

(b) For the guidance of each utility, a reportable accident is defined as an accident, other than a motor vehicle accident which does not create a service interruption, that results in one or more of the following circumstances:

1. Death of a person;
2. Serious disabling or incapacitating injuries to persons, including employees of the company;
3. Damage to the property of the company which materially affects its service to the public;
4. Damage to the property of others amounting to more than \$5,000; and/or
5. Any accidental ignition of natural gas.

(c) The Board shall be notified by the speediest, most feasible and practical means of communication available, followed by a detailed written report, as hereinafter set forth, of all reportable accidents which are clearly reportable and those which there is a good reason to believe may result in "reportable accidents" as defined herein. This notice shall in no event be made later than two hours after the utility learns of the accident. In addition, accidents resulting in damage to the property of others amounting to more than \$2,000 but less than \$5,000 must be reported within 48 hours of their occurrence. The initial report shall be followed by additional reports, transmitted by any feasible means, providing further information about the accident as soon as practicable after the information becomes available, so as to enable Board staff to immediately undertake any necessary steps such as site investigation. If such notification is not given in any case for the reason that the accident is not considered reportable and it subsequently develops that the accident is reportable, the utility involved shall notify the Board immediately after it has been ascertained that such accident is reportable. A detailed written report containing full information about the accident and a full explanation of why it was not immediately reported must then follow. Failure to demonstrate that it was not possible to have provided timely, complete and accurate notice to the Board may subject the utility to an administrative enforcement action by the Board.

(d) Initial notice of reportable accidents shall be made to the Board's Division of Service Evaluation by calling (973) 648-6964, and shall include all significant facts that are known by the utility about the location and cause of the accident and the extent of the damages and injuries, if any. Written reports shall be submitted within 15 days to the Board Secretary and the Director of the Division of Service Evaluation, Board of Public Utilities, Two Gateway Center, Newark, New Jersey 07102.

(e) Notification to the Board's Division of Service Evaluation outside of normal hours shall be made by calling 1-800-817-6715.

(f) If at the time of the submission of the written accident report the utility is unable to state the corrective measures taken or make recommendations to avoid a recurrence of the accident, the utility shall within 30 days of the date of the accident file a report which shall set forth the aforementioned corrective measures and recommendations. This report shall show the same accident report number as the original report.

(g) Accident reports shall be numbered serially, by year. Illustration: 97-1, 97-2, and so forth.

(h) Accident reports may be used by the Board in determining what safety practices should be recommended. In a proceeding before the Board, accident reports shall be evidential only at the discretion of the Board.

SAMPLE ACCIDENT REPORT FORMS— ALL UTILITIES REPORT OF ACCIDENTS

Report No. _____

Name of Reporting Utility: _____

Date of Accident: _____ Time of Day: _____

Place of Accident: _____

Details of Casualties to persons: _____

Details of Effects on Service: _____

Details of Accident (Nature and Cause): _____

Corrective Measures: _____

Recommendations to Avoid Recurrence: _____

Signed: _____ Title: _____ Date: _____

As amended, R.1975 d.8, eff. January 17, 1975.

See: 6 N.J.R. 451(c), 7 N.J.R. 62(a).

Amended by R.1998 d.84, effective February 2, 1998.

See: 29 N.J.R. 4250(b), 30 N.J.R. 563(a).

N.J.A.C. 14:11-5.4(a) through (c) recodified as (a) through (c); N.J.A.C. 14:11-5.5 recodified as (d); 14:11-5.6 recodified as (e), 14:11-5.7 recodified as (f).

Amended by R.2000 d.1, effective January 3, 2000.

See: 30 N.J.R. 4130(a), 32 N.J.R. 63(a).

Rewrote (c); inserted new (d) and (e); and recodified former (d) through (f) as (f) through (h).

Amended by R.2002 d.280, effective September 16, 2002.

See: 34 N.J.R. 992(a), 34 N.J.R. 3216(b).

In (b), substituted "\$5,000" for "\$2,000 in 4 and added 5; in (c), inserted "In addition, accidents resulting in damage to the property of others amounting to more than \$2,000 but less than \$5,000 must be reported within 48 hours of their occurrence."

Case Notes

Plaintiffs in civil action entitled to examine accident reports made by Board and submitted by gas company, either under the Right to Know Law or the common law right of citizens to inspect public records. *Irvial Realty, Inc. v. Bd. of Public Utility Commissioners*, 61 N.J. 366, 294 A.2d 425 (1972).

14:3-6.5 (Reserved)

Amended by R.1991 d.221, effective May 6, 1991.

See: 22 N.J.R. 1112(a), 23 N.J.R. 1439(b).

Corrected internal citation formats.

Amended by R.1997 d.39, effective February 3, 1997.

See: 28 N.J.R. 1810(a), 29 N.J.R. 449(a).

In (b), inserted exception for records of ongoing investigations.

Repealed by R.2003 d.290, effective July 21, 2003.

See: 34 N.J.R. 2271(b), 35 N.J.R. 3368(b).

Section was "Public records".

Case Notes

Plaintiffs in civil action entitled to examine accident reports made by Board and submitted by gas company, under either the Right to Know Law or the common law right of citizens to inspect public records. *Irval Realty, Inc. v. Bd. of Public Utility Commissioners*, 61 N.J. 366, 294 A.2d 425 (1972).

Unsuccessful telecommunication relay service bidder was not entitled to disclosure of successful bidder's proposal information. In *Matter of Provision of Telecommunications Relay Service*, 92 N.J.A.R.2d (BRC) 58.

Cable TV association was entitled to aggregate-based service records of telephone utility but not individual service records; internal memoranda of staff of Board of Regulatory Commissioners also not subject to disclosure. In *Matter of Request of New Jersey Cable Television Association*, 92 N.J.A.R.2d (BRC) 51.

14:3-6.6 Telephone system information

(a) On January 1 and July 1 of each year, each electric, gas, local exchange carrier telephone, Class A water and Class A wastewater utility shall provide the Board with the following information concerning the operation of the utility's telephone system:

1. The location of each office from which telephone calls from customers and the general public are normally received and the number of customers served by that office;
2. The days of the week and the hours in which the office is open to conduct business with the public and receive telephone calls;
3. The telephone number(s) by which customers may call the utility;
4. The method by which customers are informed of the telephone number(s) to be used to contact the utility;
5. Whether or not the customers are requested to dial a single telephone number or a separate number depending on the nature of their inquiry;

6. Whether or not inward telephone traffic is grouped to individual departments, such as service or billing, along with the total number of such departments and the identification of each department;

7. The total number of inward telephone trunk lines assigned to each telephone number used by the utility;

8. A brief description of the type of telephone system used in the office and the manufacturer and model number of the equipment used;

9. Whether or not the office has on-premises private branch exchange (PBX) or other private switching device and whether or not the device handles all telephone traffic for the office;

10. The total number of functional lines on the line aide (telephone extension/customer service representative side) of the PBX or other private switching device and, if segregated by department, the number of functional lines assigned to each department;

11. The total number of customer service representatives (CSRs) normally available to answer calls. If CSRs are segregated by department, the total of CSRs available for each department;

12. If the assignments of CSRs varies by hour, day or other time period, the utility shall describe the variation in the assignment;

13. A brief description of the initial and ongoing training provided to the CSRs;

14. A brief description of the billing cycle including dates on which bills are mailed;

15. Whether or not the CSRs have access to computer terminals for billing or service information and, if so, a brief description of the information available to the CSRs;

16. Whether or not the telephone system serving the office has automated call distribution capability for the entire office or for specific departments. If so, the utility shall supply a brief description of the method of call distribution;

17. Whether or not the telephone system places incoming calls in queue, and, if so, the maximum number of callers that can be placed in queue;

18. Whether or not the telephone system has an automated response unit (ARU) and, if so, a brief description of the routing options available to callers through the ARU;

19. Whether or not the telephone system provides recorded messages to callers and a description of the message provided;

20. Whether or not telephone answering machines or devices are used and, if so, the hours in which they are used and the departments in which they are used; and

21. If a telephone answering service is used:

i. The name and address of the answering service and the hours during which said service is used. In addition, the utility shall indicate whether or not the answering service receives all incoming calls or for specific departments;

ii. The information required pursuant to (i) above shall be provided to the Board within 90 days of the effective date of this rule and annually thereafter;

iii. Each utility shall, within 30 days, inform the Board of any substantive change in the information filed pursuant to this section.

New Rule, R.1997 d.39, effective February 3, 1997.

See: 28 N.J.R. 1810(a), 29 N.J.R. 449(a).

Amended by R.2002 d.280, effective September 16, 2002.

See: 34 N.J.R. 992(a), 34 N.J.R. 3216(b).

In (a), substituted "On January 1 and July 1 of each year, each" for "Each" and inserted "and Class A wastewater".

(c) The amount of a deposit shall be reasonably related to the probable charge for service during a billing period based upon the average monthly charge over an estimated 12 month service period increased by one month's average bill.

As amended, R.1978 d.155, effective May 16, 1978.

See: 9 N.J.R. 290(e), 10 N.J.R. 261(e).

Amended by R.1997 d.39, effective February 3, 1997.

See: 28 N.J.R. 1810(a), 29 N.J.R. 449(a).

Substantially amended (c).

14:3-7.2 Deposits to insure credit of new customers

If a customer whose credit has not been established applies for service, the initial deposit shall be the estimated average bill of the customer for a billing period, based upon the average monthly charge over an estimated 12 month service period increased by one month's average bill. In determining the amount of deposit, except in the case of telephone utilities, there shall be excluded from the average bill such portion thereof, if any, for which payment is received in advance. If the actual bills of the customer subsequently rendered prove that the deposit is either insufficient or excessive, the deposit may be changed in accordance with the facts.

Amended by R.1997 d.39, effective February 3, 1997.

See: 28 N.J.R. 1810(a), 29 N.J.R. 449(a).

Substantially amended section.

14:3-7.3 Customers in default

(a) Customers in default in the payment of bills may be required to furnish a deposit or increase their existing deposit in an amount sufficient to secure the payment of future bills. The amount of such deposit shall be determined in accordance with the principle set forth in N.J.A.C. 14:3-7.1. Service shall not be discontinued for failure to make such deposit except after proper notice.

(b) If a customer who has made a deposit fails to pay a bill, the utility may apply such deposit insofar as is necessary to liquidate the bill and may require that the deposit be restored to its original amount.

Amended by R.1997 d.39, effective February 3, 1997.

See: 28 N.J.R. 1810(a), 29 N.J.R. 449(a).

14:3-7.4 Receipts and records

The utility shall furnish a receipt to each customer who has made a deposit. Where return of the deposit is made in cash, surrender of the receipt or, in lieu thereof, proof of identity may be required.

14:3-7.5 Return of deposits

(a) Upon closing any account the balance of any deposit remaining after the closing bill for service has been settled shall be returned promptly to the depositor with interest due.

SUBCHAPTER 7. BILLS AND PAYMENTS FOR SERVICE

14:3-7.1 Deposits for metered and telephone service

(a) If after notice of the methods of establishing credit and being afforded an opportunity, a customer has not established credit, the utility may require a reasonable deposit as a condition of supplying service.

(b) The credit established, by whatever method, shall apply at any location within the area of the utility furnishing the service; that is, service is not to be regarded as restricted to a particular location.

(b) Each utility shall review a residential customer's account at least once every year and a nonresidential customer's account at least once every two years and if such review indicates that the customer has established credit satisfactory to the utility, then the outstanding deposit shall be refunded to the customer. Each utility shall afford its customers the option of having the deposit refund applied to the customer's account in the form of a credit or of having the deposit refunded by separate check in a period not to exceed one billing cycle.

(c) Simple interest at a rate equal to the average yields on new six month Treasury Bills for the 12 month period ending each September 30 shall be paid by the utility on all deposits held by it, provided the deposit has remained with the utility for at least three months. Said rate shall become effective on January 1 of the following year. The Board shall perform the annual calculation to determine the applicable interest rate and shall notify the affected public utilities of said rate.

1. Interest on deposits previously collected and held by the public utility shall be apportioned so that the computed interest rate shall be based upon the average yields on new six month Treasury Bills, beginning the following January 1.

2. Interest payments shall be made at least once during each 12 month period in which a deposit is held and shall take the form of credits on bills toward utility service rendered or to be rendered. The effect of this subsection shall be limited to those deposits, if any, held by electric, gas, telephone and water utilities to secure residential accounts.

As amended, R.1978 d.155, effective May 16, 1978.

See: 9 N.J.R. 290(e), 10 N.J.R. 261(e).

As amended, R.1979 d.117, effective March 16, 1979.

See: 11 N.J.R. 260(a).

As amended, R.1979 d.289, effective August 1, 1979.

See: 11 N.J.R. 258(b), 11 N.J.R. 467(a).

As amended, R.1984 d.87, effective April 2, 1984.

See: 15 N.J.R. 1355(a), 16 N.J.R. 744(a).

(c) Amended to allow interest payments to be credited towards bills.

Amended by R.1988 d.568, effective December 19, 1988.

See: 20 N.J.R. 737(a), 20 N.J.R. 3140(b).

Changed "six months" to "12"; added text "The board shall . . .".

Amended by R.1991 d.148, effective May 6, 1991.

See: 22 N.J.R. 619(a), 23 N.J.R. 1450(a).

Requires utilities refund deposit by check or credit and be made within a billing cycle.

Public Notice: Applicable interest rate on customer deposits effective for calendar year 1992 is 6.0 percent.

See: 23 N.J.R. 3660(a).

Amended by R.1992 d.225, effective June 1, 1992.

See: 24 N.J.R. 686(b), 24 N.J.R. 2073(a).

Rounding interest up or down to nearest half percent repealed.

Public Notice: Applicable interest rate on customer deposits effective for calendar year 1993 is 3.93 percent.

See: 24 N.J.R. 4434(a).

Amended by R.1997 d.39, effective February 3, 1997.

See: 28 N.J.R. 1810(a), 29 N.J.R. 449(a).

Deleted (c)1, relating to deposits received on or after Jan. 1, 1989; and recodified former (c)2 through (c)3 as (c)1 through (c)2.

Public Notice: Interest rates on deposits.

See: 33 N.J.R. 136(a).

Public Notice: Interest rates on deposits.

See: 33 N.J.R. 333(a).

Public Notice: Interest rates on deposits.

See: 33 N.J.R. 734(b).

Public Notice: Interest rates on deposits.

See: 33 N.J.R. 4396(a).

Public Notice: Interest rates on deposits.

See: 34 N.J.R. 4478(a).

Cross References

Billing disputes, see N.J.A.C. 14:3-7.13.

Case Notes

Utility lost right to setoff security deposit against utility debts. In re Village Craftsman, Inc., Bkrtcy.D.N.J.1993, 160 B.R. 740.

14:3-7.6 Unmetered service

Where a utility, other than a telephone utility, furnishes unmetered service for which payment is received in advance, it may not demand other guarantees to secure payment for service.

Amended by R.2002 d.280, effective September 16, 2002.

See: 34 N.J.R. 992(a), 34 N.J.R. 3216(b).

Substituted "guarantees" for "guarantee".

14:3-7.7 Information for customers

Each utility shall adopt some method of informing its customers as to the reading of meters, either by printing on bills a description of the method of reading meters, or a notice to the effect that the method will be explained on request, giving the address and telephone number where such information may be obtained. In addition the utility shall furnish the address of an office where complaints, service inquiries and bill payments will be received.

14:3-7.8 Record of customer's account

Each utility shall keep a record of each customer's account in such a manner as will permit computation of the bill for any billing period occurring within six years, except that telephone utilities shall keep said records in accordance with the Federal Communications Commission's rules and regulations, 47 C.F.R. 42.01 et seq., "Preservation of Records of Communication Common Carriers," as amended and supplemented, incorporated herein by reference.

Amended by R.1997 d.39, effective February 3, 1997.

See: 28 N.J.R. 1810(a), 29 N.J.R. 449(a).

14:3-7.9 Form of bill for metered service

(a) Unless a utility has been specifically relieved of so doing by order of the Board, the bill shall show the following:

1. The meter readings at the beginning and end of the billing period;
2. The dates on which the meter is read;
3. The number and kind of units measured;