

ELECTRIC TARIFF

RULES, REGULATIONS AND CONDITIONS OF SERVICE

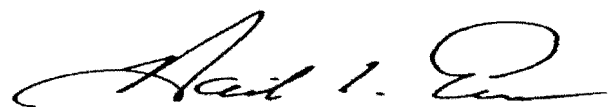
7. REFUSAL, DISCONTINUANCE AND SUSPENSION OF SERVICE

- (a) **Disconnection with notice.** Electric utility service may be disconnected after proper notice for any of these reasons:
- (1) failure to pay a bill for electric utility service or make deferred payment arrangements by the date of disconnection;
 - (2) failure to comply with the terms of a deferred payment agreement;
 - (3) violation of the Company's rules on using service in a manner which interferes with the service of others or the operation of nonstandard equipment, if a reasonable attempt has been made to notify the Customer and the Customer is provided with a reasonable opportunity to remedy the situation;
 - (4) failure to pay a deposit as required by §25.24 of the Commission's Substantive Rules (relating to Credit Requirements and Deposits); or
 - (5) failure of the guarantor to pay the amount guaranteed, when the Company has a written agreement, signed by the guarantor, that allows for disconnection of the guarantor's service.
- (b) **Disconnection without prior notice.** Electric utility service may be disconnected without prior notice for any of the following reasons:
- (1) where a known dangerous condition exists for as long as the condition exists. Where reasonable, given the nature of the hazardous condition, the Company shall post a notice of disconnection and the reason for the disconnection at the place of common entry or upon the front door of each affected residential unit as soon as possible after service has been disconnected;
 - (2) where service is connected without authority by a person who has not made application for service;
 - (3) where service was reconnected without authority after termination for nonpayment; or
 - (4) where there has been tampering with the Company's equipment or evidence of theft of service.
- (c) **Disconnection prohibited.** Electric utility service may not be disconnected for any of the following reasons:
- (1) delinquency in payment for electric utility service by a previous occupant of the premises;

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PRESIDENT AND CEO,
SOUTHWESTERN PUBLIC SERVICE COMPANY

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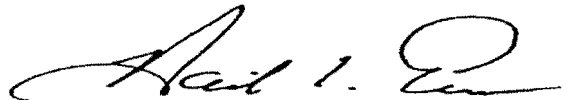
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- (2) failure to pay for merchandise, or charges for non-electric utility service;
 - (3) failure to pay for a different type or class of electric utility service unless charges for such service were included on that account's bill at the time service was initiated;
 - (4) failure to pay charges arising from an underbilling, except theft of service, more than six months prior to the current billing;
 - (5) failure to pay disputed charges, except for the required average billing payment, until a determination as to the accuracy of the charges has been made by the Company or the Commission and the Customer has been notified of this determination;
 - (6) failure to pay charges arising from an underbilling due to any faulty metering, unless the meter has been tampered with or unless such underbilling charges are due under §25.126 of the Commission's Substantive Rules (relating to Meter Tampering); or
 - (7) failure to pay an estimated bill other than a bill rendered pursuant to an approved meter-reading plan, unless the Company is unable to read the meter due to circumstances beyond its control.
- (d) **Disconnection on holidays or weekends.** Unless a dangerous condition exists or the Customer requests disconnection, service shall not be disconnected on holidays or weekends, or the day immediately preceding a holiday or weekend, unless the Company personnel are available on those days to take payments and reconnect service.
- (e) **Disconnection due to electric utility abandonment.** The Company may not abandon a Customer or a certified service area without written notice to its Customers and all similar neighboring utilities, and approval from the Commission.
- (f) **Disconnection of ill and disabled.** The Company may not disconnect service at a permanent, individually metered dwelling unit of a delinquent Customer when that Customer establishes that disconnection of service will cause some person residing at that residence to become seriously ill or more seriously ill.

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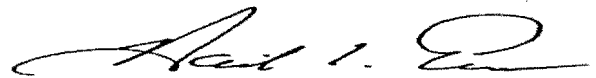
7. REFUSAL, DISCONTINUANCE AND SUSPENSION OF SERVICE

- (1) Each time a Customer seeks to avoid disconnection of service under this subsection, the Customer must accomplish all of the following by the stated date of disconnection:
- (A) have the person's attending physician (for purposes of this subsection, the term "physician" shall mean any public health official, including medical doctors, doctors of osteopathy, nurse practitioners, registered nurses, and any other similar public health official) call or contact the Company by the stated date of disconnection;
 - (B) have the person's attending physician submit a written statement to the Company; and
 - (C) enter into a deferred payment plan.
- (2) The prohibition against service termination provided by this subsection shall last 63 days from the issuance of the Company's bill or a shorter period agreed upon by the Company and the Customer or physician.
- (g) **Disconnection of energy assistance clients.** The Company may not terminate service to a delinquent residential Customer for a billing period in which the Company receives a pledge, letter of intent, purchase order, or other notification that the energy assistance provider is forwarding sufficient payment to continue service.
- (h) **Disconnection during extreme weather.** The Company cannot disconnect a Customer anywhere in its Texas service territory on a day when:
- (1) the previous day's highest temperature did not exceed 32 degrees Fahrenheit, and the temperature is predicted to remain at or below that level for the next 24 hours, according to the nearest National Weather Service (NWS) reports; or
 - (2) the NWS issues a heat advisory for any county in the Company's Texas service territory, or when such advisory has been issued on any one of the preceding two calendar days.

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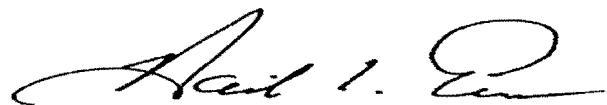
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- (i) **Disconnection of master-metered apartments.** When a bill for electric utility services is delinquent for a master-metered apartment complex:
- (1) The Company shall send a notice to the Customer as required in subsection (j) of this section. At the time such notice is issued, the Company shall also inform the Customer that notice of possible disconnection will be provided to the tenants of the apartment complex in six days if payment is not made before that time.
 - (2) At least six days after providing notice to the Customer and at least four days before disconnecting, the Company shall post a minimum of five notices in conspicuous areas in the corridors or other public places of the apartment complex. Language in the notice shall be in large type and shall read: "Notice to residents of (name and address of apartment complex): the Company service to this apartment complex is scheduled for disconnection on (date), because (reason for disconnection)."
- (j) **Disconnection notices.** Any disconnection notice issued by the Company to a Customer must:
- (1) not be issued before the first day after the bill is due, to enable the Company to determine whether the payment was received by the due date. Payment of the delinquent bill at the Company's authorized payment agency is considered payment to the Company.
 - (2) be a separate mailing or hand delivered with a stated date of disconnection with the words "disconnection notice" or similar language prominently displayed.
 - (3) have a disconnection date that is not a holiday or weekend day, not less than ten days after the notice is issued.
 - (4) be in English and in Spanish.
 - (5) include a statement notifying the Customer that if they need assistance paying their bill by the due date, or are ill and unable to pay their bill, they may be able to make some alternate payment arrangement, establish deferred payment plan, or possibly secure payment assistance. The notice shall also advise the Customer to contact the Company for more information.

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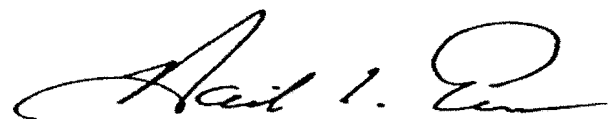
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- (k) **Suspension of Service for Repairs and Changes:** When necessary to make repairs to or changes in the Company's plant, generating equipment, transmission or distribution system, or other property, the Company may suspend service for such periods as may be reasonably necessary, and in such manner as not to inconvenience the Customer unnecessarily. The Company shall be liable to the Customer for any damages occasioned by such suspension only when the damages are the result of negligence on the part of the Company. The Company will endeavor to give reasonable notice to the Customer of the Company's intention to suspend service.

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