

WAC 480-70-376 Service cancellation, company. (1) **Reasons.** If a company has properly notified a customer as provided in subsection (2) of this section, the company may cancel a customer's service when:

- (a) The customer:
 - (i) Has a delinquent bill (as defined in WAC 480-70-396);
 - (ii) Fails to keep any agreed-upon payment arrangement;
 - (iii) Abandons the premises;
 - (iv) Violates rules, service agreements or approved tariffs; or
 - (v) Fails to comply with state, county, or municipal regulations concerning the service;

- (b) The company:
 - (i) Believes it would be hazardous, unsafe or dangerous to persons or property to provide service;
 - (ii) Believes that driveways or roads are improperly constructed or maintained, do not have adequate turn arounds, or have other unsafe conditions; or
 - (iii) Has evidence that the customer, for the purpose of avoiding debts, obtained service by dishonest or fraudulent means.

(2) **Notice required.** A company is not required to notify a customer before cancellation if the cancellation is due to danger to life or property, dishonest or fraudulent use, or violation of a law requiring immediate cancellation. In all other instances, a company shall not cancel service until it meets the following notice requirements.

(a) Before a company cancels service it must provide two cancellation notices to the customer. The notices must meet the criteria shown in the following table:

The first notice:	The second notice:
<ol style="list-style-type: none"> 1. Must be mailed to the billing address. 2. Must contain at least the following: <ul style="list-style-type: none"> • A cancellation date and time. The date and time must be not less than eight business days after the date the notice is mailed if mailed in the state of Washington. The date and time must be not less than 11 business days if mailed from outside the state of Washington. • All pertinent information about the reason for the cancellation. • All pertinent information about how to correct the reason for cancellation. 	<ol style="list-style-type: none"> 1. Must be made at least twenty-four hours before the cancellation date and time specified in the first required notice. 2. Must allow the customer until 5:00 p.m. of the following business day to comply. 3. Must be made by one of the following: <ul style="list-style-type: none"> By telephone. A company must call the customer. If the company representative is unable to speak with the customer on the first attempt, at least one additional attempt must be made. If a customer has provided the company with a business or message telephone number, the second attempt may be made to that number. By personal delivery. A company providing notice by personal delivery must make at least one attempt to contact the customer. The company may personally deliver notice by placing a written notice or tag on the customer's solid waste can, container or drop box or on the primary residence door. 4. Must contain at least the following: <ul style="list-style-type: none"> • A cancellation date and time.

The first notice:	The second notice:
<ul style="list-style-type: none"> • The company's name, address and toll-free telephone number by which to contact the company to discuss the pending cancellation. <p>3. The company must maintain a written record of all cancellation notices issued.</p>	<ul style="list-style-type: none"> • All pertinent information about the reason for the cancellation. • All pertinent information about how to correct the reason for cancellation. • The company's name, address and toll-free telephone number to contact the company to discuss the pending cancellation. <p>5. The company must maintain a record of attempts made to contact the customer. The record must show:</p> <ul style="list-style-type: none"> • The telephone number called; • The date and time the call was made; and • The result of the call. For example: Left a message, no answer, line busy, etc.

(3) **Notice expiration.**

(a) **No mutually agreed-upon arrangements.** Cancellation notices expire ten business days after the first day that the company may discontinue service. If the company does not cancel service within ten business days, the notice process must start over.

(b) **Mutually agreed-upon arrangements made.** Cancellation notices do not expire if mutually agreed-upon arrangements have been made and confirmed in writing by the company. A company may cancel service without further notice if the customer fails to keep the agreed-upon arrangements.

(4) **No cancellation while customer is pursuing a dispute.** If the customer pays all undisputed amounts when due, and corrects any conditions posing a danger to health, safety or property, a company must not cancel service while:

(a) The customer is pursuing any remedy or appeal provided by these rules;

(b) The customer is attempting to resolve a complaint with the company's representatives; or

(c) The customer is attempting to resolve a complaint with the commission's consumer affairs section staff.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-376, filed 3/23/01, effective 4/23/01.]