

NEW SECTION

WAC 480-90-123 Refusal of service. (1) A gas utility may refuse to provide new or additional service if:

(a) Providing service does not comply with government regulations or accepted natural gas industry accepted standards;

(b) In the utility's judgment, there are conditions at the premises that are hazardous; or of such a nature that satisfactory service cannot be provided;

(c) The applicant or customer does not comply with the utility's request to provide protective devices to protect the utility's or other customers' properties from theft or damage;

(d) The utility is unable to obtain all necessary rights of way, easements, approvals, and permits;

(e) The customer is known by the utility to have tampered with or stolen the utility's property, used service through an illegal connection, or fraudulently obtained service and the utility has complied with WAC 480-90-128 (2), Disconnection of service.

(2) Upon request by an gas utility, the commission may waive the utility's obligation to provide new or additional service when to do so would:

(a) Cause an adverse affect on other customers; or

(b) Not be economically feasible.

(3) The utility may not refuse to provide service to a residential applicant or residential customer because there are outstanding amounts due from a prior customer at the same premises, unless the utility can determine, based on objective evidence, that a fraudulent act is being committed, such that the applicant or customer is acting on behalf of the prior customer with the intent to avoid payment.

(4) The utility may not refuse service to a residential applicant or residential customer who has three or fewer prior obligations in any one calendar year. A prior obligation is the dollar amount the utility has billed to the customer and for which the utility has not received payment at the time the service has been disconnected.

NEW SECTION

WAC 480-90-153 Disclosure of private information. (1) A gas utility may not use private

consumer information, as defined in subsection (3) of this section, to market services to its customers, except that the utility may use such information to market its own energy related services or products.

(2) A utility may not share or sell private consumer information with or to its affiliates, subsidiaries, or any other third party for the purposes of marketing services or product offerings to a customer who does not already subscribe to that service or product, unless the utility has first obtained the customer's written permission to do so.

(3) Private consumer information includes the customer's name, address, telephone number, and any other personally identifying information, as well as information related to the quantity, technical configuration, type, destination, and amount of use of service or products subscribed to by a customer of a regulated utility that is available to the utility solely by virtue of the customer-utility relationship.

(4) This section does not prevent disclosure of the essential terms and conditions of special contracts as provided for in WAC 480-80-335, Special contracts for electric, water, and natural gas utilities.

(5) This section does not prevent the utility from inserting any marketing information into the customers billing package.

(6) Gas utilities may collect and release customer information in aggregate form if the aggregated information does not allow any specific customer to be identified.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 480-90-056 Refusal of service.

WAC 480-90-116 Refunds for inaccurate metering.