



# Quarterly Rules

Volume 2 December 2008

Let's take a look at Rule 3.04

## Refusing Service

Life is short, but  
there is always  
room for  
courtesy.

Ralph Waldo  
Emerson

A Utility may refuse service to an applicant only for the following reasons:

(1) A bill from the utility for the same kind of utility service remains unpaid in the applicant's name.

Exception- A utility may NOT refuse utility service to an applicant because of unpaid bills for merchandise or non-utility services purchased, rented, or leased from or through the utility.

(2) Application for service following the relocation of the applicant and a former customer to new premises from premises where a bill remains unpaid for service which was provided to the former customer while the applicant was a fulltime occupant.

***Lesla - Example-the account is in the name of Joe Black and his roommate John Blue is not listed as a joint account holder but rather as a roommate only. Joe didn't pay his bill and they both move to a different location. Now John Blue is requesting service at this location (you can refuse based on what we call rotation of service***

(3) Application for service at premises where there is an unpaid utility bill and where;

A- the former customer who owed the bill remains at the premises;

B- A full-time occupant of the premises when the bill was incurred remains at the premises;

C- A full-time user of the service when the bill was incurred remains at the premises

***Lesla - Remember you need to be able to prove that this person lived at this location during the time frame of the bill.***

(4) The applicant is not in compliance with a Commission order, a delayed payment agreement, or an extension agreement with the utility entered with respect to service previously rendered by the utility to the applicant;

(5) The applicant has not paid the utility an approved fee, charge, or deposit as provided for in these Rules or the utility's approved tariffs:

(6). The applicant has not furnished adequate assurance of payment in the form of a deposit or other security for service within 20 days of an order for relief under the United States Bankruptcy code, U.S.C.A. Title 11 §366

(7) There is evidence that the applicant is using service in an unauthorized manner or is tampering with the equipment furnished and owned by the utility:

(8) A misrepresentation to the utility by the applicant relevant to the conditions under which the applicant may obtain utility service:

***Lesia –This is one that you could be missing the chance to use simply because you are not asking the applicant one question “Who will be living with you at this location?” Are you noting the account***

(9) The applicant has not provided acceptable evidence of identity. Acceptable evidence includes the following

a-driver's license or state ID card;

B-military ID;

C-ID from place of employment;

D-social security card;

E-current student ID;

F- passport;

G-birth certificate; and

H-any other evidence which would establish identity;

If a utility reasonably believes that the evidence offered is unreliable, it may refuse to accept it and seek additional evidence from the applicant

***Lesia - Please understand this means an applicant may provide you with ANY of these items and you cannot request one specific such as a Social Security card. We have gotten many complaints from customers about companies requesting the social security card to establish service. This would be a violation of the rule. With identity theft such a serious situation these days, many do not want to give that info out and they do not have to in order to establish service with you.***

(10)-The applicant is not in compliance with all state and/or municipal regulations governing the service applied for;

(11)-The applicant is not in compliance with the utility's tariffs which have been approved by this Commission:

(12)-The service applied for is of such character that it is likely to unfavorably affect the service to other customers:

(13)-The connection of utility service to the applicant's equipment would create a hazard:

(14)-The applicant is causing or threatening injury to a utility employee or an employee's family to retaliate for or prevent an act the utility performs in the course of business:

(15)-The applicant is causing or threatening damage to utility property: or

(16)-An applicant for a party line had party-line service disconnected within the previous 12 months because of unreasonable, unlawful, or abusive use of that service.

***Lesia - Part B of this rule deals with what you must do if you refuse service***

**B-Notice to Applicant**

If a utility refuses to serve an applicant, it shall give an explanation in writing to the applicant within 7 business days. The explanation shall include the following

(1)-The reason for refusing service, including the applicable Commission Rule:

(2)-The conditions, if any, under which service would be provided; and,

(3)-The applicant's right to complain to the Commission, including the local and toll-free telephone numbers and mailing and street address of the Commission.

***Lesia If someone calls for service or walks in to make that service request, are you giving them written notice as to why they were refused and what they need to do in order to get the service?. Are you mailing this out to those who call and are refused? You need to get a current address on them in order to do this or how will you know where to mail the refusal form.***

***I hope this helps clear up the refusal rule, but if you have any questions, please call me 501-682-5867.***

**FYI-Docket: 08-145-U**

In the matter of the annual determination of the interest rate applicable to utility customer deposits for this next year 2009

**2.8%**

***Let's also remember to review the cold weather rule (6.15). Please go back and refresh yourself on this rule as old man winter is fast approaching our state!***

A- Electric and gas utilities may not suspend residential service on a

day when the "National" weather service forecasts that a temperature of 32 degrees Fahrenheit or lower will occur at any time during the following 24 hour period.

B- Gas utilities may not suspend residential gas service during the suspension moratorium period of November 1 to March 31 for low income customers subject to the following terms and conditions.

1. The term "low income customers" is defined to include any individual gas utility customer of record who is approved to receive Food Stamps, WIC, Medicaid, or LIHEAP assistance.
2. To avoid a suspension of gas service, such customer must directly notify the gas utility before the suspension date indicated on a received shut-off notice or before the receipt of a shut-off notice.

***NOTE: this is just the first part of the rule; please refer to your copy of the rules to review it in full.***

***The next newsletter will address Deposits from both customers and applicants! That's all Folks, except to say from all of us here at the PSC, to all of you around the state...***

***MERRY CHRISTMAS and HAPPY NEW YEAR.***