

14. Discontinuance of Service and Complaints - Non-residential Service
(Cont'd.)

A. Termination of Service: (Cont'd.)

(b) Final Notice of Termination: (Cont'd.)

- (2) A final notice of termination may contain any additional information not inconsistent with this rule.
- (3) A final notice of termination may not be issued or sent unless at least 20 calendar days have elapsed from the date payment was due, or the date given in a written notice to cure a tariff violation, or, as provided in Rule 12.F.(3)(kkk), where the reason for the notice is the failure to provide access, except that a final notice of termination for non-payment may be issued or sent on or after the date payment was due in the following circumstances:
 - (i) when any portion of the charge that the customer has failed to pay is for unmetered service that was being supplied through tampered equipment and for which an unmetered service bill in accordance with 16 NYCRR 13.1(e) has been rendered.
 - (ii) when the charge that the customer has failed to pay is the installment amount due in accordance with a deferred payment agreement; or
 - (iii) when the Company has accepted a written waiver of the customer's right not to be sent a termination notice in accordance with the provisions of Rule 4.B(d)(2).
- (4) A final notice of termination shall not be sent while a complaint is pending before the Company or the Commission for non-payment of the disputed charges or for any other reason that is the subject of the complaint as provided in 16 NYCRR 12.3. Nothing in this rule bars the Company from sending such notice for non-payment of undisputed charges or for reasons not at issue in the complaints.

(c) Physical Termination of Service:

- (1) The Company shall not terminate service for the reasons set forth in paragraph (a)(1) of this rule:
 - (i) for five calendar days after a final notice of termination has been personally served upon the customer; or
 - (ii) for eight calendar days after a final notice of termination has been mailed to the customer at the location where service is rendered or to any alternative address for mailing purposes previously provided to the Company.