

NEW MEXICO GAS COMPANY

NEW MEXICO
PUBLIC REGULATION
COMMISSION
FILED

FIRST REVISED RULE NO. 19
CANCELLING ORIGINAL RULE NO. 19

2013 MAR 12 PM 2 52

DISCONTINUATION OF NON-RESIDENTIAL SERVICE

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I. Policy x

It is the policy of the Company to provide the Non-Residential Customer the required notices and services pursuant to this Rule. x

II. Definitions x

1. Final Notice for Non-Residential Customers shall mean the personal communication with a Non-Residential Customer by telephone, hand delivery or other electronic communications at least two (2) days prior to the specific date of discontinuance of service, excluding Sundays and holidays observed by the Company, to remind the Non-Residential Customer of the pending date of the discontinuance of service. x

2. Specific Date shall mean an exact date or a period of no more than five (5) business days beginning with an exact date. The date specified on the most recent bill or notice as the date by which past due amounts must be paid to avoid discontinuance of service constitutes a specific date. x

III. Procedure

1. Before discontinuing service for non-payment the Company shall issue a Final Notice. Service may be refused or discontinued by the Company for any of the reasons listed below. Unless otherwise stated, the Non-Residential Customer shall be allowed a reasonable time in which to comply with the Rule before service is discontinued, except as provided in a, b, c and e below. x

- a. Without prior notice in the event of a condition determined by the Company to be hazardous; x
- b. Without prior notice in the event of the Non-Residential Customer's use of equipment in such manner as to adversely affect the Company's equipment or the service to others; x
- c. Without prior notice in the event of the Non-Residential Customer's tampering with, damaging, or deliberately destroying the equipment furnished and owned by the Company; x
- d. Without prior notice in the event of unauthorized use of service provided by the Company; x
- e. Without prior notice in the event of an emergency;
- f. For violation and/or noncompliance with these Rules, which are on file with and approved by the NMPRC;

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REPLACED BY NMPRC
Operation of Law

Advice Notice No. 37

Rebecca Carter

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- g. For failure of the Non-Residential Customer to fulfill the contractual obligations for service and/or facilities subject to regulation by the NMPRC; x
 - h. For refusal to grant access at reasonable times to equipment installed upon the premises of the Non-Residential Customer for the purpose of inspection, meter reading, maintenance or replacement;
 - i. For failure of the Non-Residential Customer to provide the Company with a deposit as authorized by the Company. x
 - j. For failure of the Non-Residential Customer to furnish such service equipment, permits, certificates, and/or rights-of-way, as shall have been specified by the Company as a condition to obtaining service or in the event such equipment or permissions are withdrawn or terminated; x
 - k. For failure to pay for service of the same class at a previous metering point or points; and/or
 - l. In the event a previous Customer who has been disconnected for nonpayment or who has an outstanding balance still resides within the Company's service territory.
2. When service is discontinued for any of the above reasons, the Company shall have a reasonable period of time to restore service.
3. The Company may refuse to resume service to any Non-Residential Customer whose service has been properly disconnected until the reason for such disconnection has been remedied and a service initiation fee and security deposit paid as authorized by the Commission and these Rules. x
4. When the Company has determined a Non-Residential Customer is bypassing a meter or otherwise interfering with the proper registration of consumption, and has discontinued service pursuant to this Rule, Section III, paragraph 1.c., service will not be restored until: x
- a. The bypass is removed;
 - b. Payment for all damages to the metering equipment and payment of the Company's estimate of the consumption for the period during which the meter was tampered with has been made; and
 - c. The Non-Residential Customer has installed at his/her expense, if required by the Company, an approved type of meter or other necessary equipment, which shall be installed on the outside of the building. x

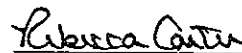
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5. Non-Residential Customers who intend to move from the premises or discontinue the use of utility service or in any way terminate their liability hereunder shall give the Company reasonable notice of such intention, and the Non-Residential Customer will be liable for all consumption that may be used upon the premises until such notice is given and the Company has made the final meter reading. x
6. Whenever the Company shall permanently discontinue the delivery of utility service to any Non-Residential Customer's premises it shall have the right at any reasonable time thereafter to enter upon the premises without notice and remove there from its meter, and any other Company property. x

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