

## **DISCONTINUANCE OF SERVICE POLICY -TERMINATION**

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### **Authorization:**

Rule 6.8.1.a. of the Rules and Regulations for the Government of Water Utilities of the Public Service Commission of West Virginia effective September 13, 2022.

Clay Roane PSD will not discontinue service sooner than ten (10) days following the date that a utility has mailed to a customer written notice of scheduled termination of service, in compliance with Water Form No. 1 (Appendix G) attached to these rules. Where written notice is required, Clay Roane PSD will send the notice by first class mail, address service requested. The written notice shall become void if the utility has not discontinued service within thirty (30) days of the date indicated on the notice.

Prior to disconnecting the water service for non-payment of water, Clay Roane PSD will make at least two (2) attempts to notify the customer through personal contact unless it can be reasonably established that the premises are not permanently inhabited. For the purposes of this rule, personal contact includes both face-to-face meetings and telephone calls. Clay Roane PSD shall make use of the automated call system in place to contact customers.

When the water service is being terminated for non-payment of a water bill, the two (2) attempts to notify by personal contact shall be made on two (2) separate business days at least twenty-four (24) hours prior to the scheduled termination unless it is reasonably established that the premises are not permanently inhabited. The inability to make personal contact shall not prevent the water utility from terminating service.

Service shall not be discontinued on a Saturday, Sunday, any day that is a federal or state holiday, a day on which the utility's business office is not open to accept payment, or on the day before such days, unless an emergency exists.

All disconnections shall be performed between the hours of 8 a.m. and 4 p.m.

Clay Roane PSD may, but is not required to, accept payment at the customer's premises in lieu of discontinuing service for either a delinquent water bill.

If a customer has received notice of a scheduled termination, and, to avoid such termination, makes payment by check which is subsequently dishonored by the bank, the utility may then terminate service only after it has mailed notice, by first class mail, to the customer at least five (5) days, excluding Saturdays, Sundays, and state or federal holidays, prior to termination; provided that at the option of the utility, in lieu of mailing the notice, the utility may contact the customer either in person or by telephone. For purposes of this rule, if the utility elects to contact the customer either in person or by telephone, an attempt to contact shall not be considered sufficient, actual contact must be made.

If a landlord of a single-unit dwelling or a master-metered mobile home park, apartment building, motel, hotel or other multiple or single-unit dwelling is responsible for payment of a utility bill, written notice of termination in the form of Water Form No. 2 shall be placed at a location readily available for public inspection on the premises at least five (5) days, excluding Saturdays, Sundays, and state or federal holidays, prior to the scheduled termination of service to that mobile home park, apartment building, motel, hotel or other multiple or single-unit dwelling. If the billing address for any single unit service is different than the service location, a written notice in the form of Water Form No. 2 shall be delivered or posted at a visible location on the premises where the service is to be terminated at least five (5) days, excluding Saturdays, Sundays, and state or federal holidays, prior to the scheduled termination. This notice shall inform the occupant(s) of the date on or after which termination of

service will occur and shall state the steps the occupant(s) can take to avoid termination of service.

A water customer who has been notified that water service is to be terminated for non-payment of water bills shall be given the opportunity to enter into a deferred payment agreement: Provided, that the customer has demonstrated an ability to pay but only in installments. The customer shall be informed at the time a disconnect notice is issued of the availability of a reasonable payment plan.

The details of the deferred payment agreement are to be negotiated between the utility and the customer and may consider several factors, including, but not limited to the following: amount of the delinquency; ability of the customer to pay; payment history; time the delinquency has been outstanding; reasons why the delinquency has been outstanding; and any other relevant factors.

A standard deferred payment agreement will include a pay-off amount consisting of the delinquency balance in twelve monthly payments. If a residential customer desires a payment period that is shorter than twelve (12) months, the utility shall accept the shorter term.

The deferred payment agreement shall include language informing the customer of the right to challenge the reasonableness of the proposed payments to the Commission. During the challenge, the utility may not terminate service: provided that the current bill must be paid by the customer on time and in full to protect the customer's rights under this rule.

Once a deferred payment agreement has been established, the customer must pay the current bill on time and in full and make timely payments in accordance with the deferred payment agreement.

If the customer's financial condition significantly changes and the existing payment agreement results in hardship, the utility shall renegotiate the payment agreement, consistent with the provisions of Water Rule 6.8.1.i.1. The customer shall provide documentation in support of his claim that his financial condition has changed. During the renegotiation period the customer must continue to pay the current bill on time and in full and make some payment on the delinquency.

If the deferred payment is not received in accordance with the terms of the agreement or the payment is made with a check subsequently dishonored by the bank, the utility may terminate service only after it has mailed written notice, by first class mail, to the customer at least five (5) days, excluding Saturdays, Sundays, and state or federal holidays, prior to termination: provided that at the option of the utility, either personal contact or telephone contact with the customer may be substituted for contact by first class mail. If the customer makes the delinquent payment within that notice period, service shall not be terminated. However, if the customer has, during the previous twelve (12) months, attempted to make payment by a check which was subsequently dishonored by the bank the utility may refuse the customer's check and immediately terminate service without additional notice.