

LOUISIANA PUBLIC SERVICE COMMISSION

GENERAL ORDER

In re: Prohibition against termination of service by a providing utility against a consuming utility absent notice to the affected Commission District and Main office and an opportunity to eliminate the cause for termination.

The Commission has an obligation to the ratepayers of this State to ensure that the rendition of utilities service to the consuming public is provided with minimal interruption.

It has come to the attention of the Commission that on occasion utility service by a regulated utility to another regulated utility has been terminated for delinquent account status or for other reasons. Termination of this primary service to the second utility in turn has caused interruptions of service to its customers, endangering the health, safety and welfare of those customers and their families as well as to the public at large. On occasion, these terminations may not have been brought to the attention of the Commission Staff who therefore had not an opportunity to intervene in an attempt to alleviate the problem.

To prevent reoccurrence of this situation and to insure that causes for termination, including but not limited to delinquent account status, are rectified in an expeditious fashion, and to apprise the Commission of the potential for service interruptions to the public, the following General Order is adopted:

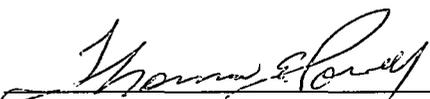
IT IS ORDERED that before a regulated utility may terminate service to another regulated utility the following procedure must be followed:

- 1). Notice of intent to terminate service must be sent by certified mail to the consuming utility at its last known address. The terminating utility shall check with the utilities staff in the main office to verify the correct address of the utility to be terminated.
- 2). A copy of the notice of intent to terminate shall be sent certified mail to the Commission office located in the same district or districts as the utility whose service is to be terminated as well as to the utilities staff in the main office. The failure of the district office to receive timely notice shall constitute prima facie evidence of unlawful termination. The Commission Staff shall make reasonable efforts to contact the utility to whom service is to be terminated with the goal of mediating the dispute in hopes of avoiding disconnection.
- 3). The content of the notice shall state:
 - a) the name, address and account number of the consuming utility;
 - b) a plain statement of the grounds upon which the right to terminate service is founded and;
 - c) the exact date and time service will be discontinued.
- 4). No providing utility may discontinue service to a consuming utility before the date and time given on the notice of intent to terminate. In no case shall disconnection be effected less than fifteen (15) days from date of mailing of the notice of intent. In the event service is not terminated on the date and time given in the initial notice, service may not be disconnected without following a subsequent notice of intent to disconnect pursuant to this General Order.
- 5). If the last day of the fifteen (15) day period falls on a Saturday, Sunday or legal holiday, the deadline will expire at the close of the terminating utility's next regular business day.

- 6). All public utilities shall immediately take those steps necessary to identify their customers who are also public utilities. A list of those customers and their account numbers shall be provided to the respective district office and the main office. The Commission Staff will assist the public utilities in identifying those consuming utilities taking service from providing utilities as well as the name and telephone number of a contact person at the consuming utility.
- 7). In addition to any other remedy available at civil law, the terminating utility shall be liable for all damages to ratepayers of the consuming utility resulting in the unlawful termination.

BY ORDER OF THE COMMISSION
BATON ROUGE, LOUISIANA
DECEMBER 7, 1989


DISTRICT V
CHAIRMAN DON OWEN


DISTRICT IV
VICE CHAIRMAN THOMAS E. POWELL


DISTRICT II
COMMISSIONER KATHLEEN B. BLANCO


DISTRICT III
COMMISSIONER LOUIS J. LAMBERT, JR.

JOHN F. SCHWEGMANN ABSENT
DISTRICT I
COMMISSIONER JOHN F. SCHWEGMANN


SECRETARY