



## Ohio Administrative Code

### Rule 4901:1-13-08 Standards specific to the provision of small commercial gas service.

Effective: August 5, 2021

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This rule addresses standards involving creditworthiness, deposits, bases for denial or disconnection, notice requirements and reconnection for small commercial customers.

(A) Creditworthiness for establishing small commercial gas service.

(1) Each gas or natural gas company shall establish equitable and nondiscriminatory written procedures to determine creditworthiness of customers for small commercial gas service. These procedures shall be submitted in current form to the commission staff upon request.

(2) Upon request, each gas or natural gas company shall provide small commercial gas service customers with their credit history with that company, a copy of this rule, the commission's website, and the toll-free number of the commission's consumer hotline. Hearing or speech impaired customers may contact the commission via 7-1-1 (Ohio relay service).

(B) Deposits for establishing and reestablishing small commercial gas service.

(1) Review of deposit upon small commercial customer request.

(a) Each gas or natural gas company which requires a cash deposit shall communicate all of the following to the small commercial customer:

(i) The reason(s) for its decision.

(ii) The options available to establish credit.

(iii) That the small commercial customer may contest the company's decision and show creditworthiness.



- (iv) That the small commercial customer may raise concerns with the public utilities commission of Ohio, which has staff available to provide assistance with complaints.
- (v) The commission's website and the toll-free number of the commission's call center. Hearing or speech impaired customers may contact the commission via 7-1-1 (Ohio relay service).
- (b) Upon request of the small commercial customer, the information in paragraph (B)(1)(a) of this rule shall be provided in writing.
- (2) Upon acceptance of a deposit under this rule, each gas or natural gas company shall furnish a receipt to the small commercial customer, showing all of the following: the name of the small commercial customer; the address of the premises currently served or to be served; the billing address for service; the amount of the deposit; a statement as to the interest rate to be paid; the length of time the deposit must be held to qualify for interest; and the conditions for refunding the deposit.
- (3) In retaining and returning deposits for small commercial gas service, the gas or natural gas company shall do all of the following:
- (a) Review, on a biennial basis, each small commercial account for which a deposit has been held for twenty-four months and promptly refund the deposit or credit the small commercial customer's account, plus any interest accrued, if during the preceding twenty-four months all of the following conditions are satisfied:
- (i) The small commercial customer's service was not disconnected for nonpayment, a fraudulent practice, tampering, or unauthorized reconnection.
- (ii) The small commercial customer had no more than three past due bills.
- (iii) The small commercial customer is not then delinquent in payment of bills.
- (b) Pay interest of not less than three per cent per annum on a deposit, provided the company has held the deposit for at least six consecutive months.



(c) When service is terminated or disconnected, promptly apply the deposit and interest accrued to the final bill for service and refund any amount in excess of the final bill to the small commercial customer. A transfer of service within the gas or natural gas company territory or service area shall not be deemed a disconnection under this paragraph.

(C) Reasons to deny or disconnect small commercial service. Each gas or natural gas company may refuse or disconnect service to small commercial customers only in the following circumstances:

(1) When the small commercial customer violates or fails to comply with a contract approved by the commission pursuant to section 4905.31 of the Revised Code, or the gas or natural gas company tariff(s).

(2) When gas or natural gas company service to a small commercial customer or consumer violates any law of this state or any political subdivision thereof, or any federal law or regulation.

(3) When a small commercial customer or consumer tampers with gas or natural gas company property or engages in a fraudulent practice to obtain service, as set forth in rule 4901:1-13-09 of the Administrative Code.

(4) When a small commercial customer uses gas or equipment which adversely affects gas or natural gas company service to other customers or consumers, e.g., interruptions of service.

(5) When a safety hazard or emergency may threaten the health and safety of any of the following: the premises, occupants of the premises, the surrounding area, the public, the gas or natural gas company's personnel, or the operation or integrity of the gas or natural gas company's facilities.

(6) When a small commercial customer, a landlord of a small commercial customer, or a tenant leasing a landlord or small commercial customer's premises prevents access to gas or natural gas company facilities or equipment on the property.

(7) When a small commercial gas or natural gas company customer has failed to pay bills and any tariffed charges, including deposits and amounts not in bona fide dispute. Where the small commercial customer has a bona fide dispute, the gas or natural gas company shall not disconnect



service if the small commercial customer pays either the undisputed portion of the bill or the amount paid for the same billing period in the previous year.

(8) When a small commercial customer vacates the premises.

(9) When repairs are necessary, provided that the gas or natural gas company has reasonably attempted to notify the small commercial customer and, if the small commercial customer is not located at the service location, the consumer, prior to scheduled maintenance interruptions in excess of four hours.

(10) Upon the small commercial customer's request.

(11) When a former small commercial customer, whose account with that gas or natural gas company is still in arrears for service previously furnished at the premises, has again requested service for those premises.

(12) When a small commercial customer does not meet the gas or natural gas company's creditworthiness standards.

(13) For other good cause shown.

(D) Notice requirements when disconnecting small commercial service.

(1) Except as otherwise provided by contract approved by the commission pursuant to section 4905.31 of the Revised Code, each gas or natural gas company shall give the small commercial customer written notice, not less than five business days after the postmark date, before service is disconnected, when any of the following conditions exist:

(a) Violation of or noncompliance with the contract or gas or natural gas company's tariff(s) that applies to small commercial customer service.

(b) The small commercial customer prevents access to gas or natural gas company facilities or equipment on the property.



(c) For nonpayment of bills and any tariffed charges, including security deposits and amounts not in a bona fide dispute.

(2) Prior notice from the gas or natural gas company is not required when a safety hazard or emergency may threaten the health or safety of any of the following: the premises, occupants of the premises, the surrounding area, the public, the gas or natural gas company's personnel, or the operation or integrity of the gas or natural gas company's facilities.

(3) The disconnection notice itself or the documents accompanying the disconnection notice shall clearly display all of the following, as applicable:

(a) The delinquent or invoiced billing account number.

(b) The dollar amounts for any past due amounts, any reconnection charge, and any deposit owed.

(c) The earliest date when disconnection may occur.

(d) The address and toll-free telephone number of the gas or natural gas company office for customers to contact about their accounts.

(e) A statement that the commission staff is available to render assistance with unresolved complaints, and the commission's website and toll-free number of the commission's call center. Hearing or speech impaired customers may contact the commission via 7-1-1 (Ohio relay service).

(f) A statement that the small commercial customer's failure to pay the amount required at the gas or natural gas company's office or to one of its authorized agents or by other acceptable available means by the date specified in the notice may result in a deposit and in a charge for reconnection.

(g) A statement that the nonpayment of charge(s) for ancillary service unrelated to regulated distribution service shall not result in the disconnection of regulated gas distribution service.

(h) A specific description of the reasons for disconnection of service.



(E) Reconnection of small commercial service.

(1) Unless a small commercial customer requests or agrees otherwise, a gas or natural gas company shall reconnect service after any of the following occurs:

(a) The gas or natural gas company receives the full amount in arrears, for which service was disconnected, and the gas or natural gas company receives any deposit authorized under this chapter and any tariffed charges.

(b) The gas or natural gas company agrees with the customer on a deferred payment plan and receives a payment (if required under the plan), and the gas or natural gas company receives any deposit authorized under this chapter and any tariffed charges.

(c) The customer establishes that the conditions that warranted disconnection of service have been eliminated.

(2) Before small commercial gas service is reconnected, a gas or natural gas company may not require a small commercial customer to pay any of the following to have service reconnected:

(a) Any amount owed but not yet past due.

(b) If the small commercial customer has multiple small commercial accounts, any amount owed or overdue on those other small commercial accounts.

(3) Upon payment or proof of payment of the delinquent amount as stated on the disconnection notice and any applicable reconnection charge, the gas or natural gas company shall reconnect service that has been disconnected for nonpayment pursuant to the following provisions:

(a) For customers disconnected from service for ten business days or less, the gas or natural gas company may assess a reconnection charge and shall reconnect to service by the close of the following regular company working day.



(b) For customers disconnected from service for more than ten business days, the gas or natural gas company may treat the customers as new customers and connect service consistent with the timeframe in rule 4901:1-13-05 of the Administrative Code. In addition, the gas or natural gas company may assess a customer a reconnection charge in accordance with approved tariffs.

(c) If service is disconnected for nonpayment for no more than ten business days and the customer wishes to guarantee the reconnection of service the same day on which payment is rendered, the customer must provide proof of payment to the company no later than twelve-thirty p.m. If the customer requests that reconnection occur after normal business hours, and such service is offered by the company, the company may require the customer to pay or agree to pay the company's approved tariff charges for after-hours reconnection. The company may collect this fee prior to reconnection or with the customer's next monthly billing.

(d) The gas or natural gas company shall not assess a reconnection charge unless it has actually disconnected the service. The gas or natural gas company may, however, assess a collection charge if the collection charge is part of the company's approved tariff. The collection charge shall not be assessed more than once per billing cycle.