

TITLE 28 PUBLIC UTILITIES

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2. Public Utility Agency of Guam.
 3. Guam Power Authority.
 4. Guam Telephone Authority.

CHAPTER 1 GENERAL RULES FOR PUBLIC UTILITIES

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NOTE: Rule-making authority cited for formulation of General Rules for Public Utility by the Public Utilities Commission, 12 GCA Chapter 12.

Regulatory power governing public utility rates was originally vested with the Board of Utility Rates, §21003 of the Government Code. Subsequently, all powers of the Board on Utility Rates were transferred to the Public Utilities Commission pursuant to Public Law 13-179.

The General Rules for Utility Rates are reprinted here in form as exact as possible to those filed on August 25, 1981 with the Legislative Secretary. The substance of the regulations has not been changed. However, for the purpose of uniformity and ease of use, a new system of numbering has been adopted by the Editor. It is hoped that the revised numerical system will eventually be substituted for that originally filed by the Public Utilities Commission.

§1101. General Provisions: Authorization of Rules. Public Law 13-179, as amended, empowers the Commission to make, revise, change, modify and promulgate such reasonable rules and regulations as are deemed necessary to carry out its regulatory functions under the law.

§1102. Same: Applicability of Rules. These rules, unless otherwise indicated, shall apply to any public utility being operated or proposed to be operated within the territory of Guam, which is subject to the regulatory jurisdiction of the Commission.

§1103. Same: Purposes of Rules. These rules are intended to promote safe, adequate and continuous public utility services within the territory of Guam; prescribe certain basic uniform standards and broad guidelines for utility services rules and operating practices; to establish a basis for determining the reasonableness of a demand or demands made upon a public utility by the consumer; and to provide the customer and other interested parties with a readily accessible reference guide on standard requirements for each regulated utility's service rules and practices.

§1104. Same: Review and Modification of Rules. The adoption of these rules shall in no way preclude the Commission from reviewing, revising, amending or making such modifications of any of these rules as may be determined, upon due notice and hearing, necessary in the public interest.

§1105. Same: Conformity With Rules. "Tariff" provisions and other submissions required to be filed by the utility with the Commission shall conform to these rules. If unreasonable hardship to a utility or to a customer results from the application of any rule or requirement herein prescribed, a request for modification of the rule or for temporary or permanent exemption from its requirements may be made to the Commission.

§1106. Same: Citation of These Rules. These rules shall be referred to and cited as the "PUC General Rules for Public Utilities."

§1107. Same: Compliance With Other Laws and Regulations. Compliance with these rules shall in no way relieve any utility from any of its duties under other laws and regulations of the territory of Guam.

§1108. Same: Saving Clause. These rules shall not be construed as affecting the validity of any existing authorized tariff provision of a regulated utility.

However, each regulated utility shall bring its existing tariff provisions to conform to the tariff requirements prescribed in these rules, and file the same with the Commission within six (6) months from the adoption and promulgation of these rules.

§1109. Same: Definition of Terms. (a) *Utility* when used in these rules, means and includes every person, corporation, partnership, government agency or department that may own, control, operate or manage, as owner, lessee, trustee, receiver or otherwise, whether under a franchise, charter, license, articles of incorporation, statute or otherwise, any plant or equipment, or any part thereof, directly or indirectly for public use:

(1) for the transportation of passengers or freight;
or

(2) the conveyance or transmission of telephone or telegraph messages; or

(3) the furnishing of facilities for the transmission of intelligence by electricity by land or water or air within Guam or between points within Guam; or

(4) for the production, conveyance, transmission, delivery or furnishing of light, power, heat, cold, water, gas or oil; or

(5) storage or warehousing of goods; or

(6) the disposal of sewage.

(b) *Commission* when used in these rules, means and shall refer to the Public Utilities Commission of Guam.

(c) *Customer* when used in these rules, shall mean and include any person, partnership, firm, corporation, municipality, cooperative organization, government agency or department, etc., which stands in a contractual relationship with, is provided by, and receives service from a regulated utility or has completed and submitted an application to the utility for such service.

(d) *Tariff* as used in these rules, shall mean the complete tariff or any portion thereof, containing the rate schedules, service rules and regulations, classifications, fares and charges of a utility which are regularly established in conformity with these rules and other requirements of applicable statutes.

§1110. Records, Tariffs and Reports: Location and Availability of Records. All records required by these rules to be maintained shall be kept within the premises of the utility, and the same shall be available for examination by the Commission at reasonable hours.

§1111. Same: Filing of Tariff. Pursuant to Public Law 13-179, and in conformity with the requirements of these rules, each utility shall file with the Commission three (3) copies of its complete tariff with schedules showing its authorized rates, charges, fares, classifications, service rules and regulations, and description of the facilities and services established or provided by the utility.

§1112. Same: Effectivity of Tariff. No new, revised or modified tariff rules submitted to, and filed with the Commission shall become effective until after the lapse of thirty (30) days, as required by law, from date of filing and delivery to the Commission unless otherwise ordered suspended by the Commission before the expiration of the thirty (30) days period. In no case, however, shall any increase in rates, fares or charges become effective without the approval of the Commission after advertised public hearing or hearings thereon.

§1113. Same: Accessibility of Tariff File. Each utility shall keep and maintain at its principal business office a complete file of its authorized and effective tariff in readily accessible form. This file shall be open and accessible to the public on ordinary business day and during office hours of the utility, and a responsible employee of the utility shall assist and give desired information to whoever may wish to consult such file.

§1114. Same: Notice of Tariff File. There shall be kept posted by the utility in a public and conspicuous

place at its business offices, a notice not smaller than 8" x 10" in size, printed in bold type in English and Chamorro as follows:

"NOTICE TO THE PUBLIC

A COMPLETE PUBLIC FILE OF THE TARIFFS OF (Name of Utility) APPLICABLE WITHIN THE TERRITORY OF GUAM, IS MAINTAINED IN THIS OFFICE AND MAY BE INSPECTED BY ANY PERSON UPON APPLICATION OR REQUEST. A REPRESENTATIVE OF THIS UTILITY WILL ASSIST IN SECURING INFORMATION FROM THE TARIFFS."

(NOTICE IN CHAMORRO)

§1115. Same: Notice of Tariff Changes. Every utility desiring to change, amend, modify, revise, cancel or abandon any rate, charge, rule or regulation in its tariff shall submit and file the proposed tariff changes with the Commission and notice of such filing of proposed tariff changes shall be posted at the business offices of the utility for a period of at least thirty (30) days. The notice shall identify the tariff changes, the nature and effective date thereof subject to whatever action the Commission may take thereon, and state that the proposed tariff changes are on file and are available for inspection by any interested person during business hours.

The utility shall likewise give notice to customers affected by the tariff change at the earliest practicable date after filing of the proposed tariff change with the Commission. The required notice may be made by separate notification in writing to each customer affected by the change, or by publication in a newspaper of general circulation on Guam for at least three (3) consecutive days, or by both means. The Commission may require such other notification to the public as may be necessary in any particular case of tariff filing.

The effective date of the proposed tariff change, if stated in the notice, shall be a date not less than thirty (30) days from filing and receipt of the proposed tariff

change by the Commission.

§1116. Same: Form of Tariff Sheet. All sheets of tariffs must be clearly printed or typed on forms 8-1/2" x 11" in size and shall have sufficient space on the left margin for binding.

§1117. Same: Numbering of Tariffs. Where a utility supplies more than one type of utility service, as defined in §1109(a) of these rules, the utility shall file separate tariffs for each service. Each completely new tariff filed will bear a utility serial number not heretofore assigned to the utility's tariffs. The number shall be the official designation of the tariff. The utility may use additional tariff designations as it may deem necessary or convenient.

§1118. Same: General Arrangement of Tariff. (a) Each utility tariff shall consist of a title page, an index page, a complete set of rules and regulations governing service, and a set of rate schedule sheets.

(b) Every tariff sheet shall contain, in general, the tariff number, the tariff sheet number, the name of the utility issuing the tariff, the date of issue and the effective date of the sheet.

§1119. Same: Schedule Designation. Schedule numbers or letters shall be assigned so as to facilitate reference to the schedules.

§1120. Same: Tariff Sheet Designation. (a) The first publication of the sheet shall be designated as Original Sheet _____. The same sheet number shall appear on all subsequent revisions of the sheet and the revisions of the sheet shall be numbered substantially as follows:

On the revision, the sheet shall be designated:

FIRST REVISION OF SHEET _____
CANCELLING
ORIGINAL SHEET _____

On the second revision, the sheet shall be designated:

SECOND REVISION OF SHEET _____
CANCELLING
FIRST REVISION OF SHEET _____

(b) On all subsequent revisions the sheet shall bear consecutive revision numbers and shall indicate the cancellation of the superseded sheet unless circumstances dictate otherwise. Any tariff sheet which has been subsequently withdrawn or rejected, before the expiration of statutory notice of thirty (30) days in connection therewith, shall be considered as not having been issued in the first instance insofar as subsequent sheet numbering is concerned.

§1121. Same: Title Page. The title page of each tariff shall appear as the first sheet of each tariff and shall show the tariff number, the cancelled tariff number when applicable, the name of the utility issuing the tariff, the service offered, the territory to which the tariff applies, the date of issue and the effective date of the sheet, the complete name and address of the issuing utility.

§1122. Same: Index Page. (a) The index page of each tariff shall appear as the second sheet of the tariff and shall contain a complete and accurate list of the contents of the tariff by schedule number, sheet title and sheet number.

(b) Whenever a new tariff sheet is added to a tariff and that sheet is not listed in the index page of the tariff at that time, then the index page of the tariff shall be revised in accordance with these rules.

§1123. Same: Service Rules and Regulations Page. (a) Each utility filing a tariff or tariffs with the Commission shall include as part of the tariff, a complete set of its service rules and regulations under that tariff. These service rules and regulations shall cover at the least the following matters, whenever applicable:

- (1) Application for service
- (2) Definition of service

- (3) Service connection and reconnection
- (4) Metering
- (5) Responsibility for service
- (6) Access to premises
- (7) Interruptions to services
- (8) Bills
- (9) Deposits
- (10) Delinquent accounts
- (11) Discontinuance of service
- (12) Customer responsibility
- (13) Others

Rules and regulations shall be published on consecutive numbered standard tariff sheets in accordance with these rules, including revisions thereof.

§1124. Same: Rate Schedule Page. (a) Each schedule of rates shall contain the following, when applicable:

- (1) Schedule number and classification of service.
- (2) Kind and availability of service.
- (3) Rates and charges.
- (4) Factors entering into the computation of the bills under the schedule.
- (5) Other explanatory or supporting data, if necessary.

§1125. Same: Adoption Notice. (a) In case of a change of ownership, or when a utility or portion thereof is transferred from the operating control of one

utility to that of another, or when the name of the utility is changed, the transferee utility, if it intends to use the tariff of the former operating utility, shall for each tariff so used, issue and file with the Commission and shall at same time, post for thirty (30) days at its listed business offices and its payment agencies in the area affected thereby, an adoption notice substantially as follows:

"(Name of Utility) hereby adopts, ratifies and make its own in every respect, as if the same had been originally filed by it, all tariffs, rules, notices, concurrences, provisions, authorities, power of attorney or whatsoever other instruments filed with the Public Utilities Commission of Guam, by (Name of old utility) prior to (Date), the beginning of its possession. By this notice, it adopts and ratifies all supplements or amendments to any of the above tariffs, etc., which have heretofore been filed with the Public Utilities Commission."

(b) Until such time as an adopted tariff is refiled in the name of the adopting utility, all revisions thereto, subsequent to adoption, will bear at the top part of the sheet in the appropriate place the name of the utility whose tariff was adopted and at the bottom part of the sheet "Issued by" the name of the utility which adopted or issued the revised tariff.

§1126. Same: Tariff of Acquired Utility. Every utility acquiring ownership or control of another utility or portion thereof and filing a notice adopting the rates, rules and regulations, etc. of that utility, filed with the Commission, may within thirty (30) days of the filing of such adoption notice, file those rates, rules and regulations, etc., as a part of its own tariff or as a separate tariff in its own name if it plans to continue to operate in accordance therewith. Every utility otherwise operating under an adopted tariff shall, at least within one (1) year of the filing of such adoption notice, file its rates, rules and regulations, etc., in its own name.

§1127. Same: Reference to Tariff. (a) The filing of tariffs with the Commission does not imply that the provisions of same are approved unless the Commission has otherwise authorized the rates, rules

and regulations or practices.

(b) Rates, rules and regulations prescribed by the Commission in its orders shall, in every instance, be observed by the utility concerned. The utility shall publish, file and post the approved tariff sheets.

§1128. Same: Suspension of Tariff. A utility's tariff or any part thereof filed with the Commission may be ordered suspended pending a public hearing thereon. The utility concerned shall cause a copy of the said suspension order to be posted and attached to the tariff on file at its business offices.

When the Commission vacates the suspension, the Commission order shall also state the date the suspended tariff or part thereof are to become effective, if appropriate. The tariff sheet affected by the order suspending or vacating the suspension of a tariff or part thereof, shall bear reference to the said order.

§1129. Same: Rejection of Tariffs. A tariff that is received in a form or filed in a method not in accordance with the form of tariff prescribed in these rules will be rejected by the Commission and that tariff will have the same status as if it had not been issued and full statutory notice must be given on any reissue thereof.

§1130. Same: Exceptions. The Commission may approve other methods of filing tariff when the nature of a utility's operations fully warrant such permission being granted.

§1131. Same: Discontinuance of a Utility Service. When a utility decides to discontinue a service heretofore offered to the public, the utility shall file a cancellation of the particular tariff or portions thereof applicable to the service proposed to be discontinued, together with a statement of the reason for the discontinuance. Such filing of cancellation by the utility shall be subject to the full thirty (30) days notice before the cancellation of tariff becomes effective, unless otherwise ordered by the Commission.

§1132. Same: Special Contracts. Every utility shall

submit to and file with the Commission for approval any special contract for service commodity at special rates not otherwise specifically provided for or covered in the utility's authorized regular tariff.

§1133. Same: Forms. Each utility shall provide the Commission with a list of all forms used in the operation of its service, together with a sample of each blank form.

§1134. Same: Re-Filing Tariffs. A utility may be required if necessary to completely re-file its tariffs with the Commission.

§1135. Same: Symbols. The following symbols may be used by the utility to indicate the purpose and effect of all tariff material submitted to the Commission. The symbols shall appear on the right hand side of the text to which they apply within the lined margin thereof:

C - To signify change in condition, rule or regulation.

D - To signify discontinued rate, rule, regulation or condition.

I - To signify increase in rate or charge.

K - To signify material transferred to another sheet or place in the tariff.

M - To signify material transferred from another sheet or place in the tariff.

N - To signify new rate, rule, regulation, condition or sheet.

O - To signify no change.

R - To signify reduction in rate or charge.

T - To signify change in text of condition, rule or regulation for clarification purposes only.

§1136. Same: Uniform System of Accounts. The

Commission shall prescribe for each type of regulated public utility in the territory of Guam a "Uniform System of Accounts."

§1137. Same: Annual Report of Utility. Each regulated utility shall file with the Commission within three (3) months following the close of its respective fiscal year, an annual report of its operations for the fiscal year ended. For this purpose, the Commission may prescribe a uniform or standard "Annual Report Form" for the use of each utility.

§1138. Customer Relations: Customer Information. Each regulated utility shall:

(a) Maintain updated maps, charts, graphs, statistics and other summary records of its operating systems, together with such other information as will enable the utility to fully advise the Commission and its customers as to the availability, nature, extent and location of its service facilities.

(b) Assist the customer or prospective customer in selecting the most appropriate and economical rate schedule available to them.

(c) Give prompt and adequate notice to customers affected, or who may be affected, by a proposed or authorized change in tariff schedules, rates, charge, service rules, regulations and conditions.

(d) Post notice in a conspicuous place at the business office of the utility where applications for service, customer payments and complaints are received, informing the public that official copies of the utility's tariff rate schedules and service rules, as filed with the Commission, are available for inspection during business hours.

(e) Inform interested customers on the utility's method of reading meters, recording and billing of meter registrations. Each applicant shall also be provided with a guide detailing customer rights and responsibilities.

(f) Keep on file at the utility's business office

copies of these general rules which shall be made available to customers on request.

§1139. Same: Application for Service. Any person desiring service may be required to make application in writing in accordance with the utility's authorized tariff and on forms provided by the utility. The application shall state clearly, among others, the character of service applied for; the service address and location of the premises to be served; the rate schedule applicable for such service; the approximate date the applicant will be ready to accept service and the utility to provide the service; and such other information as may reasonably be required.

The customer shall pay for service or commodity used prior to making application therefor, in accordance with the appropriate applicable rate schedule.

§1140. Same: Customer Deposit. A utility may require any customer or applicant to make a deposit in an amount not to exceed two (2) estimated monthly billings, to guarantee payment of bills for service, under the following circumstances:

(a) Where the applicant or customer has failed to establish a satisfactory credit.

(b) When, within the twelve (12) months prior to the application, applicant has been disconnected for failure to pay amounts past due for service of a similar type for which application is being made.

(c) For continuation of service to a residence or premises where a delinquent prior customer, with an account balance which is past due and unpaid, still resides.

(d) Where a customer's initial deposit has been partially used or depleted in connection with or as a consequence of the same customer's transfer or relocation of service, the utility may require that customer to make an additional deposit, unless the said customer has previously established satisfactory credit.

§1141. Same: Establishment of Credit. An applicant for utility service may establish credit by demonstrating to the satisfaction of the utility, any of the following factors:

(a) Prior service record with the utility showing that for twelve (12) consecutive months of such service, applicant paid his bills when due on time and was never disconnected for failure to do so.

(b) Full-time employment during the twelve (12) months period immediately preceding the application for service, and applicant currently is employed or has a regular source of income.

(c) Ownership of a substantial legal interest in the premises to be served.

(d) Satisfactory references or guarantee in writing acceptable to the utility.

(e) Other means acceptable to the utility by which applicant may establish satisfactory credit.

§1142. Same: Record of Deposit. Each utility shall keep a written record of all deposits made by each customer. The record shall show, among others, the name and address of the depositors; the amount, date and nature of deposit; and all transactions affecting or concerning the deposit, including application or refund thereof.

§1143. Same: Transfer of Deposit. No new or additional deposit will be required from a customer who transfers or relocates to a new location, provided that such customer has previously established satisfactory credit. Where the customer has otherwise failed to establish satisfactory credit and at the time of the transfer or relocation, said customer has an outstanding unpaid balance in this account, the utility may apply the deposit to the customer's unpaid account and require the customer to make a new or additional deposit for the new service location.

§1144. Same: Interest on Deposits. Interest on deposits made to and held by the utility shall accrue

from the time the deposit is paid up to the time of refund or application thereof, at the minimum rate prescribed by existing laws of the territory of Guam, or if the deposits are kept by the utility in a savings bank account, at the interest rate accrued by the bank on such deposits.

§1145. Same: Extended Payment of Deposit.

Where a customer or applicant for service of whom a deposit is required, is unable to pay the entire amount of the deposit in advance of connection or continuation of service, the said customer or applicant may be allowed to pay fifty percent (50%) of the deposit amount prior to service, with the remaining amount payable in equal amounts during the first two (2) months of service, in addition to the customer's regular monthly bills.

§1146. Same: Refund of Deposits. Deposit plus accrued interest shall be refunded under any of the following circumstances:

(a) **Satisfactory Credit.** Where the customer has for twelve (12) consecutive months regularly paid his utility bills, in a timely, prompt and satisfactory manner, or has for the same period of time, otherwise established credit to the satisfaction of the utility.

(b) **Termination of Service.** Upon termination or cancellation of service (temporary disconnection of service not included), the utility shall upon request of the customer or at the instance of the utility for cause, return or refund to the customer the full amount of the deposit plus accrued interest, less any amounts still due and unpaid to the utility for the service.

(c) **Refund - How Made.** Within thirty (30) days following termination of the service or establishment of satisfactory credit, as described above, the utility shall refund the customer's deposit with accrued interest thereon. In the case of satisfactory credit having been established during a period of twelve (12) consecutive months of a satisfactory payment record, the refund amount due the customer may be applied to the payment of customer's subsequent service bills, if so desired or otherwise indicated by the customer.

(d) **Unclaimed Deposit Account.** In the event that the customer entitled to the refund of deposit cannot be located, or a claim for such refund has not been submitted to and received by the utility, each such unclaimed deposit with accrued interest shall be kept in an appropriate utility account, or a separate record thereof, which the utility shall maintain for at least three (3) years. During the three (3) year period, the utility shall exert diligent efforts to contact or ascertain the location of the customer concerned. The deposit shall cease to accrue interest thereon from the time the same is transferred or credited to the appropriate unclaimed deposit account after the three (3) year period stated above.

§1147. Same: Customer Billing Forms. The utility shall bill each customer regularly and as promptly as feasible. The bill shall show, among others the following:

(a) The service period covered, and for metered customers, the reading of meter registration at the beginning and end of the billing period, the date the meter was read, the meter number, the name, address and account number of customer. Special meter readings made to close the customer's account or for some other reason, shall be clearly stated on the bill.

(b) The designation of the tariff rate schedule applied and identification of each additional or other component charges included in the billed amount, together with appropriate references to the utility's tariff provision or provisions upon which the additional charge or charges are based.

(c) Statement of arrears, if any, and the last payment received and applied by the utility to the customer's account; and the total net amount currently due on the bill.

(d) Estimated and/or prorated billings shall be clearly indicated on the bill with notice of the basis thereof given to the customer. The utility shall, upon request, provide the customer with information on the method used for computing the estimated or prorated billing and the tariff provision authorizing the same.

(e) The billing date and the date the bill becomes delinquent. In the case of delinquent bills, notice of such delinquency and date of disconnection if not paid. The places where customer's bills may be paid or information regarding the billings may be provided the customer upon request, shall also be indicated on the bill.

§1148. Same: Refusal of Service. The utility may refuse to connect an applicant for service, or may refuse to render additional service to a customer, when such service is hazardous or of such character that satisfactory service cannot be provided without adverse effect to other customers, or where the applicant or customer has not complied with regulations concerning the rendition of such service.

The installation of proper devices on the applicant's or customer's premises may be required whenever the utility deems such installation necessary to protect its property or that of its other customers.

§1149. Same: Discontinuance of Service. (a) **By the Customer** - The customer shall be required to give at least two (2) working days advance notice to the utility of his intention to terminate or discontinue the service, and the effective date of such termination.

(b) **By the Utility** - The utility may, upon notice to the customer, discontinue or disconnect the service for any of the following reasons:

(1) For non-payment of delinquent bills, charges or service deposit, as provided in the utility's tariff. The making of the required deposit shall in no way relieve the customer from his obligation to make prompt and timely payment of his utility bill on presentation, nor shall it constitute a waiver of the utility's authority under its tariff to disconnect or discontinue the service for non-payment of any sums due the utility for the service rendered.

(2) For unauthorized use of service for purposes or properties other than those specified in the application or service agreement.

(3) For tampering with, or fraudulent use of, the utility's service equipment or property, when detected and verified; provided, that the utility may continue the service if the customer makes prompt payment of such estimated amount for service as had been fraudulently obtained or used and all other costs resulting from such tampering or fraudulent use, including applicable deposit requirements.

(4) Customer vacating the premises without notice to the utility for a period longer than two (2) months.

(5) For refusal of customer to permit access to the premises for purposes authorized in the utility's tariff service rules, regulations and conditions.

(6) For abuse or unauthorized use of service or equipment which is detrimental to, or hazardous, or which poses serious adverse effect to the utility's continuous, safe and adequate service to the other customers.

(7) For other violations of the utility's service rules, agreements or filed tariff.

§1150. Same: Service Disconnection. (a) No utility shall discontinue or disconnect service unless the required notice of such disconnection has been given to the customer in accordance with these rules, the utility's tariff regulations and with applicable provisions of existing law.

(b) Except in case of danger to life or property, no disconnection shall be accomplished on Saturday, Sunday, legal holidays or on any day on which the utility cannot re-establish service on the same or following day.

(c) When a utility employee is dispatched to disconnect service, the utility may authorize the employee to accept full or partial payment of a delinquent account at the service address if tendered in cash, but shall not be required to dispense change for cash tendered in excess of the amount due and owing. In such event, disconnection of the service

shall not be effected and the employee shall immediately so advise the utility office.

(d) Where service is provided through a master meter, or where the utility has reasonable ground to believe service is to other than the customer of record, the utility shall undertake all reasonable efforts to inform occupants at the same service address of the impending disconnection. Upon request of one or more service users, where service is to other than the subscriber of record, a minimum period of five (5) days shall be allowed to permit the service users to arrange for continued service.

(e) Where service is provided to a hospital, a medical clinic with resident patients, or a nursing home, notice of pending disconnection shall be provided to the Director, Department of Public Health and Social Services, as well as to the customer. Upon request from the Director or his designee, a delay in disconnection of no less than five (5) business days from the date of notice shall be allowed so that the Department may take whatever steps are necessary in its view to protect the interest of patients residents therein.

(f) Service may not be disconnected while a customer is pursuing any remedy or appeal under the law and these rules, provided that any amounts not in dispute are paid when due, or required deposits are made in escrow for the payment of the said amounts due and unpaid.

(g) Payment of any delinquent amounts, after due date and before actual disconnection, to a designated payment agency of the utility shall constitute payment to the utility if the customer informs the utility of such payment and the utility verifies such payment.

(h) Service shall be restored when the causes of discontinuance have been removed, or as otherwise ordered by the Commission pending resolution of any bona fide dispute between the utility and the customer.

(i) A utility may make a charge for restoring

service when service has been discontinued for nonpayment of bills, in accordance with the utility's tariff.

§1151. Same: Insufficient Reason for Denying Service. The following shall not constitute sufficient cause for refusal of service to a present customer or applicant:

(a) Delinquency of a previous customer of record or occupant of the premises to be served unless such previous customer or occupant belongs to the same household as the present customer or occupant.

(b) Where the present customer or applicant for service failed to pay, as guarantor, the bill of another customer.

(c) Failure of present customer or applicant to pay for non-service connected obligation to, or for equipment purchased from the utility.

(d) Failure of customer to pay a disputed bill intended to adjust or correct under billings for service previously rendered due to misapplication of registration of meter, provided that the customer makes the required deposit with the utility pending resolution of the dispute.

§1152. Same: Business Customer Responsibility. A business customer shall notify the utility, in advance and in writing, of all changes in equipment or usage which will materially affect or require additional equipment for the service to be rendered. Such notice shall be given within a reasonable time to permit the utility to provide necessary facilities and acquire additional equipment if required.

§1153. Same: Utility Responsibility. Each utility shall install and maintain at appropriate locations within its system such equipment as may be necessary to determine the operating characteristics of the system.

In case any substantial change is made by the utility in the character of service rendered, which

change would affect the efficiency of operation or the adjustment of the equipment of customers, all customers liable to be affected shall be promptly notified by the utility and, where adjustments of such equipment need to be made to permit use under such changed conditions, such adjustments shall be made.

§1154. Same: Interruption of Service. Each utility shall exert reasonable efforts to avoid interruption of service or recurrence of interruptions of service, and when such service interruptions do occur, to restore service within the shortest time practicable consistent with safety requirements.

When it is necessary for a utility to make repairs, changes or improvements of its service facilities, the utility may, without incurring liability therefore, interrupt its service for such period of time as may be reasonably required under the circumstances. Planned or scheduled interruption of service shall be made at a time and in such manner as shall minimize inconvenience to customers affected thereby. Adequate notification of planned or scheduled interruption of service shall be given to all customers affected thereby, whether by mail or through newspaper or radio-TV announcements, at least one (1) day in advance.

§1155. Same: Record of Service Interruptions. Each utility shall keep a record of all interruptions of service affecting a substantial load or substantial number of customers, the location, date, time, duration and the cause, if ascertained, of each interruption, and the nature of the action taken to restore the service.

§1156. Same: Service Entrance Facility. Each utility may require that the customer provide the necessary entrance facility to the premises to be served at a point easiest of access to its distribution system, and to comply with reasonable requirements to make such entrance facility free from the possibility of unwarranted tampering or interference.

§1157. Same: Meter Location. Where applicable and subject to the utility's requirements, the customer shall furnish a convenient place, readily accessible

without risk of bodily harm to utility employees, in which to install the metering equipment.

§1158. Same: Access to Premises. Each utility shall have the right of ingress to or egress from the premises of the customer for its authorized employees or agents at such reasonable hours as may be necessary for meter reading, performance of necessary maintenance, testing, installation or removal of its property.

The utility shall provide readily visible means of identification for employees or agents authorized to enter the premises of the customer.

§1159. Same: Complaints and Disputes. (a) Any complaint or dispute involving a utility and a customer shall be treated in accordance with Public Law 14-30, (the Public Utilities Fair Practices Act), Public Law 13-179, and the Rules of Practice and Procedure of the Public Utilities Commission.

(b) Each customer complaint or dispute received shall be investigated promptly by the utility as required by the particular case, and the result of such investigation shall be provided in writing to the applicant or customer. When circumstances indicate the need for corrective action, such action shall be taken by the utility as soon as possible and the customer accordingly informed thereof.

(c) Each utility personnel engaged in initial contact with a dissatisfied or complaining applicant or customer shall inform the customer that if the agency decision or statement is unsatisfactory, the customer has the right to appeal the adverse utility decision or statement to the Commission. The customer shall be provided with a copy of the notice of appeal in the form prescribed by the Commission.

(d) All parties to a dispute between a customer and the utility shall have the right to bring to the Commission an informal or formal complaint pursuant to the provisions of Public Law 13-179, as amended and Public Law 14-30.

(e) When a complaint is referred to a utility by the Commission, the utility shall, within two (2) working days, report the action taken on the complaint to the Commission and shall keep the Commission currently informed as to progress made with respect to the resolution and final disposition of the complaint. If warranted in a particular case, a utility may request an extension of time.

(f) Each utility shall keep record of all customer complaints concerning the utility's service rules or rates. The record shall show the name and address of the complainant, the nature and date of the complaint, action taken and the final disposition of the complaint. Such records shall be maintained in a suitable place readily available for Commission review.

§1160. Quality of Service: Requirement for Good Engineering Practice. The plant, equipment and facilities of the utility shall be constructed, installed, maintained and operated in accordance with accepted good engineering practice in the particular utility industry to assure as far as reasonably feasible, continuity of service, uniformity in the quality of service furnished, and the safety and convenience of persons and property.

§1161. Same: Acceptable Standards and References. Unless otherwise specified by the Commission, the utility shall use as standards and references of accepted good practice, the American National Standards published by the National Bureau of Standards, American Standards Association and other national agencies or instrumentalities concerned with the operation and regulation of each type of utility.

§1162. Same: Adequacy of Supply. The service capacity of the utility's plant, equipment and facilities must be sufficiently large to meet all normal demands for service and provide a reasonable reserve for emergencies and unusual demands.

§1163. Same: Inspection and Maintenance Program. Each utility must adopt a regular periodic inspection and maintenance program of its plant, equipment and facilities to determine the necessity for

replacement and repair and to achieve an efficient, safe, adequate and continuous operation of the service at all times. The frequency of inspections shall be based on the utility's experience and accepted good practice. Each utility shall keep sufficient records to show compliance with its inspection and maintenance program.

§1164. Same: Standards of Quality of Service. Each utility shall be required to observe and maintain its service within the allowable standard limits or variations adopted by the utility in its tariff and service rules. Unless otherwise specified by the Commission, the utility shall conform to and adopt the generally accepted industry standards of service for each particular utility.

§1165. Same: Availability of Service. The utility shall employ prudent management and engineering practices, including the use of reliable procedures for forecasting and anticipating future demands for service, conduct studies and maintain records to ensure that reasonable margins of facilities, equipment and personnel are available to meet and maintain a fairly high level of service described and offered to the public in the utility's tariff and service rules.

§1166. Same: Service Objectives. The utility shall establish quality service objectives and provide surveillance levels and test measurements to determine any possible need for corrective action on the part of the utility for further improvement of each level of service furnished by the utility.

§1167. Same: Safety Program. Each utility shall adopt and execute a safety program designed to adequately meet its safety requirements considering the size and type of its utility operations. The program shall include regular periodic safety inspection of the utility's facilities, work sites and equipment; recruitment and training of competent field personnel; and an adequate system of supervision and control of utility operations to insure compliance with safety rules, regulations and specifications.

§1168. Same: Safety Measures. (a) Each utility shall exercise reasonable care to reduce the hazards or

risks of injury to its employees, its customers and the general public. Hazardous conditions endangering persons and property or the continuance of service, when known, reported or found to exist, shall be expeditiously removed or corrected.

(b) Litter or damage caused to property resulting from necessary repair, maintenance or installation work shall be promptly and properly removed, cleaned and as far as practicable, restored to the property's original condition after completion of the work.

(c) Each utility shall keep and maintain a record of all accidents arising from or connected with its operations.

§1169. Same: Report of Accidents. Each utility shall file with the Commission without unnecessary delay a report of every accident resulting in death or injury to any person, employee or member of the public caused by or occurring in connection with the operation of its service and its facilities. The report shall give the name of the person, extent of his injuries, the place or location of the accident, the cause thereof, if ascertained, and the treatment or remunerative action taken by the utility.

§1170. Statutory Regulations: Statutory Requirements and Prohibitions. (a) Notwithstanding any other provision of law, no rate charge for any public utility shall become effective without the approval of the PUC. (Sec. 21025, Public Law 13-179)

(b) All rates, fares, charges, all assessment costs, classifications, schedules, rules and practices made, charge or observed by any public utility, or by two (2) or more public utilities jointly, shall be just and reasonable and shall be filed with the PUC. (Sec. 21014(a), Public law 13-179)

(c) No rate, fare, charge, assessment cost, classification, schedule, rule or practice shall be established, abandoned, modified or departed from except after thirty (30) days' notice to the PUC. (Sec. 21014(a), Public Law 13-179)

(d) No rates, fares, assessment cost or charge shall be increased without the prior approval of the PUC. (Sec. 21014(a), Public Law 13-179)

(e) The PUC shall not approve any increase in rates without conducting an advertised public hearing or hearings thereon after due notice thereof as required by law. (Sec. 21014(a), Public Law 13-179)

(f) All stock and every stock certificate, and every bond, note or other evidence of indebtedness of a public utility not payable within twelve (12) months, issued without an order of the PUC authorizing the same then in effect, shall be void. (Sec. 21015, Public Law 13-179)

(g) A public utility may not issue securities to acquire property or to construct, complete, extend or improve or add to its facilities or service if the PUC determines that the proposed purpose will have a material adverse effect on its public utility operations. (Sec. 21015, Public Law 13-179)

(h) Every assignment, transfer, contract or agreement for assignment or transfer of any stock or other interest by any public utility to another public utility without an order of the PUC authorizing the same, shall be void and of no effect, and no such transfer shall be made on the books of the public utility. (Sec. 21016, Public Law 13-179)

(i) Every sale, lease, assignment, mortgage, disposition, encumbrance, merger or consolidation of a public utility made without first having secured the order of the PUC authorizing the same, shall be void. (Sec. 21017, Public Law 13-179)

(j) Every public utility shall at all times, upon request, furnish to the PUC all information that it may require and shall permit the examination of its books, records, contracts, maps and other documents by the Commission, its members or any person authorized by it in writing. Every public utility shall furnish the PUC with a complete inventory of its property in such form as the Commission may direct. (Sec. 21006, Public Law 13-179)

(k) Every public utility shall report to the Commission all accidents caused by or occurring in connection with its operations and service. (Sec. 21007)

(l) Every public utility shall publish its authorized rates, fares, assessment costs, classifications, charges and rules in such manner as the PUC may require. (Sec. 21009, Public Law 13-179)