

1. In the event of an outage lasting three or more hours, the cable television company shall make an appropriate credit on the customer's bill.

2. The amount of credit shall be in one-day units, prorated on the basis of the customer's monthly rate for each service not available.

3. For outages which extend more than 24 hours, customers shall receive a credit for each calendar day or part thereof if greater than three hours, during which service is out.

4. The cable television company shall not be liable to a customer for any indirect or consequential damages resulting from the outage unless the cable television company expressly agrees to such liability.

5. In order to obtain a credit, customers must notify the cable television company by phone or in writing within 30 days after any such outage, or else within 30 days notify the Office or other designated complaint officer.

6. A cable television company may, at its option, provide a customer with a rebate rather than a credit on the customer's bill to fulfill the requirements of this subsection.

(b) A cable television company shall not be required to provide a credit or rebate under (a) above if:

1. The cable television company can demonstrate that restoration of service was not possible within the three-hour period due to factors beyond the reasonable control of their company; and

2. If service is restored within three hours after the restoration of service becomes possible.

(c) Any cable television company may petition the Board for a waiver of providing credit required by (a) above in the event it can clearly demonstrate that such credits would create an undue hardship on the cable television company.

(d) In instances where a customer is without cable television service for at least 24 hours, and the loss of the service is not the result of an outage, the cable television company shall credit or rebate, at the cable television company's option, the customer for one day unit for each 24-hour period in which the customer was without service. No cable television company shall be required to provide a customer with a rebate or credit if the loss of service was caused by an act on the part of the customer requesting such a credit or rebate.

(e) Intermittent or cumulative service interruptions and other service related complaints are to be analyzed in accordance with the complaint procedure pursuant to N.J.A.C. 14:17-6.5.

(f) Each cable television company shall quarterly inform its customers of the procedures by which a customer may obtain a credit.

Amended by R.2000 d.155, effective April 17, 2000.

See: 31 N.J.R. 3061(a), 32 N.J.R. 1402(a).

Substituted references to cable television companies for references to companies throughout; and in (e), changed N.J.A.C. reference.

Amended by R.2003 d.452, effective November 17, 2003.

See: 35 N.J.R. 100(a), 35 N.J.R. 5294(a).

Substituted references to customer for subscriber and three hour outage for six hour outage throughout; in (b)1, inserted "reasonable" preceding "control of"; in (c), inserted "it can clearly demonstrate that" preceding "such credits".

14:18-3.6 Access to company representatives

Customer phone calls shall be answered by a representative or agent of the cable television company 24 hours a day. Such representative or agent shall be able to contact appropriate personnel of the cable television company in the event an emergency situation exists. If used by the cable system, an Automatic Response Unit (ARU) must allow an escape option by which a customer can speak to the next available operator.

Amended by R.2000 d.155, effective April 17, 2000.

See: 31 N.J.R. 3061(a), 32 N.J.R. 1402(a).

Substituted a reference to cable television companies for a reference to companies.

Amended by R.2003 d.452, effective November 17, 2003.

See: 35 N.J.R. 100(a), 35 N.J.R. 5294(a).

Substituted "customer" for "subscriber" throughout.

14:18-3.7 Bills for service; form of bill

(a) All bills shall show the following:

1. The name, address, and telephone number of the cable television company;

2. Identification of each service for which a separate charge is imposed and the rate for each service;

3. Identification of each component for all service packages and the rate for each component;

4. The amount due during the current period;

5. The amount past due;

6. The date by which payment is due;

7. Any appropriate credits to the bill;

8. Any separate charges for equipment provided by the cable television company;

9. Any other separate fees;

10. The period of service covered by current charges on the bill;

11. The late charge rate, if any;

12. The amount of accumulated late charges; and

13. Periodic interest credits on deposits held by the cable television company pursuant to N.J.A.C. 14:18-4.6 and 4.7.

(b) Each cable television company shall adopt some method of informing its customers as to the address of an office where complaints, service inquiries and bill payments will be received.

(c) Each cable television company 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 three years.

(d) Prior to introduction of a new billing format pursuant to this section, a cable television operator may submit a sample for review and approval by the Office.

(e) Once a year on May 1, or upon change in billing format, each cable television company shall submit a sample form of bill to the Office of Cable Television.

Amended by R.2000 d.155, effective April 17, 2000.

See: 31 N.J.R. 3061(a), 32 N.J.R. 1402(a).

In (a), deleted "issued after January 29, 1991" following "bills" in the introductory paragraph; and rewrote (e).

Amended by R.2003 d.452, effective November 17, 2003.

See: 35 N.J.R. 100(a), 35 N.J.R. 5294(a).

In (a), added a new 3, recodified former 3 to 12 as 4 to 13; substituted references to customers for subscribers throughout.

14:18-3.8 Method of billing

(a) Bills for cable television service shall be rendered monthly, bi-monthly, quarterly, semi-annually or annually and shall be prorated upon establishment and termination of service. In unusual credit situations, bills may be rendered at shorter intervals.

(b) Cable television seasonal service may be billed in accordance with reasonable terms and conditions of service set forth in the filed tariff.

(c) A cable television company may, under uniform non-discriminatory terms and conditions, require payment, in advance, for a period not to exceed that for which bills are regularly rendered, as specified in its applicable filed tariff. Any such advance payment for a greater period shall reflect appropriate discount for the additional period involved. Unless otherwise provided for in the applicable filed tariff, initial and final bills shall be prorated as of the date of the initial establishment and final termination of service. Nothing herein shall preclude a cable television company from issuing "payment books" which conform to the above requirements.

(d) If a cable television company electronically disconnects or otherwise curtails, interrupts or discontinues all or a portion of the customer's services for non-payment of a valid bill or for other reasons provided under N.J.A.C. 14:18-4.3, the cable television company shall prorate the charges for all affected services as of the date of the electronic service curtailment, interruption or disconnection.

Amended by R.2000 d.155, effective April 17, 2000.

See: 31 N.J.R. 3061(a), 32 N.J.R. 1402(a).

Amended by R.2003 d.452, effective November 17, 2003.

See: 35 N.J.R. 100(a), 35 N.J.R. 5294(a).

Added (d).

14:18-3.9 Due date of payment and notice of discontinuance

(a) The specified due date of payment shall be no less than 15 days from the start of the billing cycle of the bill.

(b) Prior to disconnection for non-payment, a customer must receive 15 days' written notice from the cable television company. Such notice must be mailed separately and not as part of the periodic bill. Such notice shall not be issued until 15 days beyond the due date on the previous bill.

(c) A new notice shall be served by the cable television company each time the cable television company intends to discontinue service for nonpayment of a bill.

(d) If a cable television company issues a notice of discontinuance, but fails to act upon it within 30 days of issuance, a new notice shall be served prior to service suspension.

(e) In case of fraud, illegal use or when it is clearly indicated the customer is preparing to leave, immediate payment of accounts may be required.

(f) A customer wishing to discontinue service must give notice to that effect. Where such notice is not received by the cable television company, the customer shall be liable for service until such notice is received by the cable television company.

(g) Notice to discontinue service will not relieve a customer from any minimum or guaranteed payment under any contract or rate.

Amended by R.2000 d.155, effective April 17, 2000.

See: 31 N.J.R. 3061(a), 32 N.J.R. 1402(a).

Rewrote (a); and in (c), substituted a reference to cable television companies for a reference to companies.

Amended by R.2003 d.452, effective November 17, 2003.

See: 35 N.J.R. 100(a), 35 N.J.R. 5294(a).

Substituted "customer" for "subscriber" throughout; in (a), substituted "start of billing cycle" for "date" preceding "of the bill"; added a new (d); recodified existing (d) through (f) as (e) through (g).