

NEW SECTION

WAC 480-120-172 Discontinuing service--Company initiated.

(6) **Medical emergencies.** (a) When a local exchange company (LEC) has cause to discontinue residential basic service or has discontinued service it must postpone total service discontinuation or reinstate toll restricted basic service that permits both making and receiving calls and access to E911 for a grace period of five business days after receiving either oral or written notice of the existence of a medical emergency. The LEC must reinstate service during the same day if the customer contacts the LEC prior to the close of the business day and requests a same-day reconnection. Otherwise, the LEC must restore service by 12:00 p.m. the next business day. When service is reinstated the LEC cannot require payment of a reconnection charge or deposit before reinstating service but may bill the charges at a later date.

(b) The LEC may require that the customer submit written certification from a qualified medical professional, within ten business days, after notification by customer, not stating that the discontinuation of basic service or restricted basic service would aggravate an existing medical condition of a resident of the household. "Qualified medical professional" means a licensed physician, nurse practitioner, or physician's assistant authorized to diagnose and treat the medical condition without supervision of a physician. Nothing in this subsection precludes a company from accepting other forms of certification, but the maximum the company can require is written certification. If the company requires written certification, it may not require more than the following information:

- (i) Residence address location;
- (ii) An explanation of how the current medical condition will be aggravated by the discontinuation of basic service or restricted basic service;
- (iii) A statement of how long the condition is expected to last; and
- (iv) The title, signature, and telephone number of the person certifying the condition.

(12) **Remedy and appeals.** The company must not discontinue or restrict service while a customer is pursuing any remedy or appeal provided for by these rules, if the customer pays any amounts not in dispute when due, and the customer corrects any conditions posing a danger to health, safety, or property. The company must inform the customer of these provisions. ~~when the customer is referred to a company's supervisor or the commission.~~

During a dispute a company may, upon authorization from commission staff, discontinue service when a customer's toll

charges substantially exceed the amount of any deposit or customary use and it appears the customer may incur excessive, uncollectible toll charges while an appeal is being pursued. A customer whose service is subject to discontinuation may maintain service pending resolution of any dispute upon payment of outstanding toll charges subject to refund if the dispute is resolved in the customer's favor.