

RULE NO. 6

DISCONTINUANCE, TERMINATION, RESTORATION AND REFUSAL OF SERVICE

A . Customer's Request For Discontinuance of Service

1. Unless otherwise covered by special contract between customer and utility, a customer may have service discontinued by giving not less than five (5) days advance notice thereof to the utility. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required five (5) days advance notice.
2. When such advance notice is not given to the utility, the customer may be required to pay for service until five (5) days after the utility has knowledge that the customer has vacated the premises or otherwise has discontinued gas service.

B . Termination of Service by Utility

1. Definitions
 - a. "Adult" means being 18 years of age or older.
 - b. "Commission" means the Public Service Commission of Nevada.
 - c. "Elderly" means a person who is 62 years of age or older.
 - d. "Especially dangerous to health" means a condition or event likely to cause serious impairment to the health of a person who appears to be unable, without assistance, to manage his own resources, carry out activities of daily living or protect himself from neglect or a hazardous situation. •
 - e. "Disabled" means a person who: 1) is affected by any (T) physical or mental disability as described in NRS 615.110 or a substantial limitation to employment as defined in NRS (T) 615.130, or 2) receives disability benefits from the Social Security Administration.
 - f. "Satisfactory credit" means the payment of bills for utility service for twelve (12) consecutive months, without a termination of service and with not more than three (3) payments during that period made after the date of issuance of the next monthly bill. Any history of payment that does not meet these requirements is unsatisfactory credit.
 - g. "Termination of service" means the intentional cessation of service by a utility to a customer which has not been requested by the customer and which occurs pursuant to the tariff of the utility.

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RULE NO. 6

DISCONTINUANCE, TERMINATION, RESTORATION AND REFUSAL OF SERVICE
(Continued)

B . Termination of Service by Utility

1. Definitions

- h. "Third person" means any natural person or public entity willing to receive notification of the pending termination of service of a residential customer and be given the opportunity to arrange to pay the customer's bill.
- i. "Utility" has the meaning ascribed to the term "public utility" in NRS 704.020, supplying electric, gas, or water service.

2. Grounds for Termination of Service:

a. Without Prior Notic

- 1. A utility may terminate gas service without prior notice only:
 - a. If any unsafe or hazardous condition related to the service is found to exist on the customer's premises;
 - b. If the use of gas service is found to be detrimental or damaging to the facilities or services of the utility or its customers;
 - c. Upon the order of any court or the Commission.
 - d. If the acts of the customer or the conditions upon his premises are such as to indicate to the utility his intention to defraud the utility;
 - e. If the utility has tried diligently to meet the notice requirements of Sections B.3.a. and B.3.b., but has not been able to furnish notice to the customers affected;
 - f. If an event that cannot be reasonably anticipated or controlled and which requires the termination of the service (force majeure);
 - g. If the location at which the service is provided has been abandoned; or
 - h. If the customer obtained service without the specific credit authorization of the utility.

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Austin W. Stedham
President

RULE NO. 6

DISCONTINUANCE, TERMINATION, RESTORATION AND REFUSAL OF SERVICE
(Continued)

B. Termination of Service by Utility (Continued)

2. Grounds for Termination of Service (Continued)

a. Without Prior Notice (Continued)

1. A Utility may terminate electric services ...(Continued)

i. If the termination without prior notice is otherwise authorized pursuant to NAC 704.302 to 704.390, inclusive, and subsection a of this regulation.

(N)
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(N)

b. With Prior Notice

1. Except as provided in sections B.4.a. to B.4.c. inclusive, a Utility may terminate electric service to a Customer without his permission after adequate notice has been given pursuant to Sections B.3.a. and B.3.b. for any of the following reasons:

a. Nonpayment of a delinquent bill.

1. The Utility shall require that bills for service be paid within a specified time, but not sooner than 15 days after issuance. Upon the expiration of the specified time without payment, the bill may be considered delinquent, except as otherwise provided in Rule No. 5.C.
2. The Utility may terminate service at the new location of a Customer for his failure to pay a delinquent bill for service which he received at a previous location.
3. If a Customer receives residential service at more than one location, the Utility may terminate service to him at any of the locations for his failure to pay a delinquent bill at any location.

b. Failure to make a security deposit, an installment payment on a delinquent bill or a security deposit, or a guarantee, when required.

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RULE NO. 6

DISCONTINUANCE, TERMINATION, RESTORATION AND REFUSAL OF SERVICE
(Continued)

B. Termination of Service by Utility (Continued)

- 2. Grounds for Termination of Service (Continued)
 - b. With Prior Notice (Continued)
 - 1. Except as provided in sections B.4.a. to B.4.c.... (Continued)
 - c. Violation of any other rules of the Utility on file with and approved by the Commission. (L)
- 3. Prior Notice
 - a. Notice of Proposed Termination
 - 1. If the Utility has grounds to terminate service pursuant to Section B.2.b. and intends to do so, the Utility shall send to the Customer written notice of its intended action at least 10 days before it terminates service, except that if the Customer has failed to comply with the terms of an agreement for deferred payment, the Utility may terminate service upon 48-hours' notice as provided in NAC 704.341. (N)
 - 2. If the Utility receives no response to its initial notice of proposed termination, it shall send a second notice to the Customer: (N)
 - a. Using a method required by NAC 704.390 if the Customer is subject to the provisions of that section; or (N)
 - b. Using a method which ensures that the notice is delivered to the Customer or the Customer's premises at least 48 hours before it terminates the service. (T)
 - 3. The initial notice of proposed termination must be personally served or mailed first class to the last known mailing address of the Customer. Service of notice shall be deemed complete as of the date of mailing or personal delivery. The second notice may be mailed by first class mail to the Customer at his last known address, communicated to the Customer in person, or communicated by telephone to an adult resident at the address where the service is being provided, or may be posted on the door of that residence if no one is home, or if requested by the Customer and within the capability of the Utility, by electronic notice sent via the internet to the most recent electronic address provided to the Utility by the Customer. (N)

(Continued)

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RULE NO. 6

DISCONTINUANCE, TERMINATION, RESTORATION AND REFUSAL OF SERVICE
(Continued)

B. Termination of Service by Utility (Continued)

3. Prior Notice (Continued)

a. Notice of Proposed Termination (Continued)

4. The notice of proposed termination must contain the following information in clear and understandable language; with the information listed in paragraphs (i), (j) and (l) presented in a larger type size than the balance of the notice:

- a. An identification of the account affected by the proposed termination;
- b. The date on or after which the proposed termination will occur;
- c. The address of the location where service will be terminated;
- d. An explanation of the reasons for termination including, if the proposed termination is for nonpayment, a statement designating the bill as one for actual or estimated use and specifying the total amount owed, the period over which that amount was incurred, and the minimum payment required to avoid termination;
- e. The procedures available to dispute or appeal the termination and specifying the address and telephone number of the Utility's office which is responsible for handling complaints or inquiries;
- f. That the Utility will promptly investigate the complaint or dispute and render its decision to the Customer in writing;
- g. If the Customer wishes to dispute any fact or interpretation of a regulation relied upon by the Utility to terminate service, the Customer must contact the Consumer Relations Division of the Commission. The statement must include the mailing address, telephone number and toll free number of the Consumer Relations Division of the Commission.
- h. That service will not be terminated before the resolution of the dispute, if the Customer pays the questioned portion of the bill to the Utility at the time that the dispute arises, and pays all subsequent bills;

(N)
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(N)

(T)
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(T)

(Continued)

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RULE NO. 6

DISCONTINUANCE, TERMINATION, RESTORATION AND REFUSAL OF SERVICE
(Continued)

B. Termination of Service by Utility (Continued)

3. Prior Notice (Continued)

a. Notice of Proposed Termination (Continued)

4. Notice of Proposed Termination ...(Continued)

- i. An explanation of any arrangements for payment which the Utility offers to Customers having difficulty in paying their bills. (T)
- j. A list of the names, addresses, and telephone numbers of two governmental agencies or other organizations that have notified the Utility that they will help Customers who are unable to pay their bills; (N)
- k. An explanation of the restrictions on termination as set forth in Section B.4.a;
- l. That Customers must notify the Utility of their status as members of households which contain electric appliances essential for health; and (T)
- m. An explanation of the Utility's fee schedule and procedures for reconnection.

5. If a Utility provides a Customer with an initial notice or a second notice of an intended termination of service and the Customer or another adult resident of the Customer's household communicates orally with the Utility concerning the notice, the Utility shall explain to the Customer or other adult resident each item of information which is included in the notice pursuant to subsection 4. (N, D)

6. If a Utility has a reason for the termination of service and intends to terminate service to a mobile home park or a multiunit residential complex, the Utility shall use its best efforts to notify the occupants of each family dwelling unit located within the park or complex of the Utility's intended action. The Utility shall use its best efforts to notify the occupants by posting on the door of each such unit written notice which states: a) The reason for the termination of service; b) The deadline for making any delinquent payments or for taking any corrective action that is necessary to avoid the termination of service; and c) The date scheduled for the termination of service in the event that any delinquent payments are not made or corrective action is not taken. (L)

(T)
(N)
(T)
(N, D)
(D)
(L)
(N, L)

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RULE NO. 6

DISCONTINUANCE, TERMINATION, RESTORATION AND REFUSAL OF SERVICE
(Continued)

B. Termination of Service by Utility (Continued)

3. Prior Notice (Continued)

a. Notice of Proposed Termination (Continued)

6. The Utility shall provide the notice required by this subsection to the occupants of a multiunit residential complex at the same time that the Utility provides notice to the Customer of record for the complex. (N)

b. Third-Person Notification (L)

1. The Utility shall, upon the written request of a residential Customer, notify a third person designated by the Customer of the intended termination by sending a duplicate of the notice to the third person. The third person need not pay the bill. (L)

2. The Utility shall make a diligent effort to notify the designated third person, but will incur no liability for failure to notify the third person.

3. As used in this section, "third person" includes any guarantor of the Customer making the designation and any other person or public agency, other than the Customer or the Utility.

4. Restrictions on Termination of Residential Service

a. During an Emergency Affecting Health

1. A Utility shall postpone termination of service to a residential Customer 30 days after the date on which it receives both of the following

a. A statement from a licensed physician, public health official, or advanced practice registered nurse certifying that any termination of service would be especially dangerous to the health of the Customer or any other person who is a permanent resident of the premises where service is rendered and would constitute an emergency affecting the health of the person. The (D)

licensed physician, health official, or advanced practice registered nurse may consider the feebleness, advanced age, physical disability, mental incapacity, serious illness, or other infirmity of the person affected. Except as otherwise provided in this paragraph, the state certifying the emergency must be in writing and include: (N)

1. The service address affected;
2. The name of the person whose health would be especially endangered; and

(Continued) (D, N)

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Douglas A. Cannon
Senior Vice President:

RULE NO. 6

DISCONTINUANCE, TERMINATION, RESTORATION AND REFUSAL OF SERVICE
(Continued)

B. Termination of Service by Utility (Continued)

4. Restrictions on Termination of Residential Service (Continued)

a. During an Emergency Affecting Health... (Continued)

1. A Utility shall postpone termination (Continued)

a. A statement from a licensed physician (Continued)

3. A clear description of the nature of the emergency, and the name, title, and signature of the person certifying the emergency

The statement may be made by telephone if a written statement is forwarded to the Utility within 5 days after the oral statement is made.

b. A statement signed by the Customer:

1. That he is unable to pay for service in accordance with the requirements of the Utility's billing; or
2. That he is able to pay for service only in installments. The Utility shall allow an installment period of up to 90 days for a Customer to pay his bills.

2. The postponement may be extended for an additional 30 days upon receipt by the Utility of a renewed medical certificate before the expiration of the original postponement.

3. If a Utility again intends to terminate service after a Customer has obtained a postponement pursuant to Subsection 1, the Utility shall give written notice of its intended action:

- a. to the Customer Relations Division of the Commission; and
- b. to the Customer and any other person required to receive notice pursuant to Section B.3.a; and
- c. to government agencies or other organizations which have notified the Utility that they will assist Customers in paying their Utility bills.

(Continued)

(L)

(N)

(N)

(L)

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RULE NO. 6

DISCONTINUANCE, TERMINATION, RESTORATION AND REFUSAL OF SERVICE
(Continued)

B. Termination of Service by Utility (Continued)

4. Restrictions on Termination of Residential Service (Continued)

a. During an Emergency Affecting Health (Continued)

4. Before expiration of the postponement, the Customer must arrange with the Utility to pay his bills in accordance with its applicable rules.

b. Weekends and Holidays

1. Except as provided in Paragraph a. and b. of Subsection 1 of Section B.2.a., a Utility shall not terminate service on a weekend, a holiday or on the day before a weekend or a holiday.

c. For Nonpayment of a Bill for Nonresidential Service

1. A Utility shall not terminate the service of a: 1) residential Customer because of his failure to pay a delinquent bill for another class of service, 2) Customer because of delinquent bills which were incurred by the previous occupant of the location at which service is provided.

d. For Nonpayment of a Bill for \$50 or less

1. A Utility shall not terminate the service to a residential Customer if the outstanding amount owed by that Customer is \$50 or less.

(N)
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(N)

5. Elderly and Disabled Persons

a. General

1. A Utility shall notify in writing: a) each new residential Customer, at the time he or she applied for service, and b) each existing residential Customer, at least once annually by bill stuffer, that special assistance is available to elderly and to disabled persons who are unable to pay their bills on a timely basis, and that such persons must contact the Utility if they wish to avail themselves of such special assistance. The Utility will also give written notice to Customers who are elderly or disabled of the availability of third person notification:

a. At the time the Customer applies for service; or

b. If the Customer applies for service by telephone, at the time the Customer receives the first bill for service.

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RULE NO. 6

DISCONTINUANCE, TERMINATION, RESTORATION AND REFUSAL OF SERVICE
(Continued)

B. Termination of Service by Utility (Continued)

5. Elderly and Disabled Persons (Continued)

b. Forty-Eight Hour Personal Notice

1. A Utility shall not terminate service to elderly or disabled, or whose household includes an elderly or disabled person, unless it has notified the affected Customer or some other adult resident in person or by telephone at the address where service is provided at least 48 hours before the date upon which termination would occur.
2. The Utility's representative shall explain to the Customer or other adult resident all information which is required to be included in a written notice of termination by Section B.3.a. (4.).
3. In addition to the notice required by subsection 1, the Utility shall notify governmental agencies which have notified the Utility that they will assist Customer in paying their Utility bills.
4. Except as otherwise provided in subsections 1 and 2 of NAC 704.350, a Utility may not terminate service to a Customer if the Utility has knowledge that the Customer or a permanent resident of the Customer's household: (a) is confined to the location where service is provided; (b) is on a life support device which, to operate effectively at that location, requires service to be provided by the Utility; and (c) is likely to die without the aid of the life support device if the Utility terminates service.

(L, N)

C. Moratorium on Service Terminations

1. If a Utility intends to terminate service to a Customer or a multiunit residential complex because of nonpayment, the Utility shall postpone the termination if the termination would occur during a forecasted period of extreme temperature for the local geographical area which encompasses the location where service is provided and which typically experiences similar temperature conditions as the location where service is provided.

(L, N)

(Continued)

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RULE NO. 6

DISCONTINUANCE, TERMINATION, RESTORATION AND REFUSAL OF SERVICE
(Continued)

C. Moratorium on Service Terminations (Continued)

2. As used in this section:

- a. The general Customer temperature moratorium related to high temperature does not apply to the gas Utility unless natural gas is essential for air conditioning.

For all other Customers, a moratorium on service terminations shall apply for any period of 24 hours for which the National Weather Service has issued a forecast for that area predicting that, at some point during the period of 24 hours, the outside temperature will be:

- (1) 105 degrees Fahrenheit or higher or;
- (2) 15 degrees Fahrenheit or lower.

- b. "National Weather Service" means the National Weather Service of the National Oceanic and Atmospheric Administration of the United States Department of Commerce.

D. Restoration of Service

1. Considerations

The Utility will resume service to a Customer:

- a. If the Customer has complied with the requirements of the Utility set forth in the tariffs.
- b. Upon the order of any court of competent jurisdiction or the Commission.
- c. Upon the receipt of a statement from a licensed physician, public health official, or advanced practice registered nurse certifying that any termination of the service would be especially dangerous to the health of the resident. Specific requirements are described in B.4.a.

(D)
(N)

(Continued)

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RULE NO. 6

DISCONTINUANCE, TERMINATION, RESTORATION AND REFUSAL OF SERVICE
(Continued)

D Restoration of Service (Continued)

- 2. Except as otherwise provided in subsection 3, if a Utility terminates service to a Customer because of nonpayment and the Customer or another person or entity on behalf of the Customer subsequently pays the Utility at the Utility's office in an amount that is sufficient to resume service, the Utility shall resume service to the Customer: a) on the same day that the payment is received by the Utility, if payment is received by the Utility on or before 10:00 a.m.; b) within 24 hours after the time when the payment is received by the Utility, if the payment is received by the Utility after 10:00 a.m.
- 3. If a Utility terminates service to a multiunit residential complex because of nonpayment and the Customer of record or another person or entity on behalf of the Customer of record subsequently pays the Utility in an amount that is sufficient to resume service, the Utility shall resume service to each unit within the multiunit residential complex on a priority basis, subject to emergency situations, including, but not limited to, emergency situations affecting the health of a person as described in paragraph (a) of NAC 704.370(1).
- 4. **To Be Made During a Period Other Than Regular Working Hours**
 When a Customer has requested that the reconnection be made during a period other than regular working hours, the Utility will reasonably endeavor to so make the reconnection if practicable under the circumstances but will be under no obligation to do so, unless, in the opinion of the Utility, an emergency exists.
- 5. **Reconnection Charge**
 Where service has been terminated for violation of these Rules or for nonpayment of bills, the Utility may charge not more than charges set forth in Schedule MC, Miscellaneous Charges.

(L)
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 (D, T)
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RULE NO. 6

DISCONTINUANCE, TERMINATION, RESTORATION AND REFUSAL OF SERVICE
(Continued)

E. Refusal to Serve

1. Conditions for Refusal

Except as otherwise provided in Subsection D., the Utility may refuse to serve or refuse to resume service to a Customer for service under any of the following conditions:

- a. Until the Customer complies with the requirements of the Commission as set forth in the tariff of the Utility;
- b. If the Customer has obtained or attempted to obtain service by fraudulent means, unless the conditions constituting the fraud have been corrected; or
- c. If there exists any of the conditions described under B.2.a.

2. Notification to Customers

When an applicant is refused service or his service has been terminated under the provisions of this Rule, the Utility will notify the applicant promptly of the reason for the refusal to serve and of the right of applicant to appeal the Utility's decision to the Commission.

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Westpac Utilities

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Tariff No. Gas No. 1 Canceling Original PUCN Sheet No. 23J
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HELD FOR FUTURE USE

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