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October 20, 2006

Illona A. Jeffcoat-Sacco, Executive Secretary  
North Dakota Public Service Commission  
State Capitol Building, Dept. 408  
600 East Boulevard  
Bismarck, ND 58505-0480

RE: SUPPLEMENTAL BILLING OF VACANT RENTAL PROPERTY (BVRP) APPLICATION  
CASE NO. PU-06-217

Dear Ms. Jeffcoat-Sacco:

In consideration of issues raised by North Dakota Public Service Commission staff in their October 5 memo to the Commissioners, and the discussion during the Commission's October 12 Informal Hearing, Northern States Power Co. d/b/a Xcel Energy hereby submits the following supporting information and amendments to its Billing of Vacant Rental Property (BVRP) tariff:

Documentation of Proposed Lock on Disconnect (LOD) Fees

In its October 5 memo, staff had questioned the revenue and expense impact of providing landlords with the Lock on Disconnect option. In addition, the Commissioners had inquired about seeing supporting detail for the derivation of the estimated disconnect/connect service costs and proposed LOD fees. Attachment A provides a more detailed explanation of the assumptions and calculations used to estimate the cost impact of doing this work. At the Informal Hearing, Company witnesses indicated that the proposed fees are intended to allow for recovery of the anticipated additional costs to the company of disconnecting and connecting service for landlords requesting the LOD option. Hence, the net impact on regulated electric or gas earnings is expected to be \$0.

Clarification of the LOD Fee for Multiple Service Disconnections/Connections

Staff had suggested that the proposed BVRP tariff be reworded to clarify how LOD fees would be assessed in cases where multiple meters at a given premise were being locked or unlocked on the same LOD service trip. Attachment B shows the redline (page 1) and normal (page 2) versions of the revised tariff, with the words "...up to..." removed from the third line of the section entitled "Lock On Disconnect Option (LOD)." This change makes it clear that the charge does not change regardless of the number of meters being locked or unlocked during each service call.

Exemption of rental property tenants From the Natural Gas Seasonal Disconnect Fee  
Staff pointed out that Rate Sheet 6.3 of the North Dakota Gas Rate Book included a fee under Section 1.2, “Service Processing Charge”, that was originally intended to apply to non-relocating customers requesting service disconnections and reconnections on a seasonal basis to avoid paying fixed monthly delivery charges. The language in that section did not clearly differentiate those types of service changes from rental property tenant changes, leading to the possibility that a tenant returning to a rental unit within a 12 month period (such as a university student) or a landlord could be assessed a seasonal disconnect fee. Since this was never the purpose of the seasonal fee, the Company submits as Attachment C (page 1 is the redline version; page 2 is the normal version) a revised Rate Sheet 6.3 to exempt certain customers, such as rental property tenants, from this fee.

Finally, with respect to the position taken by Staff in its October 5 memo that the BVRP tariff be approved without the imposition of any charges for Lock on Disconnect services, it is imperative the Commission consider carefully the reasons Xcel Energy proposed the LOD charges in the first place:

1. It is unfair to have all ratepayers bear the costs of sending Company personnel to rental properties to disconnect and then later reconnect service to a rental unit. Landlords who request special services such as this should be the ones who incur the costs.
2. Not charging for LOD work will create an inappropriate incentive for landlords to request the LOD option with the hope that either service will not be disconnected, or that it won't be disconnected in a timely manner, thereby allowing landlords to have service between tenants without having to pay for it. This current problem is a “loophole” that the new tariff is intended to eliminate.
3. Without the ability to charge cost-causers with an appropriate fee, the Company is unable to recover its costs until a general rate case is filed and approved. The total cost impact of providing LOD service (estimated to be from \$5,000 to \$9,000) is not material enough to drive a general rate increase application, leaving the Company with only two options – “eat” the costs, or refrain from offering the LOD option altogether.

Thank you, and please call if you have any questions regarding this information.

Sincerely



SR. CONSULTANT, REGULATION & FINANCE  
NORTHERN STATES POWER CO. D/B/A XCEL ENERGY

Enclosure

**Northern States Power Company d/b/a Xcel Energy  
Electric and Gas Utility - North Dakota Jurisdiction  
Lock on Disconnect Fee Calculations**

| Task # | TASK - DISCONNECT ELECTRIC SERVICE                       | Calculation   | Actual Costs    |
|--------|--|---|-----------------|
| E1     | Labor charge - travel to premise                         | 11.4 min. average travel time @ \$22.00/hr; 68.36% overhead rate                  | \$ 7.04         |
| E2     | Labor charge - disconnect electric meter, apply sleeves. | 14.4 min average time to disconnect/read meter @ \$22.00/hr; 68.36% overhead rate | \$ 8.89         |
| E3     | Administrative charge to enter order.                    | 6.0 min. @ \$18.00/hr.  | \$ 1.80         |
| E4     | Vehicle charge.  | 25.8 min. per trip @ \$6.18/hr  | \$ 2.66         |
|        |  |   |                 |
|        |  | <b>Total</b>  | <b>\$ 20.38</b> |

| Task # | TASK - CONNECT ELECTRIC SERVICE                        | Calculation   | Actual Costs    |
|--------|--|---|-----------------|
| E5     | Labor charge - travel to premise                       | 11.4 min. average travel time @ \$22.00/hr; 68.36% overhead rate                  | \$ 7.04         |
| E6     | Labor charge - connect electric meter, remove sleeves. | 14.4 min average time to disconnect/read meter @ \$22.00/hr; 68.36% overhead rate | \$ 8.89         |
| E7     | Administrative charge to enter order.                  | 6.0 min. @ \$18.00/hr.  | \$ 1.80         |
| E8     | Vehicle charge.  | 25.8 min. per trip @ \$6.18/hr  | \$ 2.66         |
|        |  |   |                 |
|        |  | <b>Total</b>  | <b>\$ 20.38</b> |

| Task # | TASK - DISCONNECT GAS SERVICE         | Calculation   | Costs           |
|--------|---------------------------------------|---|-----------------|
| G1     | Labor charge - travel to premise      | 11.4 min. average travel time @ \$27.88/hr; 68.36% overhead rate                  | \$ 8.92         |
| G2     | Labor charge - disconnect gas meter   | 33.6 min average time to disconnect/read meter @ \$27.88/hr; 68.36% overhead rate | \$ 26.29        |
| G3     | Administrative charge to enter order. | 6.0 min. @ \$18.00/hr.  | \$ 1.80         |
| G4     | Vehicle charge.                       | 45.0 min. per trip @ \$7.00/hr  | \$ 5.25         |
|        |                                       |   |                 |
|        |                                       | <b>Total</b>  | <b>\$ 42.25</b> |

| Task # | TASK - CONNECT GAS SERVICE                              | Calculation   | Costs           |
|--------|---|---|-----------------|
| G5     | Labor charge - travel to premise                        | 11.4 min. average travel time @ \$27.88/hr; 68.36% overhead rate; 25% chance of a 2 tr                                  | \$ 11.15        |
| G6     | Labor charge - connect gas meter & relight pilot lights | 48.6 min avg time to connect gas, pilot lights, read meter @ \$27.88/hr; 68.36% ovrhd rate, 25% chance of a second trip | \$ 47.53        |
| G7     | Administrative charge to enter order.                   | 6.0 min. @ \$18.00/hr.  | \$ 1.80         |
| G8     | Vehicle charge.   | 60 min. per trip @ \$7.00/hr; 2 trips, 25% chance of a second trip  | \$ 8.75         |
|        |   |   |                 |
|        |   | <b>Total</b>  | <b>\$ 69.22</b> |

Overhead rate reflects costs for pension, insurance, taxes, workers compensation, and vacation/sick time

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**NORTH DAKOTA ELECTRIC RATE BOOK - NDPSO NO. 2**

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**GENERAL RULES AND REGULATIONS (CONTINUED)**

Section No.  
Original Sheet No. 81.3

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**RESIDENTIAL BILLING OF VACANT RENTAL PROPERTY**

All Landlords and property managers responsible for residential rental units shall sign a *Residential Billing of Vacant Rental Property Agreement* and select either the Automatic Turn On (ATO) option or the Lock On Disconnect (LOD) option. If a landlord/property manager declines to sign a *Residential Billing of Vacant Rental Property Agreement*, or select either one of the ATO or LOD options, their accounts will be defaulted to the LOD option. The landlord/property manager may change their selection by written notice to the Company at any time. If a landlord/property manager's account becomes delinquent, the *Residential Billing of Vacant Rental Property Agreement* may be canceled for the affected buildings only.

**AUTOMATIC TURN ON OPTION (ATO)**

If the landlord/property manager selects the ATO option, the Company shall bill the landlord/property manager for electric service in unoccupied rental unit(s) during periods of tenant vacancies. Under this option, the Service Connection Charge applicable to customer account name changes will not be applied. Electric service for vacant rental unit(s) will remain in the landlord/property manager's name until 1) a new tenant becomes the customer of record 2) the landlord/property manager (as agent for the tenant) applies for service, or 3) the landlord/property manager submits a request to cancel the ATO option in its entirety. If the ATO option is in effect, billings shall be the responsibility of the landlord/property manager if a new tenant occupies the rental unit but fails to apply for service.

**LOCK ON DISCONNECT OPTION (LOD)**

If the landlord/property manager selects the LOD option, service in rental unit(s) will be disconnected when the Company is notified that the tenant has vacated the property. Service in rental unit(s) will be reconnected when there is a new service request. For each LOD service, the landlord/property manager will be charged ~~up to~~ \$20.00 for the disconnection or reconnection of either a single meter or multiple electric meters that are disconnected or reconnected on the same service trip to the same building. If the meter is unlocked to allow for preparation of the rental unit prior to a new tenant moving in, the landlord/property manager will not be assessed the Service Connection Charge but will be responsible for payment of all other Company services until the new tenant assumes service in their name.

**START/STOP SERVICE NOTIFICATION**

Tenant has the right to start or stop service in rental unit(s) by notifying the Company. Alternatively, the tenant may start or stop service in rental unit(s) by completing a "*Residential Tenant Authorization Form for Tenant or Landlord to Start Service*" and/or a "*Residential Tenant Authorization Form for Tenant or Landlord To Stop Service*" which authorizes the landlord/property manager to start or stop rental unit(s) service in tenant's name. Under the terms of this form, the tenant is the user of the service in rental unit(s) and is responsible for payment of all Company services from the Service Start Date through the Service Stop Date, which are selected and communicated by the tenant to the landlord/property manager. The tariff does not require tenants or landlords/property managers to use this form.

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(Continued on Sheet E-86.21)

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**GENERAL RULES AND REGULATIONS (CONTINUED)**

Section No.  
Original Sheet No. 81.3

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**RESIDENTIAL BILLING OF VACANT RENTAL PROPERTY**

All Landlords and property managers responsible for residential rental units shall sign a *Residential Billing of Vacant Rental Property Agreement* and select either the Automatic Turn On (ATO) option or the Lock On Disconnect (LOD) option. If a landlord/property manager declines to sign a *Residential Billing of Vacant Rental Property Agreement*, or select either one of the ATO or LOD options, their accounts will be defaulted to the LOD option. The landlord/property manager may change their selection by written notice to the Company at any time. If a landlord/property manager's account becomes delinquent, the *Residential Billing of Vacant Rental Property Agreement* may be canceled for the affected buildings only.

**AUTOMATIC TURN ON OPTION (ATO)**

If the landlord/property manager selects the ATO option, the Company shall bill the landlord/property manager for electric service in unoccupied rental unit(s) during periods of tenant vacancies. Under this option, the Service Connection Charge applicable to customer account name changes will not be applied. Electric service for vacant rental unit(s) will remain in the landlord/property manager's name until 1) a new tenant becomes the customer of record 2) the landlord/property manager (as agent for the tenant) applies for service, or 3) the landlord/property manager submits a request to cancel the ATO option in its entirety. If the ATO option is in effect, billings shall be the responsibility of the landlord/property manager if a new tenant occupies the rental unit but fails to apply for service.

**LOCK ON DISCONNECT OPTION (LOD)**

If the landlord/property manager selects the LOD option, service in rental unit(s) will be disconnected when the Company is notified that the tenant has vacated the property. Service in rental unit(s) will be reconnected when there is a new service request. For each LOD service, the landlord/property manager will be charged \$20.00 for the disconnection or reconnection of either a single meter or multiple electric meters that are disconnected or reconnected on the same service trip to the same building. If the meter is unlocked to allow for preparation of the rental unit prior to a new tenant moving in, the landlord/property manager will not be assessed the Service Connection Charge but will be responsible for payment of all other Company services until the new tenant assumes service in their name.

**START/STOP SERVICE NOTIFICATION**

Tenant has the right to start or stop service in rental unit(s) by notifying the Company. Alternatively, the tenant may start or stop service in rental unit(s) by completing a "*Residential Tenant Authorization Form for Tenant or Landlord to Start Service*" and/or a "*Residential Tenant Authorization Form for Tenant or Landlord To Stop Service*" which authorizes the landlord/property manager to start or stop rental unit(s) service in tenant's name. Under the terms of this form, the tenant is the user of the service in rental unit(s) and is responsible for payment of all Company services from the Service Start Date through the Service Stop Date, which are selected and communicated by the tenant to the landlord/property manager. The tariff does not require tenants or landlords/property managers to use this form.

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(Continued on Sheet E-86.21)

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**GENERAL RULES AND REGULATIONS (CONTINUED)**

Section No. 6  
Original Sheet No. 11.1

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**RESIDENTIAL BILLING OF VACANT RENTAL PROPERTY**

All Landlords and property managers responsible for residential rental units shall sign a *Residential Billing of Vacant Rental Property Agreement* and select either the Automatic Turn On (ATO) option or the Lock On Disconnect (LOD) option. If a landlord/property manager declines to sign a *Residential Billing of Vacant Rental Property Agreement*, or select either one of the ATO or LOD options, their accounts will be defaulted to the LOD option. The landlord/property manager may change their selection by written notice to the Company at any time. If a landlord/property manager's account becomes delinquent, the *Residential Billing of Vacant Rental Property Agreement* may be canceled for the affected buildings only.

**AUTOMATIC TURN ON OPTION (ATO)**

If the landlord/property manager selects the ATO option, the Company shall bill the landlord/property manager for gas service in unoccupied rental unit(s) during periods of tenant vacancies. Under this option, the Service Connection Charge applicable to customer account name changes will not be applied. Gas service for vacant rental unit(s) will remain in the landlord/property manager's name until 1) a new tenant becomes the customer of record 2) the landlord/property manager (as agent for the tenant) applies for service, or 3) the landlord/property manager submits a request to cancel the ATO option in its entirety. If the ATO option is in effect, billings shall be the responsibility of the landlord/property manager if a new tenant occupies the rental unit but fails to apply for service.

**LOCK ON DISCONNECT OPTION (LOD)**

If the landlord/property manager selects the LOD option, service in rental unit(s) will be disconnected when the Company is notified that the tenant has vacated the property. Service in rental unit(s) will be reconnected when there is a new service request. A Landlord/Property Manager will be charged \$40.00 for disconnection and \$65.00 for reconnection of each gas meter. However, if multiple gas meters are scheduled to be disconnected on the same service trip to the same building, only one \$40 charge will apply. If a meter(s) is scheduled to be disconnected and other(s) reconnected on the same service trip to the same building, only one \$65.00 charge will apply. ~~For each LOD service, the landlord/property manager will be charged up to \$40.00 for the disconnection and \$65.00 for the reconnection of either a single meter or multiple electric meters that are disconnected or reconnected on the same service trip to the same building.~~ If the meter is unlocked to allow for preparation of the rental unit prior to a new tenant moving in, the landlord/property manager will not be assessed the Service Connection Charge but will be responsible for payment of all other Company services until the new tenant assumes service in their name.

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Tenant has the right to start or stop service in rental unit(s) by notifying the Company. Alternatively, the tenant may start or stop service in rental unit(s) by completing a "*Residential Tenant Authorization Form for Tenant or Landlord to Start Service*" and/or a "*Residential Tenant Authorization Form for Tenant or Landlord To Stop Service*" which authorizes the landlord/property manager to start or stop rental unit(s) service in tenant's name. Under the terms of this form, the tenant is the user of the service in rental unit(s) and is responsible for payment

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(Continued on Sheet E-86.21)

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**GENERAL RULES AND REGULATIONS (CONTINUED)**

Section No. 6  
Original Sheet No. 11.1

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(Continued on Sheet E-86.21)

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**GENERAL RULES AND REGULATIONS (CONTINUED)**

Section No. 6  
Original Sheet No. 11.1

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(Continued on Sheet E-86.21)

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**NORTH DAKOTA GAS RATE BOOK - NDPSC NO. 2**

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**GENERAL RULES AND REGULATIONS (Continued)**

Section No. 6  
~~2<sup>nd</sup>~~<sup>4<sup>th</sup></sup> Revised Sheet No. 3

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**SECTION 1 GENERAL SERVICE RULES**

**1.1 APPLICATION FOR SERVICE**

A party desiring gas service must make application to the Company before commencing the use of the Company's service. The Company reserves the right to require a signed application or written contract for service to be furnished. All applications and contracts for service must be made in the legal name of the party desiring the service. The Company may refuse an applicant or terminate service to a customer who fails or refuses to furnish reasonable information requested by the Company for the establishment of a service account. Any person who uses gas service in the absence of application or contract shall be subject to the Company's rates, rules, and regulations and shall be responsible for payment of all service used.

When required by governmental authority, a customer desiring new service or expanded service first must make application for and receive written approval from the Company.

Subject to its rates, rules, and regulations, the Company will continue to supply gas service until notified by customer to discontinue the service. The customer will be responsible for payment of all service furnished through the date of discontinuance.

**1.2 SERVICE PROCESSING CHARGE**

The Company will charge \$15.00 for the initial establishment or the reestablishment of service for each customer. If any combination of gas or electric services requested by a customer and furnished by the Company is established or reestablished at the same time and location, only one \$15.00 charge will be made.

If a customer requests reestablishment of service at a location where the same customer discontinued the same service within the preceding 12 month period, an additional seasonal reconnection fee will be assessed equal to the sum of the monthly minimum charges applicable during the period service was not taken. The seasonal reconnection fee does not apply to occupants of rental units, dormitories, homes for the elderly, or similar facilities that generally experience higher levels of customer transition.

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**1.3 ACCESS TO CUSTOMER'S PREMISES**

Company representatives, when properly identified, shall have access to customer's premises at all reasonable times for the purpose of reading meters, making repairs, making inspections, removing the Company's property, or for any other purpose incident to the service.

**1.4 CONTINUITY OF SERVICE**

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(Continued on Sheet No. 6-4)

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Case No. PU-~~400-064-578~~217

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**GENERAL RULES AND REGULATIONS (Continued)**

Section No. 6  
~~2<sup>nd</sup>~~<sup>4<sup>th</sup></sup> Revised Sheet No. 3

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The Company will use all reasonable care to provide continuous service but does not assume responsibility for a regular and uninterrupted supply of gas service and will not be liable for any loss, injury, or damage resulting from the use of service, or arising from or caused by the interruption or curtailment of the same.

(Continued on Sheet No. 6-4)

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Minneapolis, Minnesota 55401  
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**GENERAL RULES AND REGULATIONS (Continued)**

Section No. 6  
2<sup>nd</sup> Revised Sheet No. 3

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## **SECTION 1 GENERAL SERVICE RULES**

### **1.1 APPLICATION FOR SERVICE**

A party desiring gas service must make application to the Company before commencing the use of the Company's service. The Company reserves the right to require a signed application or written contract for service to be furnished. All applications and contracts for service must be made in the legal name of the party desiring the service. The Company may refuse an applicant or terminate service to a customer who fails or refuses to furnish reasonable information requested by the Company for the establishment of a service account. Any person who uses gas service in the absence of application or contract shall be subject to the Company's rates, rules, and regulations and shall be responsible for payment of all service used.

When required by governmental authority, a customer desiring new service or expanded service first must make application for and receive written approval from the Company.

Subject to its rates, rules, and regulations, the Company will continue to supply gas service until notified by customer to discontinue the service. The customer will be responsible for payment of all service furnished through the date of discontinuance.

### **1.2 SERVICE PROCESSING CHARGE**

The Company will charge \$15.00 for the initial establishment or the reestablishment of service for each customer. If any combination of gas or electric services requested by a customer and furnished by the Company is established or reestablished at the same time and location, only one \$15.00 charge will be made.

If a customer requests reestablishment of service at a location where the same customer discontinued the same service within the preceding 12 month period, an additional seasonal reconnection fee will be assessed equal to the sum of the monthly minimum charges applicable during the period service was not taken. The seasonal reconnection fee does not apply to occupants of rental units, dormitories, homes for the elderly, or similar facilities that generally experience higher levels of customer transition.

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### **1.3 ACCESS TO CUSTOMER'S PREMISES**

Company representatives, when properly identified, shall have access to customer's premises at all reasonable times for the purpose of reading meters, making repairs, making inspections, removing the Company's property, or for any other purpose incident to the service.

### **1.4 CONTINUITY OF SERVICE**

The Company will use all reasonable care to provide continuous service but does not assume responsibility for a regular and uninterrupted supply of gas service and will not be liable for any loss, injury, or damage resulting from the use of service, or arising from or caused by the interruption or curtailment of the same.

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(Continued on Sheet No. 6-4)

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