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CAD Bulletin 89-1

TO: All Telephone Utilities

FROM: Barbara R. Alexander, Director, Consumer Assistance Division

SUBJECT: Contact Prior to Disconnection

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Chapter 81, Section 10(B) requires a telephone utility to "make a reasonable effort to contact the customer by telephone before disconnection occurs." The requirement to make contact with the customer by telephone before disconnection is based on the prior version of Chapter 81 (Section 7(C)). If contact is achieved, a utility is required to use its good faith efforts to avoid disconnection.

The CAD has had requests to define the term "reasonable effort". In fact, the CAD has cited one telephone utility for violation of this provision when it made only one telephone attempt to reach the customer prior to the disconnection. Another Company was cited for making one call and treating that as a sufficient effort after receiving a busy signal.

Other situations have arisen in which the customer's telephone service is for seasonal use and the billing address is at a different location. The question has arisen in these cases as to whether a telephone call to a customer's camp prior to disconnection is satisfactory compliance. In addition, a utility may in some cases have both home and work telephone numbers for its customers.

It is CAD's opinion that the term "reasonable effort" in Section 10(B) means more than one attempt to contact the customer by telephone. Telephone utilities should adopt procedures to make more than one phone call attempt to the customer at the location where it

is most likely to reach the customer over at least 2 business days. More than one attempt to contact the customer during regular business hours seems appropriate. It is more cost effective to contact the customer and obtain payment or a payment arrangement than to disconnect the customer and reconnect with a payment arrangement.*

This is an informal staff interpretation of Chapter 81. Any utility may request an Advisory Ruling from the Commission pursuant to Chapter 11, Section 5 of the Commission's Rules.

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The phrase "every reasonable attempt" to contact is found in the Commission's Winter Disconnection Rule, Section 17(G)(2), to which electric and gas utilities are subject. CAD Bulletin 87-9 discussed the meaning of this phrase for those utilities prior to submitting a request for permission to disconnect the customer. This Bulletin requires contacts both during and after normal business hours over at least 2 business days. There are sufficient grounds to distinguish between attempting to contact a customer to prevent disconnection of electric or gas service during the winter period and contacting a customer to avoid disconnection of telephone service at any time of the year. First, the necessity to contact the customer to prevent disconnection of electric and gas utilities has a more serious concern. Second, the wording of Section 17(G)(2) is more strict. Therefore, the CAD's opinion is that telephone calls during nonbusiness hours are not required in order to comply with Section 10(B).