

4901:1-15-27

**Disconnection procedures.**

- (A) Service may not be refused or disconnected to any customer or refused to any applicant for service unless the company complies with all of the disconnection procedures contained in this rule. Service shall not be disconnected to any customer unless the disconnection conditions in this rule may be specifically applied to that customer.
- (B) Service may be refused or disconnected to any customer or refused to any applicant for service as stated in this paragraph. In an instance where a customer's service could be disconnected under more than one of the following conditions, the minimum notice provision (which includes no notice) will be provided.
- (1) No notice is required in any of the following instances:
- (a) For tampering with any main, service line, meter, curb stop, curb box, seal, or other appliance under the control of, or belonging to, the company.
  - (b) For connecting the service line or any pipe directly or indirectly connected to it with any other source of supply or with any apparatus which may, in the opinion of the company, contaminate the company's water supply or threaten the integrity of the system.
  - (c) For any other violation of or failure to comply with the regulations of the company which may in the opinion of the company or any public authority, create an emergency situation.
- (2) The customer must be given not less than twenty-four hours written notice before service is disconnected when any of the following conditions exist:
- (a) For the use of water for any purpose not stated in the application, or for the discharge of any type of sewage not stated in the application, or for the use of either service upon any premises not stated in the application.
  - (b) To prevent waste or reasonably avoidable loss of water.
- Personal delivery of the notice to the customer's premise shall first be attempted. If personal service cannot be accomplished at that time, then the notice shall be securely attached to the premises in a conspicuous manner.
- (3) The customer must be given not less than fourteen days written notice before service is disconnected when any of the following conditions exist:
- (a) For nonpayment of any tariffed charges when due or within any additional period for payment permitted by the company, or for not making a deposit

as required. Disconnection of service for nonpayment may not occur prior to fourteen days after the due date.

- (b) For any violation of, or failure to comply with, the regulations of the company other than stated in paragraph (B)(1) of this rule.
- (c) For misrepresentation in the application as to any material fact.
- (d) For denial to the company of reasonable access to the premises for the purpose of reading, inspection, replacement, or maintenance of the meter.
- (e) For violation of federal, state, or local laws or ordinances where such violation affects the provision of utility service by a waterworks company and/or sewage disposal system company.

(C) Service may not be refused or disconnected to any customer or refused to any applicant for service for any of the following reasons:

- (1) Failure to pay for service furnished to a customer(s) formerly receiving service at the premises, unless the former customer(s) continues to reside at the premises.
- (2) Failure to pay for a class of service different from the service provided for the account in question.
- (3) Failure to pay any amount which, according to established payment dispute and resolution procedures, is in bona fide dispute.
- (4) Failure to pay any charge not specified in the company's tariff.

(D) A notice of disconnection shall clearly state all of the following:

- (1) The earliest date when disconnection could occur.
- (2) The reason(s) for disconnection.
- (3) The action the customer must take in order to avoid the disconnection.
- (4) The total amount required to be paid, which shall not be greater than the past due balance.
- (5) The address and local or toll-free telephone number of the office of the waterworks company and/or sewage disposal system company that the customer may contact in reference to his or her account.

- (6) The current address and local or toll-free telephone number of the commission's call center and a statement that commission staff is available to render assistance with unresolved complaints, as well as the contact information for the Ohio consumers' counsel and a statement that it is available to render assistance with unresolved complaints of residential customers.
  - (7) A statement that failure to pay the amount required by the date specified on the notice may result in an additional charge for reconnection.
  - (8) As applicable, a statement that there is a dishonored payment balance on the account and that the company may deny the customer's use of medical certificates if that balance is not paid.
- (E) If a landlord is responsible for payment of the bill, notice of disconnection of service shall be given to the consumer at least ten days before disconnection could occur. In a multiunit dwelling, written notice shall be placed in a conspicuous place.
- (F) The company shall provide disconnection of service notice to one additional consenting party, with the customer's written authorization, for those customers desiring such additional notification.
- (G) A waterworks company and/or sewage disposal system company complying with the conditions set forth in this rule may disconnect service during its normal business hours as stated in its tariff; however, no disconnection for past due bills or for not making a deposit as required may be made after twelve thirty p.m. on the day preceding a day that all services necessary for reconnection are not regularly performed or available.
- (H) On the day of disconnection of service, the company shall provide the customer with personal notice. If the customer is not at home, the company shall provide personal notice to an adult consumer. If neither the customer nor an adult consumer is at home, the company shall attach written notice to the premises in a conspicuous location prior to disconnecting service. Those company employees or agents who disconnect service at the premises may or may not, at the discretion of the company, be authorized to make extended payment arrangements. Company employees or agents who disconnect service shall be authorized to complete one of the following:
- (1) Accept payment in lieu of termination.
  - (2) Dispatch an employee to the premises to accept payment.
  - (3) Make available to the customer a means to avoid disconnection.

(I) Waterworks and sewage disposal system companies shall comply with the following medical certification provisions:

(1) In accordance with the certification requirements of this rule, the ~~utility~~ company shall not disconnect residential service for nonpayment ~~if the disconnection of service would be especially dangerous to the health of any consumer who is a permanent resident of the premises.~~ for either of the following situations:

(a) If the disconnection of service would be especially dangerous to the health of any consumer who is a permanent resident of the premises.

(b) When the disconnection of service would make operation of necessary medical or life-supporting equipment impossible or impractical.

(2) The medical condition or the need for medical or life-supporting equipment shall be certified to the ~~utility~~ company by a licensed physician, physician assistant, clinical nurse specialist, certified nurse practitioner, certified nurse mid-wife, or local board of health physician.

(3) The ~~utility~~ company shall act in accordance with the following medical requirements:

(a) Upon request of any residential consumer, the ~~utility~~ company shall provide a medical certification form to the customer or to any health care professionals identified in paragraph ~~(C)~~(I)(2) of this rule. The ~~utility~~ company shall use the medical certification form ~~provided in the appendix to this rule~~ posted on the commission's website.

(b) The certification of the medical condition required by paragraph ~~(C)~~(I)(1) of this rule shall be in writing and shall include the name of the person to be certified; a statement that the person is a permanent resident of the premises in question; the name, business address, and telephone number of the ~~certifying~~ certifying party; and a signed statement by the certifying party that the disconnection of service will be especially dangerous to the health of the a permanent resident of the premises.

(c) Initial certification by the certifying party may be by telephone if written certification is forwarded to the ~~utility~~ company within seven calendar days.

(d) Certification shall prohibit disconnection of service for thirty calendar days.

(e) If a medical certificate is used to avoid disconnection, the customer shall enter into an extended payment plan prior to the end of the medical

certification period or be subject to disconnection. The initial payment on the plan shall not be due until the end of the certification period.

(f) If service has been disconnected for nonpayment within twenty-one calendar days prior to the certification of either a special danger to the health of a qualifying resident or the need for medical or life-supporting equipment, the ~~utility~~ company shall restore service to the residence once the certifying party provides the required certification to the ~~utility~~ company and the customer agrees to an extended payment plan.

(g) If certification is provided to the company prior to three-thirty p.m., the company shall restore the customer's service within the same day. If the certification is received after three-thirty p.m., the company shall reconnect service by the earliest time possible on the following business day. Also, if the certification is received after three-thirty p.m. on a day that precedes a day on which all services necessary for the customer to arrange and the company to perform reconnection are not regularly performed, the company shall make an effort to restore service by the end of the day

~~(g)~~(h) A customer may renew the certification two additional times (thirty days each) by providing additional certificates to the ~~utility~~ company. The total certification period may not exceed ninety days per household in any twelve-month period.

(4) The ~~utility~~ company shall give notice of the availability of medical certification to its residential customers by means of bill inserts or special notices.

(5) If there is an outstanding balance for a dishonored payment on the customer's account, the company may refuse the medical certification, so long as notice has been given to the customer in accordance with paragraph (D) of this rule.

(J) Each company shall maintain records that clearly set forth the basis for its decision to terminate service for a fraudulent act, tampering, unauthorized reconnection, or theft of service, and the steps taken under this rule.

Effective:

Five Year Review (FYR) Dates: 8/17/2017

---

Certification

---

Date

Promulgated Under:	111.15
Statutory Authority:	4905.04
Rule Amplifies:	4905.06
Prior Effective Dates:	12/12/91, 3/24/03, 2/11/05, 8/22/08, 10/19/12