

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Amendment of Certain)
Rules to Revise Language Requirements on) Case No. 07-1042-AU-ORD
Utility Bills and Other Documents.)

FINDING AND ORDER

Upon consideration of the staff proposal and the comments filed thereto, the Commission hereby issues its finding and order in this matter.

I. BACKGROUND

By entry dated October 3, 2007, the Commission issued staff's proposed rule amendments for comments. The changes were proposed to address the enactment of House Bill 119, which became effective on October 1, 2007. This bill, among other things, repeals Section 4911.021, Revised Code, which prohibited the Office of the Ohio Consumers' Counsel (OCC) from operating a telephone call center for consumer complaints.¹ Thus, House Bill 119 removes the prohibition of OCC from operating a telephone call center for consumer complaints.

The Commission opened this docket to consider amending its rules to modify the OCC contact information to recognize that OCC may now operate a call center for residential consumer complaints, and to revise the Commission's call center's hours of operation. Specifically, staff proposed to amend the following existing or pending Ohio Administrative Code (O.A.C.) rules:²

*Appendix to 4901:1-5-03
*4901:1-5-06(E)
*4901:1-5-07(B)(7)
*4901:1-5-10(F)(8) and (9)
4901:1-10-12(A)(2) and (B)(5)
4901:1-10-22(B)(5)

¹ Section 4911.021, Revised Code, became effective on September 29, 2005. Subsequently, on January 4, 2006, the Commission issued its opinion and order in Case No. 05-1350-AU-ORD, amending certain of its rules to modify the language regarding OCC's contact information to reflect the legislative change. In the same opinion and order, the Commission also amended certain of its rules to reflect the Commission's call center's new operating hours.

² Rules marked with an asterisk were adopted by the Commission in Case No. 05-1102-TP-ORD and are pending enactment. Given that the Commission is now adopting revisions to those pending rules, the modified rules will be final filed with the Joint Committee on Agency Rule Review as new rules, and thus, are underlined in their totality.

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4901:1-10-33(C)(15)
4901:1-13-06(I)
4901:1-13-11(B)(5)
4901:1-15-16(A)
4901:1-15-23(N)
4901:1-18-01
4901:1-18-02
4901:1-18-05(A)(5)(d)
4901:1-21-12(B)(9) and (10)
4901:1-21-14(C)(13)
4901:1-21-18(C)(15)
4901:1-29-11(B)(10) and (11)
4901:1-29-12(B)(12)

The Consumer Coalition (comprised of OCC,³ the City of Cleveland, Empowerment Center of Greater Cleveland, Consumers for Fair Utility Rates and the Neighborhood Environmental Coalition, Appalachian People's Action Coalition, AARP Ohio, Ohio Partners for Affordable Energy, Community Action Partnership of the Greater Dayton Area, and the City of Toledo) and Columbus Southern Power Company and Ohio Power Company (collectively, AEP) filed initial comments on October 18, 2007. The Consumer Coalition, Columbia Gas of Ohio, Inc. (Columbia), AT&T Ohio (AT&T), and the Northeast Ohio Public Energy Council (NOPEC) filed reply comments on October 25, 2007. On November 1, 2007, OCC filed a motion for leave to file surreply comments and surreply comments.

II. DISCUSSION

After reviewing the staff's proposal, the initial comments, and the reply comments, the Commission will adopt the amended rules attached to this order. We will discuss only the more relevant comments. To the extent that a comment was raised and is not addressed in this order or incorporated into our adopted rules, it has been rejected.

A. Language Modifications and Placement

The Consumer Coalition recommends that staff's proposed language regarding OCC's contact information be modified to repeat the language in the paragraph concerning the Commission's contact information regarding complaints that have not been resolved by contacting the company. The Consumer Coalition also suggests that the paragraph concerning the Commission's contact information be contiguous with the paragraph concerning OCC's contact information. NOPEC supports the Consumer

³ OCC moved to intervene on October 18, 2007.

Coalition's recommendations. Columbia opposes these suggestions and states that it may not be possible for the language to be contiguous if multiple page bills are necessary.

The Commission believes that the purpose of staff's revised paragraph was to explain to residential customers that they may call the OCC, in addition to calling the Commission, if the customer's complaint has not been resolved after contacting the company. The paragraphs were intended to be contiguous, and thus, the language "may also call" was meant to explain to customers that they have an additional option. Accordingly, the Commission clarifies that the paragraphs concerning the Commission's contact information as well as OCC's contact language should be contiguous in order to give meaning to the words "may also call" when referencing OCC's complaint handling capabilities.

Additionally, the Commission agrees with the Consumer Coalition that there is always room for improvement in the rules. Instead of just restoring the language to that in effect prior to Section 4911.021, Revised Code, the Commission finds that modifications to staff's proposed language are necessary to better inform customers of their options and the available services. To that end, the Commission will reject staff's deletion of the phrase "or for general utility information, residential and business customers" in the proposed rules, and the Commission will clarify that both the Commission and OCC are available to assist customers with complaints and utility issues. For example, Rule 4901:1-10-12(A)(2), O.A.C., will be modified to state:

"(2) A statement that:

'If your complaint is not resolved after you have called (your EDU), or for general utility information, residential and business customers may contact the Public Utilities Commission of Ohio for assistance at 1-800-686-7826 (toll free) or for TTY at 1-800-686-1570 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.puco.ohio.gov.

Residential customers may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.pickocc.org."

The Commission believes that the revised language adequately balances the objectives of informing customers of their options concerning complaints with the companies' concerns of cost and space limitations on the bills.

The Consumer Coalition and NOPEC further propose that OCC's contact information appear on the same page as the Commission's contact information. Columbia opposes this recommendation given the likelihood of multiple page bills. With the

additional language regarding OCC's complaint handling capabilities, and the requirement that the paragraphs be contiguous, any need that may still exist for the information to appear on the same page is out-weighted by spatial constraints and the potential for additional costs. As such, the Commission finds a requirement for the Commission's and OCC's paragraphs to be on the same page to be unreasonable and unduly burdensome.

B. Rule Compliance and Paper Stock

The Consumer Coalition and NOPEC request that the appropriate OCC contact information appear on the customers' bills and other printed materials as soon as possible, but no later than 30 days after the effective date of the rules. AEP, Columbia, and AT&T request that the companies be permitted to use all bill stock on hand or already ordered before implementing the rule revisions. Columbia and AT&T also state that the Consumer Coalition's proposed compliance requirement of 30 days is unrealistic and unduly burdensome. Columbia suggests a 120-day period to comply with the modified rules; AT&T proposes to coordinate the effective date of the modified rules with the minimum telephone service standards (MTSS) rule revisions previously ordered by the Commission in Case No. 05-1102-TP-ORD.

In order to avoid additional costs to the companies, the Commission believes it is prudent to allow the companies to deplete their current stock of any bills or materials that were in compliance with the Commission's rules prior to the effective date of House Bill 119. Therefore, to ensure compliance with House Bill 119 and the repeal of Section 4911.021, Revised Code, the Commission hereby grants waivers for 90 days, after the effective date of the rules, for all of the companies concerning the requirement to include certain OCC contact language regarding complaint-handling, except with regard to modifications to rules contained in Chapter 4901:1-5, O.A.C., as discussed below. If upon expiration of the 90 days, a company still has remaining bill or material stock that does not reflect the language modification contained in the Commission's amended rules attached to this order, the company may request an additional waiver.

As explained by AT&T, additional MTSS rules contained in Chapter 4901:1-5, O.A.C., have recently been modified by the Commission in Case No. 05-1102-TP-ORD. The Commission agrees that the changes ordered herein should become effective simultaneously with the previously amended rules in Chapter 4901:1-5, O.A.C. Accordingly, the Commission finds that the MTSS rules modified by this order should become effective on January 1, 2008, except for newly adopted Rule 4901:1-5-10, O.A.C., which will become effective on June 1, 2008, consistent with the Commission entry issued on September 26, 2007 in Case No. 05-1102-TP-ORD.

To the extent that the Commission's rules require current bill formats to be on file with the Commission (e.g., Rules 4901:1-10-22(C), 4901:1-10-33(F), 4901:1-13-11(D), 4901:1-18-09(C), 4901:1-21-18(F), and 4901:1-15-15(A)(9) (as part of its tariff), O.A.C.), the Commission directs the companies to file their revised bill formats in the instant proceeding within 30 days of this order. A separate bill format proceeding for each company would be unnecessary, inefficient, and imprudent given that the language modifications contained in the attached amended rules are minimal and affect all companies across the industries.

III. OCC'S MOTION TO INTERVENE

On October 18, 2007, OCC moved to intervene in this proceeding, stating that its interest lies in providing notice to consumers on how to contact OCC to receive information or pursue utility complaints. No other entity that filed comments in this proceeding has sought intervention.

Upon consideration and given the nature of the proceeding, the Commission finds that granting intervention is not necessary for the Commission to fully consider the issues, and concerns presented in this case through the established public comment process. This is a quasi-legislative proceeding, not a quasi-judicial proceeding. Such a distinction has been recognized by the Supreme Court. See *In re Appeal of Buckeye Power, Inc.* (1975), 42 Ohio St.2d 508, 330 N.E.2d 430. In *Buckeye Power*, the Court held that the making or revising of rules is a quasi-legislative proceeding that cannot be reviewed by the Court. Similarly, in referencing *Ohio Domestic Violence Network* in its recent decision cited to by OCC, the Court explained that that case was a quasi-judicial proceeding and noted that if an alternative avenue existed for parties to state their positions or raise their concerns, intervention may not be necessary. *Ohio Consumers' Counsel v. Public Util. Comm.* (2006), 111 Ohio St.3d 384, 2006-Ohio-5853 (citations omitted). Inasmuch as the current rulemaking proceeding is a nonjusticiable proceeding (rule revisions as opposed to the application of the rules), OCC's reliance on the Court's decision in *Consumers' Counsel* concerning interventions is misplaced.

The Commission has fully considered OCC's comments filed in this rulemaking proceeding, as well as the comments of all entities. Thus, the granting of interventions is unnecessary in order to consider the positions of the commenting parties in this quasi-legislative proceeding. Accordingly, we find that cause to grant intervention under Section 4903.221, Revised Code, has not been shown.

IV. MOTION FOR LEAVE TO FILE SURREPLY COMMENTS

OCC filed a motion for leave to file surreply comments and surreply comments on November 1, 2007. In its motion, OCC asserts that surreply comments are necessary

because AT&T's and Columbia's reply comments were inaccurate and went beyond the scope of the initial comments.

Upon consideration of OCC's motion, the Commission notes that if any interested person raises an issue in initial comments, any interested person may respond to those comments and any ancillary issues that might arise from such comments, regardless as to whether the entity filed initial comments. For example, any discussion in reply comments on the timing of the implementation of the amended rules is proper given the Consumer Coalition's recommendation in its initial comments that the rule amendments be implemented as soon as possible or no later than 30 days after the rules become effective. Similarly, any discussion of the depletion of paper stock was also proper given the initial comments that spoke to when the amended rules should appear on customers' bills and other utility materials.

Additionally, we note that a utility that chooses to forgo submitting initial comments is not solely confined to the scope of another utility's initial comments, just as a consumer group who forgoes filing initial comments is not solely confined to another consumer group's initial comments. Furthermore, an entity that only files reply comments has not necessarily submitted improper comments just because the comments disagree with an entity's initial comments. Therefore, the Commission will not consider OCC's surreply comments.

V. CONCLUSION

The attached rules reflect the statutory changes required by House Bill 119 and the repeal of Section 4911.021, Revised Code. Additionally, the rules reflect the change in the Commission's call center's hours of operation and a change in policy regarding the teletypewriter reference contained in the rules. The proper notation is now "TTY" as opposed to "TDD/TTY."

It is, therefore,

ORDERED, That the attached rule amendments are hereby adopted. It is, further,

ORDERED, That the adopted modifications to the MTSS rules contained in Chapter 4901:1-5, O.A.C., become effective on January 1, 2008, except for newly adopted Rule 4901:1-5-10, O.A.C., which will become effective on June 1, 2008. It is, further,

ORDERED, That copies of the adopted modifications to the rules contained in Chapters 4901:1-10, 4901:1-13, 4901:1-15, 4901:1-18, 4901:1-21, and 4901:1-29, O.A.C., be filed with the Joint Committee on Agency Rule Review, the Legislative Service Commission, and the Secretary of State in accordance with divisions (D) and (E) of Section

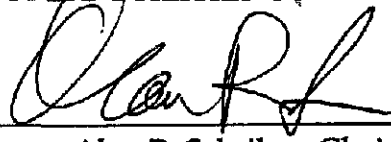
111.15, Revised Code. Unless otherwise ordered by the Commission or the Joint Committee on Agency Rule Review, the next review date for these amended rules remains the current review date. It is, further,

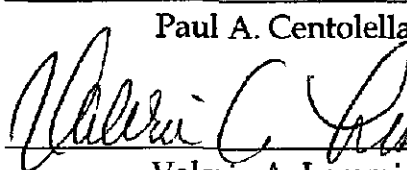
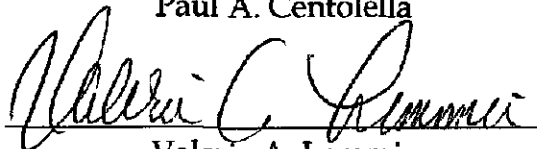
ORDERED, That the companies file revised bill formats consistent with this finding and order within 30 days. It is, further,

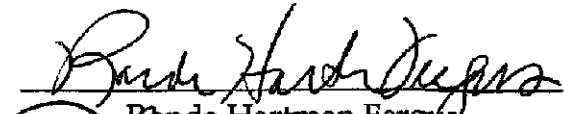
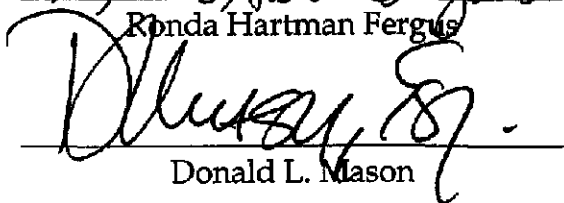
ORDERED, That the motion to intervene filed by OCC is denied. It is, further,

ORDERED, That a copy of this finding and order and the attached amended rules be served upon all gas, electric, telecommunications, water, and sewage treatment public utilities, and upon all entities that filed comments in this docket.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman

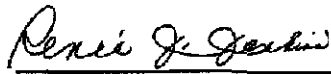

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APPENDIX

TELEPHONE CUSTOMER RIGHTS AND RESPONSIBILITIES

You, as a telephone customer, have many rights and responsibilities. Explanations of some of them are as follows:

Resolving Problems and Disputes

Informal Complaints

If you have a problem with your telephone bill or service, contact the phone company first. You may call or send a letter to the company. The telephone number to your phone company is printed on your bill. The telephone number is also located elsewhere in this directory.

If your concern is not resolved after contacting a customer representative from the phone company, you may ask to speak with a supervisor. If your problem is still not resolved, contact the Public Utilities Commission of Ohio's (PUCO) consumer call center for help. The call center staff will review rules with you, advise you of your rights, and if needed, will work with you and the company to try to solve your problem.

You may contact the PUCO at 1-800-686-7826 (toll free) or for TTY at 1-800-686-1570 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.PUCO.ohio.gov.

Mail address - Service Monitoring and Enforcement Dept.
Public Utilities Commission of Ohio
180 E. Broad Street
Columbus, Ohio 43215-3793

Residential customers may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.pickocc.org.

Formal Complaints

If you are not able to reach an agreement with the company through the PUCO's informal complaint process, you have the right to file a formal complaint. You may obtain a formal complaint form from the call center representative, by writing to the PUCO or by accessing the PUCO's web page.

If you are a residential customer, you may represent yourself in the formal complaint proceeding or hire an attorney to represent you. The Ohio Consumers' Counsel (OCC) represents residential utility customers in matters before the PUCO. OCC can be contacted toll free at 1-877-742-5622 from 8:00 a.m. to 5:00 p.m. weekdays, or visit www.pickocc.org.

In most instances, business customers must be represented by an attorney.

After you file a formal complaint form, the PUCO determines if reasonable grounds exist for proceeding with your complaint and will notify you as to its determination. If reasonable grounds are found to exist, you will be notified by mail of a date and time for a hearing, to take place at the PUCO offices in Columbus. The PUCO may set a prehearing conference with both the company and you (and your attorney if you have one) for one last attempt to resolve the matter before the scheduled hearing begins. However, if the case remains unresolved, once the hearing begins you will have the responsibility to prove the merits of the complaint. After the hearing is over, the PUCO will then review all the evidence presented at the hearing and make a decision on the case.

Ordering or Changing Service

When you order new local service or change your existing local service, your phone company will explain the choices available to you.

If you are a low income consumer, or are currently receiving assistance (such as HEAP, food stamps, etc.) from government agencies, you may be eligible for a discount on your basic local service, a waiver of service establishment fees and deposit, and/or a special payment plan. If you are interested in this assistance, be sure to tell your phone company.

After you've placed your order for new service or for a change to your existing service, you should receive, within ten business days, a welcome letter in the mail (or by e-mail if you signed up over the Internet). The welcome letter will include an explanation of the service(s) ordered, including the price, terms and conditions. It is important that you review this letter to confirm your order. If you believe that the letter does not accurately reflect the service you ordered, you should contact the company immediately. You have 30 days from the postmark of the letter to change your initial order for regulated services at no additional charge.

Your local phone company may charge you a one-time installation or "service establishment" charge when your first establish service and each time you transfer service to a new address. Residential customers establishing basic local exchange

service have the option to spread the payment of these charges over three billing periods.

Your local phone company normally must install new local service within five business days of receiving your order, unless you agree to a later date. If you are a residential or small business customer and the company does not provide service within this time frame, you may receive a full or partial waiver of the installation charges.

Your local phone company must also give you a four-hour appointment window for a technician to install service if you need to be present at the premises. If the company misses your scheduled installation appointment, without giving you 24 hours notice, you may be eligible for a waiver of a least one-half of the installation charges for the affected regulated local services.

When you order service and once each year, your local phone company will provide you with a free directory(ies), unless the company chooses to provide free directory assistance. You have a right to receive, upon request, a directory or directories listing all of the extended area service numbers within your local calling areas.

Repairing Your Service

Your local phone company is responsible for repairs and maintenance to the telephone network and outside wires leading up to your home or business. You or the property owner are responsible for the wiring inside your home or business, jacks, and equipment like telephone sets, answering machines, modems, fax machines, etc.

The point where the telephone company's network ends and the inside wiring begins is called the network interface device (NID). Many homes and businesses have located on their premises a NID, which can be used to check whether the problem with your service is your responsibility or the responsibility of the phone company.

If your phone service is not working, contact your company's repair office immediately. If you're not sure whether the problem is your responsibility or the company's responsibility, check in the directory or with your phone company for an explanation as to how to check your NID to see who's responsible and to find out what your repair options and charges are for repairs, if it is your responsibility. If you don't have a NID, the local phone company will diagnose the problem and install a device at no charge. If you rent, check with your landlord prior to scheduling any repairs.

Be aware that if the phone company makes a service trip to your premises and the problem is in the wiring inside your home or business, the repair is your responsibility and you may be required to pay a service charge to the company. You will not be charged if the repair is the company's responsibility.

Your local phone company must also give you a four-hour appointment window for a technician to repair service if you need to be present at the premises. If the company misses your scheduled repair appointment, you may be eligible for a waiver of one-half of one month's charges for the affected regulated local services rendered inoperative.

If the phone company takes more than seventy-two hours to restore your phone service, you may receive a credit on your next bill for one month's charges for the regulated local services rendered inoperative.

Paying for your Service

The phone company will send you a bill every month and allow you at least 14 days to pay it. If you do not pay your bill on time, the company may disconnect your service. Before disconnecting your service, the phone company must send you a disconnect notice at least seven days before the shut-off date.

If you cannot pay your entire bill, contact the phone company. You may be able to keep part of your service if you pay enough to cover the charges for basic phone service, or you may be able to work out a payment plan with the company to keep your service.

Be aware that payment to an unauthorized payment agent does not guarantee same day posting to your payment.

Your service cannot be disconnected after 12:30 p.m., if the possibility of service reconnection on the next day is not a possibility. Should your service be disconnected, contact the company to find out what you need to do to have it restored.

You may have to pay a fee and/or a deposit to have your service reconnected.

Toll blocking, along with other blocking services, are available to help manage your bill. To learn more about blocking options such as blocks to 900 services, collect calls, third party calls, or pay-per-use features, contact your phone company. Some or all of these options are free of charge.

If you have a billing dispute, and you have made an informal or formal complaint to the PUCO, the company will not disconnect your service if you pay the undisputed portion of the bill. While the complaint is being investigated, you must pay all current undisputed amounts and continue discussion with the company to settle the complaint.

Privacy Options

Two options are available to prevent your phone number from displaying on a Caller ID device. Per call blocking is provided with your service at no additional charge. To

use this, dial *67 from touchtone phones (rotary dial 1167) before each call you want blocked. Per line blocking, available for an additional charge, will block all your calls. Using this service, you may unblock individual calls by dialing *82 (rotary dial 1182). If you wish to have per line blocking, you should contact your local phone company and request it. Due to technical limitations, either service (per-call blocking or per-line blocking) may not be able to block the appearance of your phone number on caller ID devices when you dial an "800" number. The monthly rate for per line blocking will not exceed the monthly rate for a non-published number service. Further, there will be no additional monthly charge for per-line blocking to customers who subscribe to a non-published number service.

Slamming

You have the right to choose your local and long distance providers. No one can switch your providers without your permission. This is called slamming, and it is illegal. If you are slammed, you must contact your chosen company to re-establish service with that company. You must also contact the company which slammed you to cancel service with them and to arrange for any credits or refunds. If you are not satisfied after these calls, contact the PUCO call center.

Cramming

If your bill has charges on it for services you did not order, that is called cramming. Cramming is illegal. If these charges appear on your bill, call your local phone company and let them know you have been crammed. If the charges are from another company, they may also require you to call the cramming company to have them take you off their customer list. Otherwise, the charges may reappear on your next bill. If you are not satisfied after these calls, contact the PUCO call center.

***** DRAFT – NOT FOR FILING *****

4901:1-5-06

Customer enrollment and contracts.

- (A) Telecommunications providers shall comply with all of the enrollment requirements set forth in this rule and use only positive enrollment when enrolling customers or contracting with customers.
- (B) When enrolling new or existing customers in regulated service(s) not provided by contract, telecommunications providers shall clearly disclose:
- (1) An estimate of the initial bill.
 - (2) That a welcome letter containing a more detailed explanation of the telecommunications provider's services will be mailed within ten business days and that the customer has thirty days from the postmark to call with any changes to that initial service to avoid any additional service charges.
 - (3) If the customer is residential, the local exchange carrier (LEC) shall also disclose:
 - (a) The availability of program-based or income-eligible telephone assistance programs for residential customers.
 - (b) When establishing new basic local exchange service (BLES), before marketing other services, the price of stand-alone BLES for that customer if that service is available from the LEC.
 - (c) When establishing new BLES, the customer's option of dividing any regulated local service establishment fees over three billing periods.
- (C) Telecommunications providers, when enrolling over the internet new or existing customers in regulated service(s) not provided by contract, in addition to the other requirements of this rule, shall:
- (1) Obtain the customer's consent to such enrollment by encrypted customer input on the telecommunications provider's internet web site in a format retrievable by the telecommunications provider.
 - (2) Provide the customer with the ability to exit the enrollment process and avoid enrollment at each step prior to its completion.
 - (3) Assign a unique enrollment confirmation number to the customer upon successful completion of the internet enrollment process.
 - (4) Provide the customer the option to print a complete description of the service ordered, the price, terms, and conditions of service.

***** DRAFT – NOT FOR FILING *****

(D) Customers enrolling in or changing a regulated service not provided by contract shall be allowed to change or switch the service ordered at least one time after that service is initiated without incurring any charge to make that change or switch, so long as the change or switch is made within thirty days of the postmark of the welcome letter corresponding to the customer's original service order. This does not preclude the company from charging for the original service establishment charges for the period such service was used, any special construction charges, and usage charges.

(E) Telecommunications providers shall, within ten business days of successful completion of enrollment of a new or existing customer in regulated service not provided by contract, send to the involved customer a welcome letter by mail (or e-mail if the customer enrolled over the internet). The welcome letter shall include an explanation of the services ordered, in conformance with the requirements of paragraph (B) of rule 4901:1-5-04 of the Administrative Code. The letter shall also include the following statements:

"If you believe that this does not accurately reflect the service you ordered, you should contact the company immediately or no later than thirty days from the date of this letter, at (company contact information)."

"If you have a complaint that is not resolved after you have called your phone company, or for general utility information, residential and business customers may contact the Public Utilities Commission of Ohio for assistance at 1-800-686-7826 (toll free) or for TTY at 1-800-686-1570 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.puco.ohio.gov."

If the customer is subscribing or changing residential service, the welcome letter shall also include the following statement:

"Residential customers may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.pickocc.org."

(F) Telecommunications providers when enrolling a new or existing customer in regulated service provided by contract shall ensure that the contract clearly and conspicuously discloses the following information:

(1) The start date and the termination date of the contract.

(2) A description of cancellation options and any time limitations for exercising cancellation options. This shall include:

(a) A description of the conditions under which the contract may be canceled, and the process for canceling the contract. The methods for canceling a

***** DRAFT – NOT FOR FILING *****

contract shall include whatever method (e.g., telephone, internet, and in writing) was used by the customer to complete the enrollment process.

(b) The start and end date of any applicable period during which the contract may be canceled without penalty or early termination liability.

(3) When early termination liability fees are part of the contract, the following statement must be conspicuously included in the written disclosure provided to the customer:

"Inclusion of early termination liability by the company in its tariff or contract does not constitute a determination by the Public Utilities Commission of Ohio (PUCO) that the termination liability imposed by the company is approved or sanctioned by the PUCO. Customers shall be free to pursue whatever legal remedies they may have, should a dispute arise."

(4) A statement identifying the services, if any, provided under the contract that are not subject to the jurisdiction of the commission.

(G) A contract between a telecommunications provider and a customer that contains a clause that subjects the customer to liability for early termination may not be automatically renewed at the end of its stated term, unless the telecommunications provider furnishes the customer with written notice. Written notice must be sent to the customer between forty-five and ninety days prior to the expiration of the customer's contract. The written notice shall boldly and conspicuously contain the following information:

(1) The date upon which the existing contract renews.

(2) A description of the specific action that the customer must take prior to the expiration date of the existing contract, to prevent the contract from being renewed automatically at the end of its stated term.

(3) A clear, detailed description of any changes in the contract terms, conditions, and price that will occur should the contract be automatically renewed at the end of its stated term.

(4) Such written notice, in order to be valid, shall be provided to the customer in a separate mailing or conspicuously placed on a bill message or bill insert. The front cover of the envelope containing the notice shall include the following statement:

"Important notice regarding the automatic renewal of your telephone service contract."

***** DRAFT – NOT FOR FILING *****

4901:1-5-07

Customer bills.

(A) Telecommunications provider's bills shall be accurate and readable, and provide a description of all services rendered and all billed charges. Customer bills shall be rendered at regular monthly intervals unless the customer and the company agree otherwise.

(B) Telecommunications provider's bills shall accurately identify all charges, fees, and taxes so they are clear and not misleading and consistent with the requirements of 47 C.F.R. 64.2401, as effective on the date referenced in paragraph (F) of rule 4901:1-5-02 of the Administrative Code. Bill content shall include the following information:

(1) The telecommunications provider's name and toll-free telephone number. For customers accessing their bills only by e-mail or internet, the telecommunications provider may comply with this requirement by providing an e-mail or web site address on the bill. If more than one telecommunications provider or other company utilizes the bill, the customer must have adequate information to contact the other providers and companies on the bill. Any charges must be separated by service provider and company.

(2) A brief, clear, accurate description of all services rendered and charges due, including but not limited to current charges, past due amounts, late fees, and credits.

(3) The customer's name, billing address, and telephone or account number(s).

(4) The date the bill was issued, the beginning and end dates for which the service was provided and the date the payment is due.

(5) Call detail, provided free of charge, regarding the calls made and minutes used, if exceeding the amount allowed in a package.

(6) An itemized list of taxes and government-mandated surcharges, grouped and labeled in a separate area of the bill reserved only for those charges.

(7) A statement that customers with bill questions or complaints should contact the telecommunications provider first, as well as the following text:

"If your complaint is not resolved after you have called (name of the utility), or for general utility information, residential and business customers may contact the Public Utilities Commission of Ohio for assistance at 1-800-686-7826 (toll free) or for TTY at 1-800-686-1570 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.puco.ohio.gov."

For residential bills the text shall also include:

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"Residential customers may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.pickocc.org."

(C) Customer bills and payments shall be due no earlier than fourteen calendar days from the postmark on the bill, and shall be considered received for purposes of crediting the customer's account on the same business day that the customer's payment is received by the telecommunications provider or its authorized payment agent. Authorized payment agent fees shall not exceed more than two dollars per transaction for processing payments by cash, check or money order. Bills may be rendered in electronic format if available and if the customer affirmatively chooses.

(D) Residential customer late payment fees may be assessed if approved by the commission and shall comply with the following:

(1) Late fees may only be applied to regulated charges not paid at least nineteen days after the postmark on the bill.

(2) Late payment fees may not be applied to the following:

(a) Any portion of the bill that is in bona fide dispute.

(b) Any previous late payment fees included in the amount due.

(c) Service establishment charges for lifeline services.

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Service termination.

- (A) Telecommunications providers shall disconnect customer service(s) only in accordance with this rule. Subject to the provisions of this rule, customers may be disconnected from a telecommunication provider's service(s) for the nonpayment of past due charges.
- (B) Basic local exchange service (BLES), when offered to residential and small business customers as a stand-alone service not part of a service package, cannot be disconnected for the nonpayment of past due charges if a customer's payment is sufficient to cover the local exchange carrier's (LEC) tariffed rate for stand-alone BLES service and all associated taxes and government-mandated surcharges (i.e., universal service fund and 9-1-1 service charges). BLES, when offered to residential and small business customers as part of a service package of bundled regulated services and/or bundled regulated and unregulated services, cannot be disconnected for nonpayment of past due charges when the LEC also offers BLES as a stand-alone option and the customer's payment is sufficient to cover the LEC's tariffed rate for stand-alone BLES and all associated taxes and government-mandated surcharges. In cases in which payment is only sufficient to cover the tariffed rate of stand-alone BLES and all associated taxes and government-mandated surcharges, the LEC may disconnect any regulated and/or unregulated service(s) other than BLES, not covered by the customer's payment. If the LEC does not offer BLES on a stand-alone basis, then insufficient payment of the package price may result in disconnection of all services included in the package.
- (C) If the customer is disconnected for nonpayment of BLES charges, the LEC may require the customer to pay the entire amount of all unpaid regulated charges, along with any applicable deposit and reconnection charges, prior to reconnecting service of any kind to the customer.
- (D) Telecommunications providers shall not disconnect any customer's service for the nonpayment of a past due bill under any of the following conditions:
- (1) Earlier than fourteen days after the customer's account is past due.
 - (2) Without mailing a written notice of disconnection postmarked at least seven days prior to the date of disconnection. Such notice may be included on the customer's next bill, provided the bill is postmarked at least seven days prior to the date of disconnection of service reflected on the bill, and provided that the disconnection language is clearly highlighted such that it stands apart from the customer's regular bill language. Notice may be by e-mail if the customer agrees to electronic bills.

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- (3) After twelve-thirty p.m., if the possibility of service reconnection on the day following the disconnection is not made available to the customer by the telecommunications provider.
- (4) Where a customer pays the company the total amount due, (or an amount agreed upon between the company and the customer) by the close of business on the disconnection date listed on the disconnection notice.
- (E) A LEC may restrict long distance service to a customer who owes past due long distance charges to the LEC or to a provider on whose behalf the LEC is billing. The LEC shall not restrict a customer from establishing toll service with a different toll provider for whom it does not bill.
- (F) A notice of disconnection for nonpayment shall include all of the following information:
- (1) The earliest date disconnection may occur.
- (2) Information sufficient for the customer to identify what services will be disconnected.
- (3) The total dollar amount due to avoid disconnection which shall not exceed the past due amount for the service(s) subject to disconnection.
- (4) The minimum dollar amount necessary to maintain basic local exchange service, if applicable.
- (5) The address and toll-free telephone number of the office of the telecommunications provider that the customer may contact for more information on how and where to pay the customer's account.
- (6) A statement that payments to an unauthorized payment agent may result in the untimely or improper crediting of the customer's account.
- (7) A statement identifying if a reconnection fee and/or deposit may apply.
- (8) The following statement:
- "If you have a complaint in regard to this disconnection notice that cannot be resolved after you have called (name of utility), or for general utility information, residential and business customers may contact the Public Utilities Commission of Ohio for assistance at 1-800-686-7826 (toll free) or for TTY at 1-800-686-1570 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.puco.ohio.gov."
- (9) If the account is residential, the following statement:

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"Residential customers may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.pickocc.org.

(G) A telecommunications provider must notify, or attempt to notify through reasonable means, a customer before service is refused or disconnected when any of the following conditions exist:

- (1) When the customer violates or fails to comply with their contract with the telecommunications provider or telecommunications provider's tariff(s).
- (2) When telephone service to a customer violates any law of this state or any political subdivision thereof, or any federal law or regulation.
- (3) When the landlord of a customer, the tenant/customer, or a consumer refuses to allow the telecommunications provider access to its facilities or equipment on the customer's property or property leased by the customer.
- (4) When the customer is suspected of engaging in any fraudulent action to obtain or maintain telephone service.

(H) No notice is required prior to disconnection and a telecommunications provider may disconnect the customer for any of the following reasons:

- (1) Tampering with a telecommunications provider's property.
- (2) A use or misuse of telephone service or equipment which adversely affects telephone service to other customers.
- (3) In order to eliminate, mitigate or avoid a safety hazard to customers or their premises, to the public, or to the telecommunications provider's personnel or facilities.

(I) Regulated telecommunications services may not be refused or disconnected to any service applicant or customer for any of the following reasons:

- (1) Failure to pay for residential service furnished to a former customer unless the former customer and the new applicant for service continue to be members of the same household.
- (2) Failure to pay for a different class of service. Residential service may not be denied or disconnected for nonpayment of a nonresidential account.
- (3) Failure to pay any amount which is in bona fide dispute. The telecommunications provider may not disconnect service if the customer pays either the undisputed

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portion of the bill or where the disputed amount is in question, the customer pays the amount paid for the same billing period in the previous year.

(J) Unless prevented by circumstances beyond the telecommunications provider's control or unless a customer requests otherwise, each telecommunications provider shall reconnect previously disconnected service by five p.m. on the next business day upon any of the following:

(1) Receipt by the telecommunications provider or its authorized payment agent of the full amount in arrears for which service was disconnected including any applicable deposit and reconnection fee.

(2) Verification by the telecommunications provider that the conditions which warranted disconnection of service have been eliminated.

(3) Agreement by the telecommunications provider and the customer on a deferred payment plan and a payment, if required, under the plan.

(K) A telecommunications provider may not insist upon payment of any amount that has not been included on a notice of disconnection as a prerequisite to restoring service under this rule. The telecommunications provider shall inform the customer of the amount to avoid disconnection and/or, if applicable, the amount to retain basic local exchange service, whenever discussing a pending disconnection with a customer.

(L) Each facilities-based LEC shall maintain access to 9-1-1 emergency services on a residential customer's line for a minimum of fourteen days if a customer's service is disconnected for nonpayment of a past due charge(s).

(M) Any customer reconnecting service in the period of time used by the facilities-based LEC to comply with paragraph (K) of this rule shall be treated as a reconnection and not as a new customer establishing new service.

(N) If a customer or member of the customer's household demonstrates that disconnection of service would be especially dangerous to his/her health, the LEC must consider this circumstance when offering extended payment arrangements to avoid disconnection. Payment arrangements shall be offered regardless of the credit class of the customer.

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4901:1-10-12 **Provision of customer rights and obligations.**

Each EDU shall provide new customers, upon application for service, and existing customers upon request, a written summary of their rights and obligations under this chapter. This summary shall be in clear and understandable language and delivered to customers. Each EDU shall submit the summary or amendments thereto to the chief of the commission's call center for review at least sixty days prior to mailing the summary to its customers. For purposes of this rule "new customer" means a customer who opens a new account and has not received such a customer rights summary within the preceding year. The summary shall include, but not be limited to, the following:

(A) Complaint procedures available at the EDU and the commission which shall include:

- (1) How complaints are made to the EDU including a local or toll free phone number, address and a website, if applicable; and
- (2) A statement that:

"If your complaint is not resolved after you have called (your EDU), or for general utility information, residential and business customers may ~~call~~contact the Public Utilities Commission of Ohio (PUCO) ~~toll free~~ for assistance at 1-800-686-7826 (toll free) or for TDD/TTY ~~toll free at 1-800-686-1570; (toll free)~~ from 8:00 a.m. to ~~5:30~~5:00 p.m. weekdays, or ~~visit~~ at www.PUCO.ohio.gov."

"Residential customers may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.pickocc.org."

(B) Customer rights and responsibilities, which shall include:

- (1) A list of customer rights and obligations to the EDU relating to installation of service, payment of bills, disconnection and reconnection of service, and meter testing;
- (2) Information detailing the customer's responsibility to notify the EDU of material changes in the customer's equipment or usage within a reasonable time to permit the EDU to provide necessary facilities and acquire additional power supply, if needed. The summary shall provide examples of such changes in customer equipment and usage;
- (3) A description of customer rights:
 - (a) When the EDU demands and/or holds security deposits; and
 - (b) For deferred payment plans and low-income assistance plans;

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- (4) The toll-free number(s) for the "one-call" or "call-before-you-dig" protection service(s) to locate underground utility facilities;
 - ~~(5) The following text: "The Ohio Consumers' Counsel (OCC) represents residential utility customers in matters before the PUCO. The OCC can be contacted toll free at 1-877-742-5622 from 8:00 a.m. to 5:00 p.m. weekdays, or visit www.pickoccc.org."~~
 - ~~(6)~~(5) An explanation of what each applicant must do to receive service from that company; and
 - ~~(7)~~(6) Information explaining when a customer will be charged for the cost of modifying service, installing a meter and/or providing facilities necessary to serve that customer.
- (C) A statement notifying customers that when EDU employee(s) or agent(s) seek access to the customer's and/or landlord's premises, the customer or landlord may request the employee/agent to show photo identification and to state the reason for the visit.
- (D) Availability of rate information which shall include:
- (1) A statement that the EDU's rates and tariffs are available for review at the company's office, the company's website, and on the commission's website; and
 - (2) A statement that upon inquiry by a customer regarding rates, the EDU shall disclose to the customer the existence and availability of the company's alternative rates.
- (E) Customers may review a copy of the electric service and safety standards on the commission's website or obtain a copy from the commission upon request.
- (F) Information on privacy rights which shall include:
- (1) A statement that the EDU is prohibited from disclosing a customer's account number without the customer's written consent, except for the EDU's consumer credit evaluation, collection, and credit reporting ; for a CRES provider's credit collections and reporting; for participants in programs funded by the universal service fund, such as the percentage of income payment plan programs; for governmental aggregation or pursuant to court order;
 - (2) A statement that the EDU is prohibited from disclosing a customer's social security number without the customer's written consent except for programs funded by the universal service fund; for the EDU's credit evaluation, collection, and credit reporting; for a CRES provider's credit collections and reporting; as

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ordered by the commission, other governmental agency or pursuant to court order;

- (3) A statement that customers have the right to request up to twelve months of usage information and twenty-four months of payment history from the EDU without charge; and,
 - (4) A statement that customers have the right to prohibit the EDU from including their names on mass customer lists made available to CRES providers.
- (G) CRES provider lists. Customers have the right to obtain from their EDU, a list of available CRES providers, their phone numbers, and the customer class(es) they serve.
- (H) Return to standard offer. Customers returning to the EDU's standard offer service due to default, abandonment, slamming, or certification rescission of a CRES provider will not be liable for any costs associated with the switch.
- (I) Notice of change in supplier.
- (1) If a change in a residential or small commercial customer's CRES provider is initiated, the EDU shall send a notice confirming the change.
 - (2) The customer has a right to cancel any change in supplier within seven days after the notice has been sent by calling the EDU at the number on the notice.
- (J) Slamming. Information explaining the procedures customers must follow if they believe their generation and/or transmission service has been switched without their consent. This explanation shall include, at a minimum, the following information:
- (1) If a customer participates in the percentage of income payment plan or in a governmental aggregation, the customer's generation and/or transmission supplier appearing on the customer's bill may be a company other than the EDU;
 - (2) If the customer's electric bill reflects a supplier not chosen by the customer, the customer should call the commission to initiate a slamming investigation; and,
 - (3) If the commission staff determines that the customer's service was changed without proper authorization:
 - (a) The customer shall be switched back to the customer's previous supplier without charge to the customer;
 - (b) The customer's account shall be credited for any switching fees resulting from the customer being slammed; and,

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- (c) The customer shall be credited or reimbursed for any charges in excess of what the customer would have paid absent the unauthorized change in electric service provider, excluding the distribution charges.

(K) Actual meter readings.

- (1) Customers may have the option for an actual meter reading, depending on when the EDU most recently read the meter, when the customer initiates or terminates electric service with the EDU.
- (2) The customer may request two actual meter reads per calendar year, at no charge, if the customer's usage has been estimated for more than two of the consecutively preceding billing cycles or if the customer has reasonable grounds to believe that the meter is malfunctioning.

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4901:1-10-22 **EDU customer billing and payments.**

(A) This rule applies to EDU bills that do not include any CRES provider charges. Requirements for consolidated billing appear in rule 4901:1-10-33 of the Administrative Code.

(B) Customer bills issued by or for the EDU shall be accurate and rendered at regular intervals, and contain clear and understandable form and language. Each bill shall state:

- (1) The customer's name, billing address, service address, and account number;
- (2) The EDU's name and its payment address;
- (3) The EDU's twenty-four hour local/toll-free number for reporting service emergencies;
- (4) Customers with billing questions or complaints should call or write the EDU first. The bill shall list the EDU's local/toll-free number and the address where a question or complaint may be sent;
- (5) The following text:

"If your complaint is not resolved after you have called your electric utility, or for general utility information, residential and business customers may call contact the Public Utilities Commission of Ohio (PUCO) toll free for assistance at 1-800-686-7826 (toll free) or for TDD/TTY toll free at 1-800-686-1570, (toll free) from 8:00 a.m. to 5:30 5:00 p.m. weekdays, or visit at www.PUCO.ohio.gov.

The Ohio Consumers' Counsel (OCC) represents residential utility Residential customers in matters before the PUCO. The OCC can be contacted toll free may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or visit at www.pickocc.org."

- (6) Rate schedule, if applicable;
- (7) Dates of the service period covered by the bill;
- (8) The billing determinants applicable:
 - (a) Beginning meter reading(s);
 - (b) Ending meter reading(s);

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- (c) Demand meter reading(s);
- (d) Multiplier(s);
- (e) Consumption(s); and
- (f) Demand(s);
- (9) Identification of estimated bills;
- (10) Due date for payment;
- (11) Current billing which reflects the net-metered usage for customer generators, if applicable;
- (12) Any late payment charge or gross and net charges, if applicable;
- (13) Any unpaid amounts due from previous bills, customer credits, and total amount due and payable;
- (14) Current balance of the account, if the residential customer is billed according to a budget plan;
- (15) Current gas and electric charges separately, if the customer is billed for gas and electric service on the same bill;
- (16) If applicable, each charge for nontariffed, nonregulated service;
- (17) Any nonrecurring charge;
- (18) Any payment(s) or credit(s) applied to the account during the current billing period;
- (19) Percentage of income payment program (PIPP) billing information applicable:
 - (a) Current PIPP payment;
 - (b) PIPP payments defaulted (i.e., past due);
 - (c) Total PIPP amount due; and
 - (d) Total account arrearage.
- (20) An explanation of codes and abbreviations used;

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- (21) If applicable, the name of the CRES provider and a statement that such provider is responsible for billing the supplier charges;
 - (22) A numerical representation of the customer's historical consumption during each of the preceding twelve months, with a total and average consumption for such twelve-month period;
 - (23) The price-to-compare notice on residential customer bills and a notice that such customers can obtain a written explanation of the price-to-compare from their EDU; and
 - (24) Other information required by Ohio law or commission rule or order.
- (C) Any new bill format proposed by an EDU shall be filed with the commission for approval. If an application for sample bill approval is not acted upon within forty-five days, said sample shall be deemed approved.
- (D) Each EDU shall, upon request, provide customers with an updated list of the name and street address/location of the nearest payment center and/or local authorized agent, and alternative methods available for payment of customer bills. Customers shall not be charged more than two-times the cost of a first-class postage stamp for processing their payments by cash, check or money order at authorized agent locations.
- (E) When a customer pays the bill at the EDU's business office or to an authorized agent of the company, that payment, including any partial payment, shall be immediately credited to the customer's account where feasible, and in any event be credited to the customer's account as of the date received at the business office or by the agent. No EDU shall disconnect service to a customer who pays, to the company or an authorized agent of the company, the total amount due (or an amount agreed upon between the EDU and the customer to prevent disconnection) on the account by the close of business on the disconnection date listed on the disconnection notice. Payment received by an authorized agent of the EDU shall constitute receipt of payment by the company.
- (F) Each EDU shall establish a policy for its personnel at its business offices and for its authorized agents to handle billing disputes, requests for payment arrangements, and reporting payments to prevent disconnection of service. If such matters cannot be handled by an agent authorized to accept payments, each EDU shall provide customers with its local/toll-free number to use at a nearby phone.
- (G) Each EDU shall credit any customer's partial payments in the following order:
- (1) Past due distribution, standard offer generation, and transmission charges;
 - (2) Current distribution, standard offer generation, and transmission charges; and

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- (3) Other past due and current nonregulated charges.

Budget billing payments and payments in full of the undisputed amount related to a bona fide dispute do not constitute partial payments. Payments made on accounts for which there is a bona fide dispute shall be credited to the undisputed portion of the account.

- (H) Any EDU wishing to issue billing statements online shall follow the listed guidelines:

- (1) A customer shall not be required to use online billing;
- (2) No enrollment or usage fees shall be assessed to a customer who chooses to receive bills and/or customer information online;
- (3) The online billing statement shall include all requirements listed in paragraph (B) of this rule;
- (4) The EDU shall maintain a secure and encrypted site that is to be accessed only by the customer of record after completing a secure registration process;
- (5) Any fees to accept online payments shall be clearly disclosed in payment window(s);
- (6) Any payment made online shall be treated as a payment made at the company's business office and shall be posted to the account in accordance with paragraph (E) of this rule. The time needed to post the payment to the account shall be clearly stated; and
- (7) If a customer chooses to use online billing, the customer shall not be restricted to making payments online in the future. All payment methods shall continue to be available to the customer.

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4901:1-10-33 Consolidated billing requirements.

- (A) This rule applies to an EDU that issues customers a consolidated electric bill that includes both EDU and CRES provider charges for electric services. Nothing in this rule affects the obligations of the EDU to provide disconnection notices.
- (B) A supplier agreement between an EDU and a CRES provider must provide that if the EDU collects customer payments on behalf of the CRES provider, the customer's liability to the CRES provider ceases to the extent of a payment made and applicable to the customer's CRES provider account.
- (C) Consolidated bills shall be accurate, rendered at regular intervals, and shall contain clear and understandable form and language. All consolidated customer bills issued by or on behalf of an EDU and a CRES provider must include at least the following information:
 - (1) The customer's name, billing address and service address;
 - (2) The EDU's twenty-four hour, local/toll-free number for reporting service emergencies;
 - (3) The dates of the service period covered by the bill;
 - (4) Current electric charges, separated from gas charges, if these charges appear on the same bill, but only to the extent that the biller provides both electric and gas services;
 - (5) Applicable billing determinants: beginning meter read, ending meter read, demand meter read, multipliers, consumption, and demand;
 - (6) Identification of estimated bills;
 - (7) Any non-recurring charge(s);
 - (8) Net-metered usage for customer generators, if applicable;
 - (9) Each charge for non-tariffed and/or non-regulated service or product, if applicable, and the name and toll-free/local number of each provider of such service(s);
 - (10) Amount due for previous billing period;
 - (11) Total payments, late payment charges or gross/net charges and total credits applied during the billing period;

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(12) Total consolidated amount due and payable, or, if applicable, the total consolidated budget bill amount;

(13) Due date for payment to keep the account current;

(14) Name and address of company to whom payments should be made;

(15) The following notice:

"If your complaint is not resolved after you have called your electric supplier and/or your electric utility, or for general utility information, residential and business customers may ~~call~~ contact the Public Utilities Commission of Ohio (PUCO) ~~toll-free for assistance at 1-800-686-7826 (toll free)~~ or for TDD/TTY ~~toll-free at 1-800-686-1570; (toll free) from 8:00 a.m. to 5:30~~ 5:00 p.m. weekdays, or visit at www.PUCO.ohio.gov.

~~The Ohio Consumers' Counsel (OCC) represents residential utility Residential customers in matters before the PUCO. The OCC can be contacted toll-free may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or visit www.pickocc.org at www.pickocc.org.~~"

(16) An explanation of codes and abbreviations used;

(17) At a minimum, definitions for the following terms, or like terms used by the company, if applicable: customer charge, delivery charge, estimated reading, generation charge, kilowatt hour (kWh), shopping incentive or shopping credit, late payment charge, and transition charge;

(18) The price-to-compare for residential bills and a notice that such customers can obtain a written explanation of the price-to-compare from their EDU.

(D) In addition to the information required pursuant to paragraph (C) of this rule, each consolidated bill issued must include, in that portion of the bill which details the charges from the EDU, at least the following information:

(1) EDU account number;

(2) List applicable rate schedule;

(3) Numerically state the customer's historical consumption for each of the preceding twelve months, and both the total and average consumption for such twelve-month period;

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- (4) Specific tariffed charges to the extent applicable: customer charge, delivery charge, transition charge, shopping incentive or shopping credit, and other conceptually similar tariffed charges;
 - (5) If the customer is on a budget plan with the EDU only, the monthly budget amount and current balance of EDU account;
 - (6) Current charges; and,
 - (7) The EDU's toll free/local number and address for questions and complaints.
- (E) In addition to the information required pursuant to paragraph (C) of this rule, each consolidated bill issued must include, in that portion of the bill which details the charges from the CRES provider, at least the following information:
- (1) Customer's CRES account number, if different from the EDU account number;
 - (2) To the extent applicable, itemization for each charge including, for fixed-price offers, the unit price per kWh for competitive service and, for all other offers for electric generation service, an explanation of how the rate is derived; and any other information the customer would need to recalculate the bill for accuracy;
 - (3) If the customer is on a budget plan with the CRES provider only, the monthly budget amount and the current balance of the CRES account;
 - (4) Current charges; and
 - (5) A highlighted notice of any change in rates, terms or conditions appearing on the first two consecutive bills following the occurrence of any such changes and a clear explanation of each change.
- (F) Consolidated bill format. Any new consolidated bill format proposed by an EDU or a CRES provider shall be filed with the commission for approval. If an application for a consolidated bill format is not acted upon by the commission within forty-five days after it is filed, the consolidated bill format shall be deemed approved on the forty-sixth day after filing.
- (G) Transfer of customer billing information.
- (1) The non-billing EDU or CRES provider shall furnish the applicable required bill content information to the billing party in a timely manner and in a mutually agreed upon electronic format for inclusion in the consolidated customer bill.

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- (2) The billing EDU or CRES provider shall include in the consolidated bill all required bill content information furnished by the non-billing EDU or CRES provider.
- (3) An entity ordered by the commission to provide any bill content, message, insert or notice remains responsible to provide such information to its customers, although the information may be provided through the consolidated bill.

(H) Partial payment priority.

- (1) A customer's partial payment shall be credited in the following order:

- (a) Billed and past due EDU distribution, standard offer generation, and transmission charges, or if applicable, EDU payment arrangement or past due EDU budget billing;
- (b) Billed and past due CRES provider charges, or, if applicable, CRES provider payment arrangement or past due CRES provider budget billing;
- (c) Billed and due current CRES provider charges or current CRES provider budget billing;
- (d) Billed and due current EDU distribution and transmission charges or current EDU budget billing and,
- (e) Other past due and current non-regulated charges, excluding CRES charges.

- (2) Exceptions to the partial payment priority.

- (a) Payments in full of the undisputed amount related to a bona fide dispute do not constitute partial payments. Payments made on accounts for which there is a bona fide dispute shall be credited to the undisputed portion of the account.
- (b) If a customer pays an agreed-upon EDU and/or CRES budget payment amount, then that payment shall be considered payment in full for the current bill.

- (I) Upon the customer's switch from a CRES provider, the billing party shall identify for the customer and state on the bill as of what date the billing party will no longer remit payments to the previous CRES provider and any outstanding balance due the previous CRES provider.

- (J) Any EDU wishing to issue consolidated billing statements online shall follow the listed guidelines:

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- (1) A customer shall not be required to use online billing;
- (2) No enrollment or usage fees shall be assessed to a customer who chooses to receive bills and/or customer information online;
- (3) The online billing statement shall include all requirements listed in paragraphs (C), (D), and (E) of this rule;
- (4) The EDU shall maintain a secure and encrypted site that is to be accessed only by the customer of record after completing a secure registration process;
- (5) Any fees to accept online payments shall be clearly disclosed in payment window(s);
- (6) Any payment made online shall be treated as a payment made at the company's business office and shall be posted to the customer's account in accordance with paragraph (E) of rule 4901:1-10-22 of the Administrative Code. The time needed to post the payment to the customer's account shall be clearly stated; and,
- (7) If a customer chooses to use online billing, the customer shall not be restricted to making payments online in the future. All payment methods shall continue to be available to the customer.

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4901:1-13-06 **Provision of customer rights and obligations.**

Each gas or natural gas company shall provide new customers, upon application for service, and existing customers upon request, written summary information detailing who to contact concerning different rights and responsibilities under this chapter. This summary information shall be in clear and understandable language and delivered to customers. Each gas or natural gas company shall submit the initial version of the summary information and notice of each subsequent amendment thereafter to the director of the commission's service monitoring and enforcement department or the director's designee in writing for review prior to the first mailing of that version of the summary information to its customers. For purposes of this rule, "new customer" means a customer who opens a new account and has not received such summary information within the preceding year.

At a minimum, the summary information shall let customers know of the existence and how to get further information orally and in writing, relating to the following topics.

- (A) Complaint procedures available at the gas or natural gas company and the commission.
- (B) Customer rights and responsibilities including installation of service, payment of bills, disconnection and reconnection of service, meter testing, security deposits, rights to usage history, deferred payment plans, low-income assistance, information relating to the area's "one-call" or "call-before-you-dig" protection services, and service line responsibilities.
- (C) Requirements of company personnel on customer premises.
- (D) Availability of rate information and alternatives upon request.
- (E) A statement that customers may review a copy of the minimum gas service standards on the commission's website or obtain a copy from the commission upon request.
- (F) Privacy rights.
- (G) Actual meter readings.
- (H) Gas choice programs available to its customers, including information on slamming.
- (I) The summary information shall include the following statement:

"If your complaint is not resolved after you have called (name of utility), or for general utility information, residential and business customers may call contact the Public Utilities Commission of Ohio (PUCO), toll-free for assistance at 1-800-686-

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7826 (toll free) or for TDD/TTY toll-free at 1-800-686-1570, from 8:00 a.m. to 5:30 p.m. weekdays, or visit at www.puco.ohio.gov.

~~The Ohio Consumers' Counsel (OCC) represents residential utility~~ Residential customers in matters before the PUCO. ~~The OCC can be contacted toll free~~ may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622; (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or visit at www.pickocc.org."

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4901:1-13-11 **Gas or natural gas company customer billing and payments.**

(A) This rule applies to gas or natural gas company bills that do not include any CRNGS supplier charges. Requirements for natural gas consolidated billing appear in rule 4901:1-29-12 of the Administrative Code.

(B) Bills issued by or for the gas or natural gas company shall be accurate and rendered at regular intervals and shall contain clear and understandable form and language. Each bill shall display all of the following information:

(1) The customer's name, billing address, service address, and account number.

(2) The gas or natural gas company's name and its payment address.

(3) The gas or natural gas company's twenty-four hour, local or toll-free telephone number for reporting service emergencies.

(4) A statement that customers with bill questions or complaints should call or write the gas or natural gas company first. The bill shall list the gas or natural gas company's local or toll-free telephone number(s) and the address where a question or complaint may be sent.

(5) The following text:

"If your complaint is not resolved after you have called (name of utility), or for general utility information, residential and business customers may call contact the Public Utilities Commission of Ohio (PUCO), toll-free for assistance at 1-800-686-7826 (toll free) or for TDD/TTY toll-free at 1-800-686-1570; (toll free) from 8:00 a.m. to ~~5:30~~ 5:00 p.m. weekdays, or visit at www.puco.ohio.gov.

~~The Ohio Consumers' Counsel (OCC) represents residential utility Residential customers in matters before the PUCO. The OCC can be contacted toll-free~~ may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622; (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or visit at www.pickocc.org."

(6) A rate schedule, if applicable.

(7) The dates of the service period covered by the bill.

(8) The billing determinants, if applicable:

(a) Beginning meter reading(s).

(b) Ending meter reading(s).

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- (c) Multiplier(s).
- (d) Consumption(s).
- (9) The gas cost recovery rate expressed in dollars and cents per mcf or ccf.
- (10) The total charge attributable to the gas cost recovery rate expressed in dollars and cents.
- (11) The identification of estimated bills.
- (12) The due date for payment.
- (13) *The total charges for the current billing period.*
- (14) Any late payment charge or gross and net charges, if applicable.
- (15) Any unpaid amounts due from previous bills, customer credits, and total amounts due and payable.
- (16) The current balance of the account, if the residential customer is billed according to a budget plan.
- (17) The current gas and electric charges separately, if the customer is billed for gas and electric service on the same bill.
- (18) If applicable, each charge for nontariffed, nonregulated service(s).
- (19) Any nonrecurring charge(s).
- (20) Any payment(s) or credit(s) applied to the account during the current billing period.
- (21) If applicable, all the PIPP billing information:
 - (a) Current PIPP payment.
 - (b) PIPP payments defaulted (i.e., past due).
 - (c) Total PIPP amount due.
 - (d) Total account arrearage.
- (22) An explanation of codes and abbreviations used.

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- (23) If a customer's selected CRNGS supplier or governmental aggregator bills separately for its supplier charges, the supplier's name and a statement that such supplier is responsible for billing the gas supplier charges and such supplier will separately bill the customer for that component of natural gas service.
 - (24) The customer's historical consumption during each of the preceding twelve months, with a total and average consumption for such twelve-month period, if the company has a choice program.
 - (25) A prominently displayed "apples-to-apples" notice, if the company has a choice program.
 - (26) A statement, either appearing directly on the bill, in a bill insert, or as a separate mailing, of any payment arrangement agreed upon by the customer and the company.
 - (27) Other information required by Ohio law or commission rule or order.
- (C) All bills shall not be due earlier than fourteen days from the date of the postmark on the bill. If the bill is sent electronically, the bill shall not be due earlier than fourteen days from the date of the electronic postmark on the bill. If the bill is mailed by means that does not place a postmark on the bill (i.e. such as permit mailing), the bill shall not be due earlier than fourteen days from the date on the actual bill. All bills mailed without postmarks shall be mailed no later than the day listed on the bill.
- (D) A gas or natural gas company proposing any new bill format shall file its proposed bill format with the commission for approval. If the commission does not act upon an application for a new bill format approval within forty-five days, the proposed bill format shall automatically be approved on the forty-sixth day.
- (E) Payment methodologies and parameters
- (1) Each gas or natural gas company shall make payment options available in a number of ways. Those ways may include, but are not limited to: cash, check or money order payments in person to the company or a payment agent; check or money order through the mail; check over the telephone; credit card; or electronic money transfers. Each gas or natural gas company shall, upon request, provide customers with an updated list of its available payment options and descriptions thereof. The list shall also include the name and street address/location of the nearest payment center and/or local authorized agent, and all applicable fees for utilizing the various methods available for payment of customer bills. The gas or natural gas company may not deny a customer the use of one or more of the payment options solely because the customer's account is in arrears.

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- (2) Each gas or natural gas company shall not charge more than two-times the cost of a first-class postage stamp for processing their payments by cash, check or money order at authorized agent locations. Customers may not be charged for processing their payments by check or money order through the mail. Customers may be charged for processing their payments by check over the telephone, by credit card, or electronic money transfers and such charges will be evaluated by the commission.
 - (3) When a customer pays the bill at the gas or natural gas company's business office or to an authorized agent of the company, the payment, including any partial payment, shall be immediately credited to the customer's account where feasible, and, in any event, be credited to the customer's account as of the date received at the business office or by the agent. When a customer pays the bill by check or money order through the mail; by check over the telephone; by credit card; or electronically, the customer's account shall be credited immediately where feasible and, in any event, within two business days of receipt at the gas or natural gas company's business office.
 - (4) No gas or natural gas company shall disconnect service to a customer who pays the total amount due (or an amount agreed upon between the gas or natural gas company and the customer to prevent disconnection) on the account by the close of business on the disconnection date listed on the disconnection notice. Payment received by an authorized agent of the gas or natural gas company shall constitute receipt of payment by the company.
 - (5) Each gas or natural gas company shall establish a written policy for its personnel at its business offices and for its authorized agents to handle billing disputes, requests for payment arrangements, and for the reporting of payments made by customers due to their receipt of a disconnection notice, in order to prevent disconnection of service. If such matters cannot be handled by an agent authorized to accept payments, the agent shall provide customers with the gas or natural gas company's local or toll-free number.
- (F) Any gas or natural gas company that issues billing statements electronically shall comply with each of the following requirements:
- (1) A customer receiving a billing statement electronically shall not be required to pay that bill electronically or pay electronically any future bill statements. All payment methods shall continue to be available to the customer.
 - (2) No enrollment or usage fees shall be assessed to a customer who chooses to receive bills and/or customer information electronically.
 - (3) The electronic billing statement shall include all requirements listed in paragraph (B) of this rule.

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- (4) The gas or natural gas company shall maintain a secure and encrypted internet location that is to be accessed only by the customer of record after completing a secure registration process.
- (5) Any fees to accept electronic payments shall be clearly disclosed in payment window(s).
- (6) Any payment made electronically shall be treated as a payment made at the company business office and shall be posted to the account in accordance with paragraph (E)(3) of this rule. The time needed to post the payment to the account shall be clearly stated.

(G) Handling partial payments

- (1) Each gas or natural gas company shall credit any customer's partial payments in the following order:
 - (a) First, credit past due distribution and sales service charges.
 - (b) Second, credit current distribution and sales service charges.
 - (c) Third, credit past due and current nonregulated charges
 - (2) Budget billing payments and payments in full of the undisputed amount related to a bona fide dispute do not constitute partial payments. Payments made on accounts for which there is a bona fide dispute shall be credited to the undisputed portion of the account.
- (H) Any billing adjustments shall be made according to paragraph (G) of rule 4901:1-13-04 of the Administrative Code.**

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4901:1-15-16 Notification of customer rights.

Each waterworks company and/or sewage disposal system company shall provide, at the time service is initiated, to new customers and upon the request of an existing customer a summary of their rights and obligations under these rules. The notice shall include current information, be in plain language, and shall be delivered to customers separately by mail or in person. The notice shall include, but not be limited to, all of the following:

- (A) A description of the complaint procedures available at the waterworks company and/or sewage disposal system company and the commission. The notice shall clearly state the means by which a complaint can be made to the company, including a local or toll free telephone number. ~~The notice shall advise the customer that, if after contacting the company, the customer remains dissatisfied, he or she may contact the commission. The notice shall further state that the commission has staff available to render assistance in these matters, and list the current address, the current local or toll free telephone number, and the TDD/TTY number of the public interest center of the commission.~~ include:
 - (1) If your complaint is not resolved after you have called (name of utility), or for general utility information, residential and business customers may contact the public utilities commission of Ohio for assistance at 1-800-686-7826 (toll free) or for TTY at 1-800-686-1570 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.puco.ohio.gov.
 - (2) Residential customers may also contact the Ohio consumers' counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.pickocc.org.
- (B) A listing of the rights and obligations of customers relating to the installation of service, payment of bills, disconnection of service, reconnection of service, and testing of meters and of the utility's business office and availability of customer representatives.
- (C) A description of the customer's rights regarding the holding and demanding of security deposits by the company; and any other methods used by the company to establish a residential customer's creditworthiness, as set forth in the company's tariff and in Chapter 4901:1-17 of the Administrative Code.
- (D) A statement that the customer has a right to see a proper company photo identification whenever company employee(s) or agent(s) seek access to the customer's premise(s).
- (E) A statement that the company's rates, rules, and regulations (tariff) are available for review upon request.

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- (F) Customer notification of the availability of a medical certificate.
- (G) A statement that the commission has adopted a comprehensive set of minimum standards for waterworks companies and/or sewage disposal system companies, as set forth in this chapter which is available from the company or from the commission for review upon request.

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4901:1-15-23 **Customer bill format.**

Each customer bill shall contain the following information:

- (A) Customer name, billing address, and service address.
- (B) Complete company name and mailing address.
- (C) Address or P.O. box where payment may be made.
- (D) Company telephone number(s).
- (E) Billing date.
- (F) Payment due date.
- (G) Amount due if paid on or before due date.
- (H) Amount due if paid after due date.
- (I) *Miscellaneous charges and credits, if any.*
- (J) If metered service is provided, previous and current meter readings and billed volume.
- (K) Dates of service covered by bill.
- (L) The applicable rate schedule or a statement to the effect that the applicable rate schedule will be furnished on request.
- (M) A distinct marking to identify an estimated bill.
- (N) The current local or toll free telephone number and TDD number of the commission's call center or the following statement for all waterworks and sewage disposal companies that serve fifteen thousand or more customers:

"If your complaint is not resolved after you have called (name of provider), or for general utility information, residential and business customers may call contact the Public Utilities Commission of Ohio (PUCO) toll free for assistance at 1-800-686-7826 (toll free) or for TDD/TTY toll free at 1-800-686-1570; (toll free) from 8:00 a.m. to 5:30-5:00 p.m. weekdays, or visit at www.PUCO.ohio.gov.

~~The Ohio Consumers' Counsel (OCC) represents residential utility Residential customers in matters before the PUCO. The OCC can be contacted toll free may also contact the Ohio Consumers' Counsel for assistance with complaints and utility~~

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issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or ~~visit~~ at
www.pickocc.org."

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4901:1-18-05

Disconnection procedures for natural gas and electric companies.

(A) If a residential customer is delinquent in paying for regulated services provided by the distribution utility, the company may, after proper and reasonable notice of pending disconnection of service (not less than fourteen days), disconnect the customer's service during normal company business hours in compliance with all of the following conditions:

(1) No disconnections for nonpayment shall be made after twelve-thirty p.m. on the day preceding a day on which all services necessary for the customer to arrange and the company to perform reconnection are not regularly performed.

(2) 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.

(3) Third-party or guarantor notification.

(a) Each company shall permit a residential customer to designate a third party to receive notice of the pending disconnection of the customer's service or of any other credit notices sent to the customer. If the customer has a guarantor, the guarantor shall receive notice of the pending disconnection of the guaranteed customer's service or of any other credit notices sent to the guaranteed customer, except where the guarantor has affirmatively waived the right to receive notices pursuant to rule 4901:1-17-03 of the Administrative Code. The company shall notify the third party or the guarantor at least fourteen days prior to disconnecting the customer's service.

(b) The company shall inform the third party that his/her receipt of such notices does not constitute acceptance of any liability by the third party for payment for service provided to the customer unless the third party has also agreed, in writing, to be a guarantor for the customer.

(c) In compliance with division (E) of section 4933.12 and division (D) of section 4933.121 of the Revised Code, if the company plans to disconnect the residential utility service of a customer for the nonpayment of his/her bill, and that customer resides in a county in which the department of job and family services has provided the company with a written request for prior notification of residential service disconnection, then the company shall provide the appropriate county department of job and family services with a listing of those customers whose service will be disconnected for nonpayment at least twenty-four hours before the action is taken.

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- (d) Upon the request of a property owner or the agent of a property owner, each company shall provide the property owner or the agent of a property owner with at least three-days advance notice when service to his/her property is to be disconnected either at the request of a residential customer who is a tenant or for nonpayment.
- (4) 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:
 - (a) Accept payment in lieu of disconnection.
 - (b) Dispatch an employee to the premises to accept payment.
 - (c) Make available to the customer another means to avoid disconnection.
- (5) The following information shall be either clearly displayed on the disconnection notice or included in documents accompanying the disconnection notice:
 - (a) The delinquent billing account number, the total amount required to prevent disconnection of the regulated services provided by the distribution utility and any security deposit owed at the time of the notice.
 - (b) The earliest date when disconnection may occur.
 - (c) The local or toll-free number and address of the company's office for customers to contact about their account.
 - (d) The following statement:

"If you have a complaint in regard to this disconnection notice that can not be resolved after you have called (name of utility), or for general utility information, residential and business customers may call contact the Public Utilities Commission of Ohio (PUCO), toll free for assistance at 1-800-686-7826 (toll free) or for TDD/TTY toll free at 1-800-686-1570, (toll free) from 8:00 a.m. to 5:30 5:00 p.m. weekdays, or visit at www.puco.ohio.gov.

~~The Ohio Consumers' Counsel (OCC) represents residential utility Residential customers in matters before the PUCO. The OCC can be contacted toll free~~ may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or visit at www.pickocc.org."

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- (e) A statement that the customer's failure to pay the amount required at the company's office or to one of its authorized agents by the date specified in the notice may result in a security deposit and a charge for reconnection being required. The statement shall also include the amount of the security deposit and the reconnection charge.
 - (f) If applicable, a statement that the failure to pay charges for nontariffed and/or nonregulated products or services may result in the loss of those products and/or services.
 - (g) An explanation of the payment plans and options available to a customer whose account is delinquent, as provided in this rule and rule 4901:1-18-04 of the Administrative Code, and, when applicable, rule 4901:1-18-10 of the Administrative Code.
 - (h) If disconnection of service is to occur, as a result of nonpayment, a statement that a medical certification program and forms are available from the company.
 - (i) A statement that a listing of the company's authorized payment agents is available by calling the company's toll-free customer service number.
- (B) The company shall not disconnect service to residential customers for nonpayment during the period of November first through April fifteenth unless, in addition to the other requirements of this rule, the company completes each of the following:
- (1) Makes contact with the customer or other adult consumer at the premises ten days prior to disconnection of service by personal contact, telephone, or hand-delivered written notice.
 - (2) Informs the customer or adult consumer that sources of federal, state, and local government aid for payment of utility bills and for home weatherization are available at the time the company delivers the notice required in paragraph (B)(1) of this rule, and provides sufficient information to allow the customer to further pursue available assistance.
 - (3) Informs the customer of the right to enter into a payment plan as set forth in paragraph (A)(2) of rule 4901:1-18-04 of the Administrative Code, unless the customer qualifies for the payment plan set forth in paragraph (B) of rule 4901:1-18-04 of the Administrative Code, in which event the company shall inform the customer of the availability of both plans. The company may require reasonable verification of the customer's household income, including but not necessarily limited to verification by the local agency providing governmental aid in paying utility bills. If the customer does not respond to the notice described in paragraph (B)(1) of this rule, or refuses to accept a payment plan or

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fails to make the initial payment on a payment plan referenced in this paragraph, the company may disconnect service after the ten-day notice expires.

(C) Medical certification

- (1) The company shall not disconnect service for nonpayment if the disconnection of service would be especially dangerous to health. The health condition must be certified in accordance with this rule.
- (2) When the disconnection of service would make operation of necessary medical or life-supporting equipment impossible or impractical, the company shall not disconnect service for nonpayment, if the customer establishes an inability to pay the amount due in full and enters into and makes payments in accordance with an extended payment plan. The necessary medical or life-supporting equipment must be certified in accordance with this rule.
- (3) The electric distribution company shall give notice of availability of medical certification to its residential customers by means of bill inserts or special notices at the beginning of the winter heating period and at the beginning of the summer cooling period. The natural gas company shall give notice of the availability of medical certification to its residential customers by means of bill inserts or special notices at the beginning of the winter heating period.
- (4) The company shall provide application forms for health care professionals or local board of health physicians for certification upon request of any residential consumer.
- (5) Any consumer who is a permanent resident of the premises where the service is rendered may qualify for certification.
- (6) The condition shall be certified to the company by a licensed physician, physician assistant, clinical nurse specialist, certified nurse practitioner, certified nurse-midwife, or local board of health physician.
 - (a) The certification required by paragraphs (C)(1) and (C)(2) 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 party, the nature of the condition, and a signed statement by the certifying party that disconnection of service will be especially dangerous to health.
 - (b) Initial certification by the certifying party may be by telephone if written certification is forwarded to the company within seven days.

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- (c) In the event service has been disconnected within twenty-one days prior to certification of special danger to health for a qualifying resident, service shall be restored to that residence if proper certification is made in accordance with the foregoing provisions and the customer agrees to an extended payment plan.
 - (d) Certification shall prohibit disconnection of service for thirty days. Certification may be renewed two additional times (thirty days each) by a licensed physician, physician assistant, clinical nurse specialist, certified nurse practitioner, certified nurse-midwife, or local board of health physician by providing an additional certificate to the company. The total certification period is not to exceed ninety days per household in any twelve-month period.
 - (e) Upon renewal of certification, company personnel shall personally contact the customer and advise the customer of the governmental assistance programs that may be available. In the event that the best efforts of the company fail to result in personal contact, the company shall provide assistance information by mail.
 - (f) 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.
- (D) Upon request of the customer, the company shall provide an opportunity for review of the initial decision to disconnect the service. The company shall review the circumstances surrounding the disconnection, escalate the review to an appropriate supervisor if requested, and inform the customer of the decision upon review as soon as possible. At the customer's request, the company shall respond in writing.
- (E) The company when contacted by the commission's public interest center shall respond to an inquiry concerning a pending disconnection or actual disconnection within two business days. At the request of commission staff, the company shall respond in writing. Commission staff will notify the customer of the company's response.
- (F) The company shall include in its tariff its current standard practices and procedures for disconnection, including the applicable collection and reconnect charges. The company shall submit a sample disconnection notice for approval.

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4901:1-21-12 **Contract disclosure.**

(A) All CRES provider customer contracts shall include, but not be limited to, the following information:

- (1) A notification that the EDU may charge switching fees to the customer;
- (2) A notification that the customer has the right to request from the CRES provider, twice within a twelve month period, up to twenty-four months of the customer's payment history without charge.

(B) All CRES provider contracts with residential and small commercial customers shall include, but not be limited to, the following information (to be stated in clear and understandable language):

- (1) The CRES provider's name, mailing address, internet address (if applicable), and a toll-free telephone number (with hours of operation and time-zone reference) for customer contacts;
- (2) The services to be provided by the CRES provider and those to be provided by the EDU, including which entity will bill for those services;
- (3) The number of days a customer has to cancel such contract without penalty and the methods for customers to make such cancellation by contacting the EDU (orally, electronically, and in writing);
- (4) The respective policies, procedures, and any penalties for contract termination by the CRES provider and by the customer after the cancellation period;
- (5) A notification that the CRES provider may terminate the contract on at least fourteen days written notice should the customer fail to pay the bill or fail to meet any agreed-upon payment arrangements;
- (6) The customer's right to terminate the contract without penalty if:
 - (a) The customer moves outside the CRES provider's service area or into an area where the CRES provider charges a different price; or
 - (b) The contract allows the CRES provider to terminate the contract for any reason, excluding the customer's failure to pay, then the customer shall be afforded a reciprocal right to terminate the contract;
- (7) An itemized list and explanation of all prices and fees associated with the service such that:

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- (a) For fixed-rate offers, such information shall, at minimum, include: the cost per kWh for generation service; the amount of any other recurring or nonrecurring CRES provider charges; and a statement that the customer will incur additional service and delivery charges from the EDU;
- (b) For variable-rate offers, such information shall, at minimum, include: a clear and understandable explanation of the factors that will cause the price to vary, including any related indices, and how often the price can change; for discounted rates, an explanation of the discount and the basis on which any discount is calculated; the amount of any other recurring or nonrecurring CRES provider charges; and a statement that the customer will incur additional service and delivery charges from the EDU;
- (8) The terms and conditions of service, including any restrictions, limitations, contingencies, or conditions precedent associated with the service or product offered;
- (9) Procedures for handling complaints and disputes, including the following statement:

"If your complaint is not resolved after you have called your electric supplier and/or your electric utility, or for general utility information, residential and business customers may ~~call~~ contact the Public Utilities Commission of Ohio (PUCO) ~~toll free for assistance~~ at 1-800-686-7826 ~~(toll free)~~ or for ~~TDD/TTY~~ toll free at 1-800-686-1570, ~~(toll free)~~ from 8:00 a.m. to ~~5:30~~ 5:00 p.m. weekdays, or ~~visit~~ at www.PUCO.ohio.gov.
- (10) ~~"The Ohio Consumers' Counsel (OCC) represents residential utility~~ Residential customers in matters before the PUCO. The OCC can be contacted toll free may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or ~~visit~~ at www.pickocc.org."
- (11) Billing intervals and any late payment fees;
- (12) Contract duration, including the estimated starting and expiration dates and a commitment that service shall begin with the next available meter reading after processing of the request by the EDU and the CRES provider;
- (13) If the contract contains an automatic renewal provision and the terms of such provision do not require the customer's affirmative consent, a conspicuous, highlighted statement indicating the CRES provider can renew this contract without the customer's affirmative consent even when there is a change in the rate or other terms and conditions;

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- (14) Any credit, deposit, and collection procedures, including terms and conditions associated with the return of any deposit at the time of contract termination;
- (15) For generation service contracts, an incorporation by reference of information (accompanying the contract) regarding the approximate generation resource mix and environmental characteristics of the power supplies;
- (16) Who will bill for the CRES provider's service(s);
- (17) A notification that the CRES provider is prohibited from disclosing a customer's social security number and/or account number(s) without the customer's affirmative written consent except for the CRES provider's collections and credit reporting, participation in programs funded by the universal service fund, pursuant to section 4928.54 of the Revised Code, or assigning a customer contract to another CRES provider;
- (18) A statement informing customers that if they switch back to (name of EDU) they may not be served under the same rates, terms, and conditions that apply to other customers served by the EDU; and
- (19) A statement indicating to the customer whether the CRES provider offers budget billing for the generation portion of the bill.

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4901:1-21-14 **Customer billing and payments.**

- (A) This rule applies to CRES bills that do not include any EDU charges. Requirements for consolidated billing appear in rule 4901:1-21-18 of the Administrative Code.
- (B) A CRES provider may bill customers directly for competitive retail electric services or arrange for the EDU to bill customers for such services according to a tariff approved by the commission.
- (C) Residential and small commercial customer bills issued by or for CRES providers shall be accurate and understandable, be rendered at intervals consistent with those of the customer's EDU, and contain sufficient information for customers to compute and compare the total cost of competitive retail electric service(s). Such bills shall also include:
 - (1) The customer's name, billing address, service address, the customer's EDU account number, and if applicable, the CRES account number;
 - (2) The dates of service covered by the bill, an itemization of each type of competitive service covered by the bill, any related billing components, the charge for each type of service, and any other information the customer would need to recalculate the bill for accuracy;
 - (3) The applicable billing determinants, including beginning meter reading(s), ending meter reading(s), demand meter reading(s), multiplier(s), consumption(s), and demands;
 - (4) For customer generators with net-metering contracts, a statement of the net-metered generation;
 - (5) The unit price per kWh charged for competitive service, as calculated by dividing current-period competitive service charges by the current-period consumption;
 - (6) An identification of the provider of each service appearing on the bill;
 - (7) A notice in bold-face type containing clear explanation for any change of providers, rates, terms, or conditions of service (such notice shall appear on the first two consecutive bills following the occurrence of any such changes, excluding the first billing after the starting date of competitive retail electric service);
 - (8) The amount billed for the current period, any unpaid amounts due from previous periods, any payments or credits applied to the customer's account during the current period, any late payment charges or gross and net charges, if applicable, any nonrecurring charges, and the total amount due and payable;

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- (9) The due date for payment to keep the account current. Such due date shall be no less than:
- (a) Fourteen days after the postmark date on the bill for residential customers; and
 - (b) Twenty-one days after the postmark date on the bill for nonresidential customers
- (10) Current balance of the account, if a residential customer is billed according to a budget plan;
- (11) Options and instructions on how customers may make their payments;
- (12) For each provider whose charges appear on the bill, a listing of the provider's toll-free telephone number and address for customer billing questions or complaints;
- (13) The following notice:
- "If your complaint is not resolved after you have called (name of CRES provider), or for general utility information, residential and business customers may call contact the Public Utilities Commission of Ohio (PUCO) toll free for assistance at 1-800-686-7826 (toll free) or for TDD/TTY toll free at 1-800-686-1570, (toll free) from 8:00 a.m. to 5:30-5:00 p.m. weekdays, or visit at www.PUCO.ohio.gov.
- ~~The Ohio Consumers' Counsel (OCC) represents residential utility Residential customers in matters before the PUCO. The OCC can be contacted toll free~~ may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or visit at www.pickocc.org."
- (14) The applicable EDU's twenty-four hour local/toll-free telephone number for reporting service emergencies;
- (15) Identification of estimated bills or bills not based upon actual end-of-period meter readings for the period; and
- (16) An explanation of any codes and abbreviations used.
- (D) If applicable, each CRES provider shall, upon request, provide customers with the name and street address/location of the nearest payment center and/or authorized payment agent.

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- (E) If applicable, when a customer pays the bill at a payment center or to an authorized payment agent, such payment shall be credited to the customer's account as of the day it is received by such payment center or agent.
- (F) Each CRES provider shall establish policies and procedures for handling billing disputes and requests for payment arrangements.
- (G) Each CRES provider shall credit any customer partial payments in the following order:
 - (1) Billed and past due CRES provider charges;
 - (2) Billed and due current CRES provider charges; and
 - (3) Other past due and current nonregulated charges.

Budget billing payments and payments in full of the undisputed amount related to a bona fide dispute do not constitute partial payments. Payments made on accounts for which there is a bona fide dispute shall be credited to the undisputed portion of the account.

- (H) Any CRES provider wishing to issue billing statements online shall comply with the following guidelines:
 - (1) A customer shall not be required to use online billing;
 - (2) No enrollment or usage fees shall be assessed to a customer who chooses to receive bills and/or customer information online;
 - (3) The online billing statement shall include all requirements listed in paragraph (C) of this rule;
 - (4) The CRES provider shall maintain a secure and encrypted site that is to be accessed only by the customer of record after completing a secure registration process;
 - (5) Any fees to accept online payments shall be clearly disclosed in payment window(s);
 - (6) Any payment made online shall be treated as a payment made at the company's business office and shall be posted to the account in accordance with paragraph (E) of this rule. The time needed to post the payment to the account shall be clearly stated; and

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- (7) If a customer chooses to use online billing, the customer shall not be restricted to making payments online in the future. All payment methods shall continue to be available to the customer.

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4901:1-21-18 **Consolidated billing requirements.**

- (A) This rule applies to a CRES provider that issues customers a consolidated electric bill that includes both EDU and CRES provider charges for electric services. Nothing in this rule affects the obligations of the EDU to provide disconnection notices.
- (B) A supplier agreement between an EDU and a CRES provider must provide that if the CRES provider collects customer payments on behalf of the EDU, the customer's liability to the EDU ceases to the extent of the payment made and applicable to the customer's EDU account.
- (C) Consolidated bills shall be accurate, rendered at regular intervals, and shall contain clear and understandable form and language. All consolidated customer bills issued by or on behalf of an EDU and a CRES provider must include at least the following information:
 - (1) The customer's name, billing address, and service address;
 - (2) The EDU's twenty-four hour, local/toll-free number for reporting service emergencies;
 - (3) The dates of the service period covered by the bill;
 - (4) Current electric charges, separated from gas charges, if these charges appear on the same bill, but only to the extent that the biller provides both electric and gas services;
 - (5) Applicable billing determinants: beginning meter read, ending meter read, demand meter read, multipliers, consumption, and demand;
 - (6) Identification of estimated bills;
 - (7) Any nonrecurring charge(s);
 - (8) Net-metered usage for customer generators, if applicable;
 - (9) Each charge for nontariffed and/or nonregulated service or product, if applicable, and the name and toll-free/local number of each provider of such service(s);
 - (10) Amount due for previous billing period;
 - (11) Total payments, late payment charges or gross/net charges, and total credits applied during the billing period;

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(12) Total consolidated amount due and payable, or, if applicable, the total consolidated budget bill amount;

(13) Due date for payment to keep the account current;

(14) Name and address of company to whom payments should be made;

(15) The following notice:

"If your complaint is not resolved after you have called your electric supplier and/or your electric utility, or for general utility information, residential and business customers may ~~call~~ contact the Public Utilities Commission of Ohio (PUCO) ~~toll free for assistance at 1-800-686-7826 (toll free) or for TDD/TTY toll free at 1-800-686-1570, (toll free) from 8:00 a.m. to 5:30-5:00 p.m. weekdays, or visit at~~ www.PUCO.ohio.gov.

~~The Ohio Consumers' Counsel (OCC) represents residential utility Residential customers in matters before the PUCO. The OCC can be contacted toll free~~ may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or visit at www.pickocc.org."

(16) An explanation of codes and abbreviations used;

(17) At a minimum, definitions for the following terms, or like terms used by the company, if applicable: customer charge, delivery charge, estimated reading, generation charge, kilowatt hour (kWh), shopping incentive or shopping credit, late payment charge, and transition charge;

(18) The price-to-compare for residential bills and a notice that such customers can obtain a written explanation of the price-to-compare from their EDU.

(D) In addition to the information required pursuant to paragraph (C) of this rule, each consolidated bill issued must include, in that portion of the bill which details the charges from the EDU, at least the following information:

(1) EDU account number;

(2) List applicable rate schedule;

(3) Numerically state the customer's historical consumption for each of the preceding twelve months, and both the total and average consumption for such twelve-month period;

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- (4) Specific tariffed charges to the extent applicable: customer charge, delivery charge, transition charge, shopping incentive or shopping credit, and other conceptually similar tariffed charges;
 - (5) If the customer is on a budget plan with the EDU only, the monthly budget amount and current balance of EDU account;
 - (6) Current charges; and
 - (7) The EDU's toll free/local number and address for questions and complaints.
- (E) In addition to the information required pursuant to paragraph (C) of this rule, each consolidated bill issued must include, in that portion of the bill which details the charges from the CRES provider, at least the following information:
- (1) Customer's CRES account number, if different from the EDU account number;
 - (2) To the extent applicable, itemization for each charge including: for fixed-price offers, the unit price per kWh for competitive service; for all other offers for electric generation service, an explanation of how the rate is derived; and any other information the customer would need to recalculate the bill for accuracy;
 - (3) If the customer is on a budget plan with the CRES provider only, the monthly budget amount and the current balance of the CRES account;
 - (4) Current charges; and
 - (5) A highlighted notice of any change in rates, terms, or conditions appearing on the first two consecutive bills following the occurrence of any such changes and a clear explanation of each change.
- (F) Consolidated bill format. Any new consolidated bill format proposed by an EDU or a CRES provider shall be filed with the commission for approval. If an application for a consolidated bill format is not acted upon by the commission within forty-five days after it is filed, the consolidated bill format shall be deemed approved on the forty-sixth day after filing.
- (G) Transfer of customer billing information.
- (1) The non-billing EDU or CRES provider shall furnish the applicable required bill content information to the billing party in a timely manner and in a mutually agreed upon electronic format for inclusion in the consolidated customer bill.

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- (2) The billing EDU or CRES provider shall include in the consolidated bill all required bill content information furnished by the nonbilling EDU or CRES provider.
- (3) An entity ordered by the commission to provide any bill content, message, insert, or notice remains responsible to provide such information to its customers, although the information may be provided through the consolidated bill.

(H) Partial payment priority.

(1) A customer's partial payment shall be credited in the following order:

- (a) Billed and past due EDU distribution, standard offer generation, and transmission charges, or if applicable, EDU payment arrangement or past due EDU budget billing;
- (b) Billed and past due CRES provider charges, or, if applicable, CRES provider payment arrangement or past due CRES provider budget billing;
- (c) Billed and due current CRES provider charges or current CRES provider budget billing;
- (d) Billed and due current EDU distribution and transmission charges or current EDU budget billing; and
- (e) Other past due and current nonregulated charges, excluding CRES charges.

(2) Exceptions to the partial payment priority.

- (a) Payments in full of the undisputed amount related to a bona fide dispute do not constitute partial payments. Payments made on accounts for which there is a bona fide dispute shall be credited to the undisputed portion of the account.
 - (b) If a customer pays an agreed-upon EDU and/or CRES budget payment amount, then that payment shall be considered payment in full for the current bill.
- (I) Upon the customer's switch from a CRES provider, the billing party shall identify for the customer and state on the bill as of what date the billing party will no longer remit payments to the previous CRES provider and any outstanding balance due to the previous CRES provider.**
- (J) Any CRES provider wishing to issue consolidated billing statements online shall comply with the following guidelines:**

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- (1) A customer shall not be required to use online billing;
- (2) No enrollment or usage fees shall be assessed to a customer who chooses to receive bills and/or customer information online;
- (3) The online billing statement shall include all requirements listed in paragraphs (C), (D), and (E) of this rule;
- (4) The CRES provider shall maintain a secure and encrypted site that is to be accessed only by the customer of record after completing a secure registration process;
- (5) Any fees to accept online payments shall be clearly disclosed in payment window(s);
- (6) Any payment made online shall be treated as a payment made at the company's business office and shall be posted to the account in accordance with paragraph (E) of rule 4901:1-21-14 of the Administrative Code. The time needed to post the payment shall be clearly stated; and
- (7) If a customer chooses to use online billing, the customer shall not be restricted to making payments online in the future. All payment methods shall continue to be available to the customer.

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4901:1-29-11 **Contract disclosure.**

(A) All retail natural gas supplier and opt-in governmental aggregator customer contracts shall include, but not be limited to, the following information:

- (1) A notification that switching fees may apply to a customer under the incumbent natural gas company's tariff; and
- (2) A notification that the customer has the right to request from the retail natural gas supplier and opt-in governmental aggregator up to twenty-four months of the customer's payment history for services rendered by the retail natural gas supplier or governmental aggregator without charge.

(B) In addition, all retail natural gas supplier and opt-in governmental aggregator contracts with customers shall include, but not be limited to, the following information (to be stated in clear and understandable language):

- (1) The retail natural gas supplier's and opt-in governmental aggregator's name, mailing address, internet address (if applicable), and a toll-free telephone number (with hours of operation and time zone reference) for customer contacts;
- (2) The services to be provided by the retail natural gas supplier or opt-in governmental aggregator and those to be provided by the incumbent natural gas company, including which entity will bill for those services;
- (3) The seven business-day period during which a customer has to rescind such contract without penalty and the methods for customers to make such rescission by contacting the incumbent natural gas company (orally or in writing);
- (4) The respective policies, procedures, and any penalties for contract termination by the retail natural gas supplier and opt-in governmental aggregator and by the customer after the rescission period;
- (5) A notification that the retail natural gas supplier and opt-in governmental aggregator may terminate the contract on at least fourteen days written notice should the customer fail to pay the bill or fail to meet any agreed-upon payment arrangements;
- (6) The contract automatically terminates if:
 - (a) The requested service location is not served by the incumbent natural gas company;

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- (b) The customer moves outside the incumbent natural gas company service area or to an area not served by the retail natural gas supplier or opt-in governmental aggregator; or
 - (c) The retail natural gas supplier or opt-in governmental aggregator returns the customer to the customer's incumbent natural gas company's sales service, provided that the retail natural gas supplier or opt-in governmental aggregator is permitted to terminate the contract under the terms and conditions of the contract.
- (7) The customer has a right to terminate the contract without penalty in the event:
 - (a) The customer relocates; or
 - (b) The contract allows the retail natural gas supplier or opt-in governmental aggregator such a right for reasons other than customer nonpayment.
- (8) An itemized list and explanation of all prices in clear and understandable language and fees associated with the service such that:
 - (a) For fixed-rate offers, such information shall, at minimum, include: the cost per Ccf or Mcf, whichever is consistent with the incumbent natural gas company's billing format, for competitive retail natural gas service; the amount of any other recurring or nonrecurring retail natural gas supplier or opt-in governmental aggregator charges; and a statement that the customer will incur additional charges for the incumbent natural gas company's services.
 - (b) For variable-rate offers, such information shall, at minimum, include: a clear and understandable explanation of the factors that will cause the price per Ccf or Mcf, whichever is consistent with the incumbent natural gas company's billing format, to vary (including any related indices) and how often the price can change; the amount of any other recurring or nonrecurring retail natural gas supplier or opt-in governmental aggregator charges; and a statement that the customer will incur additional charges for the incumbent natural gas company's services.
- (9) The terms and conditions of service, including any restrictions and limitations associated with the service or product offered;
- (10) Procedures for handling complaints and disputes, including the following:

"If your complaint is not resolved after you have called (name of retail natural gas supplier or opt-in governmental aggregator), or for general utility information, residential and business customers may ~~call~~ contact the Public Utilities Commission of Ohio (PUCO) ~~toll free~~ for assistance at 1-800-686-7826

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(toll free) or for TDD/TTY toll free at 1-800-686-1570; (toll free) from 8:00 a.m. to 5:30-5:00 p.m. weekdays, or visit at www.puco.ohio.gov."

(11) A statement that:

"~~The Ohio Consumers' Counsel (OCC) represents residential utility~~ Residential customers in matters before the PUCO. ~~The OCC can be contacted toll free~~ may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or visit at www.pickocc.org."

(12) Billing intervals and any late payment fees;

(13) Contract duration, including the estimated starting and expiration month and year;

(14) Whether the contract contains an automatic renewal provision and the terms of such provision;

(15) Any credit, deposit, and collection procedures, including terms and conditions associated with the return of any deposit at the time of contract termination;

(16) Who will bill for the retail natural gas supplier's and opt-in governmental aggregator's service(s);

(17) A notification that the customer's social security number and/or account number(s) shall not be released without the customer's affirmative written consent; and

(18) A notification that, if the customer voluntarily returns to the incumbent natural gas company after choosing a retail natural gas supplier or opt-in governmental aggregator, the customer may be charged a price other than the incumbent natural gas company's GCR rate.

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4901:1-29-12 **Customer billing and payments.**

- (A) A retail natural gas supplier, governmental aggregator, or an agent may bill customers directly for competitive retail natural gas services pursuant to this rule. A retail natural gas supplier or governmental aggregator may bill for consolidated services if it can demonstrate, pursuant to the standards contained in the incumbent natural gas company tariffs, to the incumbent natural gas company and the commission it has the capability to bill customers for such services.
- (B) Customer bills issued by or for retail natural gas suppliers and governmental aggregators shall be accurate and understandable, be rendered at intervals consistent with those of the customer's natural gas company, and contain sufficient information for customers to compute and compare the total cost of competitive retail natural gas service(s). Such bills shall also include:
- (1) The customer's name, billing address, service address, the customer's natural gas company account number, and if applicable, the retail natural gas supplier or governmental aggregator account number;
 - (2) The dates of service covered by the bill, an itemization of each type of competitive retail natural gas service covered by the bill, any related billing components, the charge for each type of natural gas service, and an itemization of all other fees and charges;
 - (3) The customer's historical consumption during each of the preceding twelve months or each of the preceding months that the customer has been a customer of the retail natural gas supplier or governmental aggregator, whichever is less; with a total consumption and an overall average monthly consumption for such period.
 - (4) The applicable billing determinants, including beginning meter reading(s), ending meter reading(s), multiplier(s), and any other consumption(s) adjustments;
 - (5) The unit price charged per Ccf or Mcf, whichever is consistent with the incumbent natural gas company's billing format, for competitive retail natural gas service, as calculated by dividing current-period competitive retail natural gas service charges by the current-period consumption;
 - (6) An identification of the retail natural gas supplier or governmental aggregator of each retail natural gas service appearing on the bill;
 - (7) The amount billed for the current period, any unpaid amounts due from previous periods, any payments or credits applied to the customer's account during the current period, any late payment charges or gross and net charges, if applicable, and the total amount due and payable;

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- (8) The due date for payment to keep the account current. Such due date shall be consistent with that provided by the incumbent natural gas company for its charges;
 - (9) Current balance of the account, if a residential customer is billed according to a budget plan;
 - (10) Options and instructions on how customers may make their payments;
 - (11) A toll-free or local telephone number and address for customer billing questions or complaints must appear for any retail natural gas supplier or governmental aggregator whose charges appear on the bill;
 - (12) The following statement: "If your complaint is not resolved after you have called (name the retail natural gas company or governmental aggregator), or for general utility information, residential and business customers may call contact the Public Utilities Commission of Ohio (PUCO) toll free for assistance at 1-800-686-7826 (toll free) or for TDD/TTY toll free at 1-800-686-1570, (toll free) from 8:00 a.m. to 5:30-5:00 p.m. weekdays, or visit www.puco.ohio.gov at www.puco.ohio.gov.

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 - (13) The incumbent natural gas company's twenty-four hour local/toll-free telephone number for reporting service emergencies;
 - (14) Identification of estimated bills or bills not based upon actual end-of-period meter readings for the period; and
 - (15) An explanation of any codes and abbreviations used.
- (C) If applicable, each retail natural gas supplier and governmental aggregator shall, upon request, provide customers with the name and street address/location of the nearest payment center and/or authorized payment agent and disclose any fee associated with using such payment center and/or agent.
- (D) If applicable, when a customer pays the bill at a payment center or to an authorized payment agent, such payment shall be credited to the customer's account as of the day it is received by such payment center or agent.

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- (E) Each retail natural gas supplier and governmental aggregator shall establish policies and procedures for handling billing disputes and requests for payment arrangements.
- (F) Partial payments applied towards any past due amount on a bill or the balance due on a disconnection notice must be apportioned to past due natural gas company service and delivery charges, then to any current natural gas company service and delivery charges, before being applied to any retail natural gas supplier or governmental aggregator charges unless the customer pays the entire amount past due or more. In that case, any amount paid over the amount past due shall be applied first to natural gas company service and delivery charges.
- (G) Natural gas companies shall make dual billing and consolidated billing available to retail natural gas suppliers and governmental aggregators.
 - (1) If the retail natural gas supplier or governmental aggregator elects for its charges to be included on the incumbent natural gas company's consolidated bill:
 - (a) The retail natural gas supplier or governmental aggregator shall furnish the incumbent natural gas company sufficient bill contents as required by paragraph (B) of this rule;
 - (b) The incumbent natural gas company shall produce a consolidated bill including all such required contents provided by the retail natural gas supplier or governmental aggregator if it is not already on the customer's bill from the incumbent natural gas company. However, the consolidated bill may provide the following amounts on a consolidated basis only: budget amounts, past due balances, and payments applied;
 - (c) The consolidated bill shall state the name of the applicable retail natural gas supplier or governmental aggregator in close proximity to the retail natural gas supplier or governmental aggregator commodity charges; and
 - (d) The incumbent natural gas company shall offer budget billing of retail natural gas supplier and governmental aggregator charges as a customer-elected option.
 - (2) If the retail natural gas supplier or governmental aggregator elects a dual billing arrangement, the incumbent natural gas company's bill shall include the name of the applicable retail natural gas supplier or governmental aggregator and a statement that such retail natural gas supplier or governmental aggregator is responsible for billing the retail natural gas supplier or governmental aggregator charges.
- (H) Customer bills issued by or for a natural gas company shall state the customer's historical consumption during each of the preceding twelve months, with a total and average consumption for such twelve-month period.

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(I) Natural gas companies shall prominently display the "apples to apples" notice on customer bills for customers. The commission staff shall review such notice.

(J) If a natural gas company acts as the billing agent for the retail natural gas supplier or governmental aggregator, customer partial payments shall be credited as follows:

Partial payments applied towards any past due amount on a bill or the balance due on a disconnection notice must be apportioned to past due natural gas company service and delivery charges, then to any current natural gas company service and delivery charges, before being applied to any retail natural gas supplier or governmental aggregator charges unless the customer pays the entire amount past due or more. In that case, any amount paid over the amount past due shall be applied first to natural gas company service and delivery charges.

(K) Natural gas companies shall not disconnect a customer's natural gas service for nonpayment of competitive retail natural gas service charges or in the event of a bill dispute of such charges.

(L) For the purposes of this rule, full payment of a budget amount due shall not be construed as a partial payment.