

Rule No. 11

DISCONTINUANCE AND RESTORATION OF SERVICE

APPROVED

NONPAYMENT OF REGULAR AND ELECTRONIC BILLS

A. All Classes, Types, and Grades of Exchange and Toll Service

1. Service to a particular location, separately served and billed, may be temporarily or permanently discontinued for the nonpayment of a bill for all services furnished (see A.1.(b), below), provided the bill therefore has not been paid within the period specified below and the Company informs the customer with a written 7-day notice:

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Thirty calendar days after presentation when bills are rendered yearly,

Three calendar days after presentation of special bills,

Twenty two calendar days after presentation of all other bills.

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2. If service is disconnected, you must pay the delinquent amount and a charge to reconnect your service. You may also be required to pay a deposit. Toll service and optional services will be restored once the delinquent balance, applicable Multi-Element Service Charges, and deposit (if required) are paid.
3. If you pay only a portion of your bill, any amount paid will be applied first to your local service charges and mandated surcharges and taxes. Amounts in excess of local service charges will be applied to long distance and other charges at our discretion.
4. Deregulated services also called nonregulated services are services not filed in the Utility's Tariff or regulated by the California Public Utilities Commission such as directory advertising, internet charges, inside wire installation, and telephone equipment rentals.
5. Local dial tone will not be disconnected for non payment of optional services, local toll, deregulated services, and interexchange services including intrastate intraLATA, intrastate, interstate and Interstate International toll. Toll calls may be restricted if not paid, and optional services may be discontinued.
6. Basic exchange service may not be disconnected on any day Utility service representatives are not available to assist Customers.
7. Utility may not disconnect basic residential or single line business service, either flat rate or measured rate, for nonpayment of any charge other than non-recurring or recurring charges for that same service, including government mandated fees and taxes calculated on that service that are remitted to government.

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(N)

(To be inserted by utility)  
Advice Letter No.: 163

Decision No.: 04-05-057

***Issued by***  
Paul E. Pederson  
NAME  
Vice President  
TITLE

(To be inserted by Cal.P.U.C.)  
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**Rule No. 11**

**DISCONTINUANCE AND RESTORATION OF SERVICE**  
(Continued)

APPROVED

**NONPAYMENT OF REGULAR AND ELECTRONIC BILLS** (Continued)

B. Application of Unused Portion of Prepayments or Deposits for Telephone Service

- 1. Telephone service will be temporarily or permanently discontinued and the amount of the charges therefore will be charged against the deposits on hand. Any amount of unused deposit will be returned to the customer but in no case less than the above prescribed number of days after the first day of presentation of that bill.

C. Former Service

- 1. A customer's telephone service may be temporarily or permanently discontinued for nonpayment of a bill for the same class of service (residence and business) previously furnished at a location served by the Utility, provided said bill is not paid within 22 days after the date of presentation at the location of the new or existing service. The written 7-day notice required under Section A.1.a. above is applicable prior to discontinuance of a customer's telephone service.

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D. Universal Lifeline Telephone Service (ULTS)

- 1. Disconnection of ULTS is prohibited for nonpayment of toll charges.

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(Continued)

**UNSAFE OR PROHIBITED FACILITIES, APPLIANCES, OR APPARATUS**

- A. The Utility may refuse to furnish service on the premises of an applicant and may disconnect a customer's telephone service on a premises if any of the facilities, appliances, or apparatus on such premises are found to be unsafe; or if their use is prohibited under any law, ordinance, or regulation, until such law, ordinance or regulation shall be repealed or be declared invalid by a court of competent jurisdiction; and may refuse to furnish telephone service on such premises until the applicant or subscriber shall have remedied the unsafe condition and complied with the laws, ordinances and regulations or legal requirements applicable to that premises.

**SERVICE DETRIMENTAL TO OTHER SUBSCRIBERS**

- A. The Company will not establish service which will be detrimental to the service of its other subscribers, and will discontinue telephone service to any subscriber utilizing the telephone service in such a manner as to make it dangerous for occupants of the premises after having been directed by the Company to cease so doing.

**FRAUD**

- A. The Company shall have the right to refuse or to discontinue telephone service without notice if the acts or omissions of the subscriber or the conditions upon his premises are such as to indicate intention to defraud the Company or threaten the integrity or security of the Company's operations or facilities.

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**FAILURE TO MEET DEPOSIT REQUIREMENTS**

- A. A subscriber's telephone service may be temporarily or permanently discontinued for failure to make deposits required under Rule and Regulation No. 7.

**NONCOMPLIANCE**

- A. The Utility shall have the right to discontinue telephone service to a subscriber for noncompliance with any of these rules and regulations if, after written notice of at least five days, he shall not have come into compliance therewith.

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(Continued)

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**SUBSCRIBER'S REQUEST FOR SERVICE DISCONTINUANCE**

- A. Customers may cancel without termination fees or penalties any new tariffed service or any new contract for service within thirty (30) days after the new service is initiated. This Rule does not relieve the customer from payment for per use and normal recurring charges applicable to the service incurred before canceling, or for the reasonable cost of work done on the customer's premises (such as wiring or equipment installation) before the customer canceled.

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**RESERVED FOR FUTURE USE**

**RESTORATION – RECONNECTION CHARGE**

- A. The Utility will collect a restoral charge as set forth in Schedule No. A-13, Rates 2.b.7, when restoring service which has been temporarily disconnected. The applicable multi-element service charges set forth I Schedule No. A-13 will apply when restoring service which has been permanently disconnected in accordance with the provisions of this rule.

**ABUSIVE LANGUAGE BY CUSTOMERS**

- A. The Utility may discontinue the telephone service of any customer who uses vile, abusive or profane language, or impersonates any other individual with fraudulent intent, over any line connected to the Utility's system after the customer has been advised of that fact.

**TEMPORARY OR PERMANENT DISCONTINUANCE OF SERVICE**

- A. When the Utility has the right to temporarily or permanently discontinue telephone service as provided for in these rules and regulations it may do either at its option.

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**Paul E. Pederson**

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**DISCONTINUANCE AND RESTORATION OF SERVICE**

(Continued)

**PRIOR CUSTOMER DISCONNECTED FOR NONPAYMENT OF REGULAR AND ELECTRONIC BILLS**

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A. Residence Service

1. The Utility may not discontinue or deny service at a premises where services provided to a prior customer were disconnected for nonpayment, except where it is found that the delinquent customer still resides at the same premises.
2. The Utility may require a written statement from a newly connecting customer stating that the former customer at that address was and is not a member of the household, provided:
  - a. There have been at least two terminations of service at the same premises (within the preceding 12 months) without full payment of delinquent bills, or
  - b. The Utility secures evidence from an external source that a fraudulent pattern of nonpayment is probable.

In the event that the statement is falsified, the new customer will be held liable for the entire delinquent bill owed the Utility by the previous customer and shall also be liable for a deposit.

B. Business Service

1. The Utility may not discontinue or deny service at a premises where services provided to a prior customer were disconnected for nonpayment, except where it is found that the delinquent customer still occupies the same premises or is affiliated with the newly connecting customer.
2. The Utility may require a written statement from a newly connecting customer stating that the former customer at that address was and is not affiliated with their business.

In the event that the statement is falsified, the new customer will be held liable for the entire delinquent bill owed the Utility by the previous customer and shall also be liable for a deposit.

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APPROVED

**NOTICE TO CUSTOMER**

- A. Except as provided by these rules or regulations, the Utility will not partially, temporarily or permanently discontinue telephone service to any customer except upon written notice of at least 7 days, advising the customer of the intention to discontinue, the reasons for the discontinuance, and the steps which must be taken to avoid discontinuance. Such notice shall also advise the customer of the provisions of Rule No. 10, Disputed Bills, and shall advise the customers that they can invoke these provisions if unable to resolve the dispute with the Utility. This notice may be waived in a case of an emergency which renders the immediate discontinuance of service to the premises imperative. Denial of dial tone is a partial discontinuance of service under this Rule.

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