

Regulation for Customer Service and Protection during an Extreme Weather Emergency.

Texas Administrative Code

[TITLE 16](#)

ECONOMIC REGULATION

[PART 1](#)

RAILROAD COMMISSION OF TEXAS

[CHAPTER 7](#)

GAS SERVICES

[SUBCHAPTER D](#)

CUSTOMER SERVICE AND PROTECTION

RULE §7.460

Suspension of Gas Utility Service Disconnection During an Extreme Weather Emergency

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- (a) Applicability and scope. This rule applies to gas utilities, as defined in Texas Utilities Code, §101.003(7) and §121.001, and to owners, operators, and managers of mobile home parks or apartment houses who purchase natural gas through a master meter for delivery to a dwelling unit in a mobile home park or apartment house, pursuant to Texas Utilities Code, §§124.001-124.002, within the jurisdiction of the Railroad Commission pursuant to Texas Utilities Code, §102.001. For purposes of this section, all such gas utilities and owners, operators and managers of master meter systems shall be referred to as "providers." Providers shall comply with the following service standards. A gas distribution utility shall file amended service rules incorporating these standards with the Railroad Commission in the manner prescribed by law.
- (b) Disconnection prohibited. Except where there is a known dangerous condition or a use of natural gas service in a manner that is dangerous or unreasonably interferes with service to others, a provider shall not disconnect natural gas service in the following circumstances.
- (1) A provider shall not disconnect a delinquent residential customer during an extreme weather emergency. An extreme weather emergency means a day when 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 Station for the county where the customer takes service.
 - (2) A provider shall not disconnect a delinquent residential customer for a billing period in which the provider receives a written pledge, letter of intent, purchase order, or other written notification from an energy

assistance provider that it is forwarding sufficient payment to continue service.

- (3) A provider shall not disconnect a delinquent residential customer on a weekend day, unless personnel or agents of the provider are available for the purpose of receiving payment or making collections and reconnecting service.

(c) Payment plans. Providers shall defer collection of the full payment of bills that are due during an extreme weather emergency until after the emergency is over, and shall work with customers to establish a payment schedule for deferred bills as set forth in §7.45 of this title (relating to Quality of Service).

(d) Notice. Beginning in the September or October billing periods utilities and owners, operators, or managers of master metered systems shall give notice as follows:

- (1) Each utility shall provide a copy of this rule to the social services agencies that distribute funds from the Low Income Home Energy Assistance Program within the utility's service area.
- (2) Each utility shall provide a copy of this rule to any other social service agency of which the provider is aware that provides financial assistance to low income customers in the utility's service area.
- (3) Each utility shall provide a copy of this rule to all residential customers of the utility and customers who are owners, operators, or managers of master metered systems.
- (4) Owners, operators, or managers of master metered systems shall provide a copy of this rule to all of their customers.

(e) In addition to the minimum standards specified in this section, providers may adopt additional or alternative requirements if the provider files a tariff with the Commission pursuant to §7.315 of this title (relating to Filing of Tariffs). The Commission shall review the tariff to ensure that at least the minimum standards of this section are met.

(f) In accordance with Texas Utilities Code §105.023, the Office of the Attorney General of Texas on its own initiative or at the request of the Commission may file suit to recover a civil penalty for a violation of subsection (b)(1) or (c) of this section. The table in this subsection contains a classification system to be used by a court when such a suit is filed.

Figure: 16 TAC §7.460(f)

Classification System

Violation Factors	Factor Value (1-4)	Points Tally
Customer is disconnected in violation of subsection (b)(1) of this section for 24 hours or more	4	
Customer is disconnected in violation of subsection (b)(1) of this section for less than 24 hours, but more than 12 hours	3	
Customer is disconnected in violation of subsection (b)(1) of this section for 12 hours or less	2	
Demand for collection of full payment of bills due is made during an extreme weather emergency	3	
The temperature is 10 degrees or less during the period of disconnection	4	
The temperature is more than 10 degrees but less than or equal to 20 degrees during the period of disconnection	3	
The temperature is more than 20 degrees but less than or equal to 32 degrees during the period of disconnection	2	
Repeat violations based on provider's history of compliance	3	
Good faith effort to remedy violation	-2	
No effort to remedy violation during the extreme weather emergency	4	
		Total
		Penalty maximum per violation
10 points or more = Class A violation		More than \$5,000 ¹
7-9 points = Class B violation		\$5,000
4-6 points = Class C violation		\$4,000
1-3 points = Class D violation		\$3,000

Source Note: The provisions of this §7.460 adopted to be effective May 12, 2002, 27 TexReg 3769; amended to be effective May 14, 2018, 43 TexReg 2997; amended to be effective December 5, 2023, 48 TexReg 7044