

14.3 Deferred Payment Agreement - Non-residential Customers:

(a) Company's Obligations:

- (1) The Company shall provide a written notice offering a deferred payment agreement to an eligible non-residential customer at the following times:
 - (i) not less than five calendar days before the date of a scheduled termination of service for non-payment of arrears, as indicated on a final termination notice, or eight calendar days, if mailed, provided the customer has been a customer for at least six months and the arrears on which the outstanding termination notice is based exceeds two months average billing; and
 - (ii) when it renders a backbill, which exceeds the cost of twice the customer's average monthly usage or \$100, whichever is greater; provided, however, that the Company shall not be required to offer an agreement when the customer knew, or reasonably should have known, that the original billing was incorrect.
- (2) If the Company and a customer agree to terms of a deferred payment agreement in a telephone conversation, the Company shall send the customer two fully completed copies of the agreement, signed by the Company, for the customer to sign and return.

(b) Eligibility:

- (1) Any non-residential customer is eligible for a deferred payment agreement except the following:
 - (i) a customer who owes any amounts under a prior deferred payment agreement;
 - (ii) a customer who failed to make timely payments under a prior deferred payment agreement in effect during the previous 12 months;
 - (iii) a customer that is a publicly held company, or a subsidiary thereof;
 - (iv) a seasonal, short-term or temporary customer;
 - (v) a customer who during the previous 12 months had a combined total consumption for all its accounts with the Company in excess of 4,000 therms;
 - (vi) a customer who the Company can demonstrate has the resources to pay the bill, provided that the Company notifies the customer of its reasons and of the customer's right to contest this determination through the Commission's complaint procedures.