

1 RESOLUTION NO. 2021-__

2 A RESOLUTION OF THE BOARD OF PUBLIC UTILITIES OF THE CITY OF
3 RIVERSIDE, CALIFORNIA (1) ADOPTING REVISED WATER RULE 7,
4 "DISCONTINUANCE AND RESTORATION OF WATER SERVICE" AND
5 ELECTRIC RULE 7, "DISCONTINUANCE AND RESTORATION OF
6 ELECTRIC SERVICE"; (2) MAKING FINDINGS OF FACT; AND
7 (3) RECOMMENDING CITY COUNCIL APPROVAL THEREOF

8 WHEREAS, the City of Riverside's ("City") Department of Public Utilities ("RPU") has
9 submitted for action by the Board of Public Utilities ("Board") and the City Council, the
10 proposed adoption and approval of revised Water Rule 7, "Discontinuance and Restoration of
11 Water Service" and revised Electric Rule 7, "Discontinuance and Restoration Of Electric
12 Service," as further explained herein; and

13 WHEREAS, Senate Bill 998 was adopted September 28, 2018, and applies to public
14 water systems that supply water to more than 200 service connections and prohibits residential
15 water service from being disconnected under special circumstances. Publicly owned water
16 utilities such as RPU were required to comply with the requirements of SB 998 by February 1,
17 2020. The bill provided residential water service customers that have been identified and
18 verified as low-income (200% below the Federal Poverty Level) with a 60-day waiting period
19 during delinquency before receiving a 48-hour disconnection notice and qualifies them for an
20 amortized payment plan, as well as a reduced same day reconnection fee of \$50; and

21 WHEREAS, Water Rule 7, "Discontinuance and Restoration of Water Service" and
22 Electric Rule 7, "Discontinuance And Restoration of Electric Service," provide rules for
23 discontinuance of water and electric service for reasons including customer request, unsafe
24 equipment, situations in which the water service was activated without application of service,
25 dangers to the health of the customer, inability to pay utility bill, fraud, service at more than one
26 location, when the utility's business is closed, when there is a landlord-tenant relationship and a
27 master metered residential unit; and

28 WHEREAS, on February 4, 2020, the City Council approved changes to Water Rule 7,
"Discontinuance and Restoration of Water Service" and Appendix A: Water Fees and Charges

1 Schedule, with an effective date of February 1, 2020, to reflect the requirements of the legislation
2 passed under SB 998 (2018). The changes included provisions for the delay in disconnection
3 and the documentation requirements for any residential customer who demonstrates a household
4 income below 200% of the Federal poverty level. The income requirement was aligned with
5 Riverside Public Utilities' SHARE utility assistance program. Further, the changes also included
6 the rules for when the customer enters into an amortized payment arrangement, if the customer
7 fails to comply with the amortized agreement, and the notification of service termination. The
8 changes to Appendix A included the \$50 same day service reconnection charge for low-income
9 customers.

10 WHEREAS, the proposed changes to Water Rule 7 reflect the requirements of the Public
11 Utilities Code and Health and Safety Code and comply with the requirements of the legislation
12 passed under SB 998 (2018). The changes to Electric Rule 7 are consistent with the requirements
13 in Water Rule 7 for residential water service and thus consistent rules will be applied to all water
14 and electric customers; and

15 WHEREAS, the proposed changes to Water Rule 7 and Electric Rule 7 include
16 provisions for the delay in disconnection of both electric and water service to 60 days, rules for
17 residential customers entering into amortized payment arrangements, and time periods for
18 notification of disconnection of service.

19 WHEREAS, on March 17, 2020, to assist Riverside residents and businesses that were
20 suffering financial hardship due to the effects of COVID, the City Council directed RPU to
21 suspend discontinuance of service for nonpayment of water, electric, sewer and refuse utility
22 services. The changes to Water Rule 7 and Electric Rule 7 will become effective upon adoption
23 by the City Council, but will not be implemented until City Council reversal of the direction to
24 suspend discontinuance of service for nonpayment of water, electric, sewer and refuse utility
25 services.

26 WHEREAS, a public hearing, notice of which was duly published in The Press-
27 Enterprise on June 13, 2021, and June 20, 2021, in compliance with Government Code Sections
28

1 66018 and 6062a, was held on June 28, 2021, at 6:30 p.m. before the Board of Public Utilities to
2 consider the revisions noted herein; and

3 WHEREAS, the Board is charged by Section 1202(e) of the City Charter to establish and
4 adopt the rates, rules, fees and charges for the Electric and Water Utilities, subject to the
5 approval of the City Council; and

6 WHEREAS, the Board intends to establish and adopt the revised Water Rule 7,
7 “Discontinuance and Restoration of Water Service” and revised Electric Rule 7, “Discontinuance
8 and Restoration Of Electric Service,” all in accordance with staff recommendations; and

9 NOW, THEREFORE, BE IT RESOLVED, based upon the foregoing facts, the staff
10 report, and other evidence submitted by staff to the Board, by the Board of Public Utilities of the
11 City of Riverside, California, as follows:

12 Section 1: The foregoing recitals are true and correct and are adopted and
13 incorporated herein by reference as findings of fact of this Board.

14 Section 2: On the basis of the RPU staff analyses, data and reports, the foregoing
15 recitals and the other evidence submitted by staff to the Board, the Board hereby finds and
16 determines that the proposed revisions to Water Rule 7, “Discontinuance and Restoration of
17 Water Service” and Electric Rule 7, “Discontinuance And Restoration of Electric Service,” are
18 exempt from the provisions of the California Environmental Quality Act (Pub. Res. Code
19 Section 21000 et seq.) under Public Resources Code section 21080(b)(8), as the proposed
20 revisions to the existing rules are for the purpose of: (A) meeting operating expenses, including
21 employee wage rates and fringe benefits; (B) purchasing or leasing supplies, equipment, or
22 materials; (C) meeting financial reserve needs and requirements; (D) obtaining funds for capital
23 projects necessary to maintain service within existing service areas; and/or (E) obtaining funds
24 necessary to maintain those intracity transfers as are authorized by City Charter.

25 Section 3: The proposed revisions to Water Rule 7, “Discontinuance and Restoration
26 of Water Service” and Electric Rule 7, “Discontinuance And Restoration of Electric Service,”
27 are exempt from the voter approval requirements of Proposition 26, as adopted by voters on
28 November 2, 2010, because the rules and rates are imposed for a specific government service

1 provided directly to the ratepayer that is not provided to those not charged and which does not
2 exceed the reasonable costs to the local government of providing the service.

3 Section 4: The proposed revisions to Water Rule 7, "Discontinuance and Restoration
4 of Water Service" and Electric Rule 7, "Discontinuance And Restoration of Electric Service,"
5 attached hereto as Exhibit A and incorporated herein by reference, are hereby adopted and
6 established under and pursuant to Section 1202(e) of the Charter of the City of Riverside,
7 California, are recommended for approval by the City Council of the City of Riverside,
8 California, and shall become effective upon approval by the City Council of the City of
9 Riverside, California.

10 ADOPTED by the Board of Public Utilities of the City of Riverside, signed by its
11 Chairman and attested by its Secretary this _____ day of June 2021.

12
13 _____
14 Chair of the Board of Public Utilities,
City of Riverside, California

15 Attest:

16
17 _____
18 Secretary of the Board of Public Utilities
City of Riverside, California

19
20 I, Lorena Verduco, Secretary of the Board of Public Utilities of the City of Riverside,
21 California, hereby certify that the foregoing Resolution was duly and regularly adopted by the
22 Board of Public Utilities of said City at its meeting held on the 28th day of June 2021, to wit:

23 Ayes:

24 Noes:

25 Absent:

26 Abstain:

27 IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of June
28 2021.

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Secretary to the Board of Public Utilities
City of Riverside, California

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EXHIBIT A

Water Rule 7, “Discontinuance and Restoration of Water Service”
Electric Rule 7, “Discontinuance and Restoration of Electric Service”

WATER RULE 7

DISCONTINUANCE AND RESTORATION OF WATER SERVICE

A. CUSTOMER'S REQUEST FOR SERVICE DISCONTINUANCE

When Customers desire to terminate their responsibility for service, they shall give the Utility not less than two working days' advance notice of their intention, state the date on which they wish the termination to become effective and provide access to the water meter. A field visit service charge will be assessed for each additional trip (after original attempt to turn service off) required to complete the turn-off request.

If a new application is not made for service, and the water meter serves more than one Premises, and Premises are occupied, the Utility will read the meter on the date requested and notify the occupants of their rights by posting of a 15-day notice, except as otherwise stated in this Rule. Any resident has the right to prevent this discontinuance by applying for service to the master meter in their own name. Responsibility for service, for any Customer making application, will begin with that date and reading. There will be a charge for posting of the notice which will be the liability of the Customer making application.

Customers may be held responsible for all services furnished at the Premises until two working days after receiving a request for discontinuance of service by the Utility or until such time as the Utility has received an application for new service, provided access is available.

In the event access is not provided, the Customer discontinuing shall be held liable for all consumption until access is provided.

B. DISCONTINUANCE FOR UNSAFE EQUIPMENT

Service Detrimental to Other Customers

The Utility shall not provide service to any Premises where the use or connections made may be detrimental to the water service rendered by the Utility to other Customers or to the Utility's facilities.

C. DISCONTINUANCE FOR USE OF WATER WITHOUT APPLICATION

Use of Water Without Application For Service

When a new occupant who has not applied for water service, takes possession of a Premises and finds the water service turned on, the occupant shall notify the Utility of such findings within one working day.

In the event the occupant turns on the water service, or fails to notify the Utility of finding the water service turned on within one working day of occupancy, the occupant will be billed for consumption back to their move in date and the owner shall be billed for any unresolved usage. If the Premises are unoccupied, or the Utility has not been notified of a new tenant by the owner, property manager, occupant or other representative of the owner, and water service is in use, the owner of the property shall be held responsible for payment of the bill. It is the responsibility of the owner to verify that the utility service has been transferred into the name of the new occupant and to settle disputes of responsibility between the occupant and the owner.

In the event that the occupant is charged for usage where the amount charged will be determined by the Utility, the amount billed will be based upon either the meter reading or on the basis of the estimated consumption for the length of time service was received by the occupant without proper application.

When the Utility finds that water is being used without proper application, the Utility may terminate the service without further notice. Any amount due in excess of the amount billed to the occupant shall be billed to the owner.

Only authorized Utility personnel are permitted to turn the service on at the meter. If the occupant restores water service, a self-restoration fee may be imposed.

D. DISCONTINUANCE FOR NONPAYMENT OF BILLS

1. Past Due (Delinquent) Bills

Bills will be considered past due (delinquent) if not paid within 19 days after the date of mailing. Reference PUC 10010.1(a)

2. Discontinuance of Service Notice

When a bill for water service has become past due and a discontinuance of service notice has been issued, service may be discontinued if the bill is not paid within the time required by such notice. A Customer's deposit to establish credit will not be used as payment to avoid discontinuance of service. Reference PUC 10010.1(a)

If a bill is past due as set forth in Section 1 above, a Customer's service may be discontinued for nonpayment of a bill provided the Utility first gives a discontinuance of service notice to the Customer at least ten (10) working days prior to the proposed discontinuance. Such ten-day period shall not commence until five (5) working days after the mailing of the notice. However, in no case shall residential service be discontinued for nonpayment until payment has been delinquent for at least sixty (60) calendar days. No less than seven (7) working days before discontinuation of service for nonpayment, the Utility shall contact the Customer named on the account by telephone or provide written notice. If the Utility is unable to contact the Customer by mail or telephone, the

Utility will provide a notice of imminent discontinuation of service for nonpayment. There shall be a charge for posting this notice of termination at the Premise. Notwithstanding the foregoing, residential Customers who are delinquent under the terms of an amortization agreement shall be subject to disconnection procedures required by State law.

Reference PUC 10010.1(a), HSC 116908 (a)(1)

Any residential Customer who has initiated a complaint or requested an investigation within 5 working days of receiving a contested bill shall not have service discontinued for nonpayment during the pendency of an investigation. Customer may be required to pay an estimated bill per Rule No. 21.

Reference PUC 10010. (c)

3. Discontinuance of Residential Service Dangerous to the Health of the Customer

The Utility will not terminate residential service for nonpayment upon certification by a primary care provider that said termination will be life threatening and the Customer is financially unable to pay for service within the normal payment period and is willing to enter into an amortization agreement with the Utility for the delinquent amount due.

Reference PUC 10010. (3), HSC 116910 (a)

4. Inability to Pay Residential Utility Bill

Any residential Customer who has, within 13 days of mailing the Urgent Notice, made a request for an extension of the Payment period of a bill asserted to be beyond the means of the Customer to pay in full during the normal period for payment, shall be given an opportunity for review of the request by a review manager of the Utility. The review shall include consideration of whether the Customer shall be permitted to amortize the unpaid balance of the account over a reasonable time, not to exceed 12 months.

Reference PUC 10010. (c), HSC 116910(a)

A Customer shall not have utility services discontinued for nonpayment if they are complying with an amortization agreement entered into with the Utility, provided the Customer also keeps current their account for utility services as charges accrue in each subsequent billing period.

Reference PUC 10010. (c)

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

Reference PUC 10010. (c), HSC 116910(b)

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

If a residential Customer fails to comply with an amortization agreement, the Utility shall not terminate service without giving notice to the Customer at least five (5) working days 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 Utility.

Reference PUC 10010.1 (e), HSC 116910 (b)(3)

5. Discontinuance for Unpaid Utility Bill at a Previous Address

A Customer's service may be discontinued for nonpayment of a bill for service previously rendered them at any location served by the Utility provided such bill is not paid within 13 days after presentation of an Urgent Notice.
Reference PUC 10010.1(a)

In no case will residential service be discontinued because of nonpayment of bills for non-residential service.

6. Discontinuance of Service when Trying to Avoid Payment of Utility Bill

The Utility may discontinue or deny service for nonpayment of a bill where the Utility determines that the same person or persons continue to occupy the service address. However, the Utility will not deny service to the renters of a Premises whose owners or prior unrelated tenants have delinquent unpaid bills.

7. Discontinuance of Service Due to Fraud

The Utility may refuse or discontinue service if the acts of the Customer or the conditions upon the Customer's Premises are such as to indicate an intent to defraud the Utility.

8. Discontinuance of Service at More Than One Location

If a Customer is receiving service at more than one location, service at any or all locations may be discontinued if bills for service at any location are not paid within the time specified above, except that a residential service account shall not be discontinued for failure to pay bills for non-residential service.

9. Discontinuance of Service when Utility's Business Office is Closed

Service will not be discontinued by reason of delinquency in payment for utility services on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the Utility are not open to the public.

Reference PUC 10011.

10. Discontinuance of Residential Service at Individually Metered Detached Single-Family Dwelling, Multiunit Residential Structure, Mobile Home Park, or Labor Camp

This section applies if there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling.

Reference PUC 10009. (a)

Where utility service is provided to individually metered residential occupants in a detached single-family dwelling, a multiunit residential structure, mobile home park, or permanent residential structure in a labor camp, as defined in Section 17008 of the Health and Safety Code, and the owner, manager, or operator of the dwelling, structure, or park is listed by the Utility as the Customer of record, the Utility shall make every good faith effort, when the account is in arrears, to inform the residential occupants by means of written notice that service will be discontinued.

Reference PUC 10009. (b)

- (1) A 10-day notice of discontinuance shall inform the residential occupants of their right to become Customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account. The notice shall be written in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean, as specified in Section 1632 of the Civil Code.

Reference PUC 10009. (b)

- (2) The Utility is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service and meets the requirements of law and the Utility's Rules and Schedules. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the Utility, or if there is a physical means, legally available to the Utility, of selectively terminating service to those residential occupants who have not met the requirements of the Utility's Rules and Schedules, the Utility shall make service available to the residential occupants who have met those requirements.

Reference PUC 10009. (c)

- (3) The residential occupant must establish credit to the satisfaction of the Utility. However, where a residential occupant is establishing service under the provisions of this section and prior service for a period of time is a condition for establishing credit with the Utility, residence and proof of prompt payment of rent or other credit obligation acceptable to the Utility for that period of time is a satisfactory equivalent.

Reference PUC 10009. (d)

- (4) Any residential occupant who becomes a Customer of the Utility pursuant to this section whose periodic payments, such as rental payments, include charges for residential water service, where these charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the Utility for water service during the preceding payment period.
Reference PUC 10009. (e)

There will be a trip charge for posting of the field notification.

11. Discontinuance of Service at a Master Metered Multiunit Residential Structure, Mobile Home Park, or Labor Camp.

For discontinuance of service to residential occupants in a multiunit residential structure, mobile home park, or labor camp, as defined in section 17008 of the Health and Safety Code, who are master metered by the Utility, and the owner, manager, or operator of the structure or park is listed by the Utility as the Customer of record, the Utility shall make every good faith effort to inform the residential occupants, when the account is in arrears, to inform by means of written notice, that service will be discontinued .

Reference PUC 10009.1 (a)

- (1) A written 15-day notice of discontinuance shall be posted on the door of each residential unit prior to discontinuance; except that, if it is not reasonable or practicable to post the notice on the door of each residential unit, the Utility shall post two copies of the notice in each accessible common area and at each point of access to the structure or structures. The notice shall be written in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean, as specified in Section 1632 of the Civil Code.
Reference PUC 10009.1 (a)

The notice will specify:

- (a) The date on which service will be discontinued.
- (b) That the residential occupants have the right to become Customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.
- (c) What the residential occupants are required to do in order to prevent the termination of service or to reestablish service.
- (d) The estimated monthly cost of service.
- (e) The title, address, and telephone number of a representative of the Utility who can assist the residential occupants in continuing service.

- (f) The address and telephone number of a legal services project as defined in Section 6213 of the Business and Professions Code, which has been recommended by the local county bar association. Reference PUC 10009.1 (a)
- (2) The Utility is not required to make service available to the residential occupants unless each residential occupant or a “representative of the residential occupants” agrees to the terms and conditions of service and meets the requirements of law and the Utility’s Rules and Schedules. However, if one or more of the residential occupants or the representative of the residential occupants are willing and able to assume responsibility for subsequent charges to the account to the satisfaction of the Utility, or if there is a physical means, legally available to the Utility, of selectively terminating service to those residential occupants who have not met the requirements of the Utility’s Rules and Schedules or for whom the representative of the residential occupants is not responsible, the Utility shall make service available to those residential occupants who have met those requirements or on whose behalf those requirements have been met. As used herein, “representative of the residential occupants” does not include a tenants’ association. Reference PUC 10009.1(b)
- (3) Credit must be established to the satisfaction of the Utility. Where prior service for a period of time or other demonstration of credit worthiness is a condition for establishing credit with the Utility, residence and proof of prompt payment of rent or other obligation during that period of time acceptable to the Utility is a satisfactory equivalent. Reference PUC 10009.1(c)
- (4) Any residential occupant who becomes a Customer of the Utility pursuant to this section whose periodic payments, such as rental payments, includes charges for residential water service, where these charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the Utility for water service during the preceding payment period. Reference PUC 10009.1(d)
- (5) Where the Utility furnished service under a Residential Rate Schedule to a multiunit residential structure, mobile home park or labor camp, through a master meter, the Utility may not discontinue service in any of the following situations:
 - (a) During the pendency of an investigation by the Utility of a Customer dispute or complaint. Reference PUC 10009.1(e)
 - (b) When the Customer has been granted an extension of the period for payment of a bill. Reference PUC 10009.1(e)

- (c) For an indebtedness owed by the Customer to any other public agency or when the obligation represented by the delinquent account or other indebtedness was incurred with any public agency other than the Utility. Reference PUC 10009.1(e)
- (d) When a delinquent account relates to another property owned, managed, or operated by the Customer. Reference PUC 10009.1(e)
- (e) When a public health or building officer certifies that disconnection would result in a significant threat to the health or safety of the residential occupants or the public. Reference PUC 10009.1(e)

There will be a trip charge for posting of the field notification.

12. State law pertaining to Discontinuance of Service

Should there be a conflict between this Rule No. 7 and State law, as amended from time to time, State law shall govern, except to the extent that the provisions of this Rule are more favorable for the Customer or a residential occupant.

E. RESTORATION OF SERVICE

1. Amount Due to Restore Service

All past due bills at the time of reconnect, applicable service charges, and deposit shall be paid by Customer prior to restoration of service. In addition, the City and/or Utility may require inspection of water facilities prior to reconnect at the Customer's expense. After hours for fee assessment purposes are hours outside the following windows: 8AM to 4PM Monday through Friday and 9AM to 1PM Saturdays and legal holidays.

2. Fund Verification Fee

If it is necessary to verify funds prior to reconnect, an additional service charge may be assessed. If funds cannot be verified, the Utility may require secured funds prior to reconnect.

3. Re-establishment of Service Deposit

If service is terminated, or if a notice of discontinuance has been given, the Utility will require the Customer to pay a deposit or an additional deposit up to an estimated average three month bill.

4. Reconnect Service Charge

All charges are cumulative and each trip to the Premises will incur additional charges. In order to restore service discontinued under the provisions above, there shall be a charge for the expense of turning the service on.

5. Self-Restoration Service Charge

In the event anyone has turned on the water service after it has been turned off for any of the above reasons, there shall be a charge in addition to other amounts due from the Customer before service is restored.

6. Administrative Fee

If water diversion occurs, an additional service charge will be assessed, as prescribed in Rule No. 19, WATER DIVERSION.

7. Water Meter Removal

If the meter is removed, a service charge will be billed in addition to other amounts due.

ELECTRIC RULE 7

DISCONTINUANCE AND RESTORATION OF ELECTRIC SERVICE

A. CUSTOMER'S REQUEST FOR SERVICE DISCONTINUANCE

When Customers desire to terminate their responsibility for service, they shall give the Utility not less than two working days' advance notice of their intention, state the date on which they wish the termination to become effective and provide access to the electric meter. A field visit service charge will be assessed for each additional trip (after original attempt to turn service off) required to complete the turn-off request.

If a new application is not made for service, and the electric meter serves more than one Premises, and the Premises are occupied, the Utility will read the meter on the date requested and notify the occupants of their rights by posting of a 15-day notice, except as otherwise stated in this Rule. Any resident has the right to prevent discontinuance by applying for service to the master meter in their own name. Responsibility for service, for any Customer making an application, will begin with that date and reading. There will be a charge for posting of the notice which will be the liability of the Customer making application.

Customers may be held responsible for all services furnished at the Premises until two working days after receiving a request for discontinuance of the service by the Utility or until such time as the Utility has received an application for new service, provided access is available.

In the event access is not provided, the Customer discontinuing service shall be held liable for all consumption until access is provided.

B. DISCONTINUANCE FOR UNSAFE EQUIPMENT

1. Service Detrimental to Other Customers

The Utility shall not provide electric service to any Premises where the use or connections made may be detrimental to the electric service rendered by the Utility to other Customers or to the Utility's facilities.

2. Unsafe Equipment

The Utility may refuse or discontinue service to a Customer if any part of the Customer's wiring or other equipment, or the use thereof is determined by the Utility to be unsafe or in violation of applicable laws, rules, or regulations, or if any condition existing upon the Customer's Premises is determined to endanger the Utility's facilities until it shall have been put in a safe condition or the violation remedied. The Utility does not assume any responsibility of

inspecting or repairing the Customer's wiring or other equipment and assumes no liability.

C. DISCONTINUANCE FOR USE OF ELECTRICITY WITHOUT APPLICATION

When a new occupant who has not applied for electrical service takes possession of Premises and finds the electric service turned on, the occupant shall notify the Utility of such findings within 1 working day.

In the event the occupant turns on the electric service, or fails to notify the Utility of finding the electric service turned on within 1 working day of occupancy, the occupant will be billed for consumption back to their move in date and owner shall be billed for any unresolved usage. If the Premises are unoccupied, or the Utility has not been notified of a new tenant by the owner, property manager, occupant or other representative of the owner, and electric service is in use, the owner of the property shall be held responsible for payment of the bill. It is the responsibility of the owner to verify that the utility service has been transferred into the name of the new occupant and to settle disputes of responsibility between the occupant and the owner.

In the event that the occupant is charged for usage where the amount charged will be determined by the Utility, the amount billed will be based upon either the meter reading or on the basis of the estimated consumption for the length of time service was received by the occupant without proper application.

When the Utility finds the electricity is being used without proper application, the Utility may terminate the service without further notice. Any amount due in excess of the amount billed to the occupant shall be billed to the owner.

Only authorized Utility personnel are permitted to turn the service on at the meter. If the occupant restores electric service, a self-restoral service fee may be imposed.

D. DISCONTINUANCE FOR NONPAYMENT OF BILLS

1. Past Due (Delinquent) Bills:

Bills will be considered past due (delinquent) if not paid within 19 days after the date of mailing.

Reference PUC 10010.1(a)

2. Discontinuance of Service Notice:

When a bill for electric service has become past due and a discontinuance of service notice has been issued, service may be discontinued if the bill is not paid within the time required by such notice. A Customer deposit to establish

credit will not be used as payment to avoid discontinuance of service.

Reference PUC 10010.1(a)

If a bill is past due as set forth in Section 1 above, a Customer's service may be discontinued for nonpayment of a bill provided the Utility first gives a discontinuance of service notice to the Customer at least ten (10) working days prior to the proposed discontinuance. Such ten-day period shall not commence until five (5) working days after the mailing of the notice. However, in no case shall residential service be discontinued for nonpayment until payment has been delinquent for at least sixty (60) calendar days. No less than seven (7) working days before discontinuation of residential service for nonpayment, the Utility shall contact the Customer named on the account by telephone or provide written notice. If the Utility is unable to contact the Customer by mail or telephone, the Utility will provide a notice of imminent discontinuation of service for nonpayment. There shall be a charge for posting this notice of termination at the Premise. Notwithstanding the foregoing, residential Customers who are delinquent under the terms of an amortization agreement shall be subject to disconnection procedures required by State law.

Reference PUC 10010.1(a), HSC 116908 (a)(1)

Any residential Customer who has initiated a complaint or requested an investigation within 5 working days of receiving a contested bill shall not have service discontinued for nonpayment during the pendency of an investigation. Customer may be required to pay an estimated bill per Rule No. 21.

Reference PUC 10010.(c)

3. Discontinuance of Residential Service Dangerous to the Health of Customer:

The Utility will not terminate residential service for non-payment upon certification by a primary care provider that said termination will be life threatening and the Customer is financially unable to pay for service within the normal payment period and is willing to enter into an amortization agreement with the Utility for the delinquent amount due.

Reference PUC 10010.(3), HSC 116910 (a)

4. Inability to Pay Residential Utility Bill:

Any residential Customer who has, within 13 days of mailing of the Urgent Notice, made a request for an extension of the payment period of a bill asserted to be beyond the means of the Customer to pay in full during the normal period for payment, shall be given an opportunity for review of the request by a review manager of the Utility. The review shall include consideration of whether the Customer shall be permitted to amortize the

unpaid balance of the account over a reasonable period of time, not to exceed 12 months. *Reference PUC 10010 (c), HSC 116910(a)*

A Customer shall not have utility services discontinued for nonpayment if they are complying with an amortization agreement entered into with the Utility, provided the Customer also keeps current their account for utility services as charges accrue in each subsequent billing period.

Reference PUC 10010.(c)

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

Reference PUC 10010.(c), HSC 116910(b)

The Utility shall make available to Customers, upon request, information regarding agencies and/or organizations that may provide financial assistance. *Reference PUC 10010.1(d)*

If a residential Customer fails to comply with an amortization agreement, the Utility shall not terminate service without giving notice to the Customer at least five (5) working days 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 Utility.

Reference PUC 10010.1(e), HSC 116910 (b)(3)

5. Discontinuance for Unpaid Utility Bill at a Previous Address

A Customer's service may be discontinued for nonpayment of a bill for service previously rendered them at any location served by the Utility provided such bill is not paid within 13 days after presentation of an Urgent Notice. *Reference PUC 10010.1(a)*

In no case will residential service be discontinued because of nonpayment of bills for non-residential service.

6. Discontinuance of Service when Trying to Avoid Payment of Utility Bill

The Utility may discontinue or deny service for nonpayment of a bill where the Utility determines that the same person or persons continue to occupy the service address. However, the Utility will not deny service to the renters of Premises whose owners or prior unrelated tenants have delinquent unpaid bills.

7. Discontinuance of Service due to Fraud

The Utility may refuse or discontinue service if the acts of the Customer or the conditions upon the Customer's Premises are such as to indicate an intent to defraud the Utility.

8. Discontinuance of Service at More Than One Location

If a Customer is receiving service at more than one location, service at any or all locations may be discontinued if bills for service at any location are not paid within the time specified, except that a residential service account shall not be discontinued for failure to pay bills for non-residential service.

9. Discontinuance of Service when Utility's Business Office is Closed

Service will not be discontinued by reason of delinquency in payment for utility services on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the Utility are not open to the public.

Reference PUC 10011.

10. Discontinuance of Residential Service at Individually Metered Detached Single-Family Dwelling, Multiunit Residential Structure, Mobile Home Park, or Labor Camp

This section applies if there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling.

Reference PUC 10009. (a)

Where utility service is provided to individually metered residential occupants in a detached single-family dwelling, a multiunit residential structure, mobile home park or permanent residential structure in a labor camp, as defined in section 17008 of the Health and Safety Code, and the owner, manager, or operator of the dwelling, structure, or park is listed by the Utility as the Customer of record, the Utility shall make every good faith effort, when the account is in arrears, to inform the residential occupants by means of written notice that service will be discontinued.

Reference PUC 10009.(b)

- (1) A 10-day notice of discontinuance shall inform the residential occupants of their right to become Customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account. The notice shall be written in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean, as specified in Section 1632 of the Civil Code.

Reference PUC 10009.(b)

- (2) The Utility is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service and meets the requirements of law and the Utility's Rules and Schedules. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the Utility, or if there is a physical means, legally available to the Utility, of selectively terminating service to those residential occupants who have not met the requirements of the Utility's Rules and Schedules, the Utility shall make service available to the residential occupants who have met those requirements. *Reference PUC 10009. (c)*
- (3) The residential occupant must establish credit to the satisfaction of the Utility. However, where a residential occupant is establishing service under the provisions of this section and prior service for a period of time is a condition for establishing credit with the Utility, residence and proof of prompt payment of rent or other credit obligation acceptable to the Utility for that period of time is a satisfactory equivalent. *Reference PUC 10009.(d)*
- (4) Any residential occupant who becomes a Customer of the Utility pursuant to this section whose periodic payments, such as rental payments, include charges for residential electric service, where these charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the Utility for electric service during the preceding payment period. *Reference PUC 10009.(e)*

There will be a trip charge for posting of the field notification.

11. Discontinuance of Service at a Master Metered Multiunit Residential Structure, Mobile Home Park, or Labor Camp.

For discontinuance of service to residential occupants in a multiunit residential structure, mobile home park, or labor camp, as defined in section 17008 of the Health and Safety Code, who are master metered by the Utility, and the owner, manager, or operator of the structure or park is listed by the Utility as the Customer of record, the Utility shall make every good faith effort to inform the residential occupants, when the account is in arrears, by means of written notice, that service will be discontinued.

Reference PUC 10009.1(a)

- (1) A written 15-day notice of discontinuance shall be posted on the door of each residential unit prior to discontinuance; except that, if it is not reasonable or practicable to post the notice on the door of each residential unit, the Utility shall post two copies of the notice in each

accessible common area and at each point of access to the structure or structures. The notice shall be written in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean as specified in Section 1632 of the Civil Code. *Reference PUC 10009.1(a)*

The notice will specify:

- a. The date on which service will be discontinued.
 - b. That the residential occupants have the right to become Customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.
 - c. What the residential occupants are required to do in order to prevent the termination of service or to reestablish service.
 - d. The estimated monthly cost of service.
 - e. The title, address, and telephone number of a representative of the Utility who can assist the residential occupants in continuing service.
 - f. The address and telephone number of a legal services project as defined in Section 6213 of the Business and Professions Code, which has been recommended by the local county bar association. *Reference PUC 10009.1(a)*
2. The Utility is not required to make service available to the residential occupants unless each residential occupant or a "representative of the residential occupants" agrees to the terms and conditions of service and meets the requirements of law and the Utilities Rules and Schedules. However, if one or more of the residential occupants or the representative of the residential occupants are willing and able to assume responsibility for subsequent charges to the account to the satisfaction of the Utility, or if there is a physical means, legally available to the Utility, of selectively terminating service to those residential occupants who have not met the requirements of the Utility's Rules and Schedules or for whom the representative of the residential occupants is not responsible, the Utility shall make service available to those residential occupants who have met those requirements or on whose behalf those requirements have been met. As used herein, "representative of the residential occupants" does not include a tenants' association. *Reference PUC 10009.1(b)*

- (3) Credit must be established to the satisfaction of the Utility. Where prior service for a period of time or other demonstration of credit worthiness is a condition for establishing credit with the Utility, residence and proof of prompt payment of rent or other obligation during that period of time acceptable to the Utility is a satisfactory equivalent. *Reference PUC 10009.1(c)*
- (4) Any residential occupant who becomes a Customer of the Utility pursuant to this section whose periodic payments, such as rental payments, includes charges for residential electric service, where these charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the Utility for electric service during the preceding payment period. *Reference PUC 10009.1(d)*
- (5) Where the Utility furnished service under a Residential rate schedule to a multiunit residential structure, mobile home park or labor camp, through a master meter, the Utility may not discontinue service in any of the following situations:
 - a. During the pendency of an investigation by the Utility of a Customer dispute or complaint. *Reference PUC 10009.1(e)*
 - b. When the Customer has been granted an extension of the period for payment of a bill. *Reference PUC 10009.1(e)*
 - c. For an indebtedness owed by the Customer to any other public agency or when the obligation represented by the delinquent account or other indebtedness was incurred with any public agency other than the Utility. *Reference PUC 10009.1(e)*
 - d. When a delinquent account relates to another property owned, managed, or operated by the Customer. *Reference PUC 10009.1(e)*
 - e. When a public health or building officer certifies that disconnection would result in a significant threat to the health or safety of the residential occupants or the public. *Reference PUC 10009.1(e)*

There will be a trip charge for posting of the field notification.

12. State law pertaining to Discontinuance of Service

Should there be a conflict between this Rule No. 7 and State law, as amended from time to time, State law shall govern, except to the extent that

the provisions of this Rule are more favorable for the Customer or a residential occupant.

E. RESTORATION OF SERVICE

1. Amount due to Restore Service

All past due bills at the time of reconnect, applicable service charges, and deposits shall be paid by Customer prior to restoration of service. In addition, the City and/or Utility may require inspection of electrical facilities prior to reconnect at the Customer's expense. After hours for fee assessment purposes are hours outside the following windows: 8AM to 4PM Monday through Friday and 9AM to 1PM Saturdays and legal holidays.

2. Fund Verification Fee

If it is necessary to verify funds prior to reconnect, an additional fund verification fee may be assessed. If funds can not be verified, the Utility may require secured funds prior to reconnect.

3. Re-establishment of Service Deposit

If service is terminated, or if a notice of discontinuance has been given, the Utility will require the Customer to pay a deposit or an additional deposit equal to an estimated average three month bill.

4. Reconnect Service Charge

All charges are cumulative and each trip to the Premises will incur additional charges. In order to restore service discontinued under the provisions above, there shall be a charge for the expense of turning the service on.

5. Self-Restoral Service Charge

In the event anyone has turned on the electric service after it has been turned off for any of the above reasons, there shall be a charge in addition to other amounts due from the Customer before service is restored.

6. Administrative Fee

If energy diversion occurs, an additional service charge will be assessed, as prescribed in Rule No. 19, ENERGY DIVERSION.

7. Electric Meter Removal

If the meter is removed, a service charge will be billed in addition to other amounts due. An inspection will be required at the Customer's expense (prior to re-installation of meter).

8. Termination at Overhead or Underground

If service has been terminated by an electrical crew at the overhead or underground, there will be an additional service charge prior to restoring the service.