

5. Whenever the high temperature is forecast to be 32 degrees Fahrenheit or below during the next 24 hours, electric and gas utilities shall not, within any portion of their service territories, disconnect residential service for nonpayment of a delinquent account, failure to pay a cash security deposit or guarantee, or failure to comply with the terms of a deferred payment plan. The utilities may rely on forecasts obtained from national weather stations covering their utility facilities, including the Newark Weather Station and the Atlantic City Airport Weather Station.

(d) Discontinuance of residential service for nonpayment is prohibited if a medical emergency exists within the premises which would be aggravated by a discontinuance of service and the customer gives reasonable proof of inability to pay. Discontinuance shall be prohibited for a period of up to two months when a customer submits a physician's statement, in writing, to the utility as to existence of the emergency, its nature and probable duration, and that termination of service will aggravate the medical emergency. Recertification by the physician as to a continuance of the medical emergency shall be submitted to the utility after 30 days. However, at the end of such period of emergency, the customer shall still remain liable for payment of service(s) rendered, subject to the provisions of N.J.A.C. 14:3-7.13. During the period of medical emergency, the customer shall pay telephone tolls which are in excess of the average bills of the six months preceding the first 30-day period.

1. The Board may extend the 60-day period for good cause. Such an extension shall be requested in writing by the customer and be accompanied by a current physician's note. Pending the Board's consideration and decision, utility service shall not be discontinued.

2. Public utilities may in their discretion delay discontinuance of residential service for nonpayment prior to submission of the physician's statement required by this subsection when a medical emergency is known to exist.

Amended by R.1978 d.155, effective May 16, 1978.

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

Amended by R.1983 d.526, effective November 21, 1983.

See: 15 N.J.R. 787(a), 15 N.J.R. 1949(a).

In (a)3i, added "except in cases of diversion of service pursuant to 14:3-7.16."

Amended by R.1991 d.145, effective May 6, 1991.

See: 22 N.J.R. 616(a), 23 N.J.R. 1446(a).

Prohibits discontinuance of service due to non-payment of repair charges, merchandise charges, and non-tariff contracted charges; limits utilities' discontinuance of residential service to Monday-Thursday, 8 A.M. to 4 P.M. except for safety related emergency.

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

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

In (a)3i, inserted provision on responsibility for service rendered and reference to conservation measures; in (b), inserted provision on discontinuance or meter reading within 48 hours; in (c), inserted \$50 arrears provision; added (c)1 through (c)5; and in (d)1, inserted provisions that extension request be in writing and that service not be discontinued pending Board decision.

Cross References

Residential electric and gas service, winter termination program, see N.J.A.C. 14:3-7.12A.

Case Notes

Homeowners' association was not entitled to stay of discontinuance by water utility of fire hydrant service. In *Matter of Vernon Valley Water Company v. Stone Hill Property Owners Association*, 93 N.J.A.R.2d (BRC) 1.

State regulation preempted local regulation; commercial tenants responsible to pay their own individual bills. In *Re Complaint by Rotella*, 92 N.J.A.R.2d (BRC) 48.

Service discontinuance by gas and electric utility; appropriate notice given and discontinuance not on basis of non-payment of contested charges. *Buczek v. Public Service Electric & Gas*, 92 N.J.A.R.2d (BRC) 13.

14:3-3.7 Basis for restoration

Service shall be restored within 24 hours upon proper application when the conditions under which such service was discontinued are corrected, and upon the payment of all proper charges due from the customer provided in the tariff of the utility, or if the Board so directs when a complaint involving such matter is pending before it.

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

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

Inserted 24 hour deadline for service.

14:3-3.8 Access to customer's premises

(a) The utility shall have the right of reasonable access to customer's premises, and to all property furnished by the utility, at all reasonable times for the purpose of inspection of customer's premises incident to the rendering of service, collection of coin boxes, reading meters, or inspecting, testing, or repairing its facilities used in connection with supplying the service, or for the removal of its property. The customer shall obtain, or cause to be obtained, all permits needed by the utility for access to the utility's facilities. Access to the utility's facilities shall not be given except to authorized employees of the utility or duly authorized governmental officials.

(b) In the case of defective service, the customer shall not interfere or tamper with the apparatus belonging to the utility but shall immediately notify the utility to have the defects remedied.

14:3-3.9 Interruptions

(a) Each utility shall exercise reasonable diligence to avoid interruptions, curtailments or deficiencies (hereinafter referred to as interruptions) of service and, when such interruptions occur, service shall be restored as promptly as possible consistent with safe practice. Each utility shall keep a record for a period of one year of each reported interruption of service.

(b) Records of the major interruptions of service shall be kept in a manner suitable for analysis for the purpose of

minimizing possible future interruptions and shall include the time, cause, and duration of the interruptions as well as the remedial action taken. Interruptions to service by reason of any act of God, accident, strike, legal process, or governmental interference, where service to customers is interrupted for at least two hours, in accordance with the chart below, shall be reported to the Board by each utility by the speediest means of communication available followed by a detailed written report.

Customers Served	Customers Interrupted
500 or less	20
501 to 1,000	50
1,001 to 10,000	100
10,001 to 100,000	200
100,001 to 500,000	1,000
500,001 to 1,000,000	2,000
1,000,001 or more	5,000

(c) However, interruptions to service made in accordance with provisions in interruptible service contracts between the utility and its customers need not be reported. Planned interruptions for operating reasons shall always be preceded by reasonable notice to all affected customers, and the work shall be planned so as to minimize customer inconvenience.

Cross References

See N.J.A.C. 14:11-5.4, Reporting of accidents, N.J.A.C. 14:11-1.10, Reporting threatened interruptions of service, N.J.A.C. 14:10-1.13, Service interruptions, and N.J.A.C. 14:7-1.31, Natural gas pipelines. Autobus, trolley, and railroad utilities shall report in accordance with N.J.A.C. 16:52-1.4, Interruption of service, and N.J.A.C. 16:23-2.1, Interruption of service, as applicable.

Case Notes

Board without jurisdiction to hear action for damage resulting from power interruption; proper jurisdiction with courts; Board's jurisdiction limited to disputes over propriety of tariffs, costs and charges. Brooks, v. Public Service Electric and Gas Co., 1 N.J.A.R. 243 (1980).

14:3-3.10 Service call scheduling

(a) When a service call is scheduled, the utility shall inform the customer, upon request, whether the service call is scheduled to be made during the morning, afternoon or, if provided, the evening.

(b) If the utility is unable to keep the appointment for the scheduled service call, the utility shall inform the customer at the earliest possible time and the service call shall be rescheduled within 24 hours, unless good cause is shown. Good cause shall include, but not be limited to, situations where the customer is unavailable, system emergencies which may or may not be weather-related where crews are needed for repair or other functions necessary to maintain the viability and safety of the utility's operating system or parts thereof, or emergencies resulting from labor actions.

SUBCHAPTER 4. METERS

14:3-4.1 Ownership

(a) Each utility, except telephone utilities, shall own, provide, or cause to be provided on its behalf, for each customer supplied on a measured basis, a meter(s) and such service appliances as are customarily furnished by the utility, in order to connect the customer's equipment with the utility's facilities.

1. Said meter(s) and service appliances shall be provided at no additional charge other than that portion of the Board approved customer service charge which specifically reflects the cost of the meter(s) and service appliances.

(b) Each utility may charge to furnish and install a meter(s) and such service appliances as necessary for measurement purposes, in accordance with the provisions of a Board approved tariff.

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

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

In (a), deleted provision that meters and appliances be provided without charge; and added (a)1 and (b).

Case Notes

Record established that confusing billing procedures and malfunctioning remote register warranted elimination of adjusted bill. Magley v. New Jersey—American Water Company. 93 N.J.A.R.2d (BRC) 13.

14:3-4.2 Location

(a) The installation of meters and connections shall be in accordance with applicable "Codes", as set forth in Chapters 5 (Electric), 6 (Gas), and 9 (Sewer and Water) of this Title, standard practice and the standard terms and conditions contained in the tariff of the utility on file with the Board.

(b) Meters installed indoors shall be located in a clean, dry, safe place not subject to great variations in temperature and on a support which is free from appreciable vibration. Meters installed outdoors should be protected from the weather or be designed for outdoor use.

(c) Meters shall be so located as to be easily accessible for reading, testing and making necessary adjustments and repairs. Meters should be placed in a location where the visits of the meter reader or tester will cause minimum inconvenience to the customer or to the utility.

14:3-4.3 Access

Access to meters shall be in accordance with N.J.A.C. 14:3-3.8.

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

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