

NOTICE OF  
PROPOSED RULE AMENDMENT

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301 and Subsection 53C-1-201(3)(c).
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Office of Administrative Rules.

Agency Information

1. Agency: Public Service Commission - Administration  
 Room no.:  
 Building: HEBER M WELLS BLDG  
 Street address 1: 160 E 300 S  
 Street address 2:  
 City, state, zip: SALT LAKE CITY UT 84111-2316  
 Mailing address 1: PO BOX 45585  
 Mailing address 2:  
 City, state, zip: SALT LAKE CITY UT 84111-5585

Contact person(s):

Name:	Phone:	Fax:	E-mail:
Sheri Bintz	801-530-6714	801-530-6796	sbintz@utah.gov
Michael Hammer	801-530-6729		michaelhammer@utah.gov

(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Information

DAR file no: 41337 Date filed: 03/02/2017 08:13 AM  
 State Admin Rule Filing Key: 158568  
 Utah Admin. Code ref. (R no.): R 746 - 200 - 7  
 Changed to Admin. Code ref. (R no.): - -

Title

2. Title of rule or section (catchline):  
 Termination of Service

Notice Type

3. Type of notice: Amendment

Rule Purpose

4. Purpose of the rule or reason for the change:

The purpose of this proposed amendment is to update the rule to allow utilities to send the initial required notice of termination by electronic mail to those customers who have opted into the utilities' paperless electronic billing system.

Response Information

5. This change is a response to comments by the Administrative Rules Review Committee.

No

Rule Summary

6. Summary of the rule or change:

Presently, Rule 746-200-7 requires utilities to send initial termination notices by first class mail or personal delivery, including to those customers who have expressed a preference for and opted into a paperless electronic billing program. The amendment allows the initial notice to be sent electronically to customers who participate in paperless billing. The rule will continue to require notice 48 hours before termination and that notice will not be eligible for electronic delivery.

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected: No

The proposed rule changes should not result in any costs to the State because the changes the State does not bear the cost of sending termination notices, but the rule change is expected to result in cost savings to utilities that offer paperless billing.

B) Local government:

Affected: No

The rule applies to utilities in Utah. Local governments operating utilities are already expected to operate pursuant prudent and customary industry standards. No anticipated costs are expected.

C) Small businesses:

Affected: No

("small business" means a business employing fewer than 50 persons)

The rule applies to operators of utilities and no impact on small business is anticipated.

D) Persons other than small businesses, businesses, or local government entities:

Affected: No

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)

The rule applies to utilities in Utah and no effects on persons other than utilities are anticipated.

Compliance Cost Information

8. Compliance costs for affected persons:

Compliance costs for affected persons are not expected; the amendment is expected to result in cost savings for utilities that offer paperless billing.

Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

The proposed rule change should not result in any additional costs on utilities or any other business. To the extent the amendment has any impact on utilities' costs, it is anticipated the change will result in cost savings.

B) Name and title of department head commenting on the fiscal impacts:

Thad LeVar, Chair

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :

54-4-7

54-4-1

54-7-25

54-7-9

Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by reference (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank) :

Official Title of Materials Incorporated (from title page):

Publisher:

Date Issued:

Issue, or version:

ISBN Number:

ISSN Number:

Cost of Incorporated Reference:

Adds, updates, removes:

Comments

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) :

05/01/2017

B) A public hearing (optional) will be held:

On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy):

05/08/2017

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After a minimum of seven days following the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Indexing Information

14. Indexing information - keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):  
termination notice

File Information

15. Attach an RTF document containing the text of this rule change (filename):  
There is a document associated with this rule filing.

To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

Agency Authorization

Agency head or designee, and title:

Michael Hammer  
Administrative Law Judge

Date (mm/dd/yyyy): 03/02/2017