

CITY OF CROSWELL SHUT-OFF POLICY

I. Residential Shut off Policy:

A. Croswell Light and Power (CLP) will not use an electric service limiter.

B. The CLP shall refund any late fees, fines, or payments related to a shut off or resumption of service if those late fees, fines, or payments were improperly assessed because of the failure to provide notice as required by this Policy.

C. Notwithstanding other requirements of the Policy, service may be shut off temporarily for reasons of health or safety or in a state of national emergency. When service is shut off for reasons of health or safety, the CLP shall leave a notice at the premises if feasible.

D. The CLP may shut off or terminate service to a residential customer for any of the following reasons:

1. The customer has not paid a delinquent account that occurred within the last six (6) months.
2. The customer has failed to provide a deposit or guarantee as required.
3. The customer has engaged in unauthorized use of the utility's service.
4. The customer has failed to comply with the terms and conditions of a payment plan.
5. The customer has refused to arrange access at reasonable times for the purpose of inspection, meter reading, maintenance, or replacement of equipment that is installed upon the premises or for the removal of the meter.
6. The customer misrepresented his or her identity for the purpose of obtaining service or put service in another person's name without permission of the other person.
7. The customer has violated any policies of the CLP so as to adversely affect the safety of the customer or other persons or the integrity of the system.
8. A person living in the customer's residence meets both of the following:
 - a) Has a delinquent account for service with the CLP within the past three (3) years that remains unpaid.
 - b) The customer lived in the person's residence when all or part of the debt was incurred. The CLP may transfer a prorated amount of the debt to the customer's

account, based upon the length of time that the customer resided at the person's residence. This subdivision does not apply if the customer was a minor while living in the person's residence.

9. The customer has not paid for service at a premise occupied by another person in any of the following circumstances and proper notices is given:

- a) It is not feasible to provide service to the occupant as a customer without a major revision, as determined by the utility, of existing distribution facilities.
- b) The customer supplies a written, notarized statement that the premise is unoccupied.
- c) The premise is occupied and the occupant agrees, in writing, to the shut off of service.
- d) It is feasible to provide service to the occupant as a customer without major revision of existing distribution facilities and the occupant refuses to put the account in their name.

E. The CLP will not shut off service if a customer has not paid for concurrent service received at a separate metering point, residence, or location.

F. The CLP shall supply information regarding the following to customers at least two (2) times a year:

1. The energy assistance telephone line number at the Michigan Department of Human Services.
2. Medical emergency and critical care protections provided in these Policies.
3. Military shut off protections pursuant to MCL 460.9c.
4. Low income protections provide in these Policies.
5. Senior Citizen protections provide in these Policies.

G. The information required under Subsection (f) may be supplied in or on a customer's bill, in a bill insert, in a newsletter issued to customers, a public forum, newspaper announcement, an electronic communication, or in any other manner approved by the governing body of the utility.

H. The CLP shall, at least once per year, attempt to identify senior citizen customers by at least one (1) of the following methods:

1. Conducting customer interviews.
2. Obtaining information from a consumer reporting agency or consumer reporting service.
3. A personal or automated telephone call where direct contact is made with a member of the customer's household or a message is recorded on an answering machine or voice mail.
4. First class mail.
5. A personal visit to the customer.
6. A written notice left at or on the customer's door.
7. On a bill or in a bill insert.

I. Customer is billed for 30 days usage within one (1) week of meter reading date.

Bill is due in three (3) weeks.

Customer is sent a reminder/shut-off notice with next billing with a two (2) week extended due date.

Customer is given a hand delivered shut-off notice approximately two (2) weeks later stating that service will be either terminated or limited if past due bill is not paid within 24 hours.

Unpaid bills are a lien on the property, collectable on the tax roll in accordance with City Ordinance #128. (Noted on back of utility bill)

Per Ordinance #128 the city shall discontinue **any** public utility service to **any** premises whenever any person shall fail to pay the rates of such public utility within a period of thirty (30) days from billing dates of such rates. At least one week before discontinuance the customer at such premises shall be notified by first class mail on such pending discontinuance.

J. A notice of shut off shall contain all the following information:

1. The name and address of the customer, and the address at which service is provide, if different.
2. A clear and concise statement of the reason for the proposed shut off of service.
3. The date on or after which service may be shut off unless the customer takes appropriate action.
4. That the customer has the right to enter into a payment plan for an amount that is not in dispute and customer is presently unable to pay in full.

5. The telephone number and address where the customer may make inquiry, enter into a payment plan, or file a complaint.

6. That shut off will be postponed at a residence where a certified medical emergency exists and the customer provides documentation of that medical emergency.

7. That during the heating season, shut off will be postponed if a customer is an eligible low-income customer that enters into a winter protection payment plan with the CLP.

K. Service may be shut off to a customer on the date specified in the notice of the shut off or within a reasonable time following that date. If service is not shut off and a subsequent notice is sent, then service shall not be shut off before the date specified in the subsequent notice. Shut off shall occur only between the hours of 8:00 a.m. and 3:00 p.m.

L. Service shall not be shut off on a day, or a day immediately preceding a day, when services cannot be restored.

M. Not later than two hours before the close of the utility's business on the day service is shut off, a notice shall be left at the customer's residence stating that service has been shut off and providing the address and telephone number where the customer may arrange to have service restored. No later than three (3) business days after shutting off service to a eligible senior citizen customer, the CLP shall make at least two attempts to contact that customer to advise the customer of the actions that the customer must take to have his or her service restored.

1. The following notification methods may be used to contact the customer:

a) A personal or automated telephone call where direct contact is made with a member of the customer's household or a message is recorded on an answering machine or voice mail.

b) First-class mail.

c) A personal visit to the customer.

d) A written notice left at or on the customer's door.

e) Any other method approved by the governing body of the utility.

2. A communication described in Subsection (M)(1) (c) and (e) made on the day of disconnection meets the requirements of this Policy.

3. A message left on an answering machine or voice mail or a written notice left at or on a customer's door must include a toll free or local telephone number indicating that it may be used to contact a representative of the CLP regarding restoration of service.

4. The notice requirement of this section may be met with regard to a senior citizen customer by, within three (3) business days of shutting off service, making a documented referral of that customer to a social service or government agency.

N. Reasonable efforts shall be made to restore service on the day the customer requests restoration when cause has been cured or a satisfactory credit arrangement has been made. Except for reasons beyond the control of the CLP, the service shall be restored not later than the first working day after the customer's request.

O. A charge may be assessed for notices and restoring service as follows.

1. Disconnect Notice Charge per tag: \$5.00
2. Disconnect/Reconnect Charges:
 - a) Charge for restoring service which has been disconnected at the meter:
 - (1) During business hours: \$20.00
 - (2) After business hours:
 - (a) Weekday - \$90.00 before 9:00 p.m.; \$135.00 after 9:00 p.m.
 - (b) Saturday - \$100.00 before 9:00 p.m.; \$150.00 after 9:00 p.m.
 - (c) Sunday - \$150.00
 - (d) Holiday - \$168.00
3. Homeowner's Request for Disconnect: \$20.00

P. After a notice of delinquency has been mailed, payment must be received at the CLP Administrative Office before the disconnect date. Failure to receive a notice of delinquency will not extend time for payment. A charge may be assessed for restoring service.

COOLING SEASON SHUT OFFS

Q. If the temperature forecast for the current day OR the following day is 95 degrees or greater, eligible senior citizen customers will not be disconnected on the current day. For Fridays, customers will not be disconnected if the forecast is for 95 degrees or greater for Friday, Saturday or Sunday.

HEATING SEASON SHUT OFFS

R. The CLP shall not shut off service to a customer during the heating season for nonpayment of a delinquent account if the customer is an eligible senior citizen customer or if an eligible low income customer enters into a winter protection payment plan to pay to the utility a monthly amount equal to 7% of the estimated annual bill for the eligible low income customer or the eligible low income customer and the utility mutually agree upon a winter protection payment plan with different terms and the eligible low income customer demonstrates, within 14 days of requesting shut off protection, that he or she has applied for state or federal heating assistance. If an arrearage exists at the time an eligible low income customer applies for protection from shut off of service during the heating season, the customer should be permitted to pay the arrearage in equal monthly installments between the date of application and the start of the subsequent heating season.

S. If an eligible low income customer fails to comply with the terms and conditions of a winter protection payment plan, or if the customer fails to pay a monthly installment on a preexisting arrearage, service may be shut off after giving the customer a notice, by personal service, or first class mail, that contains all of the following information:

1. That the customer has defaulted on a winter protection payment plan or has failed to pay a monthly installment on a preexisting arrearage.
2. The nature of the default.
3. That unless the customer makes the payments that are past due within ten (10) day of the date of mailing, service will be shut off.
4. The date on or after which service will be shut off, unless the customer takes appropriate action.
5. That the customer may dispute the claim in writing before the date of the proposed shut off of service.
6. That the utility will not shut off service pending the resolution of a dispute.
7. The telephone number and address where the customer may make inquiry, enter into a payment plan, or file a complaint.
8. That the shut off will be postponed if a medical emergency exists at the customer's residence.
9. That a deposit and restoration charge may be required if the utility shuts off service for nonpayment of a delinquent account.

SHUT OFF OF CRITICAL CARE CUSTOMERS OR MEDICAL EMERGENCY

T. Shut off shall be postponed for not more than 21 days if the customer or a member of the customer's household is a critical care customer or has a certified medical emergency. The customer's certification shall identify any medical or life-supporting equipment being used, and the specified time period during which the shut off of service will aggravate the medical emergency. Shut off may be extended for further periods of not more than 21 days, not to exceed a total postponement of shut off of service of 63 days, only if the customer provides additional certification that the customer or a member of the customer's household remains a critical care customer or has a certified medical emergency. If shut off of service has occurred without any postponement being obtained, the service shall be restored for not more than 21 days, and shall continue for further periods of not more than 21 days, not to exceed a total of 63 days in any 12-month period per household member. Annually, shut off extensions totaling more than 126 days per household will not be given.

U. As used in these Policies:

1. "Critical care customer" means a customer who requires, or has a household member who requires, home medical equipment or a life support system, and who has provided appropriate documentation from a physician or medical facility to the CLP identifying the medical equipment or life-support system and certifying that an interruption of service would be immediately life threatening.

2. "Electric Service Limiter" means an electric meter or device used in conjunction with an electric meter that automatically interrupts all electric service to a customer without intervening direction from the CLP when a utility-imposed peak usage limit is exceeded.

3. "Eligible low income customer" means a customer whose household income does not exceed 150% of the poverty level, as published by the United States Department of Health and Human Services, or who receives any of the following:

- a) Assistance from a state emergency relief program.
- b) Food stamps.
- c) Medicaid

Customer is responsible for providing documentation proving eligibility.

4. "Eligible senior citizen customer" means a customer who is 65 years of age or older and who advises the CLP of his or her eligibility.

5. "Heating season" means November 1 through March 31.

6. "Medical Emergency" means the existence of a medical condition of the customer or a member of the customer's household, certified by a physician or public health official on official stationery, which will be aggravated by the lack of utility service.

7. "Senior Citizen Customer" means a customer of the CLP who is 65 years of age or older.

V. These Policies shall be part of the terms and conditions of the contract for service between the CLP and the customer.

Adopted by the City of Croswell on August 16, 2010

Effective August 17, 2010