

COLORADO DEPARTMENT OF REGULATORY AGENCIES

Public Utilities Commission

4 CODE OF COLORADO REGULATIONS (CCR) 723-3

PART 3 RULES REGULATING ELECTRIC UTILITIES

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[indicates omission of unaffected rules]

BILLING AND SERVICE

3400. Applicability.

Rules 3400 through 3411 apply to residential customers, small commercial customers and agricultural customers served pursuant to a utility's rates or tariffs. In its tariffs, a utility shall define "residential," "small commercial" and "agricultural" customers to which these rules apply. The utility may elect to apply the same or different terms and conditions of service to other customers.

3401. Billing Information and Procedures.

- (a) All bills issued to customers for metered service furnished shall show:
 - (I) The dates and meter readings beginning and ending the period during which service was rendered.
 - (II) An appropriate rate or rate code identification.
 - (III) The net amount due for regulated charges.
 - (IV) The date by which payment is due, which shall not be earlier than 15 days after the mailing or the hand-delivery of the bill.
 - (V) A distinct marking to identify an estimated bill.
 - (VI) The total amount of all payments or other credits made to the customer's account during the billing period.
 - (VII) Any past due amount. Unless otherwise stated in a tariff or Commission rule, an account becomes "past due" on the 31st day following the due date of current charges.
 - (VIII) The identification of, and amount due for, unregulated charges, if applicable.

- (IX) Any transferred amount or balance from any account other than the customer's current account.
- (X) All other essential facts upon which the bill is based, including factors and constants, as applicable.
- (b) A utility that bills for unregulated services or goods shall allocate partial payments first to regulated charges and then to unregulated charges or non-tariff charges and to the oldest balance due separately within each category.
- (c) A utility that transfers to a customer a balance from the account of a person other than that customer shall have in its tariffs the utility's benefit of service transfer policies and criteria. The tariffs shall contain an explanation of the process by which the utility will verify, prior to billing a customer under the benefit of service tariff, that the person to be billed in fact received the benefit of service.
- (d) A utility may transfer a prior unpaid debt to a customer's bill if the prior bill was in the name of the customer and the utility has informed the customer of the transferred amount and of the source of the unpaid debt (for example, and without limitation, the address of the premises to which service was provided and the period during which service was provided).
- (e) If it is offered in a tariff, upon request from a customer and where it is technically feasible, a utility may have the option to provide electronic billing (e-billing), in lieu of a typed or machine-printed bill, to the requesting customer. If a utility offers the option of e-billing, the following shall apply:
 - (I) The utility shall obtain the affirmative consent of a customer to accept such a method of billing in lieu of printed bills.
 - (II) The utility shall not charge a fee for billing through the e-billing option.
 - (III) The utility shall not charge a fee based on customer payment options that is different from the fee charged for the use of the same customer payment options by customers who receive printed bills.
 - (IV) A bill issued electronically shall contain the same disclosures and Commission-required information as those contained in the printed bill provided to other customers.
- (f) Medical exemption from tiered rate plans.
 - (I) Any electric utility that has a Commission approved tiered rate plan, also known as inverted block rates, shall file an Advice Letter and tariff, consistent with 4 CCR 723-1-1210, providing non-preferential rates for residential customers who elect alternate rates due to a qualifying medical condition and/or use of essential life support equipment. The effect of such an exemption shall be neutral with respect to the utility's revenue requirement. If a customer qualifies for the alternate rate, that customer shall not be precluded from participating in any low-income program offered by the utility.

- (II) Certification of a qualifying medical condition and/or use of essential life support equipment shall be valid for one year. Certification of a qualifying medical condition and/or use of essential life support equipment shall:
 - (A) Be in writing
 - (B) Be sent to the utility from the office of a licensed physician;
 - (C) Clearly state the name of the customer or individual whose medical condition and/or use of life support equipment is at issue; and
 - (D) Clearly state the Colorado medical identification number, phone number, name, and signature of the physician or health care practitioner acting under a physician's authority certifying the existence of a qualifying medical condition and/or use of essential life support equipment.
- (III) Such certification shall be incontestable by the utility as to the medical judgment, although the utility may use reasonable means to verify the authenticity of such certification.
- (IV) If the electric utility has a Commission approved tiered rate plan as of July 13, 2011, the tariff filing of non-preferential rates for qualifying customers shall be made by February 1, 2012. If an electric utility requests Commission approval of a tiered rate plan after July 13, 2011, the utility shall include in its tiered rate plan request, a non-preferential rate for customers with a qualifying medical condition and/or use of qualifying life support equipment.

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[indicates omission of unaffected rules]