



CUSTOMER POLICY 202

Disconnection of Electric Service of Consumers

When a domestic subscriber becomes more than 10 days delinquent in the payment of his or her account from the due date of regular billing, or when a subscriber has been determined by the District to be abusing, or permitting the abuse of service or facilities which is determined to be detrimental to the safe and economical operation of the system or detrimental to the safety of any person, electric service to such subscriber shall be disconnected upon the completion of the procedure enumerated hereafter.

1. By serving notice to the subscriber of the disconnection to be made on a date certain, not less than seven (7) days from the date such notice is sent or given.
Service of notice shall be by:
 - (a) First class mail, conspicuously marked as to its importance, which shall be considered served upon mailing, or
 - (b) Personal delivery to the subscriber of such notice by District employee or agent.
2. A record of subscribers receiving such notice, and the manner of service of the same shall be regularly maintained by the District.
3. The notice shall clearly state:
 - (a) The name and address of the subscriber.
 - (b) The location and description of the service to be disconnected.
 - (c) The reason for the proposed disconnection.
 - (d) A statement of intention to disconnect unless the domestic subscriber either pays the bill or reaches an agreement with the District regarding payment of the bill.
 - (e) The date upon which service will be disconnected if the domestic subscriber does not take appropriate action.
 - (f) The name, address, and telephone number of District employee or department to whom the domestic subscriber may address any inquiry or complaint.
 - (g) The domestic subscriber's right, prior to the disconnection date, to request a conference regarding any dispute over such proposed disconnection.

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- (h) A statement that the District may not disconnect service pending the conclusion of the conference.
 - (i) A statement to the effect that disconnection may be postponed or prevented upon presentation of a duly licensed physician's certificate which shall certify that a domestic subscriber or resident within such subscriber's household has an existing illness or handicap which would cause such subscriber or resident to suffer an immediate and serious health hazard by the disconnection of the utility's service to that household. Such certificate shall be filed with the District within five days of receiving notice under this section and will prevent the disconnection of electric service for a period of thirty days from such filing. Only one postponement of disconnection shall be allowed under this subdivision for each incidence of nonpayment of any due account.
 - (j) The cost that will be borne by the domestic subscriber for restoration of service.
 - (k) A statement that the domestic subscriber may arrange with the District for an installment payment plan.
 - (l) A statement to the effect that those domestic subscribers who are welfare recipients may qualify for assistance in payment of their electric bill and that they should contact their caseworker in that regard.
 - (m) Any additional information not inconsistent with prescribed statutes which receives prior approval of the District's Board of Directors.
4. A domestic subscriber may designate a third party to be notified concerning a proposed service discontinuation. Domestic subscribers including new subscribers shall be advised of the availability of such procedure.

A domestic subscriber or proposed domestic subscriber who wishes to designate a third party to receive notification of proposed service discontinuance shall provide the District with:

- (a) The name of the third party.
 - (b) The address to which the third party notice should be directed.
 - (c) Any change in the name and/or address of the subscriber designated third party.
5. A domestic subscriber may request a conference in regard to any dispute over a proposed discontinuance of service before an employee designated by the District to hear such matters.
6. The employee designated by the District shall hear and decide all matters disputed by domestic subscribers pursuant to this policy. The subjects to be heard shall include matters relating to a disputed bill.

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7. A domestic subscriber may dispute the proposed discontinuance of electricity by notifying the District with a written statement that sets forth the reasons for the dispute and the relief requested. If a statement has been made by the subscriber, a conference shall be held before the District may discontinue service.
8. Upon notice to the employee designated by the District of any request for a conference by a domestic subscriber, the employee shall:
 - (a) Notify the domestic subscriber, in writing, of the time, place, and date scheduled for the conference; and
 - (b) Hold a conference within fourteen days of the receipt of the domestic subscriber's request. Such conference shall be informal and not governed by the Nebraska Rules of Evidence. If the employee determines at the conference that the domestic subscriber did not receive proper notice or was denied any other right afforded under the statutes, the employee shall recess and continue the conference at such time as the subscriber has been afforded his or her rights. Failure of a domestic subscriber to attend a scheduled conference shall relieve the District of any further action prior to the discontinuance of service. If a domestic subscriber shall contact the District prior to the scheduled conference and demonstrate that failure to attend was for a legitimate reason, the District shall make a reasonable effort to reschedule the conference.
9. The employee of the District shall, based solely on the evidence presented at the conference, affirm, reverse, or modify any decision which involves a disputed bill, non-payment of which results in termination of electric service. Electric service shall be terminated only as a measure of last resort after all other remedies less drastic have been exhausted.
10. Any domestic subscriber may appeal an adverse decision of the District employee to management or to the District's Board of Directors. The hearing procedure to resolve bills appealed by domestic subscribers, a copy of which will be furnished upon the request of any domestic subscriber, shall be as follows:
 - (a) Such appeal shall be filed with management or the District's Board within 10 days of the date of the decision being appealed.
 - (b) At any appeal hearing held pursuant to a disputed decision, the domestic subscriber may:
 - (1) Be represented by legal counsel or other representative or spokesperson.
 - (2) Examine and copy, not less than three business days prior to such hearing, the District's file and records pertaining to all matters directly relevant to the dispute or utilized in any way by the District in reaching the decision to propose termination or to take other action which is the subject of the hearing.

- (3) Present witnesses and offer evidence.
 - (4) Confront and cross-examine such other witnesses as may appear and testify at the hearing; and
 - (5) Make or have made a record of the proceedings at his or her own expense.
- (c) Management shall notify the domestic subscriber of the time, place, and date scheduled for such hearing.
11. Without regard to account status or system abuse, if any District employee or agent determines that a condition of eminent peril to the safety of persons or property exists that might be alleviated to any degree by the disconnection of electrical service to any consumer, such disconnection may be made immediately without notice, and report of such action shall be promptly reported to the immediate staff supervisor or manager.
 12. Restoration of service to a meter with remote disconnect capabilities will require an adult be present to manually reset the meter by pressing the indicator button on the meter unit.