

**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 reasonable judgment, ~~there are conditions at the premises that are hazardous or the applicant's or customer's installation of piping or gas burning equipment is considered hazardous or~~ of such ~~a~~-nature that safe and satisfactory service cannot be provided;

(c) The applicant or customer does not comply with the utility's request that the applicant or customer ~~to~~ provide and install protective devices, when the utility, in its reasonable judgment, deems such protective devices are necessary to protect the utility's or other customers' properties from theft or damage;

(d) ~~The utility is unable~~After reasonable efforts by the responsible party, to obtain all necessary rights of way, easements, approvals, and permits have not been secured; or

(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; or

(f) A residential applicant or residential customer has more than two prior obligations in any one calendar year, and whose account becomes delinquent and is disconnected a third time.

For the purposes of this section, A a prior obligation is the dollar amount, excluding deposit amounts owed, the utility has billed to the customer and for which the utility has not received payment at the time the service has been disconnected for non-payment. This subsection does not apply to customers that have been disconnected for failure to honor the terms of a winter low-income payment program.

(i) Payment arrangements - The utility must allow a customer with a third disconnection in any one calendar year, to enter into a payment arrangement to pay the amounts associated with the third disconnection over the following six months. If the customer enters into this payment arrangement with the utility, the customer must pay each month of the current month's usage plus

one-sixth of the delinquent amount associated with the third delinquency by the due date of the monthly bill or on a date agreed upon by the customer and the utility. If a customer fails to keep the payment arrangement at any time during the six-month period, the utility may disconnect the customer without prior notice and refuse to reconnect the customer until the full delinquent amount associated with the third delinquency and the balances of the charges that have been incurred during the payment arrangement period is paid in full, in addition to the appropriate deposit and reconnection charges;

(ii) Restoration of service - If the customer has entered into this payment arrangement and pays the appropriate deposit and reconnection charges, the company must restore service.

If the customer does not enter into payment arrangements, the utility must restore service once the customer or applicant has paid all amounts associated with the third delinquency and disconnection, as well as appropriate deposit and reconnection fees.

~~(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.~~

(32) The utility may not refuse to provide service to an 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 in cooperation with the prior customer with the intent to avoid payment.

(3) The utility may refuse to provide new or additional service for reasons not expressed in subsections (1) and (2) of this section, upon prior approval of the commission. The commission may grant the request upon determining that the utility has no obligation to provide the requested service under RCW 80.28.110.- Prior to seeking commission approval, the utility must work with the applicant or customer requesting service to seek resolution of the issues involved.

~~(4) The utility may not refuse service to a residential applicant or residential customer who has two 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.~~

(5) Any applicant or customer who has been refused new or additional service may file with the commission an informal complaint under WAC 480-09-150, Informal complaints, or a formal complaint under WAC 480-09-420, Pleadings and briefs-Applications for authority-Protests, and 480-09-425, Pleadings-Verification, time for filing, responsive pleadings, liberal construction, amendments.