the premises imperative.

(Continued)

Advice Letter No. 28-E

Issued by

Michael R. Smart

Date Filed

July 15, 2013

(T)

Name

Decision No. 2013

President

Effective

July 15,

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Resolution No. _____

Rule No. 11

TERMINATION, RESTORATION AND REFUSAL OF SERVICE

(Continued)

- I. Customer's Request for Service Termination. When a customer desires to terminate his responsibility for service, he shall give the company not less than two days' notice of his intention and state the date on which he wishes the termination to become effective. A customer may be held responsible for all service furnished at the premises until two days after receipt of such notice by the company or until the date of termination specified in the notice, whichever date is later.
- J. Restoration – Reconnection Charge. The company may require payment of a reconnection charge before restoring service that has been terminated for nonpayment of bills or for failure otherwise to comply with tariff schedules. In case the customer requested that such service be reconnected on the same day or outside regular business hours an additional charge may be made. The charges for restoration or reconnection of service are set forth in Schedule No. S.E. Service wrongfully terminated shall be restored without charge for the restoration of service, and a notification thereof shall be mailed to the customer at the billing address.
- K. Inability to Pay. If upon receipt of a 15-day termination of service notice, a customer is unable to pay, he must first contact the company within the termination of service notice period to make special payment arrangements to avoid termination of service.

After contacting the company, if the customer alleges to the Commission an inability to pay and that lawful payment arrangements have not been extended to him, he should write to the Commission's Consumer Affairs Branch (CAB), Public Utilities Commission, 505 Van Ness Avenue, San Francisco, California 94102, to make an informal complaint. It is the responsibility of the customer to timely inform CAB to avoid termination of service. The company shall not require a customer to deposit with the Commission the amount of the overdue bill in such a termination dispute.

With 10 business days after receiving the informal complaint, the CAB will report its proposed resolution to the company and the customer by letter.

If the customer is not satisfied with the proposed resolution of the CAB, he shall file within 10 business days after the date of the CAB letter a formal complaint with the Commission under Section 1702 on a form provided by the CAB. The complaint shall be processed under the expedited complaint procedure.

Failure of the customer to observe these time limits shall entitle the company to insist upon payment, or upon failure to pay, to terminate the customer's service.

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Issued by

Michael R. Smart

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Name

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President

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Resolution No. _____

Rule No. 11

TERMINATION, RESTORATION AND REFUSAL OF SERVICE

(Continued)

L. Vegetation Management

Liberty may disconnect service to customers who do not allow access to their property for vegetation management activities, subject to the following conditions:

1. The authority to disconnect service to a customer is limited to situations where:
 - a. There is 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.
 - b. In the 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 §§ 4292 and 4293 for State Responsibility Areas.
 - c. In the High Fire-Threat District, Liberty 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 Arboriculture as a Certified Master Arborist and a Certified Utility Specialist. An "imminent risk" is a risk that will, in the arborist's professional judgement, very likely to be realized at any moment. An "immediate risk" is a risk that will, in the arborist's professional judgement, certainly be realized at any moment.
2. 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.
3. 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.
4. Prior to disconnecting service, Liberty 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 not proficient in English, multifamily accommodations, and other customer groups, except as set forth in section 5 below.
 - a. 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, Cases 13 and 14, and/or (ii) Cal. Pub. Res. Code §§ 4292 and 4293.

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TERMINATION, RESTORATION AND REFUSAL OF SERVICE

(Continued)

- b. In situations that pertain to Section 1.c above, the notice shall include the arborist's written determination and photographs provided to Liberty.
5. For vegetation hazards in Item 1, above, that pose an immediate threat to public safety, Liberty 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, Liberty 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 Liberty determines that it is necessary to disconnect service to a medical baseline customer, Liberty shall attempt to notify the customer by telephone prior to the service disconnection.

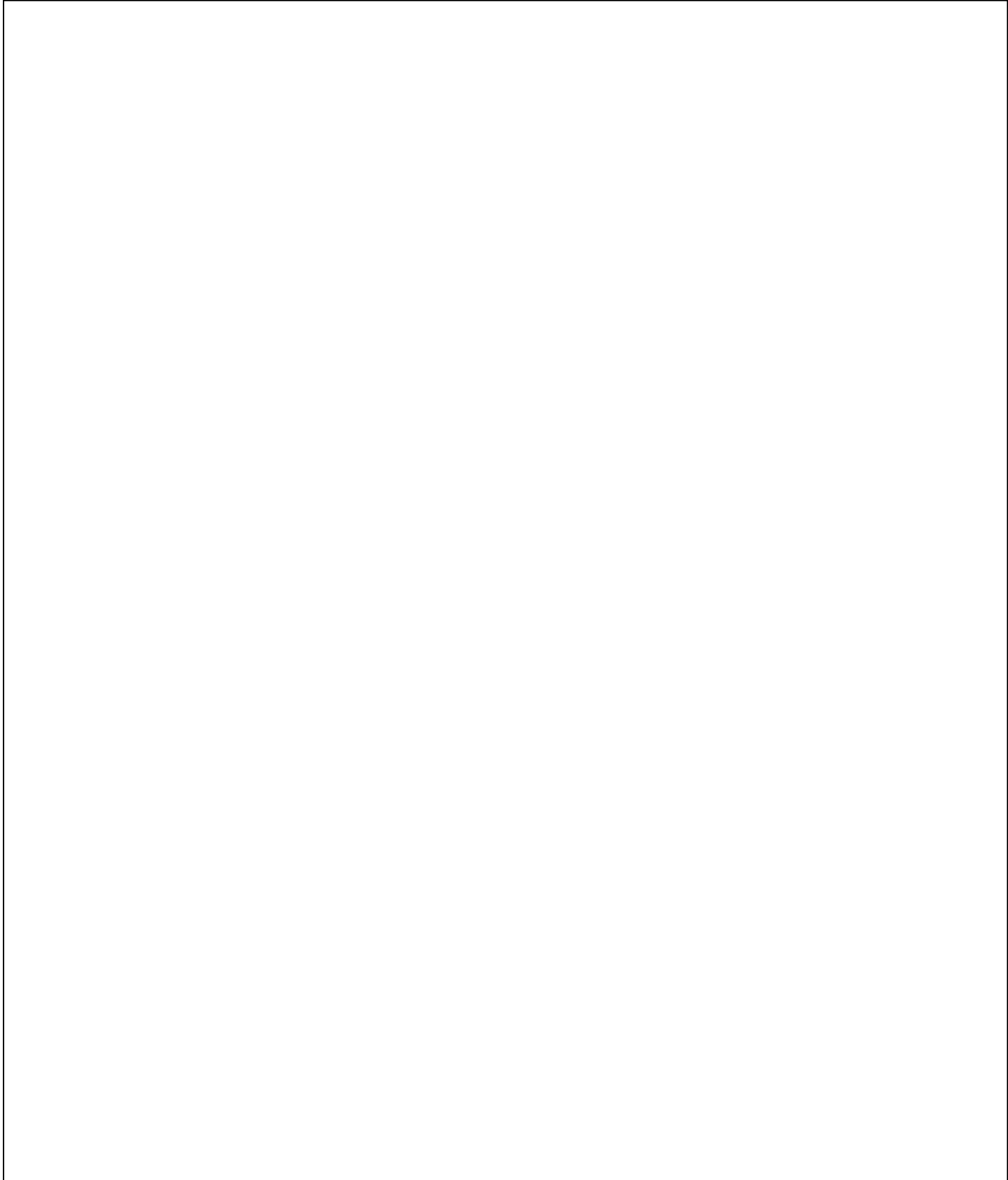
6. SERVICE RESTORATION

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 the vegetation hazard has been mitigated, and payment for all applicable restoration of service charges as provided in Electric Rule 11, Section J, Charges for Termination and/or Restoration of Service have been received.

LIBERTY UTILITIES (CALPECO ELECTRIC) LLC
SOUTH LAKE TAHOE, CALIFORNIA

Canceling 2nd Revised
1st Revised

CPUC Sheet No. 215A
CPUC Sheet No. _____



(T)

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