

**TRUCKEE DONNER PUD-DISTRICT CODE
CHAPTER 5.12**

DISCONNECTION AND RECONNECTION OF SERVICE

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5.12.010 Termination for Non-payment – Electric and/or Water Service

5.12.010.1 A notice that service is subject to termination for non-payment will be by written notification from the District. This notice will be printed and mailed after a bill is generated that shows a previous balance on the account.

5.12.010.2 Written notice of termination (Late Payment Reminder Notice) shall be mailed by first class mail to customer at least 15 calendar days prior to the scheduled date of termination. This notice will also be mailed to a third party or a co-signer.

5.12.010.3 The Late Payment Reminder Notice will include:

5.12.010.3(A) The name and address of the customer whose account is delinquent.

5.12.010.3(B) The amount of the delinquency.

5.12.010.3(C) The date by which payment or arrangements for payment is required in order to avoid termination.

5.12.010.3(D) The procedure by which the customer may initiate a complaint or request an investigation concerning service or charges, except that, if the bill for service contains a description of that procedure, the notice pursuant to Section 5.12.010.2 is not required to contain that information.

5.12.010.3(E) The procedure by which the customer may request amortization of the unpaid charges.

5.12.010.3(F) The procedure for the customer to obtain information on the availability of financial assistance, including private, local, state, or federal sources, if applicable.

5.12.010.3(G) The telephone number of a representative of the District who can provide additional information or institute arrangements for payment.

5.12.010.4 The Final Notice of Termination of Service will include:

5.12.010.4(A) The District shall mail a 48-hour Final Notice of Termination of Service to the customer prior to disconnect. Additionally, the District shall make a reasonable, good faith effort

to contact an adult person residing at the premises of the customer by telephone or personal contact. When telephone or personal contact cannot be accomplished, the District shall post in a conspicuous location at the premises, a notice of termination of service, at least 48 hours prior to termination. A trip charge to deliver the 48-hour Final Notice of Termination of Service shall be added to the customer's account. Refer to the Miscellaneous Fee Schedule for current charges. Every notice of termination of service shall include items of information as listed in Sections 5.12.010.3 (A), (B), (C), (F) and (G) above. The 48-hour Final Notice of Termination of Service will also be mailed to third parties and co-signers.

5.12.010.4(B) The District shall make available to all its residential customers a third party notification service whereby the District will attempt, to notify a person designated by the customer to receive notification when the customer's account is past due and subject to termination. The notification shall include information on what is required to prevent termination of service. The residential customer shall make a request for third party notification on a form provided by the District and shall include the written consent of the designated third party. Such notification does not obligate the third party to pay the overdue charges, nor shall it prevent or delay termination of service.

5.12.010.4(C) If the customer does not make a payment, notify the District of a dispute of a bill, or make other arrangements acceptable to the District by the last day for the payment, the District will proceed on schedule with the termination.

5.12.010.4(C)(1) Customers will not be allowed to make more than two (2) written payment agreements within a calendar year.

5.12.010.4(D) Payments made against uncollectible funds (i.e., check returned for insufficient funds, closed account, etc.) to avoid disconnection, will be considered non-payment and the District will proceed according to the procedures set forth above as if no payment had been received as described in section 5.12.010.4(A). Customers who make payments against uncollectible funds to avoid disconnection will be placed on a cash only basis for a period of twelve (12) months.

5.12.010.4(D)(1) Payments made against uncollectible funds in order to have service reconnected, will be considered non-payment and the District will immediately proceed to the 48-hour notice of termination as described in Section 5.12.010.4 (A). Customers who make payments against uncollectible funds to reconnect service will be placed on a cash only basis for a period of twelve (12) months.

5.12.010.4(E) The employee carrying out the termination procedure will attempt to contact the customer at the service address prior to disconnecting service. A trip charge to disconnect electric and/or water service(s) shall be added to the customer's account regardless of whether or not the disconnect is actually performed. Refer to the Miscellaneous Fee Schedule for current charges.

5.12.010.4 (E)(1) No payment arrangements will be made in the field. All payments must be made through the District office either by phone or in person. Once a District employee is sent to terminate a service, the service will be disconnected until such time as the customer has made acceptable payment arrangements through the office.

5.12.010.4(F) Termination will not be made on any Saturday, Sunday, legal holiday or any time during which the business office of the District is not open.

5.12.010.4(G) In case of tenants whose electric and/or water service is in the landlord's name, the District shall make every good faith effort to inform the occupants by means of a notice, when the account is in arrears, that service will be terminated in 10 days. In any such delinquent situation, the District will comply with California Public Utilities Code 16481 in implementing this termination of service procedure.

5.12.010.4(H) Customers who have been disconnected for non-payment, made payments against uncollectible funds (i.e. check returned for insufficient funds, closed account, etc.) to avoid disconnection, have made arrangements to amortize the amount due or have asked for an extension to pay a past due amount, will be required to re-establish credit by paying the deposit required by Chapter 5.02.

5.12.010.4 (I) A customer who transfers service from one account to another and fails to pay his/her final bill within 30 days of the final billing date on the old account will be subject to the disconnect procedure at his/her new account.

5.12.020 Customer's Request for Disconnection of Service – Electric

5.12.020.1 The District shall permit a physical disconnection from the electric system when necessary (1) to permit the customer to perform repairs, modifications or service upgrades on the customer premises or (2) when the customer wishes power to remain off for an extended period.

Customers may arrange for disconnection of service by giving advance notice to the District. Customers will not be billed for electric service while disconnected.

5.12.020.2 Disconnect and/or reconnect fees will be charged based on the Miscellaneous Fee Schedule or services performed under Section 5.12.055 Restoration of Electric Service.

5.12.030 Customer's Request for Disconnection of Service - Water

5.12.030.1 The District shall permit a physical disconnection (shut off at the water box) on a temporary basis when necessary (1) to permit the customer to perform repairs, modifications or service upgrades on the customer premises or (2) when the customer premises is not equipped with an appropriate shut-off valve and physical disconnection is necessary to avoid frozen water pipes. A physical disconnect shall not be permitted for any other reason.

Customers may arrange for disconnection of service by giving advance notice to the District. Monthly charges for service shall not be waived during the period of disconnect.

5.12.030.2 Disconnect and/or reconnect fees will be charged based on the Miscellaneous Fee Schedule or services performed under Section 5.12.050 Reconnection of Water Service.

5.12.040 Disconnection of Electric or Water Service by the District

5.12.040.1 With Notice The District may disconnect electric or water service for any one or more of the reasons contained in this rule. Except as otherwise specifically provided here, Public Utilities Code Sections 16481, 16482 and 16483 and any subsequent amendments, shall apply regarding any disconnect of service. Water billings will continue regardless of the reason for disconnect.

5.12.040.1(A) Non-payment of bills - the District may disconnect or refuse service if a customer has not paid his/her bill for electric or water service rendered, reconnection charges, and/or cash deposit as required by the District. Refer to Section 5.12.010.4 Termination for Non-Payment.

5.12.040.1(A)(1) Default on amortization or payment agreements – the District may disconnect electric or water service if a customer has failed to meet the terms of said agreement.

5.12.040.1(B) Negligent or wasteful use of water, as determined by the District.

5.12.040.1(C) Where a customer receives electric and/or water service at more than one location and the bill or charges for service at any one location is not paid prior to delinquency, electric and/or water service at all locations may be disconnected.

5.12.040.1(D) Failure to provide documents or payment as requested by a Notice to Comply. Requested items may include, but are not limited to, service applications, lease agreements, home ownership documents, signed payment agreement and payment by cash or money order for a check returned unpaid by the bank.

5.12.040.2 Without Notice A customer's electric or water service may be disconnected by the District without notice where:

5.12.040.2(A) Unsafe/hazardous condition or illegal apparatus - the District may disconnect electric and/or water service without notice or refuse service if any part of customer's wiring, piping or equipment or use thereof is either unsafe or in violation of law, until such apparatus is placed in a safe condition or the violation remedied. Water billings will continue regardless of the reason for disconnect.

5.12.040.2(B) Service detrimental or dangerous - the District may disconnect without notice or refuse service if in the District's judgment, the operation of the customer's equipment is or will be detrimental or dangerous to his/her own service or service of other customers.

5.12.040.2(C) Fraud - the District may disconnect service without notice or refuse service, if the customer's actions or the condition of his/her premises is such as to indicate an intent to defraud the District.

5.12.040.2(D) Cross Connection - the District finds a dangerous unprotected cross-connection between the District's water supply and any unapproved source of water.

5.12.040.2(E) Failure to comply with the District's rules - the District may disconnect or refuse service if the customer does not comply with the District rules, regulations, and/or codes for receiving electric and/or water service.

5.12.040.2(F) Abandoned building or residence - the District may disconnect or refuse service to any building with the appearance of being abandoned (i.e., a look of being deserted, windows broken, doors in disrepair, or the general appearance of not being lived in, etc). Such disconnect will remain in effect until all conditions are met and fees are paid regarding a new service, and the service is inspected and approved by the proper building authorities.

5.12.040.2(G) Condemned building or residence - the District may disconnect or refuse service to any building that has been condemned by the proper state, county or governmental authorities. Such disconnection will remain in effect until all conditions are met and fees are paid regarding a new service, and the service is inspected and approved by the proper building authorities.

5.12.040.3 In those instances where the District disconnects electric or water service to any customer without notice, the District shall notify the customer of the reasons for the disconnection of service and the corrective action to be taken by customer before service can be reconnected.

5.12.050 Reconnection of Water Service

5.12.050.1 In those cases where the customer has requested a disconnection of service, the customer must pay the disconnect/reconnect charge as established in the current Miscellaneous Fee Schedule. Additionally, billing will not be discontinued for customer requested disconnections.

5.12.050.2 In those instances where the service to a customer has been disconnected, with or without notice, service shall not be reconnected until such time as the customer has taken any necessary corrective action, as determined by the District, and paid all bills and charges due the District, in addition to reconnection charges as described below.

5.12.050.3 Within five years, same size service: If service of the same size is re-established within five years of the date of disconnect, the customer shall make normal application for service as per Title 6.04 and pay reconnect fees based on the Miscellaneous Fee Schedule provided the service has not been damaged. If the service has been damaged, the customer will be billed the actual cost to reconnect service.

5.12.050.4 Within five years, upgrade of service: If service is re-established within five years of the date of disconnect and the customer requests an upgrade of the service, the customer shall make normal application for service as per Title 6.04. Customer shall pay reconnect fees based on the Miscellaneous Fee Schedule provided the service has not been damaged. If the service has been damaged, the customer will be billed the actual cost to reconnect service. Additional connection fees may apply. Facilities fees shall be charged for an increase in size of the new service when compared to the previous service.

5.12.050.5 After five years: If service is re-established after five years from the date of disconnect, the customer shall make normal application for service as per Chapter 6.04. Customer shall be responsible for payment of current connection and facilities fees. No credit will be given for the previous service.

5.12.050.6. If conditions require the use of a backhoe or other equipment to effect the disconnect and/or reconnect, the customer shall be required to pay the actual charges, including labor, material, equipment and applicable overheads in lieu of the customary fee set forth in the Miscellaneous Fee Schedule.

5.12.050.7 Should a customer decide to abandon the water service to a vacant parcel or to a parcel where the residence/building has been demolished, the customer shall sign a statement indicating their decision and agreeing that, should they or a new owner/developer decide to reinstate the water service, they will be subject to paying any and all connection and facilities

fees in place at the time of reinstatement. These accounts will be treated as new construction with no credits toward their prior fees. Where the water service has been abandoned, the parcel will be assessed a water standby charge until a new service is established with the District.

5.12.055 Reconnection of Electric Service

5.12.055.1 In those instances where the service to a customer has been disconnected, with or without notice, service shall not be reconnected until such time as the customer has taken necessary corrective action, as determined by the District, and paid all bills and charges due the District, in addition to reconnection charges as described below.

5.12.055.2 Within five years, same size service: If service of the same amperage and voltage is re-established within five years of the date of disconnect, the customer shall make normal application for service as per Title 7.12 and pay reconnect fees based on the Miscellaneous Fee Schedule provided the service has not been damaged. If the service has been damaged, the customer will be billed the actual cost to restore service.

5.12.055.3 Within five years, upgrade of service: If service is re-established within five years of the date of disconnect and the customer requests an upgrade of the service consisting of, but not limited to, amperage size, voltage increase, multiple phases, the customer shall make normal application for service as per Title 7.12. Customer shall pay reconnect fees based on the Miscellaneous Fee Schedule provided the service has not been damaged. If the service has been damaged, the customer will be billed the actual cost to reconnect service. Additional connection fees may apply. Facilities fees shall be charged for the excess capacity of the new service when compared to the previous service.

5.12.055.4 After five years: If service is re-established after five years from the date of disconnect, the customer shall make normal application for service as per Chapter 7.12. Customer shall be responsible for payment of current connection and facilities fees. No credit will be given for the previous service.

5.12.055.5 If conditions require the use of a backhoe or other equipment to effect the disconnect and/or reconnect, the customer shall be required to pay the actual charges, including labor, material, equipment and applicable overheads in lieu of the customary fee set forth in the Miscellaneous Fee Schedule.

5.12.060 Customer's Responsibility when Electric and/or Water Service is Disconnected

In the event a customer's electric and/or water service is disconnected as a result of voluntary termination, termination for failure to pay bills or any other reasons stated in Sections 5.12.040.1 or 5.12.040.2, it shall be the customer's responsibility to take necessary precautions against any and all damage to the customer's pipes, fixtures and appliances which could result from such termination. The District shall not be liable for any such damage.