

bility of misinterpretation, and shall include, together with such other information as may be deemed pertinent, the following:

(1) All rates for service with indication for each rate of the class of customers to which it applies. There shall also be shown any limitations on the service furnished under such rate, the prices per unit of service, and the number of units per billing period to which the prices apply, the period of billing, the minimum bill, method of measuring demands (where applicable) and consumptions, and any special terms and conditions applicable. The discount for prompt payment or penalty for late payment, if any, and the period during which the net amount may be paid shall be specified.

(2) If service to other utilities or municipalities for resale is furnished at a standard filed rate, either a copy of each contract or the standard contract form with a summary of the provisions of each signed contract.

(3) Extension rules for extending service to new customers indicating what portion of the extension or cost thereof will be furnished by the utility, and if the rule is based on cost, the items of cost included.

(4) Designation of such portion of the service facilities as the utility furnishes, owns and maintains.

(5) Rules with which prospective customers must comply as a condition of receiving service, and the terms of any contracts required.

(6) Rules governing the establishing of credit by customers for payment of service bills.

(7) Rules governing disconnecting and reconnecting service.

(8) Notice required from customer for having service discontinued.

(9) Rules governing temporary, emergency, auxiliary, and standby service.

(10) Rules governing any limitations on the type of equipment which may or may not be connected.

(11) A list of the municipalities in which service is rendered.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72.

PSC 185.22 Information available to customers. (1) There shall be kept on file in every station and office of the utility where customer payments are received copies of the rate schedules applicable in such locality. Copies of these rules and such rules of the utility as are applicable shall be kept on file in every general and local office of the utility. Reasonable notice shall be given customers as to where the foregoing information is available to them.

(2) Where a customer is eligible to take service under any one or more of 2 or more rates, the company shall advise the customer in the selection of the rate or rates which result in the lowest cost of service, based on 12 month's service and on the information at hand.

(3) Each water utility, for every municipality in which it serves, shall provide in the respective telephone directories a telephone listing

PSC 185

by which the utility can be notified during a 24-hour day of any utility service deficiency or emergency which may exist.

(4) Where a second language is common in a particular area served by the utility and so identified by the commission, all rules pertaining to billing and credit shall be available upon customer request for distribution in English and that second language in every business office of the utility in that area accessible to the public and where customer payments are received.

(5) Upon application for service, every customer shall be advised by the utility of the utility's collection powers contained in s. 66.069 (1) (b), Stats.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72; emerg. r. and recr. eff. 1-21-75; r. and recr. Register, January, 1975, No. 229, eff. 2-1-75.

Part 3. Service and Billing

PSC 185.31 Metered service. (1) Except where otherwise authorized by the commission, all water sold by a utility shall be on the basis of meter measurement except that water used for street or sewer flushing, construction, or similar purposes where metering is not practicable may be estimated (See PSC 185.15).

(2) Wherever practicable, consumption of water within the utility itself, or by administrative units associated with it or with the municipality shall be metered.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72.

PSC 185.32 Meter readings and billing periods. Readings of all meters used for determining charges to customers shall be taken by the utility monthly, bimonthly, quarterly, semi-annually or for such other period or in such other manner as may be authorized by the commission. An effort shall be made to read meters on corresponding days of each meter-reading period. The meter reading date may be advanced or postponed not more than 10 days without adjustment of the billing period. Bills for service shall be rendered within 50 days from the reading of the meter except as may be otherwise specifically authorized by the commission.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72.

PSC 185.33 Billing. (1) (a) Each bill, including the customer's receipt, shall show the present and last preceding meter readings, the date of the present reading, the number of units consumed, the class of service if other than residential, and the rate schedule under which the bill is computed. In lieu of including the rate schedule on the bill the utility may, whenever a rate change becomes effective and at least twice a year, supply each customer with the schedule of rates at which the bills are computed and any other rates that might be applicable. Bills rendered at rates requiring the measurement of a number of different factors shall show all data necessary for the customer to check the computation of the bill. Minimum and estimated bills shall be distinctly marked as such.

(b) The commission may authorize the utility to make late payment charges to a customer's utility service bill that is not paid in full within 20 days following issuance of the bill. The late payment charge may be

Register, December, 1982, No. 324

ply with these requirements may be disconnected upon 8 days' written notice.

(c) The utility shall mail the guarantor copies of all disconnect notices sent to the customer whose account he has guaranteed unless the guarantor waives such notice in writing.

(12) **DEFERRED PAYMENT.** In lieu of cash deposit or guarantee, an applicant for new service who has an outstanding account accrued within the last 6 years with the same utility shall have the right to receive service from the utility under a deferred payment agreement as defined in s. PSC 185.38 for the outstanding account.

(13) **APPLICABILITY.** The rules in subs. (11) and (12) of this section are not applicable to deposits or guarantees made in connection with the financing of extensions or other equipment.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72; emerg. r and recr., eff. 1-21-75; r. and recr. Register, January, 1975, No. 229, eff. 2-1-75.

PSC 185.37 Disconnection and refusal of service. (1) (a) In no circumstances will the cumulative time before notice of disconnection be less than 20 days after the date of issuance of the bill and an account may be deemed delinquent for the purpose of disconnection after such period has elapsed.

(b) At least 8 calendar days prior to disconnection, the utility shall give written disconnect notice upon a form which must be in the tariff of the utility filed with the public service commission and which conforms to the requirements of sub. (9) unless excepted elsewhere.

(c) When a customer, either directly or through the public service commission, disputes a disconnection notice, the utility shall investigate any disputed issue and shall attempt to resolve that issue by negotiation. During this investigation and negotiation, utility service shall not be disconnected over this matter.

(d) If a disputed issue cannot be resolved pursuant to s. PSC 185.39 (1), the utility shall inform the customer of the right to contact the public service commission.

(2) Utility service may be disconnected or refused for any of the following reasons:

(a) Failure to pay a delinquent account or failure to comply with the terms of a deferred payment agreement. (See s. PSC 185.38).

(b) Failure to comply with deposit or guarantee arrangements as specified in s. PSC 185.36.

(c) Diversion of service around the meter.

(3) A utility may disconnect utility service without notice where a dangerous condition exists for as long as the condition exists.

(4) Service may be discontinued with a written 24-hour notice for nonpayment of a bill covering surreptitious use of water if so provided in the filed tariff of the utility.

(5) Utility service may not be disconnected or refused for any of the following reasons:

PSC 185

(a) Nonpayment of a delinquent account over 6 months old where collection efforts have not been made within that period of time unless the passage of additional time results from other provisions herein or from good faith negotiations or arrangements made with the customer.

(b) Delinquency in payment for service by a previous occupant of the premises to be served other than a member of the same household residing at the same premises.

(c) Failure to pay for merchandise or charges for non-utility service billed by the utility.

(d) Failure to pay for a different type or class of utility service.

(e) Failure to pay the account of another customer as guarantor thereof.

(f) Failure to pay charges arising from any underbilling occurring more than one year prior to the current billing and due to any misapplication of rates.

(g) Failure to pay charges arising from any underbilling occurring more than one year prior to the current billing and due to faulty metering.

(h) Failure to pay an estimated bill other than a bill rendered pursuant to an approved bimonthly meter reading plan unless the customer upon request refuses to permit the reading of the meter during normal business hours.

(6) A utility shall not disconnect any residential service without notifying the county department of health and social services at least 5 calendar days prior to the scheduled disconnection, if the customer or responsible person has made a written request for this procedure to the utility. The customer shall be appraised of this right upon application for service.

(7) Notwithstanding any other provision of this section, a utility may not disconnect service to a residential customer if disconnection will aggravate an existent medical emergency of the customer, a member of his family or other permanent resident of the premises where service is rendered and if the customer conforms to the procedures described in par. (a) below.

(a) A utility shall postpone the disconnection of service for 21 days to enable the customer to arrange for payment, if the customer produces a licensed Wisconsin physician's statement or notice from a public health or social service official which identifies the medical emergency and specifies the period of time during which disconnection will aggravate the circumstances. The postponement may be extended once by renewal of the certificate or notice. No further extension of time shall be granted except upon a showing by the customer of the existence of extraordinary circumstances and further that he has exercised due diligence in meeting the emergency as evidenced in part by close and continuous communication with the utility.

(b) During the period service is continued under the provisions of this subsection, the customer shall be responsible for the cost of resi-

dential utility service. However, no action to disconnect that service will be undertaken until expiration of the period of continued service.

(c) If there is a dispute concerning an alleged existent medical emergency, either party shall have the right to an informal review by the public service commission staff. Pending a decision after informal review, residential utility service shall be continued, provided that the resident has submitted a statement or notice as set forth in par. (a) of this subsection.

(8) (a) A utility shall not disconnect service unless written notice by first class mail is sent to the customer or personally served at least 8 calendar days prior to the first date of the proposed disconnection. Notice shall be sent to the account name and address, and to the address where service is provided, if different. If disconnection is not accomplished on or before the 15th day after the first notice date, a subsequent notice must be left on the premises not less than 24 hours nor more than 48 hours prior to the disconnection.

(b) The utility shall make a reasonable effort to have a personal or telephone contact with the customer prior to disconnection.

(c) Disconnection notice shall be given upon a form approved by the commission, and shall contain the following information:

1. The name and address of the customer and the address of the service, if different.

2. A statement of the reason(s) for the proposed disconnection of service and that disconnection will occur if the account is not paid, or if arrangement is not made to pay the account under deferred payment agreement, or if other suitable arrangements are not made, or if equipment changes are not made. If disconnection of service is to be made for default on a deferred payment agreement, the notice shall include an explanation of the acts of the customer which are considered to constitute default.

3. A statement that the customer should communicate immediately upon receipt of the notice with the utility's designated office, listing a telephone number, if he disputes the notice of delinquent account, if he wishes to negotiate a deferred payment agreement as an alternative to disconnection, if any resident is seriously ill, or if there are other extenuating circumstances.

4. A statement that residential utility service will be continued for up to 21 days during serious illness if the account holder submits a statement or notice pursuant to sub. (7).

5. A statement that the customer may appeal to the public service commission staff in the event that the grounds for the proposed disconnection or the amount of any disagreement remains in dispute after the customer has pursued the available remedies with the utility.

(9) (a) Service shall not be disconnected on a day, or on a day immediately preceding a day, when the business offices of the utility are not available to the public for the purpose of transacting all business matters unless the utility provides personnel which are readily available to the customer 24 hours per day to evaluate, negotiate or otherwise consider the customer's objection to the disconnection as provided

under s. PSC 185.39, and proper service personnel are readily available to restore service 24 hours per day.

(b) If a residential service which has been disconnected has not been restored to service within 24 hours after the time of the disconnection, the utility shall inform the local law enforcement department of the billing name and the service address and that a threat to health and life might exist to persons occupying the premises.

History: Emerg. cr. eff. 1-21-75; r. Register, January, 1975, No. 229, eff. 2-1-75; am. (1) (a) and (5) (a), Register, December, 1975, No. 240, eff. 1-1-76; emerg. cr. (10), eff. 12-17-81.

PSC 185.38 Deferred payment agreement. The utility is required to offer deferred payment agreements only to residential accounts.

(1) Every deferred payment agreement entered into due to the customer's inability to pay the outstanding bill in full shall provide that service will not be discontinued if the customer pays a reasonable amount of the outstanding bill and agrees to pay a reasonable portion of the remaining outstanding balance in installments until the bill is paid.

(2) For purposes of determining reasonableness under these rules the parties shall consider the:

- (a) Size of the delinquent account.
- (b) Customer's ability to pay.
- (c) Customer's payment history.
- (d) Time that the debt has been outstanding.
- (e) Reasons why debt has been outstanding.
- (f) Any other relevant factors concerning the circumstances of the customer.

(3) A deferred payment agreement offered by a utility shall state immediately preceding the space provided for the customer's signature and in bold face print at least 2 sizes larger than any other used thereon, that "IF YOU ARE NOT SATISFIED WITH THIS AGREEMENT, DO NOT SIGN. IF YOU DO SIGN THIS AGREEMENT YOU GIVE UP YOUR RIGHT TO DISPUTE THE AMOUNT DUE UNDER THE AGREEMENT EXCEPT FOR THE UTILITY'S FAILURE OR REFUSAL TO FOLLOW THE TERMS OF THIS AGREEMENT."

(4) A deferred payment agreement shall not include a finance charge.

(5) If an applicant for utility service has not fulfilled terms of a deferred payment agreement, the utility shall have the right to disconnect pursuant to disconnection of service rules (s. PSC 185.37) and under such circumstances, it shall not be required to offer subsequent negotiation of a deferred payment agreement prior to disconnection.

(6) Any payments made by a customer in compliance with a deferred payment agreement or otherwise shall first be considered made Register, December, 1982, No. 324