

CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC.
THIRD REVISED RULE NO. 10
CANCELLING SECOND REVISION RULE NO. 10
DISCONTINUANCE OF SERVICE FOR NONPAYMENT

X (NUMEROUS CHANGES)

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Payment of the amount shown on each bill shall be due no later than twenty (20) days following the billing date.

In summary, if payment is not made within the specified time, a delinquent-disconnect notice shall be provided to the Customer. If the bill is not paid within fifteen (15) days of the date of the delinquent-disconnect notice, the Customer shall be subject to disconnection.

If service is discontinued, the Customer must pay the past due amount, plus the reconnect fee as specified in Rate No. 7 (Special Charges) and may be required to pay a deposit per 17.5.410.16 NMAC, before service is restored.

The following standards shall apply to discontinuance of service:

- A. Fifteen-Day (15) Notice – At least 15 days before discontinuance of service, the Cooperative shall provide written notice to the Customer its intent to discontinue service and setting forth the Customer’s rights regarding discontinuance of service, budget payment plans and installment agreements. The notice will be in both English and Spanish. The notice shall be by U.S. Mail, addressed to the address for the Customer on record with the Cooperative, or by electronic mail if a Customer has elected to receive electronic billing. With each fifteen-day (15) notice, a statement of Customer’s Rights and Responsibilities will be enclosed pursuant to 17.5.410.42 NMAC. The following are requirements of the Customer’s Rights and Responsibilities:

1. The Cooperative shall inform the Customer of the account number, the total amount due, and the amount in arrears, with a date that the Cooperative proposes to discontinue service, if the amount due is not paid, or arrangements are not made with the Cooperative to pay the charges. Upon request, the Cooperative shall provide additional information to the Customer concerning the outstanding charges, including the dates of service during which the outstanding charges were incurred and the date and amount of the last payment.

ADVICE NOTICE NO. 69



Continental Divide Electric Cooperative, Inc.
Robert E. Castillo, Chief Executive Officer

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2. The Cooperative shall list office locations for payments, the Cooperative's phone number, website address, and hours of operation of the Cooperative's personnel responsible for administering the procedures of 17.5.410.33 NMAC.
3. The Cooperative shall inform the Customer that they can participate in a payment plan if the Customer demonstrates they do not have the financial resources to pay the outstanding amount, or if they are low-income or are subject to other special circumstances.
4. Federal, state and local government assistance programs and private resources exist, such as the Low-Income Home Energy Assistance Program (LIHEAP).
5. Information about LIHEAP and other assistance programs available from the New Mexico Human Services Department at 1-800-283-4465, the Tribal or Pueblo entity that administers LIHEAP, or from the Cooperative's Customer Service Department.
6. LIHEAP application forms are available at the Cooperative's billing offices, at the Human Services Department, and at the Tribal or Pueblo entity that administers LIHEAP. Application forms should be returned to the Human Services Department of the Tribal or Pueblo entity that administers LIHEAP that determines a Customer's eligibility to receive assistance.
7. Special consideration shall be given to a Residential Customer who meets LIHEAP qualifications or has other special circumstances in determining deposits and installment agreements. In making such a determination, the Cooperative will accept documentation from the administering authority that such Residential Customer meets LIHEAP qualifications.
8. If the Residential Customer qualifies for LIHEAP, they may be protected from having service disconnected for nonpayment between November 15 and March 15, annually. It is the Customer's responsibility to provide the Cooperative appropriate documentation confirming LIHEAP eligibility.

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9. If the Customer believes there is a billing error, they can contact the Cooperative for review. After the Customer pays the undisputed amount of the bill, the Cooperative will postpone disconnection of Customer's service until the dispute is resolved.
10. The Cooperative will not disconnect service to a residence where a seriously or chronically ill person resides, if at least two (2) days prior to the proposed discontinuance date the Cooperative receives:

a) A **Medical Certification Form provided by the Cooperative** signed by a licensed physician, physician's assistant, osteopathic physician, osteopathic physician's assistant or certified nurse practitioner, stating the discontinuance of service might endanger the person's life or health. Certification is valid for ninety (90) days.

And,

b) A **Financial Certification Form provided by the Cooperative**, signed by the organization administering financial assistance, stating that the Customer qualifies for financial assistance from the organization executing the certificate; or from the Customer (Self-Certification) demonstrating that the Customer is currently eligible for financial assistance from the New Mexico Medicaid program. Certification is valid for ninety (90) days.

Or,

c) The Residential Customer enters into a written installment agreement and/or billing plan with the Cooperative.

If discontinuance occurs, the Cooperative will restore service within twelve (12) hours after receipt of the documents described in (a).

If service is continued or reestablished because the Cooperative receives certifications under the provision of (a) or (b), the Residential Customer will not be relieved of the obligation to pay for services rendered.

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- B. If a Customer is disconnected and reconnection is requested, reconnect fees will be applicable as filed with the Commission.
- C. Third-Party Notification (for Residential Customers only) – The Cooperative shall notify Residential Customers of its third-party notification program. To utilize the program, a Residential Customer must notify the Cooperative in writing of their desire to participate and designate a specific person, organization, or governmental agency that is ready, willing, and able to assist the Customer with the payment of utility bills. Upon receipt of such notice, the Cooperative will not discontinue service for nonpayment of past due charges without first:
1. Contacting the designated person, organization, or governmental agency by phone or in writing at least fifteen (15) days prior to the proposed discontinuance of service, and;
 2. Determining that the designated person, organization, or governmental agency has not made a commitment to assist with payment of the Residential Customer’s past due charge within a reasonable time period.
- D. Budget Payment Plan (for Residential Customers only) – The Cooperative shall notify Residential Customers of its Budget Payment Plan, commonly referred to as “Budget Billing.”
- Budget Billing is a method to levelize monthly utility bills to avoid the accumulation of an unpaid balance. See Rule No. 11 for an explanation of the plan and requirements to qualify.
- E. Final Notice – The Cooperative shall make a reasonable effort to contact the Customer at least two (2) days prior to the actual date of discontinuance of service to obtain payment of delinquent account(s), remind the Customer of the pending date of discontinuance of service, advise the Customer again of the potential availability of financial assistance for utility service payments, and, during the heating season, provide a reminder of the protection under the moratorium.

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- F. The Cooperative employee sent to disconnect will note any information by the Residential Customer regarding any residents' with seriously or chronically ill or life-endangering health conditions, such as physical disablement, frailty, or advanced age. Such information shall be immediately reported to the Cooperative and may delay the disconnect, if it is apparent the necessary certification will be provided. Payment to the Cooperative employee sent to disconnect will prevent the disconnection.
- G. The Cooperative is not required to delay discontinuance of service pursuant to Section A.10 for more than two (2) times within a twelve-month (12) period. The Cooperative and any employee acting on its behalf shall be held harmless for errors made in good faith in noting, acting upon, or failing to act upon the information provided by the Residential Customer.
- H. When the Customer has indicated an inability to pay utility charges and has not been Chronically Delinquent, the Cooperative shall attempt to arrange an installment agreement and payment plan and shall not discontinue service, pending such negotiations. Refer to Rule No. 14 (Installation Agreements and Payment Plans).
- I. If the Customer contends that a proposed installment agreement and payment plan is unreasonable, or believes a charge is not due and owing, or the Customer has not violated an existing installment agreement and payment plan, Cooperative management shall review the Customer's grievance, after at least two (2) days' notice to the Customer. The Cooperative shall not discontinue service until the review is completed.
- J. If the Customer believes there is a billing error, the Customer may contact the Cooperative for a review. After the Customer pays the undisputed amount of the bill, the Cooperative will postpone disconnection of the Customer's service until the dispute is resolved. Customers may file a complaint with the Commission if they disagree with the Cooperative's decision.

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- K. Discontinuance of Service Hours: Except in cases of emergencies, discontinuance shall be limited to the hours of 7:30 a.m. to 4:00 p.m., Monday through Thursday, and not less than twenty-four (24) hours prior to a holiday or weekend, unless the business office is open for payment, and the Cooperative has employees available to restore service upon payment during a holiday or weekend.
- L. Emergency Discontinuance of Service: Notwithstanding any other provision of Rule 410, the Cooperative may temporarily and without prior notice discontinue service for reasons of operation, maintenance, health, safety, or a state of emergency.
- M. Restoration of Service: The Cooperative will restore service upon the Customer's request, provided the cause for discontinuance has been eliminated, applicable restoration or reconnection charges (as provided in the filed tariff) have been collected, and if required, satisfactory credit arrangements have been made. The Cooperative will make reasonable effort to restore service on the same day restoration is requested by the Customer, provided the cause of discontinuance is eliminated prior to 3:00 p.m. that same day. Any request later than 3:00 p.m. will result in service restoration the following business day.

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