

ALABAMA PUBLIC SERVICE COMMISSION
ADMINISTRATIVE CODECHAPTER 770-X-1
GENERAL RULES770-X-1-.12 Collection Of Delinquent Accounts And
Discontinuance Of Service To Customers For
Nonpayment.

(1) A customer's bill for telecommunications services may include a past due or delinquent date not earlier than fifteen (15) days after the billing date. For other utilities, any customer's bill for service not paid within ten (10) days from the due date of the bill shall then be delinquent. At any time after such bill becomes delinquent, the Utility may dispatch its collector to the premises of the customer for the purpose of collecting such delinquent account and, in event such dispatching is done, a collection fee in amount authorized by the Commission for the respective Utility shall be added to customer's delinquent account to cover in part the additional collection expense incurred by the Utility, provided this fee shall not be charged more than one time in any billing period. In event the collector is unable to contact the customer or his representative on the premises, notice of his visit should be left in a suitable location on the premises.

(2) At any time after a customer's account has become delinquent, the Utility shall give to the customer at least five (5) days' written notice of the Utility's intention to discontinue service of his account, including any subsequently rendered bill for service which has also become delinquent, if not paid in full. After the lapse of the period specified in the written notice, if the account for regulated utility service has not been paid in full, the Utility, notwithstanding any deposit referred to in 770-X-1-.08 hereof, may then discontinue service without further notice, subject to the following specific provisions:

(a) The customer shall have the right of paying such delinquent account, which shall include any subsequent bill for service which has become delinquent, at any time prior to the actual disconnection of his service.

(b) Payment by the customer, as set out in (1) above, at a collection office of the Utility shall not affect the Utility's right during the day such payment is received to disconnect service for nonpayment, if such payment was unknown to the employee disconnecting service.

(c) The customer making payment in accordance with (2) above will not, in case his service is disconnected following payment, the same day, be required to pay any reconnection

charge. A reconnection charge may apply if the company has certain knowledge that payment was made following disconnect.

(d) No service shall be cut off for nonpayment after 3:30 P.M. on any day immediately preceding a day or days when the Utility's office will be closed.

(e) No residential electric or natural gas service shall be disconnected for nonpayment when the temperature at that location is forecasted to be 32 degrees Fahrenheit or below for that calendar day. The controlling forecasted temperature for a particular location shall be the temperature forecasted by the National Weather Service for that location on the calendar day in question.

(3) The notice required in 770-X-1-.12(B) shall have a heading, in bold letters, of "Disconnect Notice," "Termination Notice," "Final Notice," or "Cutoff Notice." Such notice shall also state that in the event of a dispute, the customer should first contact the Utility, and then the Alabama Public Service Commission, if the dispute concerning the notice remains unresolved.

(4) Each utility shall delegate to at least one employee in each of its offices the power to extend the deadline for payment, to enter into agreements to receive the amount of a bill in installments, and to correct errors in bills. This person shall be reasonably available to receive appropriate complaints or inquiries. In addition, collectors shall have such power or work under the direct supervision of one with such power.

(5) Each utility shall adopt, and follow, reasonable tariff rules governing its termination of service practices (except telephone toll service) when life or health may be threatened by termination, the customer requires special consideration because of age or handicap, or other circumstances warranting special consideration.

(6) Whenever service is discontinued for nonpayment and customer requests that service be restored, except as provided in 3 above, a reconnection fee, in the amount authorized by the Commission for each respective utility, shall be added to customer's delinquent account and shall become due and payable as part of the account for service rendered, and can be required by the utility to be paid before service is restored along with all amounts owing on the customer's account which were specifically referred to in the delinquent notice, together with all amounts owing on customer's account which has subsequently become delinquent.

(7) Notice of Utility's intention to discontinue service as required in paragraph (B) shall be considered to be given to customer when copy of such notice is left with such customer, left at the premises where service is rendered, or posted in the United States mail addressed to the customer's last known post office

address. If the notice is posted in the United States mail, it shall be delivered to the Post Office at least five (5) calendar days before service is to be disconnected.

(8) When, at customer's request, utility changes the location at which service is rendered, the service at the new and old locations and the account therefore shall, for the purposes of these rules, be deemed one service and one account and the change of the location to which service is rendered shall not be deemed to affect the rights of utility with regard to the application of deposit or discontinuance of service for nonpayment of the account.

(9) Any utility may decline to serve an applicant or disconnect a customer who is indebted to the utility for similar service at a former location or at the present location of the applicant or customer, or where such indebtedness was incurred by a member of the applicant's or customer's household, either under the name of the applicant or the customer, or another name when the application for such service is or was made within one year from the date such indebtedness became due. Provided, however, that in the event such indebtedness for service previously rendered is in dispute, applicant shall be served or customer's service shall be continued upon complying with the deposit required in 770-X-1-.08 hereof, and in addition thereto making a special deposit in amount equal to the net balance in dispute. Upon settlement of the disputed account, the balance, if any, due the applicant or customer or member of applicant's or customer's household shall be promptly repaid, together with accrued interest at the rate of seven percent (7%) per annum.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-1-32, 37-1-38.

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