

(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.

(10) Notwithstanding any other provision of this chapter, utility service may not be refused because of a delinquent account if the customer or applicant provides as a condition of future service a deposit or guarantee as governed by s. PSC 134.061, or a voucher agreement.

History: Cr. Register, January, 1975, No. 229, eff. 2-1-75; am. (1) (a) and (5) (a), Register, December, 1975, No. 240, eff. 1-1-76; am. (2) (intro.), Register, March, 1979, No. 279, eff. 4-1-79; emerg. cr. (2) (g), eff. 1-26-80; cr. (2) (f), Register, January, 1980, No. 289, eff. 2-1-80; cr. (2) (e), Register, February, 1980, No. 290, eff. 3-1-80; cr. (2) (g), Register, July, 1980, No. 295, eff. 8-1-80; emerg. cr. (10), eff. 12-17-81; cr. (2) (h), Register, September, 1982, No. 321, eff. 10-1-82; cr. (10), Register, September, 1983, No. 333, eff. 10-1-83.

PSC 134.063 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 the 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 type sizes larger than any other used thereon, that "IF YOU ARE NOT SATISFIED WITH THIS AGREEMENT, DO NOT SIGN. YOU HAVE THE RIGHT TO MAKE A COUNTER OFFER AND, IF IT IS REJECTED, YOU HAVE THE RIGHT TO APPEAL THIS PROPOSED AGREEMENT TO THE PUBLIC SERVICE COMMISSION OF WISCONSIN, DURING WHICH TIME THE UTILITY MAY NOT DISCONNECT YOUR SERVICE. THIS DOES NOT RELIEVE YOU FROM THE OBLIGATION TO PAY BILLS THAT ARE INCURRED AFTER COMMENCEMENT OF DISPUTE PROCEDURES. 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.

Register, September, 1983, No. 333

(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 (PSC 134.062) and under such circumstances, it shall not be required to offer subsequent negotiation of a deferred payment agreement prior to disconnection.

(6) Payments made by a customer in compliance with a deferred payment agreement, shall be first considered made in payment of the previous account balance with any remainder credited to the current bill.

(7) If a deferred payment agreement cannot be reached, and if the customer's proposed deferred payment agreement is unacceptable to the utility, the utility shall inform the customer in writing why the customer's offer was not acceptable.

History: Emerg. cr. eff. 1-21-75; cr. Register, January, 1975, No. 229, eff. 2-1-75; am., Register, March, 1979, No. 279, eff. 4-1-79.

PSC 134.064 Dispute procedures. (1) Whenever the customer disputes the utility's request for a deposit or other guarantee, or advises the utility's designated office that all or any part of any billing as rendered is in dispute, or that any matter related to the disconnection or refusal of service is in dispute, the utility shall:

(a) Investigate the dispute promptly and completely.

(b) Advise the customer of the results of the investigation.

(c) Attempt to resolve the dispute.

(d) Provide the opportunity for the customer to enter into a deferred payment agreement when applicable in order to settle the dispute.

(2) After the customer has pursued the available remedies with the utility, he may request that the public service commission staff informally review the disputed issue and recommend terms of settlement.

(a) A request for informal review may be made in any reasonable manner such as by written notice or telephone request directed to the public service commission. By telephone or written notice the public service commission staff may request the utility to investigate the dispute.

(b) There must be at least 5 days between the date the commission staff telephones or mails written notice of terms of settlement after informal review, and any subsequent disconnection.

(3) Any party to the dispute after informal review may make a written request for a formal review by the commission. Such request must be made within 5 days of the date the commission staff telephones or mails written notice of terms of settlement after informal review. If written confirmation of the staff telephone notice is requested and mailed, the 5 day period begins from the date of that mailing.

(a) Within 10 days from the time such a request is made, the commission shall decide on the basis of the information it has received from the staff whether to hold a hearing on the matter and shall inform both parties of its decision.

(b) If the commission decides to conduct formal hearing on the dispute, the customer shall be required to pay 50% of the bill or deposit in dispute to the utility or post bond for that amount on or before date of

hearing. Such payment or bond may be waived by the commission for good cause shown. Failure to pay the specified amount before hearing will constitute waiver by the customer.

(c) Such a hearing shall conform to the procedures described in ss. 196.26 to 196.34, Stats.

Next page numbered 175