

**CENTRAL VALLEY ELECTRIC COOPERATIVE, INC.
THIRD REVISED RULES AND REGULATIONS NO. 9
CANCELLING SECOND REVISED RULES AND REGULATIONS NO. 9**

RENDERING AND PAYMENT OF BILLS

Application – All Customers

OCT 2 '17 4:51:12

- I. CVEC will read all consumer's meters each month, either by physically reading the meter or utilizing remote meter reading technology. In the event it is impossible to read the meters, the reading will be estimated in accordance with Rules and Regulations No. 22. X
X
- II. Bills will be prepared and mailed to each customer in accordance with the applicable Tariff Schedule, and will cover the period from the meter reading day of the previous month to the meter reading day of the current month.
- III. Payment of the amount shown on each bill is due not later than twenty (20) days following the billing date at which time the bill shall be delinquent. X
X
- IV. If payment is not made within the time specified in "III" above, a delinquent-disconnect notice will be mailed or hand delivered to the consumer. For Residential Customers, if the bill is not paid within fifteen (15) days of the date of the delinquent-disconnect notice, the Residential Customer will be subject to disconnect. For all other customers, if the bill is not paid within two (2) days of the date the disconnect notice is hand delivered or within four (4) days of the date the disconnect notice is mailed, excluding Sundays and Observed Holidays, the customer will be subject to disconnect. If service is discontinued, the consumer must pay the full bill (or, for residential customers fulfill the terms of a settlement agreement), plus the fee as specified in Rate No. 12, (reconnect charge) and may be required to pay a deposit per 17.5.410.16 NMAC, before service is restored. X
X
X
X
X
X
X

V. Residential Customers

- A. **Fifteen-Day Notice** - At least fifteen (15) days before discontinuance of service, CVEC shall provide written notice, in the form of Form No. 3, "15-Day Disconnect Notice", to the customer stating 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 delivered to the residential customer in person or by U.S. Mail, postage prepaid, addressed to the last address for the residential customer known to CVEC, or by electronic mail if a customer has elected to receive electronic billing. With each fifteen-day-notice, a statement of Customers' Rights and Responsibilities will be enclosed pursuant to 17.5.410.42 NMAC. The

EFFECTIVE

NOV - 1 2017

Advice Notice No. 50

Signature: *Charles T. Benson Jr.*
Executive Vice President

REPLACED BY NMPRC
Operation of Law

BY _____

**CENTRAL VALLEY ELECTRIC COOPERATIVE, INC.
THIRD REVISED RULES AND REGULATIONS NO. 9
CANCELLING SECOND REVISED RULES AND REGULATIONS NO. 9**

RENDERING AND PAYMENT OF BILLS

Application – All Customers

following are requirements of the Customers' Rights and Responsibilities shall:

1. Inform the customer that electric utility payment is past due. The amount owed and the specific date service shall be discontinued unless the residential customer pays the amount due or makes other arrangements concerning payment of the charges. Upon request, CVEC will provide 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.
2. CVEC shall inform the customer that they can participate in a payment plan if the customer can demonstrate that 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.
3. IF YOU HAVE DIFFICULTY PAYING THIS BILL, AND FEEL YOU MAY QUALIFY FOR ASSISTANCE IN PAYING YOUR UTILITY BILL FROM THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM, OR ANOTHER ASSISTANCE PROGRAM IN YOUR COMMUNITY, CONTACT THE COMMUNITY ASSISTANCE SECTION OF THE HUMAN SERVICES DEPARTMENT AT 1-800-283-4465, THE TRIBAL OR PUEBLO ENTITY THAT ADMINISTERS A TRIBE'S OR PUEBLO'S LIHEAP, OR THE CUSTOMER SERVICE REPRESENTATIVE AT CVEC.
4. LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) APPLICATION FORMS FOR THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM ARE AVAILABLE AT THE BILLING OFFICES OF CVEC, AT THE HUMAN SERVICES DEPARTMENT AND AT THE TRIBAL OR PUEBLO ENTITY THAT ADMINISTERS A TRIBE'S OR PUEBLO'S LIHEAP. YOU SHOULD RETURN THE APPLICATION FORMS TO THE HUMAN SERVICES DEPARTMENT OR THE TRIBAL OR PUEBLO ENTITY THAT ADMINISTERS THE PROGRAMS AND DETERMINES YOUR ELIGIBILITY TO RECEIVE ASSISTANCE.
5. If the residential customer believes there is an error in the billing, the customer can contact CVEC for a review. After the customer pays the

EFFECTIVE

NOV - 1 2017

REPLACED BY NMPRC
Operation of Law

Advice Notice No. 50

Signature: _____



Executive Vice President

BY _____

**CENTRAL VALLEY ELECTRIC COOPERATIVE, INC.
THIRD REVISED RULES AND REGULATIONS NO. 9
CANCELLING SECOND REVISED RULES AND REGULATIONS NO. 9**

RENDERING AND PAYMENT OF BILLS

Application – All Customers

undisputed amount of the bill, CVEC will postpone disconnection of the customer's service until the dispute is resolved.

6. CVEC will not discontinue service to a residence where a seriously or chronically ill person resides, if at least two (2) days prior to the proposed service discontinuance date specified in the notice CVEC receives the completed, original of the Medical and Financial Certification forms. The medical certification form must be completed by a licensed medical professional. An original financial certification form, stating that the customer qualifies for assistance, must be completed by an agency providing assistance in or for the state of New Mexico.
7. If service has been discontinued, CVEC shall reestablish service within twelve (12) hours after the residential customer has satisfied the requirements of the Medical and Financial Certification forms. The residential customer will not be relieved of the obligation to pay for services rendered if utility service is continued or reestablished because CVEC receives the certifications under the provision of this paragraph.
8. The customer may be protected from having the services disconnected for non-payment between November 15 and March 15, if the customer qualifies for Low Income Home Energy Assistance Program (LIHEAP). The customer can contact CVEC for more information.
9. Re-connection fees will be charged as per NMPRC approved Rate No. 12.
10. CVEC will place the customer in touch with other organizations in the community that might be able to help. If the customer has a relative, friend or agency that will assist in paying the bills, the customer can contact CVEC if the customer wants CVEC to notify the relative, friend or agency when disconnect notices are sent.
11. CVEC's budget billing program can help even out the customer's payments throughout the year. The customer still pays for all of the energy the customer consumes. The customer can cancel participation at any time. Upon cancellation, all amounts are due and become payable within 30 days. Any credits will be applied to the customer's account.

EFFECTIVE

NOV - 1 2017

REPLACED BY NMPRC
Operation of Law

BY _____

Advice Notice No. 50

Signature: _____



Executive Vice President

**CENTRAL VALLEY ELECTRIC COOPERATIVE, INC.
THIRD REVISED RULES AND REGULATIONS NO. 9
CANCELLING SECOND REVISED RULES AND REGULATIONS NO. 9**

RENDERING AND PAYMENT OF BILLS

Application – All Customers

- 12. CVEC billing will list office locations for payments, CVEC's phone number, website address and hours of operation of CVEC personnel responsible for administering the procedures of 17.5.410.33, shall also be provided to the customer.
- 13. Residential customers may file a complaint with the NMPRC, if they disagree with CVEC's determination concerning discontinuance of service.
- 14. Special consideration will be given to a residential customer who meets the qualifications of LIHEAP, or has other special circumstances, in determining deposits and installment agreements. In making such determination, CVEC will accept documentation from the administering authority that such residential customer meets qualifications of LIHEAP.

B. Final Notice - CVEC shall communicate with a residential customer by telephone, mail if delivery to residential service address can be verified, or personal contact at least two (2) days prior to actual date of discontinuance of service to 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 obtain payment of delinquent accounts and during the heating season, provide a reminder of the protection under the moratorium.

- 1. CVE shall have up five (5) business days from the specific date to perform the disconnection of services or be required to reissue a final notice.
- 2. Any CVEC employee sent to disconnect a residential customer must note any information made known to the employee by the residential customer regarding a person living in the residence that is seriously or chronically ill. Such information shall immediately be reported to a utility employee authorized to prevent discontinuance. CVEC will either delay the discontinuance, if it is apparent that the forms required by this rule will be received, or state in writing why discontinuance of service will not be delayed.
- 3. CVEC is not required to delay discontinuance of service pursuant to B.2. above for more than two (2) times within a twelve-month period. CVEC and any employee acting on behalf of CVEC shall be held harmless for

Advice Notice No. 50

EFFECTIVE

NOV - 1 2017

REPLACED BY NMPRC
Operation of Law

BY _____

Signature: _____

Charles T. Hinson, Jr.
Executive Vice President

**CENTRAL VALLEY ELECTRIC COOPERATIVE, INC.
THIRD REVISED RULES AND REGULATIONS NO. 9
CANCELLING SECOND REVISED RULES AND REGULATIONS NO. 9**

RENDERING AND PAYMENT OF BILLS

Application – All Customers

errors made in good faith in noting, acting upon, or failing to act upon the information provided by the residential customer.

- 4. CVEC may use reasonable means to verify the accuracy of information on a medical or financial certification form.
- 5. A CVEC employee sent to discontinue service will be empowered to receive payment of delinquent bills and upon receipt of approved payment method, shall cancel the discontinuance order.
- 6. When CVEC receives notification that termination of service to a residential customer is prohibited by law, a final notice of discontinuance of service will not be issued.

C. Third Party Notification - CVEC will establish a third party notification program and will notify residential customers that such program is available. Residential customers desiring to utilize the third party notification program must notify CVEC in writing of their desire to participate in the program and designate a specific person, organization or governmental agency that is ready, willing and able to assist the residential customer with the payment of utility bills. Upon receipt of such notice from a residential customer, CVEC will not discontinue service for nonpayment of past due charges without:

- 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. Timing of discontinuance of service – Utility service to a residential customer may be discontinued only during the hours from 7:30 a.m. to 4:00 p.m. on Monday through Thursday and may not be discontinued less than twenty-four (24) hours prior to a holiday or weekend unless CVEC's office is open for receipt of payment of past due charges and CVEC personnel are available to restore such service upon payment during said holiday or weekend.

EFFECTIVE

NOV - 1 2017

REPLACED BY NMPRC
Operation of Law

BY _____

Advice Notice No. 50

Signature: _____



Executive Vice President

**CENTRAL VALLEY ELECTRIC COOPERATIVE, INC.
THIRD REVISED RULES AND REGULATIONS NO. 9
CANCELLING SECOND REVISED RULES AND REGULATIONS NO. 9**

RENDERING AND PAYMENT OF BILLS

Application – All Customers

E. Installment Payment Plans

1. When a residential customer who has not been chronically delinquent indicates to CVEC an inability to pay utility charges, CVEC shall attempt to arrange an installment payment plan. Service shall not be discontinued if, on or before the specific date for discontinuance, the residential customer enters into an installment agreement with CVEC.
2. CVEC is not required to enter into an installment agreement with a chronically delinquent residential customer. However, if a chronically delinquent residential customer can demonstrate to CVEC that the residential customer does not have adequate financial resources to pay the outstanding bill without participation in an installment agreement because the residential customer meets the qualifications of LIHEAP, or is subject to other special circumstances, CVEC shall give special consideration to such a residential customer in determining whether to offer an installment agreement. In making such determination, CVEC shall accept documentation from the administering authority that such residential customer meets the qualifications of LIHEAP.
3. Every installment agreement shall provide that service will not be discontinued if the residential customer pays a reasonable portion of the outstanding bill when terms of the installment agreement are reached and agrees to pay the remaining outstanding balance in reasonable installments. Customers will be required to pay all arrearages in a reasonable time period. Subject to CVEC's discretion, no installment agreements will extend for more than a twelve (12) month period on significant balances. For purposes of determining reasonableness the parties shall weigh the following:
 - a. The size of the outstanding balance.
 - b. The residential customer's ability to pay.
 - c. The residential customer's payment history.
 - d. The time the balance has been outstanding.
 - e. The reasons why the balance has been outstanding.
 - f. Any other relevant factors relating to the residential customer's service.

EFFECTIVE

NOV - 1 2017

REPLACED BY NMPRC
BY Operation of Law

Advice Notice No. 50

Signature: _____



Executive Vice President

**CENTRAL VALLEY ELECTRIC COOPERATIVE, INC.
THIRD REVISED RULES AND REGULATIONS NO. 9
CANCELLING SECOND REVISED RULES AND REGULATIONS NO. 9**

**RENDERING AND PAYMENT OF BILLS
Application – All Customers**

- 4. An installment agreement to pay an outstanding past due balance on a bill does not relieve the residential customer from the obligation to pay future bills on a current basis.
- 5. If the residential customer has entered into an installment agreement as provided by this rule, the residential customer shall receive a statement of:
 - a. The actual service charges incurred for the current billing period
 - b. The amount of the installment payment due; and
 - c. The total amount due (sum of (a) and (b)).
- 6. A residential customer may offer CVEC a proposed installment agreement or a proposed change in the terms of an existing installment agreement. If the CVEC and the residential customer do not reach an agreement, the CVEC may refuse the offer orally and shall note in that residential customer's records the reason for refusal and what special consideration was given for residential customers who meet the qualifications of LIHEAP. Upon final refusal, the CVEC also shall provide oral notice of the right of the residential customer to appeal the refusal to the commission.
- 7. If a residential customer fails to comply with an installment agreement, CVEC shall notify the residential customer by personal delivery of written notice, by first class mail or electronic mail, if the customer has elected to receive electronic billing, at least seven (7) days before discontinuing service that service will be discontinued.
- 8. Allegations by a residential customer that a proposed installment agreement is unreasonable, that a utility charge is not due and owing, or that the residential customer has not violated an existing installment agreement will be referred to the Manager of Finance and Administration for review, who is so empowered to order appropriate corrective action. The Manager of Finance and Administration shall cause due notice to be provided to the residential customer of the date the review will be conducted to allow for participation by the residential customer. Such notice shall occur within five (5) days of the residential customer's allegation.

X
X

EFFECTIVE

NOV - 1 2017

REPLACED BY NMPRC
Operation of Law

BY

Advice Notice No. 50

Signature: _____



Executive Vice President

**CENTRAL VALLEY ELECTRIC COOPERATIVE, INC.
THIRD REVISED RULES AND REGULATIONS NO. 9
CANCELLING SECOND REVISED RULES AND REGULATIONS NO. 9**

RENDERING AND PAYMENT OF BILLS

Application – All Customers

F. Discontinuance during the winter heating season –

1. Unless requested by the customer, CVEC shall not discontinue service to a residential customer for nonpayment during the period from November 15 to March 15 if CVEC receives notice that the customer meets the qualifications of LIHEAP as determined by the administering authority for the current heating season and:
 - a.) The residential customer has no past due charges on November 15 of the current heating season or,
 - b.) The residential customer has a settlement agreement or an installment agreement with CVEC for amounts other than those owing from the prior heating season, and the customer continues to make the agreed-upon payments under the settlement or installment agreement.
2. At any time during the current heating season, a residential customer may become eligible for winter moratorium protection from discontinuance or disconnection of service if a notice issued by the administering authority is provided to CVEC that the customer meets the qualifications of LIHEAP and the residential customer either pays the amount due as of November 15 or enters into a settlement or installment agreement for such past-due amounts and continues to make the agreed-upon payments under the settlement or installment agreement.
3. Any residential customer that has had services disconnected or discontinued during the current winter heating season for whom CVEC receives, subsequent to the disconnection or discontinuance of service, a proof of qualification issued by the administering authority and has met the payment requirements of section F.1. above, shall have service reconnected as soon as reasonable but not later than the next working day if otherwise qualified for protection. Immediate payment of a reconnection fee, if any, shall not be a prerequisite to such reconnection.
4. CVEC shall make installment agreement options available to any residential customer that has an unpaid bill pursuant to the regulations of the commission.

EFFECTIVE

NOV - 1 2017

REPLACED BY NMPRC

BY Operation of Law

Advice Notice No. 50

Signature: _____



Executive Vice President

**CENTRAL VALLEY ELECTRIC COOPERATIVE, INC.
THIRD REVISED RULES AND REGULATIONS NO. 9
CANCELLING SECOND REVISED RULES AND REGULATIONS NO. 9**

RENDERING AND PAYMENT OF BILLS

Application – All Customers

5. A residential customer who has defaulted on the residential customer's chosen installment agreement and whose electric utility service has been discontinued or disconnected during the non-heating season shall be reconnected and maintain the protection afforded by this section by paying reconnection charges if any, and by paying the amount due pursuant to the installment agreement by the date on which service is reconnected.
6. If a residential customer notifies CVEC that the residential customer needs payment assistance and requests that CVEC report the residential customer's need to the administering authority, CVEC shall promptly report the request for assistance to the administering authority, provided that the administering authority called is willing to act on calls made by utilities on behalf of customers.

VI. Returned checks or drafts – When payment for electric service has been made by check or draft and the check or draft is subsequently returned by the bank, CVEC will:

- A. Add the fee specified in Rate No. 12 to the amount of the returned check or draft. Recharge the consumer's account with the unpaid bill plus the fee specified in Rate No. 12.
- B. Notify the customer by letter of the returned check or draft and the total amount now due. This letter will also notify the consumer that within five (5) days the check or draft will be re-deposited unless the consumer has made other arrangements to settle the account in full.
- C. If the amount is not settled as provided above, or if the re-deposited check or draft is again returned, the service will be subject to discontinuance and the usual procedure applicable to handling nonpayment of bills will be followed.

VII. Connect and Disconnect within the same billing period – In the event the consumer connects and disconnects within the same billing period, there shall be a minimum charge of the fee as specified in Rate No. 12.

EFFECTIVE

NOV - 1 2017

Advice Notice No. 50

BY REPLACED BY NMPRC
Operation of Law

Signature: 
Executive Vice President