

## **G. Disconnection by the Cooperative for Non-payment**

### 1. Authority

The Cooperative recognizes that its members sometimes experience financial difficulties and will make every effort to help them find payment solutions including developing budget plans, payment arrangements and identifying assistance from other organizations. If all our assistance efforts fail, the Cooperative will need to initiate disconnection proceedings in order to limit the potential effect on the membership. The disconnection of a residential member for failure to pay, and provisions for restoration of service, are governed by a portion of *NH PUC1200 Rules*. The Cooperative may issue a notice of intent to disconnect electric service for non-payment when:

- a. You fail to pay a delinquent balance for basic utility service.
- b. For non-winter bills – a delinquent balance that is at least 60 days past due and greater than the amount specified in the Cooperative’s Schedule of Fees, Charges and Rates
- c. For winter bills – a delinquent balance that is at least 60 days past due and greater than the amount specified in the Cooperative’s Schedule of Fees, Charges and Rates for both non-electric heat accounts and for electric heat accounts.
- d. You fail to pay a deposit request or to provide an acceptable Guarantee of the deposit.

### 2. Disconnect Notice

The Cooperative will issue a notice of intent to disconnect service which will be mailed at least 14 days prior to the effective date of disconnect and shall include the following information:

- a. The amount of the delinquent balance causing the disconnect notice.
- b. The proposed date of disconnection of service.
- c. The method by which the member may question or contest the disconnection notice.

### 3. Payment Arrangements

If you are unable to pay the total delinquent balance which results in a disconnect notice, the Cooperative will continue to provide service if you agree to a payment arrangement wherein you:

- a. Pay a reasonable portion of the delinquent balance as agreed to.
- b. Pay the balance of the delinquency in reasonable installments as agreed to; plus pay the current bill and all future current bills by the due date on the bill during the term of the agreement.
- c. The Cooperative will confirm all payment arrangements in writing within three business days of the date the arrangement is made.

At your request the Cooperative may provide referrals to organizations known to provide assistance with payment of electric bills. If the Cooperative is contacted by such organizations on your behalf to stop a pending disconnect or reinstate service after a disconnect, the Cooperative will make arrangements with that organization on your behalf and will, upon notification of its

agreement to pay, treat the organization as the party responsible for payment of the bills the organization has committed to pay.

#### 4. Discontinuance of Service

Should you fail to pay the delinquent balance or enter into an acceptable payment arrangement, the Cooperative may disconnect the electric service on or after the proposed disconnect date which is stated in the notice of intent to disconnect for non-payment.

Disconnection for non-payment can occur during the following times:

- a. Residential members – Between 8 AM and 3:30 PM, Monday - Thursday except on the day before and day of a federal or state holiday.
- b. Non-residential services - 8 AM - 3:30 PM Monday - Friday except on the day of a federal or state holiday.

Disconnection may take place with no further notice under the following conditions:

- a. If a payment arrangement made to postpone a pending disconnect for non-payment is not kept and the disconnect date has passed.
- b. When a payment is made to stop a pending disconnect or to reconnect service after a disconnection and the payment is made with a check which is returned for reason of “Insufficient Funds” or “Stop Payment Ordered” or for similar reasons within the control of the member.

When a Cooperative employee visits the property to disconnect service for failure to pay, if you are available, you will be given the opportunity to make payment in the exact amount required (or more) rather than be disconnected and may be charged a *Collection Fee* in accordance with the *Schedule of Fees, Charges and Rates*. The employee is not required to negotiate a payment arrangement or make change. If service is disconnected, you will be provided a written notice as to the reason for the disconnection and instructions for obtaining reconnection of electric service. If you are not available, the employee will hang the notice on the main door of the property.

#### 5. Medical Emergency

Electricity may be a medical necessity due to certain medical conditions. Should you or a member of your household have a medical condition which requires the continuation of electric service, the Cooperative will work with you to continue service as soon as we are notified of the condition. Once notified, the Cooperative will continue to provide service if you agree to a payment arrangement which will include additional flexibility to reflect the situation.

If the Cooperative is made aware that a medical emergency would result from discontinuance of service, the disconnection will be temporarily postponed to allow you time to provide written verification from a registered physician of the medical emergency. The medical emergency notice allows for retention of electric service only if you also negotiate a reasonable payment schedule. The medical notification may be written or made by telephone with written confirmation received by the Cooperative within seven days of the telephoned notification. The medical notification will be renewed every 60 days as necessary. In the event that you do not negotiate or keep a payment arrangement, the Cooperative may discontinue service after making

personal contact with you and providing notice when the discontinuance will occur, allowing time for you or the person with the medical emergency at your location to be moved to a safe location. NHEC must obtain permission from the PUC prior to disconnecting anyone with a medical emergency according to section 1203.11 of the NHPUC 1200 Rules.

#### 6. Winter Period

The Cooperative will make every effort to provide you with a minimum of 48 hours notice in person at the property or by telephone to an adult who occupies the residence prior to disconnection during the Winter Termination Period in addition to the notice of intent to disconnect service for non-payment.

#### 7. Reconnection of Service After a Disconnect for Non-payment

The Cooperative shall reconnect service upon your request when:

- a. The delinquent balance is paid, or you provide evidence of an agreement with a municipal official or with another agency, to pay the current bill and you enter into a payment arrangement for the unpaid delinquent balance.
- b. Payment is received for a deposit, if required. (Refer to section C. *Security Deposits*.)
- c. Payment is received for the reconnection including a *Reconnection of Service After a Disconnect for Non-payment Fee*. (See *Schedule of Fees, Charges and Rates*.)

When the request for reconnection is made on the same day as disconnection occurred, the Cooperative will endeavor to reconnect service between the hours of 8:00 am and 4:00 pm on the day of the request. When the request for reconnection is made after 4:00 pm or on a weekend or holiday or if the service has been disconnected for more than two days, the Cooperative shall attempt to make the reconnection the same day but is under no obligation to do so unless a medical emergency exists in the household.

#### 8. Leased or Rental Property

The Cooperative will not disconnect an electric service to a landlord as member of record if any part of that service is known by the Cooperative to provide electric service to a residential tenant(s) unless the Cooperative gives written notice to the tenants. Delivery of written notice will be made to the tenants at least 10 days in advance of the proposed disconnection in one of the following manners:

- a. By posting a notice in a common area or other such place within the building or mobile home park as is likely to receive the attention of the tenants.
- b. Posting the notice on the front or back door of each tenant's dwelling unit if accessible.

The Cooperative shall provide service to a tenant in the tenant's own name as the member of record, if so requested by the tenant, subject to these *Terms and Conditions* and the *Schedule of Fees, Charges and Rates* for initiating service. The tenant will not be required to pay any part of the landlord's past due balance as a condition of receiving service.

Upon learning that a tenant has been erroneously disconnected without notice the Cooperative will promptly reconnect service at no cost to the tenant and shall proceed with proper notice pursuant to this section.

9. Emergency Disconnects

There may be times when immediate disconnection is necessary in order to protect life, health and/or physical property (examples are fire or flooding).