

1. A utility shall not place the name of a second individual on the account of a residential customer unless specifically requested by said second individual.

2. A utility shall advise a customer of the rate schedule most applicable to that customer and suggest a change in rate schedule, if and when appropriate.

(b) When a customer makes application for service to any utility and the service requested is supplied by another utility, the company shall advise the customer when possible of the appropriate utility to whom the application should be made.

(c) All applications to water utilities for fire protection service must request that the applicant supply the name and address of the insurance company that provides the applicant with fire protection insurance for the property listed on the application as well as the number of the policy itself.

(d) A utility may require proof of identity with an application for service. An applicant for service may provide any one of the following items to establish identity:

1. A valid driver's license;
2. Employment identification;
3. An unexpired foreign passport;
4. A U.S. passport;
5. An alien registration card with photograph;
6. A county identification card;
7. A county welfare identification card;
8. A student identification card; or
9. A military identification card.

(e) A utility may require proof of prior address with an application for service. An applicant for service may provide any one of the following items to establish prior address:

1. A notarized lease, deed, or letter from the prior landlord;
2. A current auto insurance policy;
3. A bank statement;
4. A credit card statement;
5. Mailing envelopes addressed to the applicant at the previous address, post-marked no later than two months prior to the date of application; or
6. A letter of credit worthiness from a utility.

(f) Within two business days of receipt of the customer's application for utility service, or on a mutually agreed upon date, the utility shall initiate the service except in those cases where the utility or customer must install or contract

to install service lines to the structure where said service shall be received.

Amended by R.1991 d.144, effective May 6, 1991.

See: 22 N.J.R. 615(d), 23 N.J.R. 1445(a).

Established what items may be used as proof of identity and as proof of prior address.

Amended by R.1992 d.456, effective November 16, 1992.

See: 24 N.J.R. 2341(a), 24 N.J.R. 4271(a).

New (c) added requiring applications to request name and address of fire protection insurance company and policy number; recodified (c) and (d) as (d) and (e).

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), inserted references to fax and e-mail; added (a)1 and (a)2; in (e)1, substituted "prior landlord" for "present landlord"; and added (f).

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 "application" for "same" preceding "may be" in the introductory paragraph and substituted "a customer" for "customers" preceding "of the rate schedule" and "that" for "said" in 2.

14:3-3.3 Customer information

(a) Each utility shall, upon request, furnish its customers with such information as is reasonable in order that the customers may obtain safe, adequate and proper service. All utility customers shall be given a copy of the "Customer Bill of Rights" approved by the Board, effective at the time of service initiation. Said copy shall be presented no later than at the time of the issuance of the customer's first bill or 30 days after the initiation of service, whichever is later.

(b) Each utility shall inform its customers, where peculiar or unusual circumstances prevail, as to the conditions under which sufficient and satisfactory service may be secured from its system.

(c) Each utility shall file with the Board, and keep open to public inspection, tariffs applicable to the service area.

(d) Each utility shall supply its customers with information on the furnishing and performance of service in a manner that tends to conserve energy resources and preserve the quality of the environment, which shall include, but not be limited to, the duty to inform customers:

1. That there is a national and local need for the conservation of all types of energy resources by industrial, commercial and residential customers;
2. That such conservation, if widely practiced, particularly at periods of peak demand, will reduce or defer the need for the expansion of utility generating and transmission capacity, with attendant public benefits in land use, environmental quality and public health and safety;
3. That the utility will continue to develop and implement other conservation programs which will be promoted and advertised as provided for herein;
4. That the information shall be distributed to the public by the following means:

- i. Extensive advertising by public media, including newspapers, periodicals, television and radio;
- ii. The use of outdoor signs and messages, including posting on utility vehicles and facilities, and common carriers;
- iii. By direct mailing, at no direct charge to customers, informational booklets detailing methods for conserving energy resources and any other information pursuant to this Subchapter which the Board may from time to time require.

5. That no utility may distribute to the public, advertise or otherwise disseminate information for the purpose or with the effect of encouraging or promoting the consumption of energy resources in a manner inconsistent with these rules.

Amended by R.1975 d.305, effective October 17, 1975.

See: 7 N.J.R. 277(b), 7 N.J.R. 510(b).

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), inserted reference to Customer Bill of Rights; in (c), deleted reference to service line tariffs; deleted (d)3, relating to installing ceiling insulation; and recodified former (d)4 through (d)6 as (d)3 through (d)5.

Case Notes

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.

Change in bill format rejected; determination of complex rate increase petition. In *re: Public Service Electric & Gas Co.*, 6 N.J.A.R. 633 (1981).

14:3-3.4 Permits

The utility, where necessary, will make application for any street opening permits for installing its service connections and shall not be required to furnish service until after such permits are granted. The municipal charge, if any, for permission to open the street shall be paid by the customer.

14:3-3.5 Refusal to connect

(a) A utility may refuse to connect with any customer's installation when it is not in accordance with the standard terms and conditions of the tariff of the utility furnishing the service, which has been filed with and approved by the Board, and with the provisions of applicable governmental requirements.

(b) When, because of its size or character, the customer installation desired to be connected to the facilities of the utility is so unusual as to adversely affect the adequacy of the service furnished to other customers, present or prospective, the utility may require special provisions for the service in question or may refuse the same.

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), inserted reference to Board approval.

14:3-3.6 Basis of discontinuance of service

(a) The utility shall, upon reasonable notice, when it can be reasonably given, have the right to suspend or curtail or discontinue service for the following reasons:

1. For the purpose of making permanent or temporary repairs, changes or improvements in any part of its system;
2. For compliance in good faith with any governmental order or directive notwithstanding such order or directive subsequently may be held to be invalid;
3. For any of the following acts or omissions on the part of the customer:

i. Nonpayment of a valid bill due for service furnished at a present or previous location. The customer(s) of record whose name(s) appear on the bill shall be held responsible for utility service rendered. However, nonpayment for business service shall not be a reason for discontinuance of residential service, except in cases of diversion of service pursuant to N.J.A.C. 14:3-7.16, and service shall not be discontinued for nonpayment of repair charges, merchandise charges, installation of conservation measures and other non-tariff contracted service charges between the customer and the utility, nor shall notice threatening such discontinuance be given;

ii. Tampering with any facility of the utility;

iii. Fraudulent representation in relation to the use of service;

iv. Customer moving from the premises, unless the customer requests that service be continued;

v. Providing a utility's service to others without approval of the utility;

vi. Failure to make or increase an advance payment or deposit as provided for in these rules or the utility's tariff;

vii. Refusal to contract for service where such contract is required;

viii. Connecting and operating in such manner as to produce disturbing effects on the service of the utility or other customers;

ix. Failure of the customer to comply with any reasonable standard terms and conditions contained in the utility's tariff;

x. Where the condition of the customer's installation presents a hazard to life or property;

xi. Failure of customer to repair any faulty facility of the customer;

4. For refusal of reasonable access to customer's premises for necessary purposes in connection with rendering of service, including meter installation, reading or testing, or the maintenance or removal of the utility's property.

(b) A customer wishing to discontinue service must give notice to that effect. Within 48 hours of said notice, the utility shall discontinue service or obtain a meter reading for the purpose of calculating a final bill. Where such notice is not received by the utility, the customer shall be liable for service until the final reading of the meter is taken. Notice to discontinue service will not relieve a customer from any minimum or guaranteed payment under any contract or rate.

(c) Public utilities shall not discontinue residential service except between the hours of 8:00 A.M. and 4:00 P.M. Monday through Thursday, unless there is a safety related emergency. There shall be no involuntary termination of service on Fridays, Saturdays, and Sundays or on the day before a holiday or on a holiday absent such emergency. Except for the provisions of N.J.A.C. 14:3-7.17(b) and (c) related to the termination of basic and nonbasic residential local telephone services, respectively, no utility shall discontinue service unless the customer's arrearage is more than \$50.00 or the account is more than three months in arrears. No utility shall terminate service for nonpayment of bills rendered, unless:

1. It has confirmed that appropriate payment has not been received at any office of the utility or at any office of an authorized agent through the end of the notice period;

2. It has confirmed on the day on which termination may occur, that payment has not been posted to the customer's account at the opening of business on that day;

3. Before termination of residential service, the electric or gas utility representative shall notify an adult occupant of the premises or leave a sealed note in the event that no adult is on the premises. The note shall include information as to how the customer's service may be reconnected;

4. If a residential customer offers payment of the full amount or a reasonable portion of the amount due at the time of termination, a utility representative shall be required to accept payment without discontinuance of service. Whenever such payment is made, the utility representative shall provide the customer with a receipt showing the date, account number, customer's name and address and amount received;

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.

6. Whenever the high temperature is forecast to be 95 degrees Fahrenheit or greater during the next 24 hours, electric utilities shall not discontinue residential service to any customer who would be eligible for protection under the Winter Termination Program pursuant to N.J.A.C. 14:3-7.12A 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 agreement. 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.

i. Nothing in this paragraph shall relieve the customer of any financial obligation to the electric utility providing the service.

(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 arrearage 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.

Emergency amendment, R.2002 d. 312, effective August 21, 2002 (to expire October 20, 2002).

See: 34 N.J.R. 3295(a).

Added (c)6.

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

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

In (c), rewrote the third sentence of the introductory paragraph.

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 12 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 when the payment is received at the utility or at an authorized payment center and the utility has received notice of the payment, or if the Board so directs when a complaint involving such matters 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.

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

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

Rewrote the section.

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; reporting threatened interruptions of service

(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.

(d) Whenever any public utility shall be served by the State Highway Department with a notice pursuant to N.J.S.A. 27:7-26, or pursuant to any Executive Department directive, or shall otherwise be put upon notice of any facts, actual or threatened, which in either event may adversely affect its ability to render safe, adequate and proper service, such public utility shall forthwith report the pertinent facts to the Board, in writing.

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. 14:11-1.10 recodified as (d).

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.