

13. TERMINATION OF ELECTRIC SERVICE

13.1 TERMINATION OF ELECTRIC SERVICE:

If a Customer violates the conditions under which BCLP supplies electric service under the Electric Service Agreement and these Electric Service Policies, or if they fail upon request from BCLP to pay an unsecured bill for service, BCLP may discontinue electric service upon not less than 48-hour advance written notice stating the cause of such discontinuance, mailed to the Customer or to the premises to which electric service is supplied. In addition, BCLP reserves the right to discontinue electric service upon notice for any of the following reasons:

- a. Non-payment of a delinquent account.
- b. Non-payment of a deposit when required.
- c. For the use of electricity for any property or purpose other than that described in the application made therefore.
- d. Under any flat rate electric service, for addition to such property or fixtures, or increase in the use to be made of electricity.
- e. For failure to maintain in good order electric service entrance facilities or equipment owned by the Customer.
- f. For tampering with any electric service wires, meter, seal, or any other facilities of BCLP.
- g. In case Customer vacates premises either permanently, with or without notice to BCLP, or temporarily with notice to BCLP to stop service for the vacation period.
- h. For use of equipment which adversely affects BCLP's electric service to its other Customers.
- I. For refusal of reasonable access to property to the agent or employee of BCLP for the purpose of tree trimming, inspecting the facilities, or for testing, reading, maintaining, or removing meters.
- j. For fraudulent use of service.
- k. Failure to comply with the terms of a delinquent payment agreement.

A minimum of 48-hour advance written notice will be given the Customer before electric service is discontinued under this provision, except in the case of danger to life or property, when BCLP may discontinue service without notice.

13.2 EXCEPTIONS TO TERMINATION POLICY:

Residential electric service may not be terminated, and may be restored upon written notice by the Customer if terminated, where termination will cause or aggravate a serious illness or infirmity of a person living in the residence. Upon receipt of a physician's statement identifying the health infirmity or potential health hazard, BCLP will continue or restore residential electric service for the period set forth in the physician's statement or 60 days, whichever is less; provided, however, that the person whose health is threatened or illness aggravated may petition the City Council for an extension of time. During the period of continued electric service, the Customer is liable for the cost of the residential electric service. However, no action to terminate the electric service may be undertaken until expiration of the period of continued electric service.

BCLP will not terminate electric service except in an emergency to a residence in which the Customer or resident is known by BCLP to be using life-supporting equipment, without specific prior approval by the City Council. Any Customer eligible for such protection can obtain it by filing a written notice with BCLP, thereupon BCLP will mark and identify all meter boxes where such equipment is used.

BCLP will terminate residential electric service without notice where, in its judgment, a clear emergency or serious health or safety hazard exists for as long as such conditions exist, or where there is unauthorized use of or diversion of residential electric service or tampering with wires, meters, or other equipment owned by BCLP.

13.3 NOTICE REQUIREMENTS PRECEDING TERMINATION:

An electric service bill which has remained unpaid beyond the statement due date is a delinquent account. When an account is a delinquent account, BCLP, before termination, will inform the Customer of the delinquent status by noting such on the Customer's next statement. Where the Customer responds to a late notice, BCLP's collections personnel will investigate any disputed issue and will attempt to resolve that issue by negotiation. During this investigation and negotiation no other action shall be taken to terminate the electric service if the Customer pays the undisputed portion of the account.

At least ten calendar days prior to a proposed termination of electric service, BCLP will give written notice of disconnection for nonpayment to the Customer. The ten-day time period is computed from the date the notice is deposited in the mail. The notice will be mailed by first class mail for delivery to the Customer's mailing address of record and will contain a summary of the following information:

- (1) A statement of the Customer's rights and remedies;
- (2) Informal and formal procedures to dispute bills and to appeal adverse decisions, including BCLP's address and telephone number;
- (3) Specific steps that may be taken by the Customer to avoid termination (printed in a conspicuous fashion);
- (4) The date by which payment arrangements must be made to avoid termination;

Upon expiration of the notice of proposed termination, BCLP may terminate such electric service.

13.4 CUSTOMER REQUESTED TERMINATION:

Upon request by a Customer of BCLP to disconnect electric service, BCLP will disconnect the electric service within four working days of the requested disconnect date. The Customer shall not be liable for any electric services rendered to or at such address or location after the expiration of four such days.

A Customer who is not the occupant at the service location for which termination is requested, may be required to sign an affidavit that there are no tenants at the location for which termination is requested, at the time of making the termination request.

13.5 PROVISIONS APPLICABLE TO ALL CUSTOMERS:

If a BCLP employee is sent to the service location to disconnect the electric service for nonpayment, the Customer will be charged a Collect / Disconnect Fee.

Customers requesting re-establishment of electric service during normal business hours for service terminated or restricted under the provisions above shall pay a Reconnect Fee Regular Hours to BCLP before electric service is re-established. A Customer requesting re-establishment of terminated or restricted residential electric service at other times will be charged a Reconnect Fee After Hours.

The Reconnect Fee shall be waived if BCLP terminated electric service because of a clear emergency or the existence of a serious health or safety hazard resulting from conditions or circumstances beyond the control of the Customer, or in cases where termination of electric service is not performed in accordance with the provisions of BCLP's Electric Service Regulations.

The right to discontinue service for any of the reasons and under the conditions stated above may be exercised whenever and as often as such reasons may occur, and neither delay nor omission on the part of BCLP to enforce these rules at any time shall be deemed a waiver of its rights to enforce the same at any time, so long as the reason continues. BCLP has the right to employ or pursue all legal methods to ensure collections of obligations due it.

BCLP will restore electric service only when all of the following conditions are met:

- a. The cause of the discontinuance has been removed if that cause was for any reason other than for the nonpayment of proper charges when due.
- b. The Customer has paid all proper charges which are due, including the Reconnect Fee. In the event discontinuance is for non-payment, a cash or credit card payment for all charges due and owing will be required.

13.6 PROTOCOL FOR UTILITY DISCONNECTION FOR NON-PAYMENT:

Utilities will be disconnected in the following order:

- a. Complete water disconnection if possible or feasible;
- b. If water disconnection is not possible or feasible, then placement of an electrical limiter on the electric service;
- c. If an electrical limiter on the electric service is not possible or feasible, then complete electrical disconnection.
- d. If the bill is not paid after one week, then complete electrical disconnection.