



CITY OF LOMPOC

UTILITY BILLING SERVICE RULES AND REGULATIONS

AUGUST 2015

(DEPOSITS UPDATED AUGUST 2017)

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UTILITY SERVICES
RULES AND REGULATIONS
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SECTION 1 ADOPTION OF RULES AND REGULATIONS

AUTHORITY

These Utility Billing Services Rules and Regulations (Rules and Regulations) for utility service have been prepared by the City of Lompoc's Municipal Utilities and approved by City Council Resolution. The Lompoc Municipal Code, sections 13.04.100 for Water, 13.16.420 for Wastewater, 13.20.010 for Electric, and 8.04.160 for Solid Waste, provide authorization for these Rules and Regulations. All rates, fees, and charges contained in the Rules and Regulations have been approved by the City of Lompoc.

GENERAL STATEMENT

The purpose of these Rules and Regulations is to ensure the uniform treatment of all City of Lompoc utility customers. It is the intent to provide guidelines for the billing and collection of amounts resulting from charges for utility services provided by the City of Lompoc (City). The charges for service are to be those provided by City resolutions governing utility service rates except in the instances covered in this chapter regarding additional charges for special services rendered to customers, as well as charges for late and non-payment of bills.

The Management Services Director or designee may make such rules and regulations as are not inconsistent with the provisions of the Lompoc Municipal Code (LMC) as may be necessary or desirable to aid in the administration or enforcement of the provisions of the LMC and these rules and regulations.

Rules and Regulations are effective for City Utility Customers. These Rules and Regulations are authorized under the LMC and are subject at all times to change or abolition by action of the City. Utility service is subject to regulatory control by other governmental agencies including those of the State of California and the United States of America. Such agencies may mandate immediate changes to utility operations and practices. The City reserves the right to implement such changes on an interim basis until such time as Council acts by passing ordinances or resolutions which would change these Rules and Regulations, or on a permanent basis if it is determined that Council action is not required.

The Management Services Director shall interpret the meanings of Rules and Regulations. Conflicts among Rules and Regulations, in general, or for a particular situation or application, may be found to exist. In all such cases, it shall be the responsibility of the Management Services Director to impartially consider the facts and render a decision, including, if deemed appropriate, proposed changes to the Rules and Regulations. If any rule or regulation is held to be unlawful, the decision shall not affect any remaining portions of these Rules and Regulations.

DOCUMENT FORMAT AND AVAILABILITY

The Rules and Regulations are presented in several parts, including the Table of Contents, Sections 1 to 22, a Glossary of Terms, examples of representative bills, and Public Utility Code sections 10009 to 10012 (current as of 1-24-2014).

Copies of these Rules and Regulations will be kept on file in the offices of the City and on the City's website, www.cityoflomdoc.com. Reasonable effort will be made to keep these copies up to date.

Copies of these Rules and Regulations are available for public inspection at the City at 100 Civic Center Plaza, Lompoc, CA, 93436 during normal business hours. A copy may be purchased at the City's cost at the same address or downloaded from the City's website at www.cityoflomdoc.com.

Changes may be made to these Rules and Regulations periodically. Applicants, Customers, or others contemplating any expenditures or activities governed by these Rules and Regulations should assure themselves that they have correct information.

Proposed changes to the Rules and Regulations should be addressed to the City of Lompoc, Financial Services Manager, 100 Civic Center Plaza, Lompoc, CA 93436 or P.O. Box 8001, Lompoc, CA 93428-8001.

PERFORMANCE GUARANTEE

The City Utility Billing Division strives to ensure its Customers' satisfaction with its billing of electric, water, wastewater, solid waste and broadband services and its Customer service.

DEFINITIONS

Unless the particular provision of the context otherwise requires, the definitions and provisions contained in the Glossary of Terms in Exhibit A of these Rules and Regulations shall govern the construction, meaning and application of words and phrases used in this chapter. LMC section 1.04.020 Definitions and Rules of Construction also govern the construction, meaning and application of words and phrases used in this chapter. The definitions of each word or phrase shall constitute, to the extent applicable, the definition of each word or phrase which is derivative from it, or from which it is a derivative, as the case may be.

The Management Services Director or designee may amend the Glossary of Terms from time to time. Revisions to the Glossary of Terms will be affirmed by the City amending or updating these Rules and Regulations

SECTION 2 COMMUNICATIONS

Staff is available to Customers for consultation and guidance regarding interpretation of these Rules and Regulations. Oral consultation by Staff shall not be considered binding. Any notice or bill or other communication from the City to a customer shall be made in writing or electronic format, and shall be given in person at the City's offices, delivered, sent through the mail, or sent electronically. Any notice from a Customer may be given to the City in person at the City's offices by the Customer, telephone, fax, e-mail, by the Customer's authorized agent, or mailed postage prepaid by the Customer.

SECTION 3 PROVISION OF SERVICE

The City shall furnish service only to the premises specified in the application. A service connection shall not be used to supply utility services to any parcel(s) of land other than the parcel(s) for which the service connection is approved. When property provided with a service connection is subdivided, the service connection shall be considered as belonging to the lot or parcel of land which it directly enters. The City shall have the right to refuse to provide service to any premises and at any time or to discontinue service if found necessary to do so in order to protect the City against abuse or fraud. Any unauthorized person found taking utility service from or through any of the City's facilities may be assessed charges and/or prosecuted under the full extent of the law. Any unauthorized equipment or apparatus found connected to the City's facilities will be removed by City personnel and stored at the City. The equipment or apparatus may be redeemed upon full payment of all penalties, fees or charges due. After 30 days, unclaimed equipment or apparatus will be disposed of at the City's discretion.

If the City has knowledge that a Customer failed to comply with any of the Rules and Regulations, the City will notify the Customer of such failure. If the Customer does not remedy the failure within a stated time, the City shall have the right to discontinue service to the Customer. In the event of discovery of a dangerous condition on a Customer's premises or in the case of a Customer utilizing the service in such a manner as to make it dangerous for occupants of the premises, thus rendering the immediate discontinuance of service to the premises imperative, no notice shall be required. The City will not furnish service to any premises where the use thereof may be detrimental to the City's facilities or to the service rendered by the City to other Customers.

A Customer making any material change in the size, character or extent of the equipment, operations, or nature of land use at the Customer's premises shall immediately give the City written notice of the nature and extent of the change.

Utility service within the City shall only be provided via City owned and operated equipment up to and including the meter.

SECTION 4 CONTINUITY OF SERVICE

The City will exercise diligence and make all reasonable efforts to furnish and deliver a continuous and sufficient supply of water and/or electric energy to avoid any shortage and prevent interruptions to service. When such interruptions occur, the City will endeavor to re-establish service with the shortest possible delay consistent with the safety of its staff, its Customers and the general public. However, the City does not guarantee delivery and shall not be liable for interruptions, shortage or insufficiency of supply, or any resultant loss or damage.

The City reserves the right to suspend temporarily the delivery of water or electric energy whenever it may be necessary for the purpose of making repairs or improvements to its systems. Whenever the City finds it necessary to schedule an interruption of service for the making of repairs or improvements, it will, where feasible, notify all Customers to be affected by the interruption, stating the approximate time and anticipated duration of the interruption. For scheduled interruptions, the City will attempt to minimize inconvenience to Customers, consistent with reasonable utility operations.

During times of threatened or actual water or electricity shortages due to a natural disaster or circumstances out of the City's control, the City will apportion its available supplies among its Customers. The City's Utility Director will make that final decision after consulting with the appropriate authorities. The City will apportion the supply in the manner that appears to be most equitable under circumstances then prevailing. Due regard will be given to service essential to the public interest and safety, and to the preservation of life and health.

SECTION 5 FACILITIES AND ACCESS

FACILITIES

In order to serve Customers, the City owns and operates facilities. Service within the City may only be provided through these facilities. City facilities may be located in the public right of way or on private property. Any part of the service connection that is located wholly or partially upon a Customer's premises is the property of the City. No rent or other charge will be paid by the City where City-owned service facilities are located on a Customer's premises. City owned facilities include water and electric meters and related structures housing the meters.

ACCESS

For routine work, the City shall, at all reasonable hours, have access to meters, service connections and other property owned by it which may be located on Customer's premises for purposes of installation, maintenance, meter readings, and operations. The City shall also have access to City facilities located on Customer's premises for removal or deactivation of the property at the time service is to be terminated.

During an emergency, the City shall, at any time and with minimal notice, have access to meters, service connections and other property owned by it which may be located on Customers' premises for purposes of installation, maintenance, meter readings, operation or removal of City property at the time service is to be terminated.

The Customer is responsible for providing and maintaining unobstructed access for the Utility to all City owned facilities located on the Premises.

Failure to permit access and allow work on the City's facilities is grounds for termination of service. This work includes the periodic reading of water and/or electric meters, maintenance or replacement of the service and metering facilities, vegetation management, and other necessary work on the City's facilities including removal after termination of service.

If safe access to the meter is not provided for any reason including without limitation locked doors, fences, insufficiently restrained pets or vegetation, the City will notify the Customer of access problems via any reasonable method including via door hanger at monthly scheduled read date.

The Customer's utility system shall be open for inspection at all reasonable times to authorized representatives of the City. The Customer's failure to do so within a reasonable period of time may result in disconnection. If a premises is unoccupied and access to City facilities is restricted, an estimate will suffice for a maximum period of three (3) months. At that time, an appointment will be required to update the readings.

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If the City is required to make an appointment or other arrangement to read the meter more than once during any 12-month period, a charge equal to the City's direct and indirect cost of an appointment will be made for each appointment thereafter. Repeated failure to provide access may result in installation of alternate metering devices at the City's option. A service charge may be assessed for remote monitoring devices.

SECTION 6 PROPERTY DAMAGE

The City shall not be responsible for any loss or damage caused by any negligence or wrongful act of a Customer or of a Customer's authorized representatives in installing, maintaining, operating or using any or all appliances, facilities or equipment. The Customer will be held responsible for damage to City meters and other property or facilities resulting from the use or operation of appliances and facilities on Customer's premises, including but not limited to damage caused by electricity, steam, hot water or chemicals.

If a Customer, new Applicant, developer or other person is found to be responsible for any damage done to City property; such damages shall be reimbursed to the City. If responsibility is not known, charges may be made to the current Customer or property owner and either billed separately or added to the monthly billing for collection.

If a Customer's panel, service, or other property is damaged by City personnel and it is determined that the City was in fact responsible for the damage, it may be necessary for safety, health and or economic necessity to restore damaged panel or property. Under those circumstances, the Utility Director may proceed without waiting for the required claim process to be completed.

SECTION 7 CONNECTION

The City's operating convenience or necessity may require the use of more than one meter or other equipment to serve a premises. The City's operating convenience or necessity may require the construction of facilities in order to make connection to, or provide service to, an Applicant's or Customer's premises. The City may require that a portion or all of the costs of such construction be paid or contracted for by the Applicant prior to connection. Each utility service and meter which has been disconnected and unused may be evaluated for its continuing integrity. From time to time the City may find a service, meter, vault or other appurtenance to be substandard and no longer suitable for continued use. In such a case, construction of new facilities may be required by the City. The City may require that a portion or all of the costs of such construction be paid or contracted for by the Applicant prior to construction.

The City will schedule service turn-on request for the next normal business day. The City will accommodate of same day service turn-on or turn-off requests, or requests (Monday – Friday, 9 a.m. to 4:00 p.m.) for an additional fee or charge. Such charges will not exceed the total of direct and indirect costs for providing the service.

SECTION 8 APPLICATION FOR UTILITY SERVICES

APPLICATION NECESSARY

Each Applicant for municipal utility service shall be required to make an application in writing for the service desired. Each Applicant shall furnish and maintain satisfactory credit for payment of bills or charges in connection with City service throughout the term of receiving City services.

All Applicant/Customer information obtained by the City will be treated as confidential and subject to verification and disclosure as specified in Section 6254.16 of the California Government Code.

FORM OF APPLICATION

The City shall require each Applicant/Co-Applicant to complete and sign an application for service and provide proper identification. The City may also require each Applicant/Co-Applicant to establish credit (see Section 9). The City is not required to provide utility services if an application is deemed incomplete. The form of the application shall be designated by the Management Services Director or designee. Such application may include, but not limited to:

1. The location of the premises to be served;
2. The Applicant's name;
3. Social security number or other US or State of California government issued identification;
4. Customer's mailing address;
5. Telephone number of the applicant ;
6. The name of the consumer (if different for commercial accounts), that such service is to be used under;
7. Whether the premises have been previously supplied, if known:
 - a. Electric
 - b. Water
 - c. Wastewater
 - d. Solid Waste
 - e. Broadband
8. Which services are requested and date services are requested:
 - a. Electric
 - b. Water
 - c. Wastewater
 - d. Solid Waste
 - e. Broadband

9. Rate schedule desired if optional rates are available (such as Electric A-1 and A-12 Rate Schedules);
10. The date of Application;
11. Whether the Applicant is owner, tenant, or agent for the premises;
12. Landlord name, address and contact information;
13. Employer name, address and contact information;
14. Information to establish credit of Applicant and/or deposit;
15. Signature of Applicant;
16. Such other information as the City may reasonably require;
17. E-mail address;
18. Names and signatures of all Co-Applicants.

INDIVIDUAL LIABILITY FOR JOINT SERVICE

Where two or more persons join in one application or contract for utility services, they shall be jointly and severally liable thereunder and shall be billed by means of a single monthly bill mailed to the person designated on the application to receive the bill.

Whether or not the City obtains a joint application for service, all adults who occupy a premises and receive the benefit of service are responsible jointly and severally for the payment of the bills for utility services used, unless the City, in writing, acknowledges that one or more of the adult occupants is not responsible.

Those receiving benefit of service at a premises may include the Applicant, i.e., the Customer, and/or a number of other adults, such as in the case with multiple roommates. When the Applicant, i.e., the Customer, vacates the premises, the remaining adults, who benefited from the utility services, can be held liable for the utility billings incurred during the period they resided at the premises.

The City may deny or discontinue service for non-payment of a delinquent bill when determined that the Customer or one or more of the adults, or roommates continues to occupy the premises.

The City may deny or discontinue service to an Applicant at a new address, if a delinquent utility billing remains unpaid from a prior service address, in which the City has determined that the Applicant was a roommate.

FIRE SERVICE

If a premises has a Fire Service, the owner must sign the application for Fire Service and will remain as an “undersign” for the service even if a tenant assumes responsibility for the current monthly billing. Fire Service billing may not be assumed by a tenant of the premises. The owner will remain on the account and pay the monthly billings when the tenant vacates and drops responsibility for the service. The owner cannot terminate responsibility for the service through a shutdown or disconnect without Fire Department approval.

CONDITIONS PRECEDENT TO FINAL ACCEPTANCE OF APPLICATION

No application for municipal utility service shall be finally accepted, from any customer, consumer, or co-applicant with respect to premises to which service has been discontinued for nonpayment of a bill when such customer, consumer, or co-applicant owned, managed, or resided at said premises during the period when the charges in the bill were incurred, until such time as the bill is paid.

No application for municipal utility service shall be finally accepted from any Applicant who is delinquent on any bill with respect to any premises, unless an existing agreement for payment thereof has been entered into under the provisions of Section 20.

No application shall be finally accepted from any Applicant who is new, who has not received any utility service from the City for the previous twelve months, or any present Customer who has been delinquent in the payment of a bill two or more times within the previous twelve months, unless the Customer pays in advance with the application the applicable delinquent utility service charges or service deposit, or establishes credit in accordance with Section 9.

The Management Services Director or designee may receive an application for utility service and may provide commencement of the service or services applied for, subject to a check of utility service records to determine whether the application will be accepted. If it is determined that the application cannot be accepted, written notice of this fact shall be given to the applicant, with not less than ten days to correct the defect. If the defect is not corrected, service shall be discontinued.

SECTION 9 ESTABLISHMENT AND RE-ESTABLISHMENT OF CREDIT

ESTABLISHMENT OF CREDIT – ALL CLASSES OF SERVICE

Before receiving utility service, the Applicant(s) will be required to provide identification acceptable to the City and pay all prior delinquent City utility billings in full, for which the Applicant is legally responsible. Any current charges will be transferred to their new bill. The City may require verification of date of tenancy.

Each Applicant will be required to establish credit by satisfying one or more of the following conditions:

1. By having been a Customer of record of the City for utility service for twelve consecutive months within the past year and having maintained a record of paying utility bills before becoming delinquent in the same Customer name. Residential payment record will not qualify for non-Residential Service, and non-residential payment record will not qualify for Residential Service.
2. By providing a good credit reference from another utility for services for the past twelve consecutive months within the past year indicating the Applicant maintained a record of paying utility bills before becoming delinquent in the same Customer name. Credit references for Residential Service will not qualify for Non-Residential Service, and Non-residential will not qualify for Residential Service except when the Non-residential applicant is a sole proprietor or sole owner of the corporation and is the same applicant for both services.
3. By making a monetary guarantee such as cash deposit to secure the payment of bills for all utility services as prescribed in Section 10.

ESTABLISHMENT OF CREDIT – NON-RESIDENTIAL CLASSES OF SERVICE

In addition to the requirements above, each Applicant for a commercial or industrial class of service may be subject to the following.

An Applicant for any utility service for commercial or industrial premises shall establish his credit to the satisfaction of the Management Services Director or designee. An Applicant's credit will be deemed to be established if the applicant:

1. Is a federal, state, local or other government or an agency of the federal, state, local or other government.

2. Furnishes evidence acceptable to the Management Services Director or designee of a favorable credit rating by a nationally recognized credit rating firm.
3. Has previously been a utility service customer of the City within one year of the application for service and has paid all bills promptly for the last twelve-month period prior to the date of discontinuance of service; or
4. Makes a cash deposit acceptable to the Management Services Director or designee.
5. The requirement for establishing and maintaining credit may not be waived except by the Management Services Director or designee.
6. Any Customer may be required to re-establish credit if the billing name used by a commercial or industrial Customer changes.

ESTABLISHMENT OF CREDIT – RESIDENTIAL CLASSES OF SERVICE

In addition to the requirements under ESTABLISHMENT OF CREDIT – ALL CLASSES OF SERVICE above, each Applicant for a residential class of service may be subject to one or more of the following conditions:

1. Initial credit satisfactory to the City shall be considered as established by the payment of deposit upon application. Subsequent credit satisfactory to the City shall be considered as established when an account has not been delinquent within a period of thirty-six (36) consecutive billings immediately prior to the date of eligibility for deposit refund.
2. If the Customer maintains a deposit with the City, or where a deposit has been refunded and the Customer has not been delinquent in payment of bills for a period of one year, it shall be deemed that established credit has been maintained.
3. The requirement for establishing and maintaining credit may not be waived except by the Financial Services Manager or designee.

RE-ESTABLISHMENT OF CREDIT – ALL CLASSES OF SERVICE

A Customer who fails to pay Utility bills before they become delinquent as prescribed in Section No. 11, and who further fails to pay such bills within 13 days after distribution or mailing of a discontinuance of service notice (First Notice) for nonpayment of bills, may be required to pay the delinquent bills, as well as any other prior unpaid bills for this or any other address, and re-establish their credit by depositing an amount up to three times the estimated average monthly bill as prescribed in Section 10. (Section 9 will apply regardless of whether or not service has been discontinued.)

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In addition to the above, any Customer may be required to re-establish credit for any of the following reasons:

1. If the Customer's deposit has been applied by the City in whole or in part to the payment of any bills or charges demanded by the City;
2. If the Customer has been a Customer of the City and its service from the City has been discontinued for cause; or
3. If the Customer's credit has not been maintained.

SECTION 10 DEPOSITS AND SERVICE TURN-ON CHARGES

DEPOSITS

Deposits will be required when an Applicant or Customer is otherwise unable to satisfactorily establish or re-establish credit as set forth in Section 11.

AMOUNT OF DEPOSIT TO ESTABLISH SERVICE

A minimum deposit will be required to establish residential service. The minimum amount of deposit required to establish non-residential service will be equal to two times the estimated average monthly bill, but in no event less than a minimum residential deposit as established by the City of Lompoc. The following information provides additional information regarding deposits.

AMOUNT OF DEPOSIT TO ESTABLISH OR RE-ESTABLISH CREDIT

A deposit may be required of an Applicant or Customer before the City establishes or reconnects service. The deposit amount may be required to accompany the application for service or request for reconnection. If a deposit is required for reconnection under Section 9 (ESTABLISHMENT OF CREDIT OR RE-ESTABLISHMENT OF CREDIT), the Customer may be required to tender cash or other guaranteed funds.

If service is terminated for any reason other than a Customer requested turn off, or if a notice of discontinuance has been given, the City may require the Customer to pay a deposit, or an additional deposit, up to an estimated average one and one half -month bill. In no case shall the amount of deposit be less than the minimum deposit as set forth below.

The deposit amount required may be equal to one and one half times the estimated average billing for a one-month period, or two times the estimated periodic billing where an application for service or request for reconnection is desired for service to the subject service address. In no case shall the deposit, if required, be less than \$50.00 or \$30.00 per meter plus the minimum fixed charges for any Utility Service provided without a meter. (Wastewater, Solid Waste). Broadband deposits will be \$75 for standalone service, \$50 when signing up with other services in addition to Broadband. Deposits shall be rounded up to the nearest \$5. A residential apartment unit with electric and solid waste services would have a minimum deposit, if required, of \$90.

Electric	\$ 28.19 per month
Solid waste (65 Gallon container)	<u>28.64</u> per month
Total monthly estimated minimum charges	<u>\$ 56.83</u> per month
Rounded to the nearest \$5	\$ 60.00

Estimated deposit, if required \$90.00 for one and one half months

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For another example, a single family residence with water, electric, solid waste, wastewater and broadband services, the minimum deposit, if required, would be:

Electric (residential, based on 325 kWh average)	\$ 45.81 per month
Water (based on a 10 unit average)	72.62 per month
Wastewater (based on a 7 unit average)	53.20 per month
Solid Waste	<u>28.64</u> per month
Total monthly estimated minimum charges	<u>\$200.27</u> per month
Rounded to the nearest \$5	\$200.00 per month

Estimated deposit, if required \$300.00 for one and one half months

A separate deposit will be required for Broadband services in the amount of \$75.

For a listing of additional deposits, please see Exhibit D (Examples of Deposits).

If a deposit is required to establish credit or to re-establish credit upon disconnection, payment may be made using any of the following options or instruments. All instruments, other than cash, must be payable to the "City of Lompoc."

1. U.S. Currency, check, money order, credit card; or
2. Time Certificate of Deposit (for deposits in excess of \$500) (for commercial customers only); or
3. Surety Bond (for deposits in excess of \$1,000) (for commercial customers only); or
4. For commercial accounts, an Irrevocable Letter of Credit, drawn on a bank licensed to do business in California (for deposits in excess of \$1,000); or
5. A letter of good credit from the previous utility service or a history from a previous utility service showing no late notices in the last twelve consecutive months; or
6. Other evidence of security approved by the Management Services Director or designee.

Deposits required for construction of new facilities and/or services shall be paid by cash, check, money order, credit card, or electronic fund transfer prior to initiation of said construction.

The deposit is received as a guarantee that all utility service bills contracted at the Customer's premises set forth in the application or at any other City of Lompoc address of the Customer will be paid in the time and manner as provided in the Rules and Regulations.

If an Applicant tenders a payment for deposit which is returned to the City by its financial institution due to Applicant's insufficient funds, the City shall charge a service charge pursuant to established Rules and Regulations. Said charge shall be established by the Management Services Director or designee at an amount to reimburse the City for direct and indirect costs of processing the check. Cash, money order, or a cashier's check shall be required to clear the originally tendered check, and associated fees.

If at any time the City determines that the amount of an existing deposit, or the lack of a deposit, no longer equals the amount of deposit required, it may require the Customer to provide a deposit or other guarantee of the amount required. A deposit on file will continue to be adequate so long as the Customer's account remains current.

The following is additional information regarding deposits for non-residential accounts. Cash deposits, bonds, or other security deemed acceptable by the Management Services Director or designee, furnished by the customer to guarantee payment of utility service bills, shall be made in an amount equal to the estimated charges for twice the established billing period. When actual records of previous consumption or charges at the service location are not available, or where the use of the property or the nature or extent of services rendered will change, the estimate shall be based on charges to customers whose installations are similar in size and similarly operated but not less than two times the normal rate. All applicable utility charges contracted for at the Customer's premises set forth in the application will be considered in determining the average charges.

The following is additional information regarding deposits for residential accounts. Cash deposits furnished by a customer to guarantee payment of utility service bills shall be made at a flat rate established by the Management Services Director or designee, which rate shall reflect average billing charges to the type of residence (i.e. apartments, mixed energy family residences, all electric homes, etc) equal to the lesser of one and one half month's average charges or one and one half month's periodic charges. All applicable utility charges contracted for at the Customer's premises set forth in the application will be considered in determining the average charges. See Exhibit B for billing examples to basis deposit charges on. This will be updated annually in July to reflect any adjustments for the upcoming year.

FAILURE TO PAY DEPOSIT PROMPTLY

Deposits are due upon application for service and delinquent 14 days later.

If a Customer who has established credit, or whose deposit has been returned as provided herein, later fails to pay bills promptly as required by this Section, or if a customer fails to establish credit or deposit security as herein provided, the Management Services Director or designee may demand as a condition precedent to further service and as security for the payment of bills thereafter to be incurred, further security as described in Section 9 hereof in the amount specified in subsection AMOUNT OF DEPOSIT TO ESTABLISH OR RE-ESTABLISH SERVICE above, provided that service will not be discontinued or disconnected for failure to make such deposit until at least eighteen (18) days after notice of intention to do so has been given to the Customer and to the consumer, if different. (CPUC § 10010.1(a))

RETURN OF DEPOSIT

A deposit may be refunded to the Customer, by crediting the Customer's bill, after a period of twelve (12) months, if credit, satisfactory to the City, has been established and maintained for that period.

When service is ordered discontinued by the Customer, the deposit shall be applied to the Customer's unpaid bills and the City will refund any balances that exceed the processing costs associated with the refund by mail. The City may transfer any balance to other accounts under the same Customer's name. When there are charges due the City from the Customer and there are no other accounts in the same Customer's name, the deposit may be first applied to outstanding charges for unpaid bills and any remaining balance returned to the Customer. Any refund with a balance of less than the cost of processing the closing of the account will be refunded to the Customer upon request.

A deposit or credit balance due will be refunded only to the billing name and address as it appears on the account. The deposit refund will be paid by City warrant and returned to the Customer by mail. Customer shall not be entitled to any interest earnings on funds deposited with the City. A deposit refund will be reduced by the cost of processing the refund as determined by the current master fee schedule.

SERVICE TURN-ON CHARGES

A non-refundable service turn-on charge shall be assessed each time a new account for utility services is opened. The turn-on charge shall be established by the Management Services Director or designee at an amount to reimburse the City for direct and indirect costs for processing the request for services, application, and for establishing services to the requested location during normal working hours on the following workday. There will be an additional charge for the same day and after-hours turn-on or special appointment turn-on service when specifically requested by the Customer. The additional charges shall be established by the Management Services Director or designee at an amount to reimburse the City for direct and indirect costs for processing the request for services. A service charge will be assessed for each additional field visit required to complete the service turn-on order.

1. After hours, for charge assessment purposes, legal holidays, other holidays observed by the City, and hours outside the following time periods: 9 a.m. to 4:00 p.m. Monday through Friday.
2. The City shall not be liable for any loss or damage caused by the improper installation, maintenance, or malfunction of any apparatus or appliance, or for damage caused by turning on and off of utility service by the City.

SECTION 11 RENDERING AND PAYMENT OF BILL

CHARGES

Charges for municipal utility services shall be in the amounts designated in the LMC or in resolutions or ordinances of the City. Fiscal service charges and minimum charges are also designated in this Section.

The City of Lompoc's rate information is available online at:
<http://www.cityoflompoc.com/utilities/rateinfo.htm>

The current rates for Electricity can be found on the City's website at:
<http://www.cityoflompoc.com/utilities/rateinfo-electric.htm>

The current rates for Water can be found on the City's website at:
[http://www1.cityoflompoc.com/Utilities/Water/Res5985\(15\).pdf](http://www1.cityoflompoc.com/Utilities/Water/Res5985(15).pdf)

The current rates for Solid Waste (Refuse) can be found on the City's website at:
http://www1.cityoflompoc.com/Utilities/solidwaste/Collection_Rates_Effective_7-1-15.pdf

The current rates for Wastewater (Sewer) can be found on the City's website at:
[http://www1.cityoflompoc.com/Utilities/Wastewater/Res5858\(13\).pdf](http://www1.cityoflompoc.com/Utilities/Wastewater/Res5858(13).pdf)

The current rates for the City's Internet Service can be found on the City's website at:
<http://www.cityoflompoc.com/lompocnet/>

DUE DATES AND DELINQUENCY DATES

Bills for metered service will be rendered as soon as practicable after the reading of the meter(s).

Bills for municipal utility services are due upon presentment.

Bills for municipal utility services shall become overdue and delinquent when payment is not made by the time specified thereon, but not less than 19 days from the date of mailing. (Ref. CPUC § 10010.1(a)).

MUNICIPAL SERVICE BILLS

The Management Services Director or designee shall have the power to combine bills for utility services rendered to any Customer or bill separately therefore, as in his discretion he may deem to be in the best interests of the City. The Management Services Director or designee shall have the power to bill for regular service or special services rendered to regular service Customers or consumers, upon a monthly or other basis, as in his/her discretion he/she may deem to be in the best interest of the City.

For billing periods other than monthly, the charge for flat rate service will be computed by multiplying the monthly charge by the number of months in the billing period.

Services billed not based on meter reads (i.e., Solid Waste collection services, Wastewater charges, Broadband services and other base monthly charges) are billed on a monthly basis based on a standard 30-day interval.

Initial or closing charges for flat rate services (i.e., Solid Waste collection services, Wastewater charges, Broadband services and other base monthly charges) bills are prorated based on the standard 30-day interval period.

Services are billed one month in arrears. For example, Solid Waste collection charges, Wastewater charges, and Broadband charges billed in August are for the 30-day billing period ending on the standard read date for a Customer's water and/or electric meter in the month of August. If a Customer does not have metered services, the 30-day billing period ends on the standard read date for customers in the same billing cycle as the Customer.

Monthly Wastewater charges are not based on current monthly metered consumption but rather are calculated based on previous water consumption based on metered readings using the Consumption Method. For Wastewater customers that do not have an associated water meter, further information regarding the Non-consumption Method for billing Wastewater charges can be found in the Wastewater Rates and Charges resolution found on the City's website:

[http://www1.cityoflompop.com/Utilities/Wastewater/Res5858\(13\).pdf](http://www1.cityoflompop.com/Utilities/Wastewater/Res5858(13).pdf)

The Wastewater service charge resolution describes the "Consumption Method" for existing customers. The following information provides additional information when the method described in the resolution is insufficient to address all possible situations.

Consumption Method

Certain Wastewater charges are based on the Consumption Method described in more detail on page 4 of the current Wastewater Charge resolution which can be found at [http://www1.cityoflompop.com/Utilities/Wastewater/Res5858\(13\).pdf](http://www1.cityoflompop.com/Utilities/Wastewater/Res5858(13).pdf). For Residential and Commercial Customers subject to the Consumption Method without six years of consumption history available to derive their billing quantity, the Utility Billing Supervisor may use the following to determine the billing quantity for the Customer for the current or next fiscal cycle:

1. The consumption history of the prior Customer for years prior to the existing customer's initiation of service;
2. The City's most recently calculated overall average billing quantity for the Customer's class for the last fiscal or calendar year;

3. The existing Customer's billing quantity history if available for at least a one-year cycle including usage for January, February and March. When such history is available but not for the full six years as anticipated in the resolution, the Utility Billing Supervisor may use partial years activity as follows:
 - a. When one year of service history is available (January, February, and March), the Customer's billing quantity may be determined from that one year, from previous years of consumption history of the location for a total of six years of history, from the average billing quantity of the customer's class for the current year and previous years, or any combination of all the optional criteria. The Customer's usage will be weighed the most of the optional criteria in determining the Customer's charges for the following year.
 - b. When two years of service history is available (January, February, and March), the billing quantity may be determined from the two years of Customer history, from previous years of consumption history of the location for a total of six years of history, from the average billing quantity of the Customer's class for the most recent two years and previous years, or any combination of all the optional criteria. The Customer's usage will be weighed the most of the optional criteria in determining the Customer's charges for the following year.
 - c. When three years of service history is available (January, February, and March), the billing quantity may be determined from the three years of Customer history, from previous years of consumption history of the location for a total of six years of history, from the average billing quantity of the Customer's class for the most recent three years and previous years, or any combination of all the optional criteria. The Customer's usage will be weighed the most of the optional criteria in determining the Customer's charges for the following year.
 - d. When four years of service history is available (January, February, and March), the billing quantity may be determined from the four years of Customer history, from previous years of consumption history of the location for a total of six years of history, from the average billing quantity of the Customer's class for the most recent four years and previous years, or any combination of all the optional criteria. The Customer's usage will be weighed the most of the optional criteria in determining the Customer's charges for the following year.
 - e. When five years of service history is available (January, February, and March), the billing quantity may be determined from four years of Customer history, eliminating the highest of the five years' consumption from the determination. Consideration from previous years of consumption history of the location for a total of six years of history, from the average billing quantity of the Customer's class for the most recent five years and previous years, or any combination of all the optional criteria can also be considered. The Customer's usage will be weighed the most of the optional criteria in determining the Customer's charges for the following year.
 - f. When six years of service history is available (January, February, and March), the billing quantity will be determined from four years of Customer history, eliminating the highest and lowest consumption history of the six years' consumption from the determination. After six years of Customer's history is

available, the Consumption Method described in the resolution will be the primary consideration in determining the Customer's charges for the current or future fiscal years. Consideration from previous years of consumption history of the location, from the average billing quantity of the Customer's class, or any combination of all the optional criteria can also be considered by the Utility Billing Supervisor. The Customer's usage will be the primary determining factor for the Customer's charges for the following year unless there is overwhelming evidence the Customer's Usage isn't representative of their actual usage.

- g. When a Customer disagrees with the billing quantity determined by the Consumption Method, the billing quantity determined by the Utility Billing Supervisor based on the above guidelines, is final.

Customers that have had water leaks can request a review of the billing quantity from the Utility Billing Supervisor. The Supervisor may use an alternative method to determine the billing quantity of the customer for the current or next fiscal amount 90 days after the leak has been fixed and the water consumption has been lowered. The determination of the Utility Billing Supervisor regarding a customer's wastewater charge based on an alternative method is final.

For Customers with an industrial classification and not enough history to have a billing quantity determined for Wastewater service charge calculations, the Utility Billing Supervisor may utilize the following additional criteria in determining the industrial Customer's Wastewater service charge upon becoming a Customer and until the Customer has enough history to determine water consumption for an entire year.

1. Previous consumption history for the location.
2. Customer's class average billing quantity consumption.
3. Consumption history of comparable industrial class Customers.
4. National consumption quantity averages of comparable industrial classified customers.
5. Other information as available to make a reasonable determination of the initial charges.
6. When a Customer disagrees with the billing quantity determined by the Consumption Method, the billing quantity determined by the Utility Billing Supervisor based on the above guidelines, is final.

PAYMENTS

Place of Payment

Bills are payable at the office of the Management Services Director or designee, City Hall, 100 Civic Center Plaza, Lompoc, California, or to an authorized City collector or City collection agent.

Credit to Account

Payments shall be credited to a Customer's account only when actually received by an employee of the Treasurer or such collector or collection agent. Payments shall be received "on account" of the Customer and shall not apply to charges for any particular period or particular utility service. Unless otherwise prescribed by an agreement, payments are applied to the least recent billing activity first. Applications of payments is at the discretion of the City.

Checks

If a remittance tendered in payment of any account fails to clear through the banks and is returned, the account shall be considered unpaid and any receipts issued therefore shall be void. If the check is not redeemed promptly, the indebtedness shall be restored to the account, and Section 9 shall apply where applicable.

Returned Checks and Service Charge

If payment of any bill or bills for municipal utility services is tendered by a check or other commercial paper which fails to clear through the banks and is returned to the Treasurer, there shall be assessed a service charge pursuant to the established Rules and Regulations. Service charges shall be established by the Management Services Director or designee at an amount to reimburse the City for direct and indirect costs of processing the check. The service charge shall be paid at the time the check is redeemed or, at the discretion of the Treasurer, the service charge may be added to the account originally credited and shall be added to the amount of the bill and become a part thereof. This charge is in addition to any collection restoration or reconnection charges which may otherwise become due and payable. Assessment of the service charge shall not relieve the maker of any criminal or civil liability provided by law.

Failure to Receive Bills

Municipal service bills shall be mailed to the premises served or other address known to the City. The applicant, property owner, or his authorized agent may list a mailing address with the City for use in mailing bills.

If a bill is not received by a Customer at the anticipated monthly interval, it shall be incumbent upon the Customer to inquire as to the whereabouts of the Bill.

Not receiving a bill does not alleviate a Customer's responsibility for prompt payment.

Disputed Bills

The Disputed Bill Appeal Process is explained in Section 18.

SECTION 12 METER INVESTIGATIONS AND ADJUSTMENTS OF BILLS

1. Should the amount of any bill for services be questioned, the Customer shall request an investigation within five days of receiving the bill. The Customer complaint should be in writing and should be addressed to the Utility Billing Supervisor.
2. The disputed bill shall be reviewed by the Utility Billing Supervisor, or designee.
3. If the review identifies inaccuracies of meter reading or bills reflecting clerical or meter errors, the Utility Billing Supervisor may bill or credit the Customer for the amount overbilled or undercharged based on corrected meter readings or corrected clerical data for the period the meter was in use and determined to be incorrect, but not to exceed a period of 12 months. Upon the Customer's request, a claim form can be filed for further investigation concerning the review.
4. If a meter is found to be non-registering, the City may bill the Customer according to an estimate of consumption while the meter was not registering, but not to exceed a period of 12 months. The review of the estimated consumption may be based on the Customer's prior use during the same season of a prior year or on a reasonable comparison of consumption of other similar Customers during the same period.
5. If the results of a review indicate an undercharge, the Utility Billing Supervisor may consider amortization of the undercharge over a reasonable period not to exceed 12 months, if the disputed bill is found to be correct.
6. If the result in a review indicates an overcharge, the Utility Billing Supervisor may consider amortization of the overcharge over a reasonable period not to exceed 12 months, if the disputed bill is found to be correct.
7. In cases where meter readings, dates or other required factors cannot be determined, the City shall establish and consider other factors in the review to determine the proper basis for making an adjustment, if any.
8. Adjustments, for amounts determined to be overbilled or undercharged for more than a single monthly billing period will be considered but not for a period of more than 12 months prior to the receipt of the initial written Customer complaint. See Section 20.
9. A Customer whose request for an investigation has resulted in an adverse determination by the Utility Billing Supervisor may appeal the determination to the Financial Services Manager.
10. After such review by the Financial Services Manager, the Customer may request an appeal to the Management Services Director or designee. The decision of the Management Services Direction shall be final.

11. Failure by the customer to pay the bill, make amortization arrangements or file an appeal shall make the customer subject to the provisions of Section 11 regarding termination of services. (CPUC § 10010(c) (d)).

12. Computation When Meter cannot be Read. Whenever for any reason a meter is inaccessible and cannot be read or fails to register, electric and water consumption at the metered premises for the purpose of calculating charges based thereon shall be estimated by one or more of the following methods:

- a. Previous actual consumption at said premises as shown by previous meter readings'
- b. Previous average actual consumption for corresponding billing periods in previous years during which the meter is known to have registered correctly;
- c. Consumption as registered by a later substituted meter;
- d. Consumption based upon the nature of use, volume of business, seasonal demand and similar factors that may indicate consumption. Where a meter cannot be read without undue difficulty because of an obstruction, the Customer will be notified and requested to correct the condition. The City has the right to discontinue the service if the condition is not corrected. Where service is turned off for such cause, the City may require payment of a turn-on charge as provided for in this Section.

13. Meter Tests.

- a. Upon request of the Customer, any utility division providing metered service for that Customer shall be required to test the meter through which that particular utility service is furnished.
- b. Requests for testing of a meter shall be made to the Utility Billing Division.
- c. If test results exceed the limits established by the particular utility division, the Utility Billing Supervisor may calculate the bill or credit for the amount overbilled or undercharged based on corrected meter readings as determined by the test. The Utility Billing Supervisor may utilize item 4 above to implement any bill or credit amount. The Customer may not be charged for the cost of the meter test in the case where the meter exceeds the limits established.
- d. If test results for the meter are within limits established by the particular utility department for that meter, a charge equal to the direct and indirect costs of providing such tests may be assessed against the Customer, or consumer, requesting such service for tests requested in excess of one request every 12 months.

- e. If meter readings are accurate, the Customer may be referred to the City's conservation department for further assistance.

SECTION 13 LATE PAYMENTS

DELINQUENCY SERVICE CHARGE

Whenever a payment of any bill for municipal utility services is not received within 19 days after bill due date (as according to state law), a delinquency service charge equal to the greater of one percent (1%) of the unpaid balance or \$10 shall be, without notice, added to the amount of such bill and become a part thereof. This subsection shall not apply to payments due from any government or governmental agency. The delinquency service charge may change from time to time in accordance with the Master Fee Schedule.

DELINQUENCY NOTICE

A delinquent bill statement stating the amount past due and the date that portion is due shall be mailed to the residential customer. The notice shall comply with state law in effect at the time of mailing. (CPUC § 10010.1(d))

IMPENDING TERMINATION NOTICE

A reasonable attempt to contact an adult person residing at the premises of the customer may be made by telephone or personal contact at least 24 hours prior to termination of service, except that whenever telephone or personal contact cannot be accomplished, the City shall give, by mail, in person, or by posting in a conspicuous location at the premises, a notice of termination of services at least 48 hours prior to termination. (CPUC § 10010.1(b))

NOTIFICATION FEE

A fee equal to the amount necessary to recover direct and indirect costs created by the requirement to offer special service to a delinquent customer may be added to each 48-hour notice at the time of delivery and be due and payable with the delinquent amount.

THIRD-PARTY NOTIFICATION

Upon written requests of customers aged 65 or older or dependent adults as defined by Welfare & Institutions Code § 15610 (b)(1), the City shall provide third party notification service of delinquency and impending termination notices by sending duplicate copies of the notices to the third party so designated by the Customer.

DISCONTINUANCE FOR NONPAYMENT

After the City has followed procedures described in paragraph DELINQUENCY NOTICE and IMPENDING TERMINATION NOTICE above and the Customer has not made payment or payment arrangements, the City may terminate utility services. To reestablish services, the customer will be required to:

1. Pay the outstanding amount due on the account;
2. Pay a reconnection charge before services are restored as identified under paragraph RECONNECTION CHARGE below; and
3. Reestablish credit as prescribed under Section 9 above.

RECONNECTION CHARGE

A charge equal to the direct and indirect costs of discontinuance and restoration of services terminated under Section 14 above shall be imposed and be due and payable before service shall be restored.

SECTION 14 DISCONTINUANCE AND RESTORATION OF SERVICE

A Customer's utility service may be discontinued by the City and notice of such disconnection will be made in accordance with all statutory requirements. If notice is required, the Customer will be notified of disconnection by mail, phone, fax, internet, or by placement of a disconnection notice on the premises served by the meter to be disconnected. Fire Services will not be disconnected without notice from the Lompoc Fire Department to the Utility Billing Division.

A Customer's utility service may be discontinued by the City for various reasons which follow. When services are provided through both an electric meter and water meter, such involuntary disconnections are performed by turning off and locking out the electric meter. When services are provided without an electric meter or if the electric meter is not easily accessible, such involuntary disconnections are performed by turning off and locking out the water meter.

1. A Customer's utility service may be discontinued for non-payment of a bill for service rendered by the City 19 days after presentation. Before service is disconnected, the Customer will be notified. A service may be disconnected for non-payment of bills of a Customer whether or not the payment delinquency is associated with service at that service connection or at any other service connection in Lompoc of that same Customer.
2. In the event a returned check is tendered as payment for utility service disconnected for non-payment, and as a result the City restores service, the City may again promptly disconnect service without providing further notice. No 48-hour notice of discontinuance need be made in the case of a returned check tendered for payment of charges that were subject to discontinuance.
3. A Customer's utility service may be discontinued for non-compliance with these Rules and Regulations. The City may discontinue service to any Customer for violation of the Rules and Regulations after it has given the Customer at least one working day written notice of such intention.
4. The City may disconnect a service without notice if unsafe; nuisance or hazardous conditions are found to exist on the Customer's premises. The City will immediately notify the Customer of the reasons and the necessary corrections required before reconnection. Such unsafe, nuisance or hazardous conditions may exist due to defective appliances or equipment that may be detrimental to either the Customer, the City, or to the City's other Customers.
5. A Customer's utility service may be discontinued for fraudulent use of service. When the City determines that a Customer has obtained service by fraudulent means or has diverted utility service from another Customer without authorization from the City, the service may be discontinued without notice. The City will not restore service to such

Customer until that Customer has complied with all Rules and Regulations and the City has been reimbursed for the full amount of the service rendered and the actual cost to the City, including administrative and overhead, incurred by reason of the fraudulent use.

6. A Customer may request that service be discontinued either temporarily or permanently. The request must allow at least one full business day advance notice to the Utility Billing Division of the City at City Hall. If such notice is not given, the Customer will be billed for service until one working day after the City acquires knowledge that the Customer has vacated premises or otherwise has discontinued service. The City shall require payment for services rendered, intended or not, based on received benefit of service.
7. The Management Services Director or designee may declare a Customer's account closed and that charges have ceased to accrue if he/she finds from a written notation in the City records that discontinuance of service has been requested, that another customer has properly requested service, that the customer has moved from the premises, or until such time as the Utility Billing Division has knowledge that the customer has vacated the premises or otherwise has discontinued use of service.

The City will not discontinue utility service for wastewater and solid waste charges to enable a Customer to avoid payment of minimum charges for any period less than three consecutive months for residential services or twelve consecutive months for non-residential services, except where the Customer is affected by fire, strikes, riots, or any similar cause beyond his/her control. If services for water and electricity do not reflect a decrease in water usage or kilowatt hour reduction, the account will be subject to full service charges and adjusted to reflect those charges.

In the event the City has discontinued utility service with the understanding that the service is to be off permanently for not less than three consecutive months for residential services or twelve consecutive months for non-residential services, and the same Customer resumes the use of the service in whole or in part in less than the aforementioned periods of time after the discontinuance, then the City shall consider the service active for the full period of discontinuance and shall bill the Customer accordingly, inclusive of all minimum charges.

If a person, or legal entity, takes possession of a premises in Lompoc and finds water or electric service on, he/she shall have the duty to notify the City within one full business day to have the service disconnected or transferred into his/her name. The City shall require payment for services rendered, intended or not, based on received benefit of service. The person, or legal entity, would also have to establish credit with the City if not already established. Each Customer about to vacate any premises supplied with service by the City shall give notice of his intended vacation at least one full business day prior to vacating the premises, specifying the date service is desired discontinued; otherwise, the Customer will be held responsible for utility service furnished to such premises until the City shall have notice of such vacation.

Connection or disconnection of utility services which result in the City incurring costs in excess of typical operating costs may be subject to additional charges or fees.

Charges for reconnection of service, all outstanding balances and payments for deposits or to reinstate deposits shall be paid before service will be reconnected. The City reserves the right to make exceptions and arrangements as appropriate.

Pursuant to the Bankruptcy Act (P.L. 95-598), the City will not alter, refuse or discontinue service to, or discriminate against, a Customer or a trustee of a Customer, solely on the basis that a debt owed by the Customer to the City for service rendered, before an order for relief, was not paid when due. It shall be the responsibility of the Customer to supply the City with a copy of any applicable order for relief. The City shall discontinue service if neither the Customer nor the trustee within twenty (20) days after the date of the order for relief furnishes adequate assurance of payment in the form of an advance payment for service after such date and submits a new application for service, to cover services provided after initial filing. As used herein, "adequate assurance of payment" shall mean an advance payment in an amount equal to triple the average monthly bill for the prior twelve months. As used herein, "order for relief" shall have the same meaning as given to it in the Bankruptcy Act. The commencement of a voluntary case under the Bankruptcy Act shall constitute an order for relief. Service may be discontinued in accordance with the Rules and Regulations of the City upon non-payment for service rendered after the order of relief, unless other orders are issued by the court and presented to the City.

Fire Services shall not be disconnected without prior approval from the City's Fire Department delivered to the Utility Billing Division.

Whenever water or electric service is requested to be turned off or on at any time other than during normal work hours (Monday to Friday, 9 a.m. to 4:00 p.m.) or on the same day, a special service charge shall be paid by the Customer or Consumer. This charge shall be established by the Management Services Director or designee at an amount to reimburse the City for the direct and indirect costs of providing this special service. The charge, at the option of the Management Services Director or designee, can be applied to the Customer's account.

The special service charge paid will be in addition to any outstanding charges due on the Customer's account. Services turned off for non-payment occur prior to Friday. Any request to reestablish service after Friday and before the next regular work day will not be honored.

LEFT ON FOR OWNER (LOFO OR "NO SEAL")

Owners of multiple apartment rental properties served by the City of Lompoc may apply for a "Left on for Owner" (LOFO) or "No Seal" agreement. The agreement states that when a tenant requests a discontinuance of service for a listed premise, the meter will be read and the account will be placed in the property owner's name, or the management

company's name, without further action by the owner. Service under residential and/or commercial service rate schedules may be covered by the agreement.

The owner agrees to pay all bills accrued from the date of the closing reading for the previous tenant to the date for which service is established for a new tenant. The City is not responsible for monitoring tenant turnover and the property owner will be ultimately responsible for verifying with the City any change of tenant information.

All billings for electric service in the owner's name may be accumulated and billed on an "Owner's Statement of Charges" once each month. Statements will be issued on or about the 15th of each month. Statements are due and payable upon presentation. Failure to pay may result in cancellation of the "No Seal" agreement and collection action in accordance with current City practices.

SECTION 15 TEMPORARY SERVICES

DEFINITIONS

Temporary electric service is electric service for fairs, circuses, bazaars, temporary restaurants and other establishments not of a permanent nature, and service for construction purposes.

USES AND APPLICATIONS

The City will furnish temporary service under the following conditions:

1. Furnishing of temporary service will not result in undue hardship upon the City or its then existing Customer;
2. Applicant shall be required to pay to the City the cost of installing and removing any facilities necessary in connection with the furnishing of such service by the City;
3. Applicant for temporary service may be required to establish credit in accordance with Section 9;
4. Applicant for such temporary service may be required to make a deposit with the City;
5. The Customer is responsible for the temporary power pole and related accessories, excluding the meter and service drop; or
6. Temporary water service normally shall be furnished subject to a charge which shall cover the actual costs of installing and removing the required connections, including overhead and administration expenses. Customer and consumption charges shall be at the applicable tariff in effect; or
7. The Customer is responsible for fire hydrant rental meter pick-up and return to the City.

SECTION 16 SERVICE TO SEPARATE PREMISES AND MULTIPLE UNITS

NUMBER OF SERVICES TO SEPARATE PREMISES

Separate premises under a single control or management will be normally supplied through separate individual services unless the City elects otherwise.

WATER SERVICE TO MULTIPLE UNITS ON SAME PREMISES

Separate houses, buildings, living or business quarters on the same premises or adjoining premises, under a single ownership control or management, may receive water service by either of the following methods;

1. Through separate service pipes to each or any unit provided the piping system from each service is independent of the others and is not interconnected, and provided that all services are metered.
2. Through a single service pipe supply to the entire premises, in which case only one minimum or readiness to service charge will be applied.

The responsibility for payment of charges for all services furnished to combined units through a single service pipe must be assumed by the applicant; provided, however, that when separate buildings, living or business quarters are separately leased or rented, the Management Services Director or designee may, at his/her option, refuse to accept an application for service from other than the owner of the premises.

WASTEWATER SERVICE

Where wastewater service is being rendered at separate premises and water service is from a source other than the City, the Management Services Director or designee may, at his/her option, refuse to accept an application for wastewater service from other than the owner of the premises, unless the owner shall guarantee payment of all charges.

WASTEWATER SERVICE TO MULTIPLE UNITS ON SAME PREMISES

For premises initially obtaining wastewater service after August 18, 2015, wastewater charges may be charged in tandem with Water Service to Multiple Units on Same Premises as provided in Items 1 and Item 2 above as follows:

1. Wastewater service charges will be assigned to the corresponding water service account of the property.
2. For a multiple unit premises with a master water meter, wastewater service charges will be assigned to the corresponding water service account based on the Consumption Method formula stated in the most current rate resolution on file.

Where wastewater service is being rendered to multiple units served through a single service lateral pipeline, the Management Services Director or designee may, at his/her option, refuse to accept an application for wastewater service from a single unit of the multi-unit premises for premises served by the City prior to August 18, 2015, when such service was charged by individual unit prior to August 18, 2015.

SECTION 17 TEMPORARY TURN-ON AND TURN-OFF OF SERVICES

TURN-ON AND TURN-OFF OF WATER SERVICE FOR REPAIR BY CUSTOMER

Customer requests to the Water Utility for turn-off or turn-on of water service for the purpose of making repairs, or changes to their plumbing at times other than normal working hours, will be billed a minimum service call charge as follows:

<u>Monday through Friday</u>	<u>Charge</u>
5:00 p.m. to 10:00 p.m.	\$45.00 *
10:00 p.m. to 9:00 a.m.	85.00 *
<u>Weekends and Holidays</u>	<u>Charge</u>
4:00 p.m. Friday to	\$85.00 *
9:00 a.m. Monday	

- * The service fee will be adjusted from time to time to reflect the amount in the most recent Master Fee Schedule. The service call charge may be waived if the turn-off or turn-on is necessitated by an emergency over which the Customer has no control. The Water Utility will have the sole discretion of determining the validity of such an emergency.

TEMPORARY TURN-OFF OF WATER SERVICE TO AVOID MINIMUM CHARGES

The City shall not discontinue water service merely to enable a Customer to avoid payment of minimum charges, except where the Customer is affected by fire or similar cause beyond the Customer's control. If the Utility has discontinued water service with the understanding that the service is to be off permanently or for not less than three consecutive months, and the same Customer resumes the use of the service in less than three months after the discontinuance, then the Utility shall consider the service active for the full period of discontinuance and shall bill the Customer for each month's minimum charges and any related consumption charges.

TEMPORARY TURN-ON AND TURN-OFF OF ELECTRIC SERVICE FOR REPAIR

Temporary Turn-On or Turn-Off for Repair

Temporary turn-on or turn-off of electric service for the purpose of allowing the Customer to make repairs or changes to wiring will normally be done by the Utility during normal working hours.

Normal working hours are 9:00 a.m. to 4:00 p.m., Monday through Friday. There will be no charge for up to one hour of time. A charge will be made for each additional hour or fraction thereof. If this service is required outside of normal working hours, the minimum charge will be as noted in the Master Fee Schedule but not greater than the direct and indirect cost of providing the service.

The above charge will also apply if the Customer calls for emergency restoration of service during other than normal working hours, and it is determined that the problem is on the Customer's side of the meter and is therefore the Customer's responsibility. The charge will be no greater than the direct and indirect cost of providing the service.

Temporary Turn-Off of Electric Service to Avoid Minimum Charges

The City shall not discontinue electric service merely to enable a Customer to avoid payment of minimum charges, except where the Customer is affected by fire or similar cause beyond the Customer's control. If the Utility has discontinued electric service with the understanding that the service is to be off permanently or for not less than three consecutive months, and the same Customer resumes the use of the service in less than three months after the discontinuance, then the Utility shall consider the service active for the full period of discontinuance and shall bill the Customer for each month's minimum charges and any related consumption charges.

SECTION 18 DISPUTED BILL APPEAL PROCESS

DISPUTED BILL APPEAL PROCESS

Initial Step

Customers who believe their utility bill is in error must first contact the Utility Billing Division by telephone, in writing, or in person within five days after receiving their bill and initiate a complaint or request an investigation concerning the bill.

Utility Services will not be discontinued for nonpayment of a disputed bill pending the outcome of a timely requested investigation. The City may require that an amount equal to an average bill for a comparable period of time be deposited with the Utility pending outcome of the investigation. Failure to make the deposit as and when due with the disputed claim shall constitute abandonment of the complaint or request for investigation. Subsequent utility bills, which are not disputed, must be paid to the Utility within the time allowed to avoid discontinuance of service.

Second Step

If, after contact with the Utility Billing Division, the Customer believes the bill is still incorrect, the Customer must, within ten days after receiving the explanation from the Utility Billing Division, contact the Utility Billing Supervisor or the Collection Accounts Coordinator by phone or send a written statement regarding the billing dispute to:

City of Lompoc, Utility Billing Supervisor, Utility Billing Division, P.O. Box 8001, Lompoc, CA 93438-8001.

Third Step

A Review Manager will be designated to conduct an investigation of the Customer's billing dispute. The Review Manager will be the Utility Billing Supervisor or the Collection Accounts Coordinator, and the investigation may involve other staff at a higher level in the organization. The investigation will include consideration of whether the Customer may amortize the unpaid balance over a reasonable period of time, not to exceed twelve months, but usually over a shorter time period.

Fourth Step

Any Customer, whose complaint or request for investigation regarding a bill for utility service results in an adverse determination by the Review Manager, may appeal such determination, after receiving the explanation from the Review Manager, by sending a written statement within 10 days of mailing the explanation setting forth the reasons why

the Customer believes the investigation is incorrect. The Customer must send this statement to:

City of Lompoc, Financial Services Manager, Finance Division, P.O. Box 8001, Lompoc, CA 93438-8001.

Upon timely receipt of the written statement, the Financial Services Manager or designee will determine if the Review Manager's investigation was thorough and complete, addressing the aspects of the billing dispute. The results of this determination will be communicated to the Customer in writing.

Fifth Step

If the billing dispute is not satisfactorily resolved with the Financial Services Manager or designee, the Customer may request a review by the Management Services Director by sending a written statement within five days of mailing of the determination by the Financial Services Manager to:

City of Lompoc, Management Services Director, Finance Division, P.O. Box 8001, Lompoc, CA 93438-8001.

Upon timely receipt of this written statement, the Management Services Director will make his determination and communicate the determination to the Customer in writing.

Final Step

The decision of the Management Services Director is subject to appeal to the City Council pursuant to Section 10010 of the Public Utilities Code.

SECTION 19 DIVERSION OF SERVICES

WATER DIVERSION

General

Water diversion is presumed to be caused by the Customer receiving the benefit of service from the diversion.

Utility's Right to Discontinue Service

Whenever the Utility has determined that water diversion is occurring or a hazardous condition exists at a given location, the Utility shall investigate and may disconnect the service immediately.

Restoration of Service

In order to restore service discontinued under the provisions of Utility's Right to Discontinue Service section above, the Customer shall be required to pay in advance, all of the following:

1. The higher of the minimum fee plus material or time plus material.
2. Charges for estimated usage during the period in which the water diversion occurred, based on provisions of Section 11.
3. Charges for discontinuance and restoration of service as covered in Section 14, payment of deposits and entire current bill.

The customer may also be required to make corrections to the service and obtain a permit for inspection and clearance and/or provide access for inspection of meter and meter facilities to determine if the diversion has been removed.

Appeal By Customer

Any portion of the charges set forth in this Subsection that is disputed by the Customer may be appealed pursuant to the provisions of Section 18.

Theft of Service

The Customer benefiting from diversion shall be assessed a fee to make the Utility whole for labor and materials involved in investigating and making any required corrections.

ENERGY DIVERSION

General

Energy diversion is presumed to be caused by the Customer receiving the benefit of service from the diversion.

Utility's Right to Discontinue Service

Whenever the Utility has determined that energy diversion is occurring or a hazardous condition exists at a given location, the Utility shall investigate and may disconnect the service immediately.

Restoration of Service

In order to restore service discontinued under the provisions of Utility's Right to Discontinue Service section above, the Customer shall be required to pay, in advance, all of the following:

1. Minimum fee plus material or time plus material, whichever is higher;
2. Charges for estimated usage during the period in which the energy diversion occurred, based on provisions of Section 11;
3. Charges for discontinuance and restoration of service as covered in Section 14, payment of deposits and the entire current bill.

The customer may also be required to make corrections to the service and obtain a permit for inspection and clearance and/or provide access for inspection of meter and meter facilities to determine if the diversion has been removed.

Appeal By Customer

Any portion of the charges set forth in this Subsection that is disputed by the Customer may be appealed pursuant to the provisions of Section 18.

Criminal Penalties

Theft of utility services is punishable under California Penal Code sections 487, 496, 498, 591, 592, 593 and may result in liability under California Civil Code sections 1882 through 1882.6.

Theft of Service

The Customer benefiting from diversion shall be assessed a fee to make the Utility whole for labor and materials involved in investigating and making any required corrections.

SECTION 20 UTILITY SERVICE PAYMENT AGREEMENTS

The CPUC provides for use of an amortization agreement by residential customers pursuant to Section 10010(c). A residential Customer may request an extension of the payment period of a bill asserted to be beyond the means of the Customer to pay in full during the normal period for payment pursuant to state law. The request shall be made in person or by fax by the Customer responsible for the utility bill. The Utility Billing Division will review the request and grant such extension under the terms of state law in effect at the time of request. The Customer's unpaid balance may be amortized pursuant to CPUC subsection 10010(c) for a period not to exceed 12 months. The Customer shall not have services terminated during the amortization term as long as the Customer pays the current charges in addition to the accrued amount keeping the account current as charges accrue in each subsequent billing period until the amortization agreement has been paid in full. Failure of the residential Customer to keep the account current as charges accrue during the amortization agreement period will result in termination of services pursuant to CPUC subsection 10010.1(e) as summarized below. Failure of the Customer to pay the agreed payments pursuant to the amortization agreement will result in termination of services pursuant to CPUC subsection 10010.1(e), as summarized below.

The CPUC provides for the termination of services once a residential Customer fails to comply with an amortization agreement pursuant to CPUC subsection 10010.1(e). A Customer not complying with the terms of the amortization schedule agreed to by the Customer and the City shall be subject to termination, in accordance with state law. The City shall give notice to the Customer at least 48 hours prior to termination of the conditions the Customer is required to meet to avoid termination in a manner similar with Section 17 above, in accordance with state law, after determination of noncompliance with the amortization agreement, in accordance with state law.

A residential Customer may request an amortization agreement for their total account balance due if the following conditions apply:

1. The residential Customer has no existing agreement in place.
2. The residential Customer had an amortization agreement that has been paid in full.

SECTION 21 VACANCIES

No allowance reducing a utility service charge shall be made for vacancies in either single or multiple dwelling units in the computation of charges for utility services thereto unless the service to the premises is turned off by the City.

If no responsible party has signed up for water or electricity that needs to be on, the Utility Billing department will contact the property owner to have services started in the owner's name and set up services.

Owners of multiple apartment units may apply for LOFO agreements as stated in Section 14.

SECTION 22 SPECIAL SERVICES

Whenever the City responds to a customer call during off-hours, and that problem causing a call-out is determined to be the customer's responsibility, a special service charge shall be assessed by the Utility. This charge shall be established by the Management Services Director or designee at an amount to reimburse the City for the direct and indirect costs of responding to the call-out after hours. The charge, at the option of the Management Services Director or designee, can be applied to the Customer's account.

EXHIBIT A

GLOSSARY OF TERMS

Account: The record kept by the City of the experience with a Customer including financial and physical data, service history, and/or consumption history.

APN: Assessor's Parcel Number.

Applicant: Person requesting the City to supply utility service.

Application: Request to the City via mail, telephone, fax, internet, in person, and/or written form(s) provided by the City for utility service or other municipal service.

Backflow Prevention Assembly: System and/or equipment to prevent a back wash of water into the City's general water system.

Bill: A written or electronic demand for payment for services rendered to the Customer. The services rendered may be for utility service charges, rentals, or fees or other municipal charges or fees.

Billing demand (electric): The Customer's monthly load, capacity, or demand expressed in kilowatts (kW) or kilovolt Amperes (kVA) and used for computing charges under certain electric rate schedules. It may be the connected load, the measured maximum demand, or a modification of either as provided for by the applicable rate schedule.

Billing period/Billing Cycle: The time interval between two consecutive meter readings that are taken for billing purposes or an established and regular billing cycle for unmetered services. The period of time is usually between 27 and 33 days.

Billing Days: The number of days in a Customer's Billing Period.

Billing Date: The date on which a Customer's Bill is generated.

Broadband Utility: The City's Utility Division providing cost effective internet connectivity services for City residents, businesses and internally to other City Departments.

CPUC: California Public Utilities Code.

Certified Funds: Secure funds, such as money orders or certified checks, which require no future time to clear banking transactions.

Charges: Charges, rentals, fees and other debts incurred by reason of the rendering of a utility Bill or other municipal service or privilege.

City's operating convenience: The term refers to the utilization, under certain circumstances, of facilities or practices not ordinarily employed which contribute to the overall efficiency of City's operations: it does not refer to Customer convenience nor to the use of facilities or adoption of practices required to comply with applicable laws, ordinances, rules or regulations, or similar requirements of public authorities.

City: City of Lompoc, California.

City Treasurer: The person in charge of the Treasury Division and Utility Billing Division.

Co-Applicant: A signatory on an application for service who assumes equal responsibility as the applicant.

Council: City Council of the City of Lompoc, California.

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Commercial: Customer class generally defined as a Customer providing or distributing a product or service. Examples include hotels, restaurants, office buildings, commercial businesses or other places of business. Accounts not considered Commercial include single family residences, multi-family residences (except for common areas such as laundry facilities, community facilities or maintenance facilities), agricultural or those Customers that fall within Industrial or Institutional classifications.

Commercial signatory: For commercial utility accounts, the application is required to be signed by the owner or authorized officer. The owner may be a sole proprietor, partner in a partnership, an officer of a limited liability company or other incorporated company.

Connected load: The sum of the rated capacities of all the Customer's electrical equipment that can be connected to the City's electric lines at any one time as more completely described in the rate schedules.

Consumer: A person using or receiving the benefits of utility services. See Customer

Consumption: The total amount of service used by a Customer. For Electric Utility Customers, the total amount includes Energy (in kWh units) and Demand (in kW units), if applicable, used by a Customer. For Water Utility Customers, the total amount includes all Water (in HCF units) used by a Customer.

Consumption Method: The City's Wastewater Utility's method for calculating the consumption basis used in determining a customer's Wastewater Utility charges annually. In general, the consumption method averages a customer's wintertime consumption over a six year rolling period. The resulting data is used to calculate the customer's following year's monthly wastewater charge by multiplying the average use by the effective rate per HCF

Customer: A person in whose name service is rendered as evidenced by telephone, fax, internet, or other application and/or by signature on the application, contract, or agreement for that service, or, in the absence of a signed instrument, by the receipt and payment of bills regularly issued in the Customer's name regardless of the identify of the actual user of the service, or by a person benefitting directly from the service. A person that has been designated on an application for service as responsible for payment of charges.

Customer's mailing address: The address specified in a Customer's application, or any other address given in writing, by telephone, fax or internet to BWP Staff by the Customer or Customer's authorized agent, to which any notice or other communication is to be mailed, sent, or delivered.

Day: The period of time between midnight and the midnight following; a calendar day.

Dependent Adult: Any person between the ages of 18 and 64 years who resides in this state and who has physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights, including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. (Welfare & Institutions Code section 15610.23.)

Delivered: Any notice or communication shall be considered delivered by the City when it is 1) mailed, postage prepaid, to the Customer to whom the service is billed; 2) communicated via telephone conversation with the Customer or his/her authorized representative; 3) given in person or by posting in a conspicuous location at the premises served; 4) transmitted by electronic means including, but not limited to, facsimile (FAX) machine, computer e-mail; or 5) transmitted to a Customer's voice mail box.

Distribution Area: Also known as **Service Territory**, the physical area over which Utility Services are provided by the City of Lompoc. The physical area is generally the physical boundaries of the City of Lompoc.

Distribution lines: Overhead pole lines and/or underground facilities consisting of conduit and cable which are operated at nominal distribution voltages.

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Distribution main: Water pipelines 12" in diameter and smaller.

Electric Utility: The City's Utility Division providing electricity to residents, businesses, and governmental customers in a cost efficient and reliability manner.

Facilities: Equipment, in whole or part, owned and operated by the City for the purposes of providing utility service up to and including the meter.

Family Unit: A Residential dwelling unit consisting of, at a minimum, sleeping accommodations, a bathroom, and kitchen facilities. The term Family Unit may be used for the purpose of establishing Utility Service(s) to a Customer.

Finance Director: The person in charge of the Finance Division. Also designated as the Management Services Director.

Financial Services Manager: The person directly in charge of the Utility Billing Division.

Front Footage: The entire length of the lot as measured on the side adjacent to the main in the street or the street in which the main will be constructed.

General Service: A commercial or industrial Customer requiring or requesting Electric Utility Service(s) from the City of Lompoc.

Hundred Cubic Feet (HCF): A unit of measure of liquids. A HCF of water is approximately 748 gallons. The City of Lompoc uses the HCF unit as its basis for billing water consumption. Charges for both the City's Water and Wastewater Utilities are based in an amount per HCF. The City's Water Utility residential charge is currently \$4.33 per HCF (effective July 1, 2015).

Industrial: Customer class generally defined as a Customer primarily manufacturing or processing materials. A Customer is generally categorized as industrial if their NAICS code number begins with 21, 23, 31, 32, 33 and 42. Further definition can be obtained from the SIC code classification system for codes between 2000 and 3999.

Institutional: Accounts dedicated to public service. This includes schools, courts, churches, hospitals, and government (Federal State, and Local or their subdivisions) facilities. All facilities serving these functions are to be considered institutional regardless of ownership (ie. Rentals by Institutional accounts are considered institutional). Existing classification of accounts for billing purposes will remain in effect. In the future, rate schedules may account for Institutional Customers separately, if not already in effect.

Kilowatt (kW): A unit of measure for electric load. Ten 100 watt bulbs require one kW of electricity to run.

Kilowatt-Hour (kWh): A unit of measure for electric load over time. A 100 watt bulb running for 10 hours would consume one kWh of electricity. The City's Electric Utility bills for electricity in kWh units multiplied by a rate per kWh-

Kilovolt-ampere (KVA): A standard measurement of apparent electric energy limited by the capacity of the load. One kilovolt-ampere is the amount of energy it takes to run a 100 watt light bulb for 10 hours multiplied by the power factor of the light bulb's load. The measure is synonymous with Kilowatt or kW.

LMC: Lompoc Municipal Code.

Load factor: The ratio of the average load over a designated period to the peak load occurring in that same period.

Lompoc Utility Department: A department of the City of Lompoc. Operations for all City utility services are managed by this department.

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Lompoc Utility Billing Division: A division of the Management Services Department of the City of Lompoc. Operations for all City utility billing and collection services are managed by this division.

Mail: Any notice or other communication shall be considered mailed when it is enclosed in a sealed envelope, addressed to the Customer's mailing address, and deposited in a U.S. Postal Service box, postage prepaid by the City.

Management Services Director: The person in charge of the Utility Billing Division in addition to other divisions of Management Services. The Management Services Director is also the Finance Director of the City.

Maximum demand: The average kilowatts during the specified time interval when the Customer's use is greatest in the billing period as indicated or recorded by the Utility's meter.

Meter: The instrument, installed and owned by the City, used for measuring utility service delivered to the Customer.

Master Meter: A method of metering electric or water Consumption whereby a single meter is installed at a premises where more than one individual Customer, usually Residential, takes service through this single meter.

Multi-family accommodation: An apartment building, duplex, triplex, court group, or any other group of residential units located upon a single premises, providing the residential units therein meet the requirements for a single-family accommodation. Hotels, guest or resort ranches, tourist camps, motels, auto courts, trailer courts, and mobile home parks consisting primarily of guest rooms and/or transient accommodations, are not classed as multi-family accommodations.

NAICS: The North American Industry Classification System (NAICS) is the standard used by the Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy. The City of Lompoc uses the NAICS system to classify customers for billing and regulatory reporting purposes.

Nominal voltage: The nominal voltage of a circuit is the approximate voltage between conductors in a circuit or system of a given class, assigned for the purpose of convenient designation. For any specific nominal voltage, the operating voltage actually existing at various points and at various times on the system is subject to normal distribution variation.

Non-Residential Customer: All Customers requiring Utility Service(s) other than Residential Customers. Non-Residential Customers are further defined using the NAICS classification system by the City of Lompoc.

Offices: The main City and Utility Division office is located at 100 Civic Center Plaza, Lompoc, CA 93436.

Payment: Any recognized tender provided in exchange for service: cash, check, money order, credit card, or debit card, whether in person, by telephone, by mail or in electronic form.

Permanent service: Service, which in the opinion of the City, is of a permanent and established character and is not classified as temporary service. The permanent service may be continuous or intermittent.

Person: Any individual, partnership, corporation, public agency, or other organization operating as a single entity.

Point of connection (water): The pipeline extending from the City's water main, whether located in a public thoroughfare or private right of way, to the curb line or property line of the Customer's premises,

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together with the valves, meter, fittings and enclosure necessary to connect to the Customer's private pipeline.

Point of delivery (electric): The point where the City's conductors are connected to the conductors of the Customer, regardless of the location of the City's meters or transformers. City's conductors may be owned, leased or under license by the City, and the conductors of the Customer may be owned, leased or under license by the Customer.

Point of demarcation (broadband): The point where the City's broadband service is available to the Customer. Demarcation will generally occur at the utility's transmitting node or at the Utility provided access point.

Power: The rate at which electric energy is delivered by an electric current. Power is equal to the product of voltage and current (Volts X Amps = Watts).

Power Factor: The ratio of real power (kW) to apparent power (kVA) for any given load and time and generally expressed as a percentage. For the purposes of these rate schedules, average load power factor will be used. It will be computed as follows:

$$\% \text{Power Factor} = \frac{\text{kWh} \times 100}{(\text{kWh}^2 + \text{kVARh}^2)^{1/2}}$$

kVARh: Reactive kilovolt-ampere-hours (kilovar-hours)

Power service: Service to apparatus or equipment used for purposes other than lighting shall be considered as power service. Lamps or lights used for purposes which, in the opinion of the Utility, are not general illumination purposes are classed as power service, such as the following: motion picture projection, motion picture and television production, production of chemical reactions, sterilizing, drying, radiant heating, therapeutic, photographic processing, stimulating the growth or yield of agricultural products, pilot or indicating lights on power control equipment, and lighting used as an aid in the operation of a motor-driven production machine for the purpose of checking tool settings or dial readings, measuring or inspecting the product while on the machine, when the lamps are installed as an integral part of the machine and energized from its power supply.

Premises: All of the real property and apparatus employed in a single enterprise on a contiguous parcel of land undivided by a dedicated street, highway, or other public thoroughfare, or a railway. Automobile parking lots separated by an alley are considered to be part of a Customer's premises. May include adjoining lots or parcels under the same ownership or control and the improvements thereon, as determined by the Finance Director or the City Treasurer to be a single unit for purposes of receiving, using, and paying for service.

Presentation: The date which the City mails, sends, or delivers a bill to a Customer.

Primary voltage distribution: Service supplied at 2.4 kV and above with only one level of transformation. (i.e.: 34.5 kV to 2,400 or 4,160 volt, 12.47 kV to 4,160 volts). The City electric system operates at one of two primary voltages: 4,160 volts (4 kV) or 12,000 volts (12 kV).

Property: Any separate assessor's parcel number. Shall have the same meaning as **Premises**.

Pullbox: An enclosure for joining conductors which also provides by its size, arrangement, and location the necessary facilities for pulling the conductors into place. This term as used here includes structures also known as "manhole", "hand hole" and "switchboard pull section."

Quasi-public institutions: Public utilities, educational institutions, and hospitals, whether publicly or privately owned.

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Public institutions: Federal, State or political subdivisions of the State or an agency of the public institution. Examples include the County of Santa Barbara and any department or division of the County, the United States Post Office, or special districts.

Rate resolution: The current resolution or resolutions adopted by Council which establish rates and/or charges for utility service.

Rate schedule: May be one or more tariff pages setting forth the charges and conditions for a particular class or type of service at a given location. A rate schedule, as referred to herein, shall include all the wording on the applicable tariff page or pages, such as, but not limited to, the following: Schedule number, class of service, character or applicability territory, rates, conditions, special conditions, and reference to rules.

Real user: Any party or parties who benefit from utility services at a given address.

Residential: Account consisting of, at a minimum, sleeping accommodations, a bathroom, and kitchen facilities. Residential classifications are typically single family or multi-family. The term Family Unit may be used for the purpose of establishing Utility Service(s) to a Residential Customer. Motel, hotel or similar accommodations are not considered residential for the purposes of the City of Lompoc's Utility classifications.

Residential Customer: Class of customer whose dwellings are single-family units, multi-family units, mobile homes or other similar living establishments (see "Residential Dwelling Unit"). A customer who meets the definition of a Residential Customer will be served under a residential rate schedule (water or electric) if 50% or more of the annual water or energy use on the meter is for residential end-uses (see "Multi-Family accommodations" and "Single Family dwelling").

Residential Dwelling Unit: A room or group of rooms, such as a house, flat, or an apartment, which provides complete family living facilities in which the occupants(s) normally cooks meals, eats, sleeps, and carries on the household operations incidental to domestic life.

Rules and Regulations: These Utility Billing Service Rules and Regulations.

Scheduled Meter Reading Date: The date the City has scheduled a Customer's meter(s) to be read for the purposes of ending the current billing cycle and the beginning of a new billing cycle.

Secondary voltage distribution: Service supplied at levels of transformation below 4,160 volts or 12,000 volts. The City's electric system provides secondary voltage in several ways dependent upon the Customer's needs. Residential and small office Customers generally require voltage of 120/240 while commercial and industrial Customers may receive service at 120/208, 277/480, or 120/240, depending upon their individual requirements.

Service connection (water): The pipeline extending from the City's water main, whether located in a public thoroughfare or private right of way, to the curb line or property line of the Customer's premises, together with the valves, meter, fittings and enclosure necessary to connect to the Customer's private pipeline.

Service extension: Consists of the service wires or connections as defined herein. Normally the "service drop" is furnished at the utility's expense.

Service wires or connection: The group of conductors, whether overhead or underground, necessary to connect the service entrance conductors of the Customer to the Utility's supply line. An overhead service connection, sometimes referred to as a "service drop", is the group of conductors between the Customer's building or other permanent support and the utility's adjacent pole.

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SIC: The Standard Industrial Classification (SIC) was replaced beginning in 1997 by the NAICS. SIC codes are still utilized to classify establishments by their primary type of activity. The City of Lompoc may use SIC codes to help determine the industrial or commercial status of a Customer for billing purposes.

Single-family dwelling or accommodation: An individual house, an apartment within a multi-family accommodation, or any other residential unit which contains cooking facilities (not necessarily electric) and which is used as a residence by a single family.

Small Business Customer: A non-residential Customer who: (1) generally has a maximum billing demand of 100 kW, or less, per meter during the most recent 12-month period, or (2) generally has a monthly usage of 25,000 kWh, or less, during the most recent 12-month period.

Solid Waste Utility: The City's Utility providing trash collection, recycling, street sweeping and green waste services to residents, businesses and other customers as well as a regional landfill available to all of the Lompoc Valley. Solid Waste Utility provides services in a cost efficient and reliable manner.

Staff: Personnel employed by the City.

Swimming pool: A permanently installed swimming pool, above or below ground, with permanently installed pump, motor, filtering equipment and automatic timer to control the operation of the pumping equipment. The pump motor must be rated at a minimum of $\frac{3}{4}$ horsepower.

Tract or subdivision: An area for dwellings which may be identified by filed subdivision plans or as an area in which a group of dwellings may be constructed about the same time, either by a large scale builder or by several builders working on a coordinated basis.

Transmission main: Water pipelines larger than 12" in diameter.

Utility: The City of Lompoc and any of its individual utility services: Water, Electric, Wastewater, Solid Waste, and Broadband.

Utility Commission: The body established by the City of Lompoc to provide greater public input into the City of Lompoc's utility services.

Utility Director: The person in charge of the all the utility divisions of the City.

Utility Service: Services provided by the City shall mean water service, electric service, waste disposal service, landfill disposal service (solid waste), wastewater (wastewater) service, broadband service (Wi-Fi), or any combination thereof, or privileges connected with water, waste, electric, wastewater service, landfill service, or broadband service.

Wastewater Utility: The City's Utility providing wastewater collection and treatment services to residents, businesses and other customers of the City as well as treatment services for our neighbors in Vandenberg Village Community Services District and Vandenberg Air Force Base.

Water Utility: The City's Utility providing potable water to residents, businesses and other customers in the City and to a limited customer base outside of the City. The City obtains all its water from the local groundwater basin and provides significant treatment to the water prior to delivery to customers to minimize corrosion in City and private transmission pipes and to meet all purification regulations.

X-ray service: Service to any apparatus transforming electric energy into radiations similar to light but having wave lengths from .0006 to 2 angstroms.

EXHIBIT B

**BILLING EXAMPLES FOR VARIOUS CLASS CUSTOMERS AT
VARIOUS SERVICE LEVELS**

(Reflecting Rates adjusted July 1, 2015)

Single Family Residence - minimum user

Services provided:

Electric
Water - 5/8" meter
Wastewater - consumption method quantity - 5
Solid Waste - 65 gallon service once a week
Broadband - family plan

Billing period consumption:

Electric 325 kWh
Water 3 units

City of Lompoc Charges - effective July 1, 2015

Energy Charges (\$/kWh)					
Tier		Tier Level	Usage	Rate	Amount
Tier 1	up to	325	325	0.14096	\$ 45.81
Tier 2		175	-	0.19109	-
Tier 3	over	500	-	0.27071	-
Total Electric Charges					<u>45.81</u>

Water Charges (\$/HCF)					
Tier		Tier Level	Usage	Rate	Amount
Tier 1	up to	10	3	4.33	\$ 12.99
Tier 2		10	-	4.63	-
Tier 3	over	20	-	5.53	-
Monthly service charge			Fixed		<u>29.32</u>
Total Water Charges					<u>42.31</u>

Other Charges				
Charge		Usage	Rate	Amount
Wastewater		Fixed	7.60	38.00
Solid Waste		Fixed		28.64
Broadband		Fixed		15.99
State mandated Public Benefit Charge			2.62%	1.20
State Energy Surcharge			0.00029	0.09
State Recycling Fee		Fixed		0.08
County Inspection Fee		Fixed		0.06
Total Other Charges				<u>84.06</u>
Total Monthly Utility Charges				<u><u>\$ 172.19</u></u>

Single Family Residence - average user

Services provided:

Electric
Water - 5/8" meter
Wastewater - consumption method quantity - 8 units
Solid Waste - 96 gallon service once a week
Broadband - family plan

Billing period consumption

Electric 325 kWh
Water 8 units

City of Lompoc Charges

Effective as of

July 1, 2015

Energy Charges (\$/kWh)					
Tier		Tier Level	Usage	Rate	Amount
Tier 1	up to	325	325	0.14096	\$ 45.81
Tier 2		175	-	0.19109	-
Tier 3	over	500	-	0.27071	-
Total Electric Charges					<u>45.81</u>

Water Charges (\$/HCF)					
Tier		Tier Level	Usage	Rate	Amount
Tier 1	up to	10	8	4.33	\$ 34.64
Tier 2		10	-	4.63	-
Tier 3	over	20	-	5.53	-
Monthly service charge			Fixed		<u>29.32</u>
Total Water Charges					<u>63.96</u>

Other Charges				
Charge		Usage	Rate	Amount
Wastewater		Fixed	7.60	\$ 60.80
Solid Waste		Fixed		37.06
Broadband		Fixed		15.99
State mandated Public Benefit Charge			2.62%	1.31
State Energy Surcharge			0.00029	0.09
State Recycling Fee		Fixed		0.12
County Inspection Fee		Fixed		0.08
Total Other Charges				<u>115.45</u>
Total Monthly Utility Charges				<u>\$ 225.22</u>

Single Family Residence - medium high user

Services provided:

Electric
Water - 5/8" meter
Wastewater - consumption method quantity – 10
Solid Waste - 96 gallon service once a week
Broadband - family plan

Billing period consumption:

Electric 700 kWh
Water 16 units

City of Lompoc Charges

Effective as of

July 1, 2015

Energy Charges (\$/kWh)

Tier	Tier Level	Usage	Rate	Amount
Tier 1	up to 325	325	0.14096	\$ 45.81
Tier 2	175	175	0.19109	33.44
Tier 3	over 500	200	0.27071	54.14
Total Electric Charges				<u>133.39</u>

Water Charges (\$/HCF)

Tier	Tier Level	Usage	Rate	Amount
Tier 1	up to 10	10	4.33	\$ 43.30
Tier 2	10	6	4.63	27.78
Tier 3	over 20	-	5.53	-
Monthly service charge		Fixed		29.32
Total Water Charges				<u>100.40</u>

Other Charges

Charge	Usage	Rate	Amount
Wastewater	Fixed	7.60	\$ 76.00
Solid Waste	Fixed		37.06
Broadband	Fixed		15.99
State mandated Public Benefit Charge		2.62%	3.49
State Energy Surcharge		0.029%	0.20
State Recycling Fee	Fixed		0.12
County Inspection Fee	Fixed		0.08
Total Other Charges			<u>132.95</u>
Total Monthly Utility Charges			<u>\$ 366.74</u>

Commercial - small user

Services provided:

- Electric - non-demand (<25,000 kWh per month)
- Water - 1" meter
- Wastewater - consumption method quantity – 5
- Solid Waste - 95 gallon service two times a week
- Broadband - family plan

Billing period consumption:

- Electric 600 kWh
- Water 5 units

City of Lompoc Charges				Effective as of
				July 1, 2015
Energy Charges (\$/kWh)				
Tier	Tier Level	Usage	Rate	Amount
Tier 1	all	600	0.19488	\$ 116.93
Total Electric Charges				116.93
Water Charges (\$/HCF)				
Tier	Tier Level	Usage	Rate	Amount
Tier 1	all	5	4.45	\$ 22.25
Monthly service charge		Fixed		56.34
Total Water Charges				78.59
Other Charges				
Charge		Usage	Rate	Amount
Wastewater		Fixed	10.20	\$ 51.00
Solid Waste		Fixed		42.06
Broadband		Fixed		15.99
State mandated Public Benefit Charge			2.62%	3.33
State Energy Surcharge			0.029%	0.17
State Recycling Fee		Fixed		0.24
County Inspection Fee		Fixed		0.16
Total Other Charges				112.96
Total Monthly Utility Charges				\$ 308.47

Commercial - medium high user

Services provided:

Electric - non-demand (<25,000 kWh per month)
 Water - 1" meter
 Wastewater - consumption method quantity – 61
 Solid Waste - 300 gallon service four times a week
 Broadband - family plan

Billing period consumption:

Electric 9400 kWh
 Water 60 units

City of Lompoc Charges

**Effective as of
July 1, 2015**

Energy Charges (\$/kWh)

Tier	Tier Level	Usage	Rate	Amount
Tier 1	all	9,400	0.19488	\$ 1,831.87
				-
				-
Total Electric Charges				<u>1,831.87</u>

Water Charges (\$/HCF)

Tier	Tier Level	Usage	Rate	Amount
Tier 1	all	60	4.45	\$ 267.00
Monthly service charge		Fixed		56.34
Total Water Charges				<u>323.34</u>

Other Charges

Charge	Usage	Rate	Amount
Wastewater	Fixed	10.20	622.20
Solid Waste	Fixed		326.43
Broadband	Fixed		15.99
State mandated Public Benefit Charge		2.62%	48.00
State Energy Surcharge		0.00029	2.73
State Recycling Fee	Fixed		1.52
County Inspection Fee	Fixed		1.00
Total Other Charges			<u>1,017.86</u>
Total Monthly Utility Charges			<u>\$ 3,079.87</u>

Industrial - high user

Services provided:

Electric - Demand (>25,000 kWh per month)
 Water - 2" meter/industrial
 Wastewater - consumption method quantity - 300
 Solid Waste - 450 gallon service four times a week
 Broadband - n/a

Billing period consumption:

Electric 60000 kWh
 Electric 135 kW summer rate
 Water 300 units

City of Lompoc Charges

Effective as of

July 1, 2015

Energy Charges (\$/kWh)

Tier	Tier Level	Usage	Rate	Amount
Tier 1	all	60,000	0.14798	\$ 8,878.80

Demand Charges (\$/kW)

Tier	Tier Level	Usage	Rate	Amount
Tier 1	all	135	10.09	\$ 1,362.15
	Monthly service charge	Fixed		113.09
Total Electric Charges				10,354.04

Water Charges (\$/HCF)

Tier	Tier Level	Usage	Rate	Amount
Tier 1	all	300	4.45	\$ 1,335.00
	Monthly service charge	Fixed		155.43
Total Water Charges				1,490.43

Other Charges

Charge	Usage	Rate	Amount
Wastewater	Fixed	9.70	3,216.00
Solid Waste	Fixed		411.29
State mandated Public Benefit Charge		2.62%	271.28
State Energy Surcharge		0.00029	17.40
State Recycling Fee	Fixed		2.28
County Inspection Fee	Fixed		1.56
Total Other Charges			3919.81
Total Monthly Utility Charges			\$ 15,764.28

EXHIBIT C

**CALIFORNIA PUBLIC UTILITIES CODE §§ 10009 TO 10012
AS OF 1/1/2015**

California Public Utilities Code Sections 10009 – 10012 regarding water and electric utility billing practices.

10009. (a) This section applies if there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling.

(b) If a public utility furnishes individually metered residential light, heat, water, or power to residential occupants in a detached single-family dwelling, a multiunit residential structure, mobilehome park, or a permanent residential structure in a labor camp, as defined in Section 17008 of the Health and Safety Code, and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, the public utility shall make every good faith effort to inform the residential occupants, by means of written notice, when the account is in arrears, that service will be terminated in 10 days. The written notice shall further inform the residential occupants that they have the right to become customers of the public utility without being required to pay the amount due on the delinquent account. The notice shall be in English and in the languages listed in Section 1632 of the Civil Code.

(c) The public utility is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service, and meets the requirements of law and the public utility's rules. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the public utility, or if there is a physical means, legally available to the public utility, of selectively terminating service to those residential occupants who have not met the requirements of the public utility's rules, the public utility shall make service available to the residential occupants who have met those requirements.

(d) If prior service for a period of time is a condition for establishing credit with the public utility, residence and proof of prompt payment of rent or other obligation acceptable to the public utility for that period of time is a satisfactory equivalent.

(e) Any residential occupant who becomes a customer of the public utility pursuant to this section whose periodic payments, such as rental payments, include charges for residential light, heat, water, or power, where these charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the public utility for those services during the preceding payment period.

10009.1. (a) If a public utility furnishes light, heat, water, or power to residential occupants through a master meter in a multiunit residential structure, mobile home park, or permanent residential structures in a labor camp, as defined in Section 17008 of the Health and Safety Code, and the owner, manager, or operator of the structure or park is listed by the public utility as the customer of record, the public utility shall make every good faith effort to inform the residential occupants, by means of a written notice posted on the door of each residential unit at least 15 days prior to termination, when the account is in arrears, that service will be terminated on a date specified in the notice. If it is not reasonable or practicable to post the notice on the door of each residential unit, the public utility shall post two copies of the notice in each accessible common area and at each point of access to the structure or structures. The notice shall further inform the residential occupants that

they have the right to become utility customers, to whom the service will then be billed, without being required to pay the amount due on the delinquent account. The notice also shall specify, in plain language, what the residential occupants are required to do in order to prevent the termination of, or to reestablish service; the estimated monthly cost of service; the title, address, and telephone number of a representative of the public utility who can assist the residential occupants in continuing service; and the address and telephone number of a qualified legal services project, as defined in Section 6213 of the Business and Professions Code, which has been recommended by the local county bar association. The notice shall be in English and the languages listed in Section 1632 of the Civil Code.

(b) The public utility is not required to make service available to the residential occupants unless each residential occupant or a representative of the residential occupants agrees to the terms and conditions of service, and meets the requirements of law and the public utility's rules. However, if one or more of the residential occupants or the representative of the residential occupants are willing and able to assume responsibility for subsequent charges to the account to the satisfaction of the public utility, or if there is a physical means, legally available to the public utility, of selectively terminating service to those residential occupants who have not met the requirements of the public utility's rules or for whom the representative of the residential occupants is not responsible, the public utility shall make service available to the residential occupants who have met those requirements or on whose behalf those requirements have been met.

(c) If prior service for a period of time or other demonstration of credit worthiness is a condition for establishing credit with the public utility, residence and proof of prompt payment of rent or other credit obligation during that period of time acceptable to the public utility is a satisfactory equivalent.

(d) Any residential occupant who becomes a customer of the public utility pursuant to this section whose periodic payments, such as rental payments, include charges for residential light, heat, water, or power, where these charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the public utility for those services during the preceding payment period.

(e) If a public utility furnishes residential service subject to subdivision (a), the public utility may not terminate that service in any of the following situations:

(1) During the pendency of an investigation by the public utility of a customer dispute or complaint.

(2) If the customer has been granted an extension of the period for payment of a bill.

(3) For an indebtedness owed by the customer to any other public agency or when the obligation represented by the delinquent account or other indebtedness was incurred with any public agency other than the public utility.

(4) If a delinquent account relates to another property owned, managed, or operated by the customer.

(5) If a public health or building officer certifies that termination would result in a significant threat to the health or safety of the residential occupants or the public.

(f) Notwithstanding any other provision of law, and in addition to any other remedy provided by law, if the owner, manager, or operator, by any act or omission, directs, permits, or fails to prevent a termination of service while any residential unit is occupied,

the residential occupant or the representative of the residential occupants may commence an action for the recovery of all of the following:

(1) Reasonable costs and expenses incurred by the residential occupant or the representative of the residential occupants related to restoration of service.

(2) Actual damages related to the termination of service.

(3) Reasonable attorney's fees of the residential occupants, the representative of the residential occupants, or each of them, incurred in the enforcement of this section, including, but not limited to, enforcement of a lien.

(g) Notwithstanding any other provision of law, and in addition to any other remedy provided by law, if the owner, manager, or operator, by any act or omission, directs, permits, or fails to prevent a termination of service while any residential unit receiving that service is occupied, the corporation may commence an action for the recovery of all of the following:

(1) Delinquent charges accruing prior to the expiration of the notice prescribed by subdivision (a).

(2) Reasonable costs incurred by the corporation related to the restoration of service.

(3) Reasonable attorney's fees of the corporation incurred in the enforcement of this section or in the collection of delinquent charges, including, but not limited to, enforcement of a lien. If the court finds that the owner, manager, or operator has paid the amount in arrears prior to termination, the court shall allow no recovery of any charges, costs, damages, expenses, or fees under this subdivision from the owner, manager, or operator. An abstract of any money judgment entered pursuant to subdivision (f) or (g) of this section shall be recorded pursuant to Section 697.310 of the Code of Civil Procedure.

(h) No termination of service subject to this section may be effected without compliance with this section, and any service wrongfully terminated shall be restored without charge to the residential occupants or customer for the restoration of the service. In the event of a wrongful termination by the public utility, the public utility shall, in addition, be liable to the residential occupants or customer for actual damages resulting from the termination and for the costs of enforcement of this section, including, but not limited to, reasonable attorney's fees, if the residential occupants or the representative of the residential occupants make a good faith effort to have the service continued without interruption.

(i) The public utility shall adopt rules and regulations necessary to implement this section and shall liberally construe this section to accomplish its purpose of ensuring that service to residential occupants is not terminated due to nonpayment by the customer unless the public utility has made every reasonable effort to continue service to the residential occupants. The rules and regulations shall include, but are not limited to, guidelines for assistance to actual users in the enforcement of this section and requirements for the notice prescribed by subdivision (a), including, but not limited to, clear wording, large and boldface type, and comprehensive instructions to ensure full notice to the actual user.

(j) Nothing in this section broadens or restricts any authority of a local agency that existed prior to January 1, 1989, to adopt an ordinance protecting a residential occupant from the involuntary termination of residential public utility service.

(k) This section preempts any statute or ordinance permitting punitive damages against any owner, manager, or operator on account of an involuntary termination of residential public utility service or permitting the recovery of costs associated with the formation, maintenance, and termination of a tenants' association.

(l) For purposes of this section, "representative of the residential occupants" does not include a tenants' association.

10009.6. (a) The decision of a public utility to require a new residential applicant to deposit a sum of money with the public utility prior to establishing an account and furnishing service shall be based solely upon the creditworthiness of the applicant as determined by the public utility.

(b) No municipal corporation owning or operating a public utility furnishing services for residential use to a tenant under an account established by the tenant shall seek to recover any charges or penalties for the furnishing of services to, or for the tenant's residential use from, any subsequent tenant or the property owner due to nonpayment of charges by a previous tenant. For this purpose, the term "subsequent tenant" shall not include any adult person who lived at the residence during the period that the charges or penalties accrued. The municipal corporation may collect a deposit from the tenant service applicant prior to establishing an account for the tenant. The municipal corporation may not require that service to subsequent tenants be furnished on the account of the landlord or property owner unless the property owner voluntarily agrees to that requirement, nor may the municipal corporation refuse to furnish services to a tenant in the tenant's name based upon the nonpayment of charges by a previous tenant.

(c) A public utility subject to this section may not demand or receive security in an amount that exceeds twice the estimated average periodic bill or three times the estimated average monthly bill.

(d) In the event of tenant nonpayment of all or a portion of the bill, the deposit shall be applied to the final bill issued when service is terminated.

(e) This section shall not apply to master-metered apartment buildings.

10010. (a) No public utility furnishing light, water, power, or heat may terminate residential service for nonpayment of a delinquent account unless the public utility first gives notice of the delinquency and impending termination, as provided in Section 10010.1.

(b) No public utility shall terminate residential service for nonpayment in any of the following situations:

(1) During the pendency of an investigation by the public utility of a customer dispute or complaint.

(2) When a customer has been granted an extension of the period for payment of a bill.

(3) On the certification of a licensed physician and surgeon that to do so will be life threatening to the customer and the customer is financially unable to pay for service within the normal payment period and is willing to enter into an amortization agreement with the public utility pursuant to subdivision (e) with respect to all charges that the customer is unable to pay prior to delinquency.

(c) Any residential customer who has initiated a complaint or requested an investigation within five days of receiving the disputed bill, or who has, within 13 days of mailing of the notice required by subdivision (a), made a request for extension of the payment period of a bill asserted to be beyond the means of the customer to pay in full during the normal period for payment, shall be given an opportunity for review of the complaint, investigation, or request by a review manager of the public utility. The review shall include consideration of whether the customer shall be permitted to amortize the unpaid balance of the account over a reasonable period of time, not to exceed 12 months. No termination of service shall

be effected for any customer complying with the amortization agreement, if the customer also keeps the account current as charges accrue in each subsequent billing period.

(d) Any customer whose complaint or request for an investigation pursuant to subdivision (c) has resulted in an adverse determination by the public utility may appeal the determination to the governing body of the municipal corporation. Any subsequent appeal of the dispute or complaint to the governing body is not subject to this section.

(e) Any customer meeting the requirements of paragraph (3) of subdivision (b) shall, upon request, be permitted to amortize, over a period not to exceed 12 months, the unpaid balance of any bill asserted to be beyond the means of the customer to pay within the normal period for payment.

10010.1. (a) No public utility furnishing light, heat, water, or power may terminate residential service on account of nonpayment of a delinquent account unless the public utility first gives notice of the delinquency and impending termination, at least 10 days prior to the proposed termination, by means of a notice mailed, postage prepaid, to the customer to whom the service is billed, not earlier than 19 days from the date of mailing the public utility's bill for services, and the 10-day period shall not commence until five days after the mailing of the notice.

(b) Every public utility shall make a reasonable attempt to contact an adult person residing at the premises of the customer by telephone or personal contact, at least 24 hours prior to any termination of service, except that, whenever telephone or personal contact cannot be accomplished, the public utility shall give, by mail, in person, or by posting in a conspicuous location at the premises, a notice of termination of service, at least 48 hours prior to termination.

(c) Every public utility shall make available to its residential customers who are 65 years of age or older, or who are dependent adults as defined in paragraph (1) of subdivision (b) of Section 15610 of the Welfare and Institutions Code, a third-party notification service, whereby the public utility will attempt to notify a person designated by the customer to receive notification when the customer's account is past due and subject to termination. The notification shall include information on what is required to prevent termination of service. The residential customer shall make a request for third-party notification on a form provided by the public utility, and shall include the written consent of the designated third party. The third-party notification does not obligate the third party to pay the overdue charges, nor shall it prevent or delay termination of service.

(d) Every notice of termination of service pursuant to subdivision (a) shall include all of the following information:

(1) The name and address of the customer whose account is delinquent.

(2) The amount of the delinquency.

(3) The date by which payment or arrangements for payment is required in order to avoid termination.

(4) The procedure by which the customer may initiate a complaint or request an investigation concerning service or charges, except that, if the bill for service contains a description of that procedure, the notice pursuant to subdivision (a) is not required to contain that information.

(5) The procedure by which the customer may request amortization of the unpaid charges.

(6) The procedure for the customer to obtain information on the availability of financial assistance, including private, local, state, or federal sources, if applicable.

(7) The telephone number of a representative of the public utility who can provide additional information or institute arrangements for payment.

Every notice of termination of service pursuant to subdivision (b) shall include the items of information in paragraphs (1), (2), (3), (6), and (7). All written notices shall be in a clear and legible format.

(e) If a residential customer fails to comply with an amortization agreement, the public utility shall not terminate service without giving notice to the customer at least 48 hours prior to termination of the conditions the customer is required to meet to avoid termination, but the notice does not entitle the customer to further investigation by the public utility.

(f) No termination of service may be effected without compliance with this section. Any service wrongfully terminated shall be restored without charge for the restoration of service, and a notation thereof shall be mailed to the customer at his or her billing address.

10011. No electrical, gas, heat, or water public utility shall, by reason of delinquency in payment for any electric, gas, heat, or water services, cause cessation of any such services on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the public utility are not open to the public.

10011.5. Whenever a business transaction of a public utility, as defined in Section 10001, furnishing electricity, gas, water service where the utility has 10,000 or more service connections, or telephone service is such that a personal appearance by a person is required by the utility and the person is unable to appear at the utility's place of business during the utility's usual business hours, then the utility shall provide a reasonable and convenient alternative to the person such as an appointment outside the utility's usual business hours or allowing the person to conduct the transaction by telephone, mail, or both.

10012. Every public utility shall comply with Section 8029.5. {no PCB's in transformers.}

EXHIBIT D EXAMPLE OF DEPOSITS

Utility Billing Service Rules and Regulations
Page 70

Examples of Deposit Charges:

Deposits (updated August 2017)

Residential

Single Family Residential (Within City Limits):

Single Family Residential (95 Gal. Container):

Services that include:

Electricity (based on 325 kWh)	\$	45.81
Water (based on 10 units)		79.36
Wastewater (based on 7 units)		64.96
(based on 65 G Solid Waste Container)		30.88
	\$	<u>221.01</u>

Services that include:

Electricity (based on 325 kWh)	\$	45.81
Water (based on 10 units)		79.36
Wastewater (based on 7 units)		64.96
Solid Waste (based on 95 G Container)		39.97
	\$	<u>230.10</u>

Deposit Amount Examples

Rounded to the nearest \$5	\$	225.00
1.5 Deposit		340.00

Deposit Amount Examples

Rounded to the nearest \$5	\$	230.00
1.5 Deposit Amount		345.00

Apartments:

	#1 - Most Common Scenario, No Water Payments	Scenario #2 Electric Only	Scenario #3 Electric & Wastewater	Scenario #4 Electric & Solid Waste Only	All Services
Services that include:					
Electricity (based on 200 kWh)	\$ 28.19	\$ 28.19	\$ 28.19	\$ 28.19	\$ 28.19
Water (based on 7 units)	-	-	-	-	59.63
Wastewater (based on 6 units)	55.68	-	55.68	-	55.68
Solid Waste (multi-family)	22.46	-	-	22.46	22.46
Estimated Average Bill	\$ 106.33	\$ 28.19	\$ 83.87	\$ 50.65	\$ 165.96

Deposit Amount Examples

minimum deposit \$50	\$	110.00	\$	50.00	\$	85.00	\$	60.00	\$	170.00
1.5 Deposit Amount		165.00		50.00		130.00		90.00		255.00

Broadband with additional services:	\$	50.00
Broadband separately:		75.00

Commercial and Industrial

Deposits will be based on an average of the previous service or similar type of activity