

ORIGINAL RULE NO. 9
Cancelling N.M.P.S.C. Sheet No. _____

DISCONTINUANCE AND DENYING RESTORATION OF SERVICE

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A. Customers who intend to move from the premises or discontinue the use of water or in any way terminate their liability hereunder shall give the Company reasonable notice of such intentions and the customer will be liable for all water that may be used upon the premises until such notice is given and the Company has made the final meter reading. Upon receipt of such notice, the Company will read the meter within a reasonable period of time.

B. Any customer desiring service disconnected shall give notice in writing to the Company at its office. The Company will endeavor to the best of its ability to act upon telephone or verbal orders to discontinue service, but in the event of a dispute, only a written order will be considered proof of notice.

C. The Company reserves the right to interrupt service for a reasonable period for repairs to its property or equipment.

D. The Company may discontinue utility service to a residential customer without prior notice:

1. In the event of a condition determined by the Company to be hazardous.
2. In the event of residential customer use of equipment in such manner as to adversely affect the Company's equipment or the Company's service to others.
3. In the event of residential customer's tampering with, damaging, or deliberately destroying the equipment furnished and owned by the Company.
4. In the event of unauthorized use of service provided by the Company.

E. The Company may discontinue utility service to a residential customer for:

EFFECTIVE

SERVICE

FOR _____ ON

OCT 10 1985

BY

APPROVED

NEW MEXICO PUBLIC SERVICE COMMISSION

Advice Notice No. 112

Signature/Title

Concepcion

Owner

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1. Nonpayment of a delinquent account.
2. Failure to comply with the terms and conditions of a settlement agreement.
3. Discontinuance of utility service under this sub-paragraph shall be governed by sub-paragraph L, M, N, O and P of this rule.

F. After three days prior written notice, the Company may discontinue utility service to a residential customer for:

1. Refusal to grant access at reasonable times to equipment installed upon the premises of the residential customer for the purpose of inspection, meter reading, maintenance or replacement.
2. Failure to furnish such service, equipment, permits, certificates, and/or rights of way, as shall have been specified by the Company as a condition to obtaining service, or in the event such equipment or permission is withdrawn or terminated.
3. Violation of and/or noncompliance with the Company's rules on file with and approved by the Commission.
4. Failure of the residential customer to fulfill contractual obligations for utility service and/or facilities other than settlement agreements.

G. The three-day notice required by Paragraph F of this rule shall be in English and Spanish, as may be applicable, and shall include the following:

1. A statement of the reason(s) why the Company has issued notice to discontinue utility service.

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Operation of Law
AP

Non-Metered Residential Service Co.

Advice Notice No. 112

Signature/Title J. Corralandia

Owner

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2. The title(s), address, telephone number(s) and working hours of the personnel at the Company responsible for carrying out the rights herein prescribed.
3. A statement that the residential customer can obtain a review by personnel of the Company of the reasons for the proposed discontinuance of service, which shall stay the discontinuance during the review, and a statement that a complaint may be filed with the Commission if the residential customer disagrees with the Company's determination of the facts on which the proposed discontinuance is based.

H. The Company shall not discontinue service for:

1. The failure of a residential customer to pay for special services.
2. The failure of a residential customer to pay for service received at a separate metering point, residence or location. However, in the event of discontinuance or termination of service at a separate residential metering point, residence or location, the Company may transfer any unpaid balance due to any other residential service account of the residential customer and proceed in accordance with Paragraph E.
3. The failure of the residential customer to pay for a different class of service received at the same or different location. However, the placing of more than one meter at the same location for the purposes of billing the usage of specific devices under optional rate tariffs or provisions is not construed as a different class of service.
4. Nonpayment of the disputed amount of a bill.
5. Delinquency in payment for service to a previous occupant of the same premises unless a court has found the new customer

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Advice Notice No. 12

Signature/Title

Condelario
Owner

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legally liable for the debt of the previous occupant, or the previous occupant continues to reside at the premises.

6. Failure of a residential customer to pay the bill of another customer as guarantor thereof.
7. Failure of a residential customer to pay an estimated bill rendered in violation of Rule No. 21.

I. Use of the Company's curb or meter shut-off valve by customer or customer's agent is prohibited. This practice by unauthorized persons may be reason for discontinuance of service.

J. If during a shortage of supply the Company find evidence of excessive waste of water by a customer, or if it becomes necessary to ration water, the Company will advise the customer of such condition. If within 24 hours of receiving notice from the Company the customer has failed to either correct the condition causing excessive use, complied with rationing orders or demonstrated to the Company's satisfaction why he cannot comply with this time period the Company may proceed with discontinuance of service.

K. Any customer whose service is involuntarily disconnected may be required to pay a reconnection fee in addition to all other fees and charges before being reconnected to any system operated by the Company.

L. At least fifteen (15) days before the Company proposes to discontinue service to a residential customer, the Company shall provide that residential customer with notice of each of the rights such residential customer may have relating to discontinuance of service 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 Company. Such notice shall contain:

1. The title(s), address, telephone number(s) and working hours of

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NEW MEXICO PUBLIC SERVICE COMMISSION

Advice Notice No. 112

Signature/Title V. Canclario

Owner

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the personnel at the Company responsible for carrying out the rights.

2. The amount owed and the date by which the residential customer must either pay the amount due or make other arrangements with the Company concerning payment of the charges, including arrangements for a settlement agreement. The consumption period over which said amount was incurred, the date the amount of the last payment shall be available on request.
3. A statement that is the residential customer pays that portion of the bill which is not in a bona fide dispute, the residential customer can obtain a review by personnel of the Company of the portion of the bill which the residential customer does dispute.
4. A statement that a residential customer may file a complaint with the New Mexico Public Service Commission in accordance with Second Revised General Order No. 1 if the residential customer disagrees with the Company's determination concerning discontinuance of service.
5. A statement that the Company 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 Company personnel receives a certificate or copy thereof from a practitioner of the healing arts, on forms provided by the Company or other suitable forms, stating that discontinuance of service might endanger the person's life and the residential customer demonstrates to the designated Company personnel in writing, on forms provided by the Company or other suitable forms, that such residential customer does not have adequate financial resources to pay

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BY

Operation 8 (law)
APPROVED *[Signature]*
NEW MEXICO PUBLIC SERVICE COMMISSION

Advice Notice No. 12

Signature/Title *J. Cordova*

owner

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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 Company shall reestablish service within twelve (12) hours of receipt of said certificate.

6. A blank medical certificate, which shall permit the practitioner to indicate the expected duration of the residential customer's serious illness or life endangering situation and a form for notifying the Company of a residential customer's having inadequate financial resources to pay utility charges when due. Such forms properly executed shall be adequate to delay discontinuance for at least thirty (30) days and at the Company's option, the Company may delay discontinuance for up to one hundred twenty (120) days or for a longer period of time. The Company shall promptly notify the residential customer in writing as to how long it deems the certificate to be valid; provided, however, that should the circumstances on which the certificate is based appear to have changed, the Company may require additional certification.
7. A statement of the cost of reconnection.
8. A statement that "If you are a recipient of public assistance, contact your caseworker immediately."

M. The Company shall take reasonable steps to communicate with a residential customer, by telephone or personal contact, at least (2) days prior to the actual date of discontinuance of service, in order to obtain payment of delinquent accounts. The Company employee personally contacting a residential customer two (2) days prior to discontinuance, and the utility 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 Company employee authorized to prevent discontinuance. That employee shall either delay the discontinuance order if it is apparent that the forms provided for

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Signature/Title *V. Conzelmann*

Owner

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in Paragraph No. 5 will be received, or shall state in writing why such delay is not effected. The Company and Company 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 Company and Company employee to be held harmless for error made. The Company 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.

N. The Company shall offer its residential customers a third party notification program and develop adequate procedures for notification to its residential customers of the availability of the program. The third party notification program shall only be extended to residential customers who notify the Company in writing of their desire to participate in the program and designate a specific person, organization, or governmental agency who is ready, willing and able to assist the residential customer in the payment of utility bills. Upon receipt of such notice from a residential customer, the Company shall not discontinue service to the residential customer for nonpayment of past due charges without (1) contacting the designated person, organization or governmental agency by phone or in writing at least fifteen (15) days prior to the proposed discontinuance of service; and (2) determining that the designated person, organization or governmental agency has not made a commitment to assist payment of the past due charge of that residential customer within a reasonable period of time.

O. When a residential customer has indicated to the Company an inability to pay utility charges and has not been chronically delinquent, the Company shall attempt to arrange an installment payment plan for the payment of past due utility charges. While an installment payment plan is being negotiated, the Company shall not discontinue service to such residence. In the event that either negotiation of the installment plan is discontinued or progress in its negotiation is stalled, the Company may proceed with discontinuance of service.

P. The Company shall provide a procedure for reviewing residential customer allegations that a proposed installment payment plan is unreasonable;

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BY *Operation of Law*
NEW MEXICO PUBLIC SERVICE COMMISSION

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Signature/Title *Concepcion*

same

Quemado Water Works COMPANY

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that a utility charge is not due and owing; or that it has not violated an existing installment payment plan. Such procedure shall provide due notice to residential customers, and the reviewing employee shall have authority to order appropriate corrective action. Such review shall stay the discontinuance of utility service until the review is completed.

Q. Utility service to a residential customer may be discontinued only during the hours from 8:00 a.m. to 3:00 p.m. on Monday through Thursday and may not be discontinued less than twenty-four (24) hours prior to a holiday or weekend unless the Company's business office is open for receipt of payment of past due charges and Company personnel are available to restore such service upon payment during said holiday or weekend.

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Advice Notice No. 112

Signature/Title Consulencia

Owner