

**TERMINATION OF SERVICE, DISCONTINUANCE OF SERVICE (CUT-OFFS),
AND/OR DENIAL OF SERVICE**

ADOPTION DATE: April 27, 1995

Revised: October 1, 2005, April 27, 2017

EFFECTIVE DATE: August 1, 1995

RESPONSIBLE FOR ADMINISTERING POLICY:

Manager, Board of Commissioners

BACKGROUND AND PURPOSE

It is accepted utility practices in the United States that the customer is responsible for payment of service and other duly authorized charges. The customer must also realize the service he/she doesn't pay for will be paid for by other customers. The customer must also realize no phase of the operation is considered more important than safety.

Utilities in Tennessee must abide by the Public Records Act, Tenn. Code Ann. § 10-7-101 et. seq. Generally, this Act requires that most Utility documents must be open for public inspection by any citizen of Tennessee.

The Utility is run for the benefit of all present and future customers, and while no customer shall intentionally be treated unfairly, no customer shall be treated in a way that compromises the interests of the other customers.

LIMITATIONS

The Utility is subject to various state and federal regulations and has no discretion to provide or withhold Utility records in a manner which would violate these regulations or to allow customers to accumulate unpaid balances which would violate these regulations.

EMPLOYEE NOTICE

Employees will receive notice of this policy in the following manners:

- 1) Copies of the policy will be displayed in a conspicuous place on the bulletin board.
- 2) Each employee will have the policy explained to him/her and receive a personal copy of the policy.

POLICY STATEMENT

At Jefferson Cocke County Utility District, no phase of the operation is considered more important than safety. The District may decline to provide gas service where service is available when, in the District's judgement, the furnishing of service will create an unsafe or hazardous condition for, or may pose a substantial risk of harm to, the applicant, District employees, or the general public.

This policy applies whether the District chooses to: decline service on an initial application; terminate service during the District's provision of service; or decline service after service was previously terminated and the customer seeks a reconnection of service or reapplies for service.

Reasons for Termination of Service, Discontinuance of Service, or Denial of Service:

- (1) Service may be refused or discontinued for any of the reasons listed below. Unless otherwise stated, the Utility shall comply with the notice requirements before service is discontinued or denied.
 - (a) Without notice in the event of a condition determined by the Utility to be hazardous.
 - (b) Without notice in the event of a customer use of equipment in such a manner as to adversely affect the Utility's equipment or the Utility's service to others.
 - (c) Without notice if there is evidence of tampering with the equipment Furnished and owned by the Utility.
 - (d) Without notice if there is evidence of unauthorized use or stealing of service.
 - (e) Without notice if there is any threat to the public health and/or safety on the customer's premises which may endanger others persons.
 - (f) Without notice if the Utility discovers a misrepresentation of identity was made in obtaining service.
 - (g) For violation of and/or non-compliance with the Utility's rules, regulations, or policies.
 - (h) For failure of the customer to fulfill his/her contractual obligation for service and/or facilities.

- (i) For failure of the customer to permit the Utility reasonable access to its equipment.
 - (j) For non-payment of a bill or a delinquent account.
- (2) Notice of Termination of Service where notice required. Gas service to any gas customer may not be terminated without reasonable prior notice and the customer being given a reasonable opportunity to dispute the reasons for such termination.
- (a) A reminder/cut-off will be mailed if payment is not received by the due date. Notice will be mailed the third calendar day after the due date.
 - (b) Service cut-offs for non-payment or partial payment of bills will begin the (8th) calendar day after reminder cut-off notice is mailed. Service cut-offs will be handled in accordance with the Utility's workload.
 - (c) For the benefit of the customer, normal service cut-offs will not be made on a Friday or on the day immediately preceding a holiday.
 - (d) Service will be reinstated only during regular working hours, Monday through Friday, except in the case of an emergency.
 - (e) Utility bills are recurring charges. Failure by the customer to receive a Utility bill will not entitle the customer to be relieved of payment.
 - (f) When service is actually disconnected for non-payment and the customer makes subsequent arrangements for reinstallation of service, a reconnection charge of fifty-two dollars and fifty cents (\$52.50) will be paid prior to reconnection of service.

For the convenience of the customer, Utility personnel will be permitted to collect the amount of the outstanding bill plus a trip charge of forty dollars (\$40.00) when they arrive at the customer's premises to discontinue service. When the customer is paying in cash, he/she will be required to sign the receipt in ink.

- (g) Discontinuance of service by the Utility shall not release the customer from liability for payment for service already received or from liability from payments that thereafter become due under the minimum bill provisions or other provisions of the customer's contract.

- (h) The Utility shall not be liable for any loss or damage resulting from the discontinuance or termination of service.
- (i) A landlord shall not use the discontinuance of service to his or her property to force a tenant or occupant to surrender possession of the property. The landlord shall use appropriate legal means for that purpose.
- (j) The customer(s) whose name appears on the application for service is (are) the customer(s) responsible for payment of all charges. That customer is also responsible for any rules or policy violations that occur regarding the Utility service to that property. Personal participation by the customer in any such violation shall not be necessary to impose personal responsibility on the customer.
- (k) In the event any customer fails to pay any Utility fee or charge, the customer shall pay all costs of collection including court costs and reasonable attorney's fees incurred by the Utility in collecting such sums.
- (l) The Utility shall have the right to refuse to render service to an applicant or to any member of an applicant's household who is living at the same address whenever such person(s) is (are) delinquent on any payment to the Utility or had his or her service discontinued because of a violation of the regulations or policies of the Utility.
- (m) The customer in whose name the service is furnished may request termination of service by mail, by telephone, or in person at the office of the Utility.
- (n) Each customer must give a minimum of three (3) working days notice to the Utility of service termination. The customer will be responsible for all charges which accrue to the end of the three (3) day period including the minimum charge.

RECORD KEEPING DURATION

All records regarding discontinuance of service shall be kept for a minimum of ten (10) years.

OMISSIONS

In the absence of specific rules or policies, the disposition of this policy shall be made by the Board of Commissioners in accordance with its usual and customary practices.

