## MEMBER POLICY #9

## SUBJECT: DISCONTINUANCE OF SERVICE

1. The due date of the bill for utility service shall not be less than sixteen (16) days after issuance. A bill for utility service is delinquent if unpaid by the due date.
2. A one-time penalty not to exceed five percent (5%) shall be applied to all bills not paid on or before the due date. The 5% penalty on delinquent bills may not be applied to any balance to which the penalty was applied in a previous billing.
3. A member's utility service may be disconnected if the bill has not been paid or a deferred payment agreement entered into within twenty-six (26) days from the date of issuance and if proper notice has been given. Proper notice shall consist of a mailing or hand delivery at least ten (10) days prior to a stated date of disconnection a "Termination Notice". The termination notice will include information regarding payment assistance or special payment programs available to those who are in need of assistance with payment of their bill or are ill and unable to pay their bill and advising them to contact the Cooperative for further information.
4. Utility service may be disconnected after proper notice for any of the following reasons:
   a. Failure to pay a delinquent account or failure to comply with the terms of a deferred payment agreement;
   b. Violation of the Cooperative's rules pertaining to the use of service in a manner which interferes with the service of others or the operation of nonstandard equipment, if a reasonable attempt has been made to notify the member and the member is provided with a reasonable opportunity to remedy the situation.
   c. Failure to comply with deposit or payment arrangements where required by Member Policy #10.
5. Utility service **may** be disconnected without notice:
   a. Where a known dangerous condition exists for as long as the condition exists;
   b. Where service is connected without authority by a person who has not made application for service or who has reconnected service without authority following termination of service for nonpayment. i.e. tampering.
   c. Tampering with the Cooperative's meter or equipment or bypassing the same or other instances of diversion. Where reasonable, given the nature of the hazardous condition, a written statement providing notice of disconnection and the reasons therefore shall be posted at the place of common entry or upon the front door of each affected residential unit as soon as possible after service has been disconnected.

6. Utility service **<u>may not</u>** be disconnected for any of the following reasons:
   a. Delinquency in payment for service by a previous occupant of the premises;
   b. Failure to pay for merchandise, or charges for non-utility service provided by the Cooperative.
   c. Failure to pay for a different type or class of utility service unless fee for such service is included on the same bill;
   d. Failure to pay charges arising from an underbilling occurring due to any misapplication of rates more than six months prior to the current billing;
   e. Failure to pay charges arising from an underbilling due to any faulty metering, unless the meter has been tampered with
   f. Failure to pay an estimated bill other than a bill rendered pursuant to an approved meter reading plan, unless the Cooperative is unable to read the meter due to circumstances beyond its control.
7. Disconnection to energy assistance guarantees. The Cooperative may not terminate service to a delinquent residential member for a billing period in which the member has applied for and been granted energy assistance funds if any agency for administration of these funds has notified the Cooperative, prior to the date of disconnection, of approval of an award sufficient to cover the bill, or a portion of the bill, so that the member if necessary can contact the Coop for a payment arrangement for the balance of the bill. Failure to pay the delinquent portion of a bill not covered by energy assistance funds or not contacting the Coop for a payment arrangement to cover the delinquent portion of the bill by the past due/disconnect date will result in disconnection for non-pay.

8. Disconnection during extreme weather. An electric utility cannot disconnect a member anywhere in its service territory on a day when:
   a. The previous day's temperature did not exceed 32 degrees Fahrenheit, and the temperature is predicted to remain at or below that level for the next 24 hours according to the nearest National Weather Service (NWS) reports; or
   b. The NWS issues a heat advisory for any county in the electric utility's service territory or when such advisory has been issued on any one of the preceding two calendar days.

9. Disconnection for the ill or disabled. No electric utility may disconnect service at a permanent, individually metered dwelling unit of a delinquent member when that member establishes that disconnection of service will cause some person residing at that residence to become seriously ill or more seriously ill.
   a. Each time a member seeks to avoid disconnection of service under this subsection, the member must accomplish all of the following by the stated date of disconnection;

      i. have the person's attending physician (for purposes of this subsection, the term "physician" shall mean any public health official, including medical doctors, doctors

of osteopathy, nurse practitioners, registered nurses, and any other similar public health official) call or contact the electric utility by the stated date of disconnection;

ii. have the person's attending physician submit a written statement to the electric utility; and

iii. enter into a deferred payment plan.

b. The prohibition against service termination provided by this subsection shall last 63 days from the issuance of the electric utility bill or a shorter period agreed upon by the electric utility and the member or physician.

10. Unless a dangerous condition exists or unless the member requests disconnection, service shall not be disconnected on a day, or on a day immediately preceding a day, when personnel of the Cooperative are not available to the public for the purpose of disconnecting and reconnecting services.
11. Bowie-Cass Electric Cooperative, Inc. may not abandon a member or a certified service area without written notice to its member therein and all similar neighboring utilities and approval from the Texas Public Utility Commission.
12. Disconnection of master metered apartments. When a bill for electric services is delinquent for a master metered apartment complex (defined as a submetered or non-submetered building in which a single meter serves five or more residential dwelling units), the following apply:
    a. The Cooperative shall send a notice to the member. At the time such notice is issued, the Cooperative shall also inform the member that notice of possible disconnection will be provided to the tenants of the apartment complex in six days if payment is not rendered before that time.
    b. At least six days after providing notice to the member and at least four days prior to disconnect, the Cooperative shall post a minimum of five notices in conspicuous areas in the corridors or other public places of the apartment complex. Language in the notice shall be prominently displayed and shall read: "Notice to residents of (name and address of apartment complex. Electric utility service to this apartment complex is scheduled for disconnection on _____, because (reason for disconnection.)

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