IDAPA 31 – IDAHO PUBLIC UTILITIES COMMISSION

31.21.01 – Customer Relations Rules for Gas, Electric, and Water Public Utilities (the Utility Customer Relations Rules)

Who does this rule apply to?
All regulated utilities and their customers.

What is the purpose of this rule?
These rules provide a set of fair, just, reasonable, and non-discriminatory rules with regard to deposits, guarantees, billing, application for service, denial of service, termination of service and complaints to utilities.

What is the legal authority for the agency to promulgate this rule?
This rule implements the following statutes passed by the Idaho Legislature:

- General legal authority of the Public Utilities Law, Chapters 1 through 7, Title 61, Idaho Code, and the specific legal authority of Sections 61-301, 61-302, 61-303, 61-315, 61-503, 61-507, and 61-520, Idaho Code.

Who do I contact for more information on this rule?

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This rule chapter will be reviewed in compliance with Section 67-5292, Idaho Code, and in accordance with the 8-year rule review schedule linked here.

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31.21.01 – CUSTOMER RELATIONS RULES FOR GAS, ELECTRIC, AND WATER PUBLIC UTILITIES (THE UTILITY CUSTOMER RELATIONS RULES)

000. LEGAL AUTHORITY (RULE 0).
Chapters 1 through 7, Idaho Code and Sections 61-301, 61-302, 61-303, 61-315, 61-503, 61-507, and 61-520, Idaho Code. (7-1-24)

001. SCOPE (RULE 1).
This chapter provides a set of fair, just, reasonable, and non-discriminatory rules with regard to deposits, guarantees, billing, application for service, denial of service, termination of service and complaints to utilities. (7-1-24)

002. (RESERVED)

003. ADMINISTRATIVE APPEALS (RULE 3).
Any person requesting and receiving an informal staff determination with regard to a complaint may formally request the Commission to review the staff's determination. If unusual hardships result from the application of any of these rules, any person may apply to the Commission for, or the Commission on its own motion may order, a permanent or temporary exemption. A formal complaint or request for exemption must be filed with the Commission pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 et seq. (7-1-24)

004. (RESERVED)

005. DEFINITIONS (RULE 5).
The following definitions are used in this title and chapter: (7-1-24)

01. **Applicant**. Unless restricted by definition within a rule or group of rules to a particular class of service, "applicant" means any potential customer who applies for service from a utility. Utilities may require an adult or minor competent to contract to join a minor not competent to contract as an applicant. (7-1-24)

02. **Customer**. Unless restricted by definition within a rule or group of rules to a particular class of customer, "customer" means any person who has applied for, has been accepted by the utility, and is: (7-1-24)

a. Receiving service from a utility; or (7-1-24)

b. Has received service within the past ten (10) calendar days prior to termination by the utility; or (7-1-24)

c. Has assumed responsibility for payment of service provided to another or others. If the person receiving service is not the same person as the person assuming responsibility for payment of service, the latter is the customer for purposes of obtaining or terminating service, receiving refunds, or making changes to the account. (7-1-24)

006. -- 008. (RESERVED)

009. INFORMAL COMPLAINTS AND INTERPRETATION OF RULES (RULE 9).
Commission staff may informally interpret these rules and utility tariffs and investigate complaints filed with this Commission. The Commission reserves the authority to issue orders interpreting these rules and utility tariffs, and resolving formal complaints. (7-1-24)

010. CONFLICT WITH UTILITY TARIFFS (RULE 10).
If a utility's tariff denies or restricts customer rights protected by these rules, these rules supersede the conflicting tariff provisions. (7-1-24)

011. -- 099. (RESERVED)

RESIDENTIAL AND SMALL COMMERCIAL; DEPOSITS
Rules 100 through 199

100. FURTHER DEFINITIONS (RULE 100).
As used in Rules 101 through 109: (7-1-24)

01. Applicant. "Applicant" is restricted from its general definition to refer only to applicants for residential or small commercial service, unless further restricted by the rule. (7-1-24)

02. Customer. "Customer" is restricted from its general definition to refer to a residential or small commercial customer, unless further restricted by the rule. (7-1-24)

03. Deposit. "Deposit" means any payment held as security for future payment or performance that is reimbursable after the customer establishes good credit. (7-1-24)

101. DEPOSIT REQUIREMENTS (RULE 101).

01. Residential Customers. Utilities will not demand or hold a deposit from any current residential customer or applicant for residential service without proof that the customer or applicant is likely to be a credit risk or to damage the utility's property. A lack of previous history with the utility does not, in itself, constitute such proof. Utilities will not demand or hold a deposit under this rule as a condition of service from a residential customer or applicant unless one or more of the following criteria applies: (7-1-24)

a. The customer or applicant has outstanding a prior residential service account with the utility that accrued within the last four (4) years and at the time of application for service remains unpaid and not in dispute. (7-1-24)

b. The customer's or applicant's service from the utility has been terminated within the last four (4) years for one (1) or more of the following reasons: (7-1-24)

i. Nonpayment of any undisputed delinquent bill; (7-1-24)

ii. Obtaining, diverting or using service without the utility's authorization or knowledge. (7-1-24)

c. The utility has determined that information provided by the applicant upon application for service is materially false or materially misrepresents the applicant's true status. (7-1-24)

d. The applicant has not had service with the utility for a period of at least twelve (12) consecutive months during the last four (4) years, and does not pass an objective credit screen. (7-1-24)

e. The applicant requests service at a residence where a former customer who owes a past due balance for service incurred at that location still resides. (7-1-24)

f. The utility has given the customer two (2) or more written final notices of termination within the last twelve (12) consecutive months. (7-1-24)

02. Small Commercial Customers. Utilities will not demand or hold a deposit as a condition of service from any current small commercial customer or applicant for small commercial service unless one or more of the following criteria apply: (7-1-24)

a. Any criteria listed in Rule Subsection 101.01 are present. (7-1-24)

b. The applicant has not had previous service with that utility. (7-1-24)

03. Bankrupt Customers. If an applicant or a customer has sought any form of relief under the Federal Bankruptcy Laws, has been brought within the jurisdiction of the bankruptcy court for any reason in an involuntary manner, or has had a receiver appointed in a state court proceeding, then deposit may be demanded as allowed by the Federal Bankruptcy Laws. (7-1-24)

102. OTHER DEPOSIT STANDARDS PROHIBITED -- RESIDENTIAL CUSTOMERS (RULE 102).
Utilities will not require a deposit or other guarantee as a condition of new or continued residential utility service based upon residential ownership or location, income level, source of income, employment tenure, nature of

occupation, race, creed, sex, age, national origin, marital status, number of dependents, or any other criterion not authorized by these rules. Rules governing deposits will be applied uniformly. (7-1-24)

103. (RESERVED)

104. EXPLANATION FOR REQUIREMENT OF DEPOSIT (RULE 104).
If the utility requires a cash deposit as a condition of providing service, then it will immediately notify the applicant or customer verbally or in writing why a deposit is required. The applicant or customer will have an opportunity to rebut those reasons. The notice will also advise the applicant or customer that if there is a dispute, an informal or formal complaint may be filed with the Commission. (7-1-24)

105. AMOUNT OF DEPOSIT (RULE 105).

01. Amount of Deposit. A deposit allowed pursuant to Rule 101 as a condition of service will not exceed one-sixth (1/6) the amount of reasonably estimated billing for one (1) year at rates then in effect. Where gas service is used for space heating purposes only, the deposit will not exceed the total of the two (2) highest months' bills during the previous twelve (12) consecutive months, adjusted for currently effective rates. Deposit amounts will be based upon the use of service at the premises during the prior year or upon the type and size of equipment using the utility's service. (7-1-24)

02. Installment Payments of Deposit. The utility will advise the applicant or customer that the deposit may be paid in two (2) installments. One-half (1/2) of the deposit amount is due immediately with the remaining installment payable in one (1) month. (7-1-24)

106. INTEREST ON DEPOSITS (RULE 106).

01. Interest Payable. Interest will be payable on all deposited amounts at the rate provided by Subsection 106.02 of this rule. Interest will accrue from the date the deposit or deposit installment is made until the deposit is refunded or applied to the customer's utility bill; however, interest will not accrue on a deposit or deposit installment if: (7-1-24)

a. Service is terminated temporarily at the request of a customer who leaves the deposit with the utility for future use as a deposit; or (7-1-24)

b. Service has been permanently terminated and the utility has been unsuccessful in its attempt to refund a deposit. (7-1-24)

02. Interest Rate. On or before November 15 of each year, the Commission will determine the twelve month average interest rate for one-year Treasury Bills for the previous November 1 through October 31, round that rate to the nearest whole percent, and notify the utilities of its determination of this interest rate. That rate will be in effect for the following calendar year for all deposits described in Rule Subsection 106.01 of this rule. (7-1-24)

107. RETURN OF DEPOSIT (RULE 107).

01. Former Customers. Upon termination of service, the utility will credit the deposit (with accrued interest) to the final bill and promptly return any remaining balance to the customer. (7-1-24)

02. Existing Customers. If the customer has paid all undisputed bills and has no more than one (1) late payment during the past twelve (12) consecutive months of service, the utility will promptly return the deposit (with accrued interest) by either crediting the customer's current account or issuing a refund. (7-1-24)

03. Retention During Dispute. The utility may retain the deposit pending the resolution of a dispute over termination of service. If the deposit is later returned to the customer, the utility will pay interest at the annual rates established in Rule 106 for the entire period over which the deposit was held. (7-1-24)

04. Early Return of Deposit. A utility may refund a deposit plus accrued interest in whole or in part at any time before the time prescribed in this rule. (7-1-24)

108. TRANSFER OF DEPOSIT (RULE 108).
Deposits will not be transferred from one customer to another customer or between classes of service, except at the customer's request. When a customer with a deposit on file transfers service to a new location within the same utility's service area, the deposit (with accrued interest) will be either transferred to the account for the new location or credited to the customer's current account. (7-1-24)

109. RECORDS OF DEPOSIT (RULE 109).

01. Records of Deposit. Each customer paying a deposit or the initial installment on a deposit must be provided the following information in writing: (7-1-24)

a. Name of customer and service address for which deposit is held; (7-1-24)

b. Date of payment(s); (7-1-24)

c. Amount of payment(s); and (7-1-24)

d. Terms and conditions governing the return of deposits. (7-1-24)

02. Retention of Records. Each utility will maintain records that will enable a customer entitled to a return of a deposit to obtain a refund even though the customer may be unable to produce a record of the deposit. The utility will maintain a detailed record of all deposits received from customers, showing the name of each customer, the location of the premises occupied by the customer when the deposit is made and each successive location occupied by the customer while the deposit is retained, and the date(s) and amount(s) of the deposits or installments. The utility will retain records of deposits that have been refunded to customers for a period of three (3) years after the date of refund. The utility shall retain records of unclaimed deposits for seven (7) years as required by Section 14-531, Idaho Code. (7-1-24)

03. Transfer of Records. Upon the sale or transfer of any utility or any of its operating units, the seller will certify to the Commission that it has a list showing the names of all customers whose service is transferred and who have a deposit on file, the date the deposit was made, and the amount of the deposit. (7-1-24)

110. -- 199. (RESERVED)

BILLING
Rules 200 through 299

200. FURTHER DEFINITION (RULE 200).
As used in Rules 201 through 207, "bill" or "billing statement" refers to a written request for payment listing charges for services provided. An electronic billing statement may be provided upon customer request. Oral notice of the amount of charges pending is not a bill. (7-1-24)

201. ISSUANCE OF BILLS -- CONTENTS OF BILLS (RULE 201).

01. Billing Statements. Billing statements will be issued regularly and will contain the following information: (7-1-24)

a. The date the billing statement was issued. (7-1-24)

b. The time period covered by the billing statement. (7-1-24)

c. The beginning and ending meter readings and the quantity of service provided, if service is metered. The billing statement must be clearly marked as estimated if meter data is unavailable. (7-1-24)

d. The due date of the bill and, if automatic payment is authorized by the customer, the date funds will be withdrawn or the credit card charged. (7-1-24)

e. An itemization of all charges, both recurring and nonrecurring. (7-1-24)

f. Any amount transferred from another account. (7-1-24)

g. Any amount past due. (7-1-24)

h. Any payments or credits applied to the customer's account since the last billing statement. (7-1-24)

i. The total amount due. (7-1-24)

j. Contact information for the utility, including the toll-free telephone number(s) available to customers for answering billing inquiries. (7-1-24)

02. Comparison of Consumption Data. Billing statements for customers of gas, electric, and certain water utilities will also include the following information: (7-1-24)

a. Each gas and electric utility will compare on each customer's regular billing the customer's actual consumption of gas or electricity with the customer's actual consumption of gas or electricity for the corresponding billing period in the previous year. If the billing periods being compared contain a different number of days, the utility will adjust the data to take into account the different length of the billing periods and show the comparison as an absolute change in therm use or kilowatt hour use per day. Upon request, the utility must make degree day adjusted data available to be provided to customers for comparison. (7-1-24)

b. Each water utility with more than five thousand (5,000) customers will compare on each customer's regular billing the customer's actual consumption of water with the customer's actual consumption of water for the corresponding billing period in the previous year. The usage comparison will be expressed in gallons or cubic feet based upon total consumption for each billing period or average consumption per day during each billing period. (7-1-24)

202. DUE DATE OF BILLS -- DELINQUENT BILLS (RULE 202).

01. Ordinary Due Date. The utility may require that bills for service be paid within a specified time after the billing date. The minimum specified time after the billing date is fifteen (15) days (or twelve (12) days after mailing or delivery, if bills are mailed or delivered more than three (3) days after the billing date.) Upon the expiration of this time without payment, the bill may be considered delinquent. (7-1-24)

02. Hardship Exemption. When a residential customer certifies in writing to the utility that payment by the ordinary due date creates a hardship due to the particular date when the customer receives funds, the utility will either extend the due date up to an additional fifteen (15) days or bill the customer in a cycle that corresponds to the customer's receipt of funds. (7-1-24)

203. BILLING ERRORS, BILLING UNDER INCORRECT RATES, OR FAILURE TO BILL FOR SERVICE (RULE 203).

01. Billing Errors -- Failure to Bill. Whenever the billing for utility service was not accurately determined for reasons such as a meter malfunction or failure, incorrect installation or programming of metering equipment, or errors in preparation of bills, the utility will prepare a corrected billing. If the utility has failed to bill a customer for service provided, the utility will prepare a bill for the period during which service was provided and the customer was not billed. At its discretion, the utility may waive rebilling for undercharges. (7-1-24)

02. Billing Under Incorrect Rates. A customer has been billed under an incorrect rate if the customer was billed under a rate for which the customer was not eligible or the customer, who is eligible for billing under more than one (1) rate, was billed under a rate contrary to the customer's election or the election was made based upon erroneous information provided by the utility. If a customer is billed under an incorrect rate, the utility must recalculate the customer's past bills and correctly calculate future bills based on the appropriate rate. The utility is not required to adjust bills when it has acted in good faith based upon information provided by the customer. (7-1-24)

03. Rebilling Time Period. (7-1-24)

a. If the time when the billing error, billing under incorrect rates, or failure to bill (collectively referred to as "billing problem") began cannot be reasonably determined to have occurred within a specific period, the corrected billings will not exceed the most recent six (6) months before the discovery of the billing problem. (7-1-24)

b. If the time when the billing problem began can be reasonably determined and the utility determines the customer was overcharged, the corrected billings will go back to that time, but not to exceed three (3) years from the time the billing problem occurred as provided by Section 61-642, Idaho Code. (7-1-24)

c. If the time when the billing problem can be reasonably determined and the utility determines the customer was undercharged, the utility may rebill for a period of six (6) months unless a reasonable person should have known of the inaccurate billing, in which case the rebilling may be extended for a period not to exceed three (3) years. Utilities must implement procedures designed to monitor and identify customers who have not been billed or who have been inaccurately billed. (7-1-24)

04. Refunds. The utility will promptly recalculate the refund amounts overpaid by the customer and issue a credit within two (2) billing cycles. Any remaining credit balance will be credited against future bills unless the customer, after notice from the utility, requests a refund. The utility will advise the customer of the option to have any remaining credit balance exceeding twenty-five dollars ($25) refunded. (7-1-24)

05. Additional Payments. The utility will promptly prepare a corrected billing for a customer who has been undercharged indicating the amount owed to the utility. An unbilled or undercharged customer must be given the opportunity to make payment arrangements under Rule 313 on the amount due. At the customer's option, the term of the payment arrangement may extend for the length of time that the underbilling accrued or the customer was not billed. (7-1-24)

204. -- 205. (RESERVED)

206. RESPONSIBILITY FOR PAYMENT OF BILLS -- RESIDENTIAL CUSTOMERS (RULE 206).

01. Customer Defined. For purposes of this rule, "customer" means a customer whose name appears on the utility's regular bill for residential service or who signed a written application for service or other document informing the customer that he or she was assuming an obligation for payment for service. (7-1-24)

02. Customer's Responsibility. A utility will not hold a customer responsible for paying an amount owed by anyone who resides at the customer's premises or is a member of the customer's household, but whose name does not appear on the current bill or application for service, unless: (7-1-24)

a. The customer signs a written agreement to pay or otherwise expressly accepts responsibility for payment of the other person's bill; or (7-1-24)

b. The customer has a legal obligation to pay the other person's bill. (7-1-24)

03. Customer Notice. The utility will provide written notice of its intent to add to the customer's bill for current service an amount owed for. The notice may be provided in an electronic format with the customer's consent: (7-1-24)

a. Another person's bill; or (7-1-24)

b. Service rendered at a former service location, provided that the lapse in service exceeds sixty (60) calendar days. (7-1-24)

04. Contents of Notice. The notice must include: (7-1-24)

a. The name of the customer of record who owes the bill amount; (7-1-24)

b. The service location involved; (7-1-24)

c. The time over which the bill amount was accumulated; (7-1-24)

d. The amount owed; (7-1-24)

e. The reason(s) for adding the bill amount to the customer's bill statement; (7-1-24)

f. A statement that payment arrangements may be made on the amount owed; (7-1-24)

g. A statement that the customer has the right to contest the utility's proposed action with the utility or the Commission; and (7-1-24)

h. The response deadline after which the bill amount will be added to the customer's bill statement. (7-1-24)

05. Opportunity to Respond. The utility will give the customer at least seven (7) calendar days from the date of the proposed action to respond to the utility's notice. (7-1-24)

207. BILLING PROHIBITED (RULE 207).
Utilities will not bill for non-utility service(s) or merchandise not ordered or otherwise authorized by the customer of record. Any charges for these services that appear on a customer's bill will be removed from the customer's bill within two (2) billing cycles after the customer notifies the utility. A utility that unknowingly submits a bill containing charges for non-utility service(s) or merchandise not ordered or otherwise authorized by the customer of record will not have violated this rule if the disputed amounts are removed from the customer's bill. (7-1-24)

208. -- 299. (RESERVED)

DENIAL AND TERMINATION OF SERVICE AND PAYMENT ARRANGEMENT RULES FOR RESIDENTIAL AND SMALL COMMERCIAL CUSTOMERS
Rules 300 through 399

300. FURTHER DEFINITIONS (RULE 300).
As used in Rules 301 through 313: (7-1-24)

01. Applicant. "Applicant" is restricted from its general definition to refer only to applicants for residential or small commercial service, unless further restricted by the rule. (7-1-24)

02. Customer. "Customer" is restricted from its general definition to refer only to residential or small commercial customers, unless further restricted by the rule. (7-1-24)

03. Non-Utility Service. "Non-utility service" means: (7-1-24)

a. Service for which the Commission does not regulate rates, charges, or availability of service; (7-1-24)

b. Service for which no rate or charge is contained in the utility's tariffs; or (7-1-24)

c. Merchandise or equipment or charges for merchandise or equipment not required as a condition of receiving utility service. (7-1-24)

04. Written Notice. "Written notice" of the utility's intent to deny or terminate service may be mailed or otherwise delivered to the applicant, resident, occupant, or customer. Written notice may be provided by electronic mail (i.e., e-mail) if the customer is billed electronically and separately consents in writing to "opt-in" to receiving electronic notification. (7-1-24)

301. EXPLANATION FOR DENIAL OF SERVICE TO APPLICANT (RULE 301).

01. Explanation to Applicant. If the utility intends to deny service to an applicant under Rule 302, the utility will notify the applicant verbally or in writing why the utility will deny service. The utility will advise the applicant what action(s) the applicant will take to receive service, and that if there is a dispute, the applicant may file an informal or formal complaint with the Commission. (7-1-24)

02. Written Notice. If service is currently being provided to the premises occupied by an applicant, the utility will provide written notice of its refusal to serve pursuant to Rule 312. (7-1-24)

302. GROUNDS FOR DENIAL OR TERMINATION OF SERVICE WITH PRIOR NOTICE (RULE 302).

01. Reasons for Denial or Termination of Service. A utility may deny or terminate service to a customer or applicant without the customer's or applicant's permission, but only after adequate notice has been given in accordance with these rules, for one (1) or more of the following reasons: (7-1-24)

a. With respect to undisputed past due bills the customer or applicant: (7-1-24)

i. Failed to pay; (7-1-24)

ii. Paid with a dishonored check; or (7-1-24)

iii. Made an electronic payment drawn on an account with insufficient funds. (7-1-24)

b. The customer or applicant failed to make a security deposit or an installment payment on a deposit where it is required. (7-1-24)

c. The customer or applicant failed to abide by the terms of a payment arrangement. (7-1-24)

d. The utility has determined that information provided by the customer or applicant is materially false or materially misrepresents the customer's or applicant's true status. (7-1-24)

e. The customer or applicant denied or willfully prevented the utility's access to the meter. (7-1-24)

f. The utility determines that the customer is willfully wasting or interfering with service to the customer or other customers through improper equipment or otherwise. (7-1-24)

g. The applicant or customer is a minor not competent to contract as described in Sections 29-101 and 32-101, Idaho Code. (7-1-24)

02. No Obligation to Connect Service. Nothing in this rule requires the utility to connect service for a customer or applicant who owes money on an existing account or from a previous account if the unpaid bill is for service provided within the past four (4) years. (7-1-24)

303. GROUNDS FOR DENIAL OR TERMINATION OF SERVICE WITHOUT PRIOR NOTICE (RULE 303).

A utility may deny or terminate service without prior notice to the customer or applicant and without the customer's or applicant's permission for one (1) or more of the following reasons: (7-1-24)

01. Dangerous Conditions. A condition immediately dangerous or hazardous to life, physical safety, or property exists, or if necessary to prevent a violation of federal, state or local safety or health codes. (7-1-24)

02. Order to Terminate Service. The utility is ordered to terminate service by any court, the Commission, or any other duly authorized public authority. (7-1-24)

03. Illegal Use of Service. The service is obtained, diverted or used without the authorization or knowledge of the utility. (7-1-24)

04. Unable to Contact Customer. The utility has tried diligently to meet the notice requirements of Rule 304, but has been unsuccessful in its attempts to contact the customer affected. (7-1-24)

304. REQUIREMENTS FOR NOTICE TO CUSTOMERS BEFORE TERMINATION OF SERVICE (RULE 304).

01. Initial Notice. If the utility intends to terminate service to a customer under Rule 302, the utility will send to the customer written notice of termination mailed at least seven (7) calendar days before the proposed date of termination. Written notice may be provided by electronic mail (i.e. e-mail) if the customer is billed electronically and separately consents in writing to receiving electronic notification. This written notice will contain the information required by Rule 305. (7-1-24)

02. Final Notice. The utility shall mail a final written notice to the customer at least three (3) calendar days, excluding weekends and holidays, before the proposed date of termination. When the utility mails a written notice at least twenty-four (24) hours before the proposed date of termination, the utility must diligently attempt to contact the customer affected, either in person or by telephone, to advise the customer of the proposed action and steps to take to avoid or delay termination. This final notice will contain the same information required by Rule 305. (7-1-25)

03. Additional Notice. If service is not terminated within twenty-one (21) calendar days after the proposed termination date as specified in a written notice the utility will again provide notice under Subsections 304.01 and 304.02 if it still intends to terminate service. (7-1-24)

04. Failure to Pay. No additional notice of termination is required if, upon receipt of a termination notice, the customer: (7-1-24)

a. Makes a payment arrangement and subsequently fails to keep that arrangement; (7-1-24)

b. Tenders payment with a dishonored check; or (7-1-24)

c. Makes an electronic payment drawn on an account with insufficient funds. (7-1-24)

305. CONTENTS OF NOTICE OF INTENT TO TERMINATE SERVICE (RULE 305).

01. Contents of Notice. The written or oral notice of intent to terminate service required by Rule 304 will state: (7-1-24)

a. The reason(s), citing these rules, why service will be terminated and the proposed date of termination; (7-1-24)

b. Actions the customer may take to avoid termination of service; (7-1-24)

c. That a certificate notifying the utility of a serious illness or medical emergency in the household may delay termination as prescribed by Rule 308; (7-1-24)

d. That an informal or formal complaint concerning termination may be filed with the utility or the Commission, and that service will not be terminated on the ground relating to the dispute between the customer and the utility before resolution of the complaint (the Commission's address and telephone number will be given to the customer); and (7-1-24)

e. That the utility is willing to make payment arrangements (this statement will be in bold print on written notices). (7-1-24)

f. That for purposes of termination, partial payments will be applied toward utility service charges

first, unless the customer requests otherwise, and that charges for non-utility services cannot be used as a basis for termination. (7-1-24)

02. Additional Requirements for Gas and Electric Utilities. During the months of November, December, January and February, oral and written notices provided by gas and electric utilities to residential customers will include or be accompanied by an explanation of restrictions on termination of service and the availability of the Winter Payment Plan described in Rule 306. (7-1-24)

306. TERMINATION OF RESIDENTIAL GAS AND ELECTRIC SERVICE -- WINTER PAYMENT PLAN (RULE 306).

01. Restrictions on Termination of Service to Households with Children, Elderly, or Infirm. Except as provided in Rule 303, no gas or electric utility may terminate service or threaten to terminate service during the months of December through March to any residential customer who declares that he or she is unable to pay in full for utility service at the primary household and whose primary household includes children, elderly or infirm persons. (7-1-24)

02. Definitions for This Rule. For purposes of this rule: (7-1-24)

a. "Children" means persons eighteen (18) years of age or younger, but customers who are emancipated minors are not children under this rule. (7-1-24)

b. "Elderly" means persons sixty two (62) years of age or older. (7-1-24)

c. "Infirm" means persons whose physical health or safety would be seriously impaired by termination of utility service. (7-1-24)

03. Opportunity to Participate in Winter Payment Plan. Any residential customer who declares that he or she is unable to pay in full for utility service and whose household includes children, elderly or infirm persons will be offered the opportunity to establish a Winter Payment Plan. However, no customer may be required to establish such a plan. Except as provided in Rule 303, no gas or electric utility may terminate service during the months of November through March to any customer who establishes a Winter Payment Plan before November 1. A customer may establish a Winter Payment Plan after November 1, but the extended protection from termination of service offered under such a plan will not begin until the date the plan is established. Failure of a participating customer to make payments as required will result in cancellation of the plan and elimination of the extended protection from termination of service offered under the plan. The customer may use any source of funds to satisfy the payment requirements of Winter Payment Plan. (7-1-24)

04. Amount of Payments Under Winter Payment Plan. Monthly payments under a Winter Payment Plan are equal to one-half (1/2) of the Level Pay Plan amount for that customer. The Level Payment Plan amount will be calculated according to Rule 313.06. (7-1-24)

05. Payment Arrangements Following Winter Payment Plan. If a customer who received the protection of this rule has an outstanding balance owed to the utility, the customer will either pay this balance or negotiate a new payment arrangement: (7-1-24)

a. On or after March 1, if the customer has not established a Winter Payment Plan; or (7-1-24)

b. On or after April 1, if the customer has established a Winter Payment plan. Failure of a customer to pay or make payment arrangements on or after these dates may result in termination of service. (7-1-24)

06. Successive Participation in Winter Payment Plan. A residential customer who participates in a Winter Payment Plan one (1) year will be allowed to participate in the succeeding year if the customer has honored the payment arrangements and the balance owing as of November 1 does not exceed seventy-five dollars ($75) or the customer's utility bill for the previous thirty (30) days, whichever is greater. (7-1-24)

07. Unoccupied Residences -- Failure or Refusal to Apply for Service. Nothing in this rule prevents

a gas or electric utility from terminating service to unoccupied residences or residences where the occupants have failed or refused to apply for utility service. (7-1-24)

08. Customers Who Move. During the months of December, January and February, a gas or electric utility will continue to provide service to any residential customer who made a declaration as provided for in Subsection 306.01 and subsequently moves to a new residence served by the same utility, regardless of any outstanding balance owed by the customer. If service is not connected at the new residence, service will be connected as soon as possible after the customer requests service at the new residence. (7-1-24)

09. Applicants Previously Served. During the months of December, January and February, a gas or electric utility will provide service to any residential applicant who made a declaration as provided for in Subsection 306.01 and within thirty (30) days of discontinuing service, subsequently applies for service at a new residence served by the same utility, regardless of any outstanding balance owed by the applicant. If service is not connected at the new residence, service will be connected as soon as possible after the applicant requests service at the new residence. (7-1-24)

307. THIRD-PARTY NOTIFICATION -- RESIDENTIAL SERVICE (RULE 307).

Each gas and electric utility must provide a program for its residential customers known as Third-Party Notification. Under this program, the utility will, at the request of the customer, notify orally or in writing a third-party designated by the customer of the utility's intention to terminate service. The third-party will be under no obligation to pay the bill, but as provided in Rule 313.08, no customer can be considered to have refused to enter a payment arrangement unless either the customer or the designated third-party has been given notice of the proposed termination of service and of the customer's opportunity to make payment arrangements. (7-1-24)

308. SERIOUS ILLNESS OR MEDICAL EMERGENCY (RULE 308).

01. Medical Certificate -- Postponement of Termination of Service. A utility will postpone termination of utility service to a residential customer for thirty (30) calendar days from the date of receipt of a written certificate signed by a licensed physician or public health official with medical training. The certificate must contain the following information: (7-1-24)

a. A statement that the customer, a member of the customer's family, or other permanent resident of the premises where service is rendered is seriously ill or has a medical emergency or will become seriously ill or have a medical emergency because of termination of service, and that termination of utility service would adversely affect the health of that customer, member of the customer's family, or resident of the household. (7-1-24)

b. The name of the person whose serious illness or medical emergency would be adversely affected by termination and the relationship to the customer, and (7-1-24)

c. The name, title, and signature of the person certifying the serious illness or medical emergency. (7-1-24)

02. Restoration of Service. If service has already been terminated when the medical certificate is received, service will be restored as soon as possible, but no later than twenty-four (24) hours after receipt. The customer will receive service for thirty (30) calendar days from the utility's receipt of the certificate. (7-1-24)

03. Second Postponement. The utility may postpone termination of service upon receipt of a second certificate stating that the serious illness or medical emergency still exists. (7-1-24)

04. Verification of Medical Certificate. The utility may verify the authenticity of the certificate and may refuse to delay termination of service if it is determined that the certificate is a forgery or is otherwise fraudulent. (7-1-24)

05. Obligation to Pay. Nothing in this rule relieves the customer of the obligation to pay any undisputed bill. (7-1-24)

309. MEDICAL FACILITIES -- SHELTER CARE (RULE 309).

Where service is provided to a customer known to the utility to be or identifying itself as a medical care facility, including a hospital, medical clinic with resident patients, nursing home, intermediate care facility or shelter care facility, a final notice of pending termination will be provided to the Commission as well as to the customer. Upon request from the Commission, a delay in termination of no less than seven (7) calendar days from the date of notice will be allowed so that action may be taken to protect the interests of the facility's residents. (7-1-24)

310. INSUFFICIENT GROUNDS FOR TERMINATION OR DENIAL OF SERVICE (RULE 310).

01. Termination of Service. Utilities will not terminate service or provide notice of intent to terminate service if the unpaid bill cited as grounds for termination is: (7-1-24)

a. Less than fifty dollars ($50) or two (2) months' charges for service, whichever is less. (7-1-24)

b. For utility service to any other customer (unless that customer has a legal obligation to pay the other customer's bill) or for any other class of service. (7-1-24)

c. For the purchase of non-utility goods or services. (7-1-24)

d. For service provided four (4) or more years ago unless the customer has promised in writing to pay or made a payment on the bill within the last four (4) years. (7-1-24)

e. The subject of an informal or formal complaint filed with the Commission, except as provided for under Rule 401. (7-1-24)

f. At issue in a case pending before a court in the state of Idaho unless termination is authorized by court order. (7-1-24)

02. Denial of Service. A utility will not deny service or notify an applicant that the utility will deny the applicant service if any of the criteria listed in Subsection 310.01.b. through 310.01.f. apply to the unpaid bill cited as grounds for denial of service. (7-1-24)

311. TIMES WHEN SERVICE MAY BE TERMINATED -- OPPORTUNITY TO AVOID TERMINATION OF SERVICE (RULE 311).

01. When Termination of Service Is Prohibited. Except as authorized by Rule 303 or this rule, service provided to a customer, applicant, resident or occupant shall not be terminated: (7-1-24)

a. On any Friday, Saturday, Sunday, legal holidays recognized by the state of Idaho, or on any day immediately preceding any legal holiday; or (7-1-24)

b. At any time when the utility is not open for business. (7-1-24)

02. Times When Service May Be Terminated. Service may be terminated: (7-1-24)

a. At any time when there is a dangerous condition pursuant to Rule 303.01 or the utility is ordered to do so pursuant to Rule 303.02; (7-1-24)

b. Between the hours of 8 a.m. and 5 p.m., Monday through Thursday, for any reason authorized by Rules 302 and 303; (7-1-24)

c. Between the hours of 8 a.m. and 5 p.m. on Friday for illegal use of service pursuant to Rule 303.03 or if the premises are unoccupied and service has been abandoned; or (7-1-24)

d. Between the hours of 5 p.m. and 9 p.m., Monday through Thursday, if the utility is unable to gain access to the meter during normal business hours or for illegal use of service pursuant to Rule 303.03. (7-1-24)

03. Personnel to Authorize Reconnection. Each utility shall have personnel available who are

authorized to reconnect service if the conditions cited as grounds for termination are corrected to the utility's satisfaction. Service shall be reconnected as soon as possible, but no later than twenty-four (24) hours after the utility's conditions are satisfied and reconnection is requested. (7-1-24)

04. Opportunity to Prevent Termination of Service During Premise Visit. If a utility needs to visit a customer's premise to terminate service, the utilities employee may identify himself or herself to the customer or other responsible adult upon the premises and announce the purpose of the employee's visit. The employee may be authorized by the utility to accept full or partial payment and, in such case, the employee will not terminate service. Nothing in this rule prevents a utility from proceeding with termination of service if the customer or other responsible adult is not on the premises. (7-1-24)

05. Notice of Procedure for Reconnecting Service. During a premise visit the utility employee designated to terminate service may give to the customer or leave in a conspicuous location at the affected service address, a notice showing the time of and grounds for termination, steps to be taken to secure reconnection, and the telephone numbers of utility personnel or other authorized representatives who are available to authorize reconnection. (7-1-24)

06. Applicant Without Service - Customer Requested Termination. Nothing in this rule prohibits a utility from terminating service at any time pursuant to a customer's request. (7-1-24)

312. DENIAL OR TERMINATION OF SERVICE TO MASTER-METERED ACCOUNTS AND RESIDENTS OR OCCUPANTS WHO ARE NOT CUSTOMERS (RULE 312).

01. Notice to Occupants or Residents Not Customers. Except as provided in Rules 303.01 and 303.02, utilities will not deny or terminate service without providing written notice to the residents or occupants of: (7-1-24)

a. A building or mobile home court where service is master-metered; (7-1-24)

b. A residence where the customer billed for service is not a resident or occupant of the premises being served; or (7-1-24)

c. Premises where service is being provided on an interim basis to a resident or occupant following a customer's request to terminate service. (7-1-24)

02. Delivery and Contents of Notice. The utility must notify the residents or occupants of its intent to deny or terminate service at least two (2) calendar days, excluding weekends and holidays, before the proposed date of termination. The notice should be delivered to the premises or, in the case of multi-occupant buildings or mobile home parks, posted in common areas or a conspicuous location. The notice will state: (7-1-24)

a. The date of the notice; (7-1-24)

b. The proposed denial or termination date; (7-1-24)

c. The reason for denial or termination; (7-1-24)

d. What action(s) the resident(s) or occupant(s) must take in order to obtain or retain service in the resident's(s') or occupant's(s') own name(s); and (7-1-24)

e. That an informal or formal complaint concerning denial or termination of service may be filed with this Commission. (7-1-24)

313. PAYMENT ARRANGEMENTS (RULE 313).

01. Arrangements Allowed. When a customer cannot pay a bill in full, the utility will continue to serve the customer if the customer and the utility agree on a reasonable portion of the outstanding bill to be paid immediately, and the manner in which the balance of the outstanding bill will be paid. For customers who are unable

to come to the utility's local office to make payment arrangements, a gas or electric utility must, upon request by the customer, make payment arrangements over the telephone, by mail or at the customer's home. (7-1-24)

02. Reasonableness. When deciding the reasonableness of a particular agreement, the utility will take into account the customer's ability to pay, the size of the unpaid balance, the customer's payment history, and the amount of time and reasons why the debt is outstanding. (7-1-24)

03. Application of Payment. Unless the customer designates otherwise, payments are to be first applied to the undisputed balance owed by the customer for utility services and associated installation charges, taxes, franchise fees and surcharges. (7-1-24)

04. Second Arrangement. If a customer fails to make the payment agreed upon by the date that it is due, the utility may, but is not obligated to, enter into a second such agreement. (7-1-24)

05. When Arrangement Not Binding. No payment arrangement binds a customer if it requires the customer to forego any right provided for in these rules. (7-1-24)

06. Level Pay Plans Acceptable Payment Arrangement. Payment arrangements may be in the form of a Level Pay Plan that will equalize monthly payments of all arrears, if any, and anticipated future bill amounts over a period of not less than one (1) year. No customer agreeing to a reasonable payment arrangement is required to choose this plan. (7-1-24)

07. Third-Party Contact. If a utility has been unable to contact a customer concerning termination, but has contacted the customer's third-party designated under Rule 307 and has failed to receive a response from the customer within seven (7) days after the third-party was contacted, the utility may treat the customer as one who has been contacted and has declined to enter into a reasonable payment arrangement. (7-1-24)

314. -- 399. (RESERVED)

COMPLAINT PROCEDURE
Rules 400 through 599

400. COMPLAINT TO UTILITY (RULE 400).

01. Complaint. A customer or applicant for service may complain at any time to the utility about any deposit or written guarantee required as a condition of service, billing, termination of service, quality or availability of service, or any other matter regarding utility services, policies and practices. The customer or applicant may request a conference with the utility, but this provision does not affect any statute of limitation that might otherwise apply. Complaints to the utility may be made orally or in writing. A complaint is considered filed upon receipt by the utility. In making a complaint or request for conference, the customer or applicant will state the customer's or applicant's name, service address, and the general nature of the complaint. (7-1-24)

02. Investigation by Utility. The utility will promptly, thoroughly and completely investigate the complaint, notify the customer or applicant of the results of the investigation, and make a good-faith attempt to resolve the complaint. The oral or written notification will advise the customer or applicant that the customer or applicant may request the Commission to review the utility's proposed disposition of the complaint. (7-1-24)

03. Service Maintained. The utility will not terminate service based upon the subject matter of the complaint while investigating the complaint or making a good-faith attempt to resolve the complaint. (7-1-24)

401. COMPLAINT TO COMMISSION (RULE 401).

01. Informal Complaint. If a customer or applicant who has complained to a utility is dissatisfied with a utility's proposed disposition of the complaint, the customer or applicant may file an informal complaint with request the Commission. Customers and applicants are encouraged, but not required, to contact the utility before filing an informal complaint. (7-1-24)

02. Termination of Service - Undisputed Bills. Utility service must not be terminated nor termination threatened by notice or otherwise while the complaint is pending before the Commission. The utility may continue to issue bills and request payment from the customer of any undisputed amounts. (7-1-24)

03. Customer's Rights Protected. No customer or applicant will be denied the opportunity to file an informal or formal complaint with the Commission. (7-1-24)

402. RECORD OF COMPLAINTS (RULE 402).

01. Recordkeeping. Each utility must keep a written record of complaints made under Rules 400 and 401. These records must be retained for a minimum of one (1) year by the utility. These written records are to be readily available upon request by the concerned customer, the customer's agent possessing written authorization, or the Commission. (7-1-24)

02. Reporting. Each utility must, at the Commission's request, submit a report to the Commission that states and classifies the number of complaints made to the utility pursuant to Rules 400 and 401, and the general subject matter of the complaints. (7-1-24)

403. UTILITY RESPONSE TO INFORMAL COMPLAINTS (RULE 403).

01. Response to Commission. Within ten (10) business days of receiving notification that an informal complaint involving the utility has been filed with the Commission, the utility must respond verbally or in writing to the Commission. A utility will be granted an extension of time to prepare its response if it represents that it is making a good faith effort to resolve the matter in dispute. A full and complete response should be submitted to the Commission no later than thirty (30) days after receipt of notification from the Commission. (7-1-24)

404. -- 599. (RESERVED)

RULES FOR DEPOSIT, DENIAL, AND TERMINATION OF SERVICE FOR INDUSTRIAL, LARGE COMMERCIAL, AND IRRIGATION CUSTOMERS
Rules 600 through 699

600. DEFINITIONS (RULE 600).
As used in Rules 601 through 605. (7-1-24)

01. Advance Payment. "Advance payment" means a payment made prior to receiving service that will be credited to the customer's account at a later date. (7-1-24)

02. Applicant. "Applicant" means an applicant for industrial, large commercial or irrigation service. (7-1-24)

03. Customer. "Customer" means an industrial, large commercial or irrigation customer, unless further restricted by the rule. The Commission will maintain on file a list of which customer classes of a given utility are industrial, large commercial, and irrigation. (7-1-24)

04. Deposit. "Deposit" means any payment held as security for future payment or performance that is reimbursable. (7-1-24)

05. Written Notice. "Written notice" of the utility's intent to deny or terminate service may be mailed or otherwise delivered to the applicant, occupant or customer. Written notice may be provided by electronic mail (i.e., e-mail) if the customer is billed electronically and separately consents in writing to "opt-in" to receiving electronic notification. (7-1-24)

601. DEPOSIT REQUIREMENTS AND ADVANCE PAYMENTS (RULE 601).
An applicant or customer may be required to pay a deposit or make an advance payment in accordance with the utility's tariff filed with the Commission. If an applicant or customer has sought any form of relief under the Federal Bankruptcy Laws, has been brought within the jurisdiction of the bankruptcy court for any reason in an involuntary

manner, or has had a receiver appointed in a state court proceeding, then a deposit may be demanded as allowed by the Federal Bankruptcy Laws, or as directed by the state court. (7-1-24)

602. GROUNDS FOR DENIAL OR TERMINATION OF SERVICE WITH PRIOR NOTICE (RULE 602).
A utility may deny or terminate service to an industrial, large commercial or irrigation customer without its permission, but only after adequate notice has been given in accordance with these rules, for one (1) or more of the following reasons: (7-1-24)

01. Any Reason Listed in Rule 302.01.a. Through 302.01.f. (7-1-24)

02. Failure to Make Advance Payment or Provide Guarantee. The customer or applicant failed to make a required advance payment, pay a deposit or provide an acceptable guarantee, when required by the applicable tariff or contract. (7-1-24)

03. Failure to Apply for Service. The customer or applicant failed to apply for service with the utility. (7-1-24)

603. REQUIREMENTS FOR AND CONTENTS OF NOTICE BEFORE TERMINATION OF SERVICE (RULE 603).

01. Initial Notice. If the utility intends to terminate service under Rule 602, the utility will mail the customer written notice of termination at least seven (7) calendar days before the proposed termination date. The written notice of termination will state: (7-1-24)

02. Final Notice. The utility may mail a final written notice to customers at least three (3) calendar days, excluding weekends and holidays, before the proposed date of termination. At least twenty-four (24) hours prior to actual termination the utility will diligently attempt to contact the customer affected, either in person or by telephone, to apprise the customer of the proposed action. This final notice will contain the same information required above for written notice. Each utility will maintain clear, written records of oral notices, showing dates and the utility employee giving the notices. (7-1-24)

604. GROUNDS FOR TERMINATION OF SERVICE WITHOUT PRIOR NOTICE (RULE 604).
A utility may terminate service without prior notice to the customer as specified in Rule 602 only: (7-1-24)

01. Dangerous Conditions. If a condition immediately dangerous or hazardous to life, physical safety, or property exists, or if necessary to prevent a violation of federal, state or local safety or health codes. (7-1-24)

02. Order to Terminate. Upon order by any court, the Commission, or any other duly authorized public authority. (7-1-24)

03. Illegal Use of Utility. If such service is obtained, diverted or used without the authorization or knowledge of the utility; or (7-1-24)

04. Unable to Contact Customer. If the utility has tried diligently to meet the notice requirements of Rule 602, but has been unsuccessful in its attempt to contact the customer. (7-1-24)

605. NOTICE TO COMMISSION PRIOR TO TERMINATION (RULE 605).
A utility will provide written notice to the Commission of its intent to terminate service to an industrial or large commercial customer at least seven (7) days before the scheduled termination date. The Commission may stay termination if it finds that the public interest requires service to be maintained to the customer. (7-1-24)

606. -- 699. (RESERVED)

SUMMARY OF CUSTOMER RULES
Rules 700 through 799

700. INFORMATION TO CUSTOMERS (RULE 700).

01. Required Information. Each utility will provide the following information to its customers: (7-1-24)

a. A summary of the terms and conditions under which service is provided, including the conditions under which the utility may request a deposit or deny or terminate service; (7-1-24)

b. A statement that: (7-1-24)

i. The utility is willing to make reasonable payment arrangements; (7-1-24)

ii. The customer may file a complaint with the utility and the Commission and that termination of service is prohibited while a complaint is pending with the Commission or with a court in the state of Idaho; (7-1-24)

iii. Termination of service may be postponed due to serious illness or medical emergency (residential customers only). (7-1-24)

c. A clear and concise explanation of rate schedule(s) applicable to the customer's class of service. (7-1-24)

02. Information for Gas and Electric Customers. Each gas or electric utility also will include an explanation of: (7-1-24)

a. Restrictions on termination of service and the availability of the Winter Payment Plan described in Rule 306 (residential customers only). (7-1-24)

b. The Third Party Notification Program described in Rule 307 (residential customers only); and (7-1-24)

c. The availability of the Level Pay Plan described in Rule 313. (7-1-24)

03. When and How Information Provided. Utilities will provide information to customers in writing annually and to new customers upon initiation of service. Information provided upon initiation of service may be separately mailed or included with a paper or electronic billing statement. Annual notices may be made by separate mailing, included with the paper or electronic billing statement or, with the customer's consent, by electronic notice with reference to information contained on the utility's website. (7-1-24)

701. -- 999. (RESERVED)