NAVOPACHE ELECTRIC COOPERATIVE, INC.
RULE NO. 7
REASONS FOR DENYING, DISCONTINUING OR LIMITING SERVICE
Applies to all N.M. Consumers

2.80 REASONS FOR DENYING, DISCONTINUING OR LIMITING SERVICE
Service may be denied or discontinued or limited for any of the reasons listed below. Unless otherwise stated, the consumer shall be allowed a reasonable time in which to comply with the rule before service is discontinued except as provided in A, B, C and D.

A. Without notice in the event of a condition determined by the Cooperative to be hazardous.

B. Without notice in the event of consumer use of equipment in such a manner as to adversely affect the Cooperative's equipment or the Cooperative's service to others.

C. Without notice in the event of consumer's tampering with, damaging or deliberately destroying the equipment furnished and owned by the Cooperative.

D. Without notice in the event of unauthorized use.

E. When necessary for the utility to comply with an order of any governmental agency having such jurisdiction.

F. For violation of and/or noncompliance with the Cooperative's rules on file with and approved by the Commission.

G. For failure of the consumer to fulfill his contractual obligations for service and/or facilities subject to the regulations by the Commission.

H. For failure of the consumer to permit the Cooperative reasonable access to its equipment.

I. At least fifteen (15) days before Cooperative proposes to discontinue service to a residential customer, Cooperative shall provide that residential customer with notice of each of the rights such residential customer may have under G.O. 34 relating to discontinuance of service, budget payment plans and settlement agreements. Such notice shall be in writing, in English and Spanish and shall be in simple language. Such notice shall be delivered to the affected residential customer in person or by depositing a copy of the notice in the U.S. Mail, postage prepaid, addressed to the residential customer at the address for the affected residential customer known to the Cooperative.

J. Failure to post a security deposit or guarantee, pursuant to G.O. #34, Section 6.3, as applicable.

K. For failure of the consumer to furnish such service equipment, permits, certificates and/or rights of way, as shall have been specified by the Cooperative as a condition to obtaining service or in the event such equipment or permissions are withdrawn or terminated.

Advice Notice No. 94

C. M. Eddy, Manager
L. Failure to pay for service of the same class at a previous metering point or points.

M. A statement that the Cooperative will not discontinue service to any residence where a seriously ill person resides or person whose life may be endangered by discontinuance of service, if at least two (2) days prior to the proposed service discontinuance date indicated in the notice, the designated Cooperative personnel receives a certificate or copy thereof from a practitioner of the healing arts, on forms provided by the Cooperative or other suitable forms, stating that discontinuance of service might endanger the person’s life and the residential customer demonstrated to the Cooperative personnel in writing, on forms provided by the Cooperative or other suitable forms, that such residential customer does not have adequate financial resources to pay the utility charges when due, whether or not the accuracy of such charges are the subject of a bona fide dispute; and that if service has been discontinued the Cooperative shall reestablish service within twelve (12) hours of receipt of said certificate.

The Cooperative shall take reasonable steps to communicate with a residential customer, by telephone or personal contact, at least two (2) days prior to the actual date of discontinuance of service, in order to obtain payment of delinquent accounts. The Cooperative employee personally contacting a residential customer two (2) days prior to discontinuance, and the Cooperative employee sent to discontinue utility services shall note any information which is made known to the employee by the residential customer regarding any resident's seriously ill or life endangering health condition, such as whether a resident is physically disabled, frail or elderly. Such information shall be immediately reported in writing to a Cooperative employee authorized to prevent discontinuance. That employee shall either delay the discontinuance order if it is apparent that the forms provided for in G.O. 34, Section 6.3A.5 will be received, or shall state in writing why such delay is not effected. The Cooperative and Cooperative employee's noting of the information made known by the residential customer, acting upon such information or failing to act on such information in good faith, shall cause the Cooperative and the Cooperative's employee to be held harmless for error made. The Cooperative's employee sent to discontinue utility service shall be empowered to receive payment of delinquent bills and upon receipt of the payment, said employee shall be empowered to cancel the discontinuance order.
2.81 NOTICE OF SERVICE TERMINATION: A service termination notice shall be mailed to the consumer by first-class mail or by messenger before a scheduled disconnection for one of the violations listed previously, except under provision A through D in 2.80. In such cases, disconnection may be immediate and without prior notice. A service termination notice shall identify the premises served (by service address and/or other Cooperative location system) and the type of service provided; specify the delinquent balance or other reasons for service termination; indicate the telephone number at which the consumer may contact an authorized Cooperative representative; accounts are subject to disconnection after final due date which appears on the delinquent notice. Disconnection shall be made during regular business hours, excluding Fridays and the day before Cooperative holidays. The consumer shall be advised about the right to make payment arrangements, or dispute final amount, before the final due date. Where applicable, copy of the termination notice will be simultaneously forwarded to designated third parties.

2.82 DELINQUENT ACCOUNT PROCEDURE: After the Cooperative delivers the required service termination notice, it shall observe the following procedure:

A. Prior to a scheduled disconnection, the Cooperative shall make a reasonable effort to contact the consumer during regular business hours, and advise the consumer what can be done to avoid service termination.

B. In the case of a delinquent account only, the Cooperative employee assigned to disconnect service shall make reasonable efforts before termination to identify any Cooperative personnel present to the consumer; describe the purpose of Cooperative personnel at the consumer’s premises, and, advise the consumer that payment of the total amount due can be accepted in the field to prevent termination.

C. In the case of a delinquent account only, the consumer shall pay the total amount due to the employee terminating the service, including the field collection call fee. If the consumer does not pay the total amount due, the service shall be disconnected.

Advice Notice No. 34

C. M. Eddy, Manager