

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. In addition, the following residential customer protections apply:
 - a. Residential customers shall not be disconnected for nonpayment if they qualify for medical baseline and the customer agrees to a 12-month payment plan.
 - b. Residential customers shall not be disconnected for nonpayment within two billing cycles of being made aware of applicable benefit programs.
 - c. Prior to disconnecting any residential customer, Liberty shall offer the customer a 12-month payment plan. Any residential customer who is on a 12-month payment plan and is current on both monthly bills and the 12-month payment plan shall not be disconnected.
 - d. Residential customers shall not be disconnected if they currently have a Low-Income Home Energy Assistance Program pledge pending and if they agree to be placed on a 12-month payment plan for any remaining balance.
 - e. Residential customers shall not be disconnected when temperatures above 100 degrees or below 32 degrees are forecasted based on a 72-hour look-ahead period.

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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.

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B. Nonpayment of Bills. **(Continued)**

- Such domestic service shall not be terminated for nonpayment for any customer complying with an amortization agreement entered into with the Company, pro-vided 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. (L)
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 (L)
 - d. The customer is willing to arrange installment payments, satisfactory to the company, including arrangements for prompt payment of subsequent bills.
- * 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.

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B. Nonpayment of Bills. **(Continued)**

- 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. (L)
- 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. (L)
- 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, of 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 provisions of Rule 11B.

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- G. Failure to Establish or Re-establish Credit. For customer classes other than domestic, 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. (T)(L)
(T)
- 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. (L)
- 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. Excluding domestic service, 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. (T)
- 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.

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K. Inability to Pay. **(Continued)**

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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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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.

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L. Vegetation Management. **(Continued)**

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. (L)
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. (L)
 - 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.