

N. Discontinuance of Service - Non-residential: (Cont'd.)

5. Deferred payment Agreement: Non-residential Customers:

- (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;