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November 17, 2006

Advice No. 3681
(U 904 G)

Public Utilities Commission of the State of California

Subject: Tariff Integration: Revision of Rule No. 9 – Discontinuance of Service

Southern California Gas Company (SoCalGas) hereby submits for approval by the California Public Utilities Commission (Commission) revisions to its Rule No. 9, Discontinuance of Service, as shown on Attachment B.

Purpose

In this filing, SoCalGas proposes to bring its Rule No. 9 into conformance with San Diego Gas & Electric Company's (SDG&E) gas and electric Rule 11, Discontinuance of Service. SDG&E is concurrently filing an advice letter to revise its gas and electric Rule 11. This filing responds to the Commission's expressed desire for consistency in utility tariffs by aligning SDG&E tariffs to SoCalGas' tariffs to the greatest extent possible. In addition, these revisions respond to customer needs by providing structure to the tariff to promote ease in administering the tariff.

Information

SoCalGas' Rule No. 9 is being conformed to SDG&E's gas and electric Rule 11 in order to present the information more clearly and to make it more understandable. The herein proposed Rule No. 9 sets forth the conditions associated with the disconnection of gas service. As a result of the review of both utilities' rules, it has become apparent that SoCalGas' Rule No. 9 could be made more complete and explicit with the addition of certain provisions from SDG&E's rule as described below. Moreover, headings have been added for ease of reference. The proposed revisions do not result in any changes in utility practices.

Proposed Rule Changes

The following proposed changes to Rule No. 9 are being made as follows:

- Headings and subsections were added for C.1 through C.13 in order to guide the customer to specific information. In some instances, minor text changes are being made in order to provide more clarity to the existing language. Additional revisions to this section are as noted below:

- Subsection 2.a., the sentence “A customer’s deposit to establish credit shall not be used as payment to avoid discontinuance of service” was relocated to this subsection from SoCalGas’ current and effective Rule 9, C.4 and the balance of that section was deleted because the same subject matter is provided in SoCalGas’ Rule 9, C.2.a.
- Subsection 3., added text from SDG&E’s current and effective Rule 11 providing examples of third party representatives for clarification.
- Subsection 6.a., replaced SoCalGas’ current and effective Rule 9, C.6.a. with SDG&E’s current and effective gas Rule 5, A.1.b.¹ paragraphs one through three for clarity and better understanding.
- Subsection 6.b., reworded with text from SDG&E’s current and effective gas Rule 5, A.1.b. paragraph four for clarity and better understanding.
- Subsection 6.d., text was reworded for clarity and refers the customer to the Commission’s appropriate address to submit a formal complaint. Unnecessary wording was deleted that referenced how the Commission would process the complaint .
- Subsection 14 was deleted as the same text is found in SoCalGas’ current and effective Rule 11, A., Disputed Bill Process.
- Section E., added REFUSAL OR DISCONTINUANCE OF SERVICE to title and added SDG&E’s current and effective Rule 11, D. as a second paragraph as the text provides explicit examples of abuse or fraud and the consequences of such for clarification.
- Section H. is being revised to be in alignment with SDG&E’s current and effective Rule 11, F.
- Section I. is being revised to be in alignment with SDG&E’s current and effective Rule 11, H.
- Section L., 2005-2006 WINTER GAS INITIATIVE, was deleted as the Initiative’s effective period expired April 30, 2006.

This filing will not result in an increase or decrease in any rate or charge, conflict with any rate schedules or any other rules, or cause the withdrawal of service.

Effective Date

SoCalGas believes that this filing is subject to Energy Division disposition and therefore respectfully requests that this advice letter become effective December 17, 2006, which is 30 calendar days after the date filed.

Protest

Anyone may protest this Advice Letter to the California Public Utilities Commission. The protest must state the grounds upon which it is based, including such items as financial and service impact, and should be submitted expeditiously. The protest must be made in writing and received within 20 days of the date of this Advice Letter. There is no restriction on who may file a protest. The address for mailing or delivering a protest to the Commission is:

¹ SDG&E’s Rule 5, Special Information Available For Customers, A. Information/Brochures, 1. Rights and Remedies, b. Termination Dispute for Domestic Customers

CPUC - Energy Division
Attention: Tariff Unit
505 Van Ness Avenue
San Francisco, CA 94102

Copies of the protest should also be sent via e-mail to the attention of both Maria Salinas (mas@cpuc.ca.gov) and Honesto Gatchalian (jnj@cpuc.ca.gov) of the Energy Division. A copy of the protest shall also be sent via both e-mail and facsimile to the address shown below on the same date it is mailed or delivered to the Commission.

Attn: Sid Newsom
Tariff Manager - GT14D6
555 West Fifth Street
Los Angeles, CA 90013-1011
Facsimile No. (213) 244-4957
E-Mail: snewsom@semprautilities.com

Notice

A copy of this Advice Letter is being sent to the parties listed on Attachment A.

J. STEVE RAHON
Director
Tariffs and Regulatory Accounts

Attachments

ATTACHMENT A

Advice No. 3681

(See Attached Service List)

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ATTACHMENT B
Advice No. 3681

Cal. P.U.C. Sheet No.	Title of Sheet	Cancelling Cal. P.U.C. Sheet No.
Revised 41229-G	Rule No. 09, DISCONTINUANCE OF SERVICE, Sheet 1	Revised 33499-G
Revised 41230-G	Rule No. 09, DISCONTINUANCE OF SERVICE, Sheet 2	Revised 26950-G
Revised 41231-G	Rule No. 09, DISCONTINUANCE OF SERVICE, Sheet 3	Revised 33500-G
Revised 41232-G	Rule No. 09, DISCONTINUANCE OF SERVICE, Sheet 4	Revised 33501-G
Revised 41233-G	Rule No. 09, DISCONTINUANCE OF SERVICE, Sheet 5	Revised 26424-G
Revised 41234-G	Rule No. 09, DISCONTINUANCE OF SERVICE, Sheet 6	Revised 36035-G
Revised 41235-G	Rule No. 09, DISCONTINUANCE OF SERVICE, Sheet 7	Revised 39812-G
Revised 41236-G	TABLE OF CONTENTS	Revised 40826-G
Revised 41237-G	TABLE OF CONTENTS	Revised 41203-G

Rule No. 09
DISCONTINUANCE OF SERVICE

Sheet 1

A. CUSTOMER'S REQUEST FOR SERVICE DISCONTINUANCE

1. A customer who wants gas service discontinued shall give the Utility notice at least two business days prior to the date service is desired to be discontinued. T
2. The Utility shall not be required to terminate service earlier than two business days after notice of discontinuance is received. A customer will be held responsible for payment of charges for all services furnished at the premises until the requested date of termination or until the expiration of the required period of notice, whichever date is later. T

B. NOTICE OF DISCONTINUANCE

Except as otherwise provided in this Rule, no gas service to a customer may be terminated unless reasonable written prior notice is given to the customer and the customer has a reasonable opportunity to dispute the reasons for the proposed termination. A written statement of residential customers' rights and remedies regarding termination of gas service shall be provided to all new customers, and to all existing customers on an annual basis.

C. NON-PAYMENT OF BILLS

1. Past Due Date. A customer's bill for gas service will be considered past due if it is not paid within: T
 - a. Nineteen calendar days after mailing when bills are normally made out monthly.*
 - b. Ten calendar days after mailing when bills are made out fortnightly.
 - c. Five calendar days after mailing when bills are made out weekly.
2. Past Due Notice T
 - a. Residential. The Utility may mail to any residential customer a notice that a bill is past due after the expiration of the applicable period specified in paragraph C.1. The notice that a bill is past due shall state that if the customer is unable to pay the bill by the final date (15 calendar days after the date of mailing of said notice), the customer should contact the Utility to discuss payment arrangements to avoid discontinuance of service. If the bill is not paid, or payment arrangements have not been made by the final date, service may be discontinued for non-payment. A customer's deposit to establish credit shall not be used as payment to avoid discontinuance of service. T
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* Under paragraph C.1.a. and C.2.a., residential customers who are normally billed monthly will have a minimum of 34 calendar days between the date of mailing of the bill and the date of service termination for non-payment. T
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(TO BE INSERTED BY UTILITY)
 ADVICE LETTER NO. 3681
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ISSUED BY
Lee Schavrien
 Vice President
 Regulatory Affairs

(TO BE INSERTED BY CAL. PUC)
 SUBMITTED Nov 17, 2006
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Rule No. 09
DISCONTINUANCE OF SERVICE

Sheet 2

(Continued)

C. NON-PAYMENT OF BILLS (Continued)

2. Past Due Notice (Continued)

b. Non-Residential. A non-residential customer's gas service may be discontinued for non-payment of a past due bill provided that a written notice of discontinuance has been issued and the past due amount has not been paid within seven calendar days of the issuance of the past due notice.

3. Third Party Notification. The Utility shall allow elderly (age 62 and over) and handicapped* customers, at their option, to designate a friend, family member, or public or private agency as a third party representative to receive a copy of the notice described in paragraph C.2. The Utility shall establish procedures to ensure that third parties consent to receive such notice, and that a copy of the notice is sent directly to a third party. The Utility shall inform all customers at least once annually of the availability of this service.

4. Reasonable Attempt to Contact Customers. Before residential service may be discontinued for non-payment of bills, the Utility shall make a reasonable attempt to personally contact an adult on the customer's premises prior to termination of service. This reasonable attempt to contact an adult on the customer's premises shall consist of:

a. The Utility will solicit or verify customer telephone numbers when customers request that service be turned on, when customers contact the Utility for any type of service order or extension, and when the Utility contacts customers at the time of termination of service.

b. At least two attempts will be made to personally contact an adult on the customer's premises in order to avoid discontinuance of service.

c. Whenever telephone contact cannot be accomplished, the Utility shall give by mail a notice of termination of service at least 48 hours prior to termination. The Utility shall maintain a record of the mailed notice.

d. At the time of termination of service, the Utility shall attempt to personally contact an adult on the customer's premises in order to avoid discontinuance of service.

e. Where the Utility is aware that there is an elderly (age 62 and over) or handicapped* residential customer, the Utility shall provide at least 48 hours notice by telephone or by visit; however, if personal contact cannot be made, a notice shall be posted in a conspicuous location at the service address at least 48 hours prior to termination.

* Certification from a licensed physician, public health nurse, or social worker may be required by the Utility.

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(TO BE INSERTED BY UTILITY)
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DISCONTINUANCE OF SERVICE

(Continued)

C. NON-PAYMENT OF BILLS (Continued)

- 5. Termination in Error. In the event the Utility terminates service in error, such service shall be restored, without charge, as provided for in Rule No. 10.

- 6. Termination Dispute for Core Customers
 - a. Customer Contacts Utility. If the customer is temporarily unable to pay its bill, the customer may be eligible for payment arrangements not to exceed a period of 12 months. The customer must contact the Utility prior to the expiration date of any delinquency notice before termination of service to be eligible for payment arrangements. If arrangements are granted, the customer must comply with the agreement and pay all future bills on time in order to continue service. The Utility shall furnish information on the availability of various financial assistance programs to those customers who demonstrate an inability to pay their bill.

 - b. Customer Contacts the Consumer Affairs Branch (CAB). If a payment arrangement is not extended, the customer may communicate in writing to the CAB of the California Public Utilities Commission (Commission), State Office Building, 505 Van Ness Avenue, Room 2003, San Francisco, CA 94102, e-mail: consumer-affairs@cpuc.ca.gov to make an informal complaint. This must be done prior to any delinquent notice expiration date to avoid interruption of service. The customer is not required to place a deposit with the Commission in a termination dispute.

 - c. CAB Proposed Resolution. Within ten business days after receiving the informal complaint, the CAB will report its proposed resolution by letter both to the customer and the Utility.

 - d. Formal Complaint. If the customer is not satisfied with the proposed resolution of the CAB, the customer may file no later than ten business days after the date of the CAB letter, a formal complaint with the Commission at the same address as listed above in C.6.b.

 - e. Time Limits. If the customer fails to observe these time limits, the Utility will be entitled to payment, or, if the bill is not paid, to discontinue service.

 - f. Service Not Discontinued. No customer's service may be discontinued while the Utility is investigating a complaint, or while the customer is complying with a payment arrangement, provided the customer also keeps the account current as charges accrue in each subsequent billing period.

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Rule No. 09

Sheet 4

DISCONTINUANCE OF SERVICE

(Continued)

C. NON-PAYMENT OF BILLS (Continued)

- 7. Master Meter. When the Utility is aware that discontinuance of service to a master meter may deprive residential tenants of gas service, the Utility shall comply with the provisions of paragraph C.1. and C.2. In addition, the Utility shall give the tenants, not less than 15 calendar days prior to the date of discontinuance, notice of their right to become customers without obligation for the bills which have accrued on the master meter. The Utility may satisfy the notice required under this paragraph by posting two such notices at each access point and common areas on the premises when it is not practicable to post a notice on each tenant's door. The notice shall include the amount of the average monthly bill and the name, address and telephone number of a local legal service agency.
- 8. Payment Agreement. If a customer fails to comply with any payment agreement entered into under paragraph C.6.a. above, the Utility may discontinue service upon 24 hours notice or as otherwise provided in the payment agreement. Such notice shall not entitle the customer to further review by the Utility.
- 9. Unpaid Bill at a Previous Location. A customer's gas service may be discontinued for nonpayment of a bill for service of the same class rendered to the customer at a previous location served by the Utility, provided said bill is not paid within 19 calendar days after mailing to the new location, and provided further that the Utility has followed the notice requirements of paragraphs C.2. and C.4. at the current location for the bill incurred at the previous location.
- 10. Service to Multiple Locations. Any individual, firm or corporation failing to pay bills due for gas service rendered at one or more locations, within the time limits and subject to the procedures specified in this Rule, shall be subject without further notice to discontinuance of gas service at any or all locations where the Utility provides gas to such individual, firm or corporation, until such bills are paid and credit is reestablished. Residential service, however, may not be discontinued because of nonpayment of bills for other classes of service.
- 11. Serious Illness. Gas service to a residential customer will not be discontinued for nonpayment when the customer has established to the satisfaction of the Utility that such termination would be especially dangerous to the health* of anyone living at the residence served under the customer's bill; or the customer has established to the satisfaction of the Utility that someone living at such residence is elderly (62 or over) or handicapped*; and the customer establishes to the satisfaction of the Utility that he or she is unable to pay for such service in accordance with the provisions of the Utility's tariffs; and the customer is willing to set-up a payment arrangement, satisfactory to the Utility, as specified in paragraphs C.6. and C.8. above.

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*Certification by a licensed physician, public health nurse, or social worker may be required by the Utility.

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DISCONTINUANCE OF SERVICE

(Continued)

C. NON-PAYMENT OF BILLS (Continued)

- 12. Customer Unable to Deliver Payment. If a customer who has received a notice of discontinuance of service under paragraph C.2. notifies the Utility prior to the expiration of such notice that because of infirmities of age and/or handicap, he or she is unable to deliver payment in time to avoid discontinuance of service, the Utility shall offer to make arrangements to collect payment at the customer's home. The customer's claim of infirmity shall be subject to verification by the Utility.
- 13. Weekends and Holidays. The Utility shall not, by reason of delinquency in payment for gas service, cause cessation of service on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the Utility are not open to the public.

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D. UNSAFE APPARATUS

- 1. Whenever the Utility determines that any part of a customer's services, appliances or apparatus are at any time unsafe, or that the utilization of gas by means thereof is prohibited or forbidden under authority of any law or municipal ordinance or regulation (until such law, ordinance or regulation shall be declared invalid by a court of competent jurisdiction), the Utility may refuse to serve, or may cease serving, such a customer until the customer shall put such part in good and safe condition and comply with all the laws, ordinances and regulations applicable thereto.
- 2. The Utility does not assume the duty of inspecting the customer's services, appliances or apparatus or any part thereof, and assumes no liability therefor. In the event that the customer finds the gas service to be defective, the customer is requested to immediately notify the Utility to this effect.

E. FRAUD – REFUSAL OR DISCONTINUANCE OF SERVICE

The Utility shall have the right to refuse to provide gas to, or on, any premises and at any time to discontinue service if found necessary to do so in order to protect itself against abuse or fraud.

The Utility may refuse or discontinue gas service if the acts of the applicant or the customer indicate an intent to evade the credit practices of the Utility or if the acts of the customer or conditions on the customer's premises indicate an intent to evade payment of a utility bill or the credit practices of the Utility. If an applicant or customer knowingly furnishes false, incomplete, misleading or inaccurate information or refuses to provide required information to the Utility, it shall be deemed to be an intent to evade the credit practices of the Utility. Upon written request of the applicant or customer, the Utility shall provide a written statement of the reason for such refusal or discontinuance.

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DISCONTINUANCE OF SERVICE

(Continued)

J. FAILURE TO ESTABLISH OR RE-ESTABLISH CREDIT AFTER INSTITUTION OF SERVICE

(Continued)

- 2. If a non-residential customer does not provide information satisfactory to the Utility to re-establish credit, or fails to provide security as provided in Rule No. 6, the Utility shall have the right to discontinue service to that customer, after giving due notice.

K. TERMINATION OF SERVICE FOR FUMIGATIONS

- 1. Every person planning to conduct any fumigation, where a fumigator places a tent over any portion of a structure served with natural gas, shall contact the Utility to request a termination of gas service at least two business days prior to commencing the tenting of a structure. In cases where the Utility is unable to terminate the service on the date requested, the Utility shall contact the fumigator to arrange another date.
- 2. When the fumigation is complete and the structure is posted as suitable for occupancy (Certificate for Re-Entry), the Utility shall restore the gas service. The customer or their authorized agent is required to provide proof of Certificate for Re-Entry as a condition for reinstating gas service. The Utility shall offer a four-hour service appointment for restoring the gas service.
- 3. Where the fumigator tents the structure without contacting the Utility to request a termination of the gas service, or where the fumigator performs the tenting prior to the Utility terminating the service, and the Utility discovers this condition, the Utility may immediately and without notice, terminate the gas service as an unsafe condition pursuant to Rule 9.D.1. Thereafter, the Utility may restore service; however, Utility may, at its sole discretion, charge and collect from the fumigator any costs incidental to the termination or restoration of service, where the fumigator has tented the structure without notifying the Utility to terminate gas service or tented before service had been terminated.
- 4. If the fumigator violates any of the provisions of Rule 9.K, the Utility shall submit written notice of the alleged violation directly to the violating Branch 1 registered company (pest control operator), with a copy to the Executive Officer of the Structural Pest Control Board and the Director of the Consumer Protection and Safety Division of the California Public Utilities Commission.

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 Vice President
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