

CITY OF DULUTH

Policy Manual

ComfortSystems

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Definitions

For the purposes of this Policy Manual, the following words and phrases shall have the meanings respectively ascribed to them by the City of Duluth Code:

Applicant. Any person or persons applying for water or gas service from the Department and any guarantor of payment for such service as provided for this manual.

Commission. The Duluth public utilities commission established pursuant to Article XXXV of Chapter 2 of City Code.

Department. The Department of public works and utilities.

Domestic applicants. A noncommercial or nonindustrial applicant who uses gas solely for purposes other than heat; i.e. cooking, hot water, clothes dryer, etc., and an applicant for water or sewage or both.

High pressure gas line. Any gas line transmitting gas at a pressure in excess of 0.50 pounds per square inch (14 inches' water column).

High volume gas service. Service used to provide gas at a rate in excess of 1,000,000 BTU's per hour

High volume water service. Any service that is capable of providing in excess of 35 gallons of water per minute at water pressure levels, which are normal at the location of such service.

House piping. The pipe or system of pipes conveying water or gas from the meter on the house service to the points of use of water or gas.

House service. That portion of a water service that extends from the curb stop controlling the flow through the house service, to and including the meter through which the flow in the house service is measured.

Master Box. The primary curb stop on a water service or private line, which controls one or more curb, stops downstream.

Meter. Meter is a registration device connected directly to a water or gas service line directly registering the amount of water or gas passing through it.

Privately owned service. A water or gas service supplying one or more parcels of private property that has not been accepted by the Department as a part of its distribution facilities.

Remote Register. A registration device attached to a meter replicating the reading on that meter.

Residential heating applicant. An applicant whose primary use of gas is as fuel for heating of a residence or residential building.

Service. A pipe for conveying an individual supply of water or gas of a premises from the common supply in the main to and including the meter registering the flow of water or gas to the service.

Standard volume gas service. Any gas service capable of using not more than 400, 000 BTU's per hour.

Standard volume water service. Any water service that is capable of providing up to 35 gallons of water per minute at water pressure levels that are normal at the location of such service.

Street. A street, avenue, alley or other regularly established and existing public highway or public right-of-way.

Street Service. That portion of a water service that extends from its connection with the main to and including the curb stop, which controls the flow through the street service.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Application for Homeowner			Index: CUSTOMER SERVICE	
			Number: 100.1	
Effective Date: 11/30/2018	Supersedes: NA	Page: 1 of 1	Prepared By: JU	Approved By: JU

1.0 PURPOSE:

To outline the policy and procedure for opening an account for a new homeowner.

2.0 REFERENCE: Chapter 48; Section 6

3.0 POLICY:

Application for account must be made by the person or persons responsible for the account. The application must be filled out completely and signed where necessary. The following documents are required for application for services:

1. Completed and signed application
2. A valid photo identification such as State ID, driver’s license, permanent resident ID, or passport
3. Social Security Number
4. A security deposit may be required.
5. New ownership documents must be provided upon request

Any existing accounts in the applicant’s name must be current with no past due amounts owing on closed or open accounts with ComfortSystems.

For Tenant Application see Policy 100.2

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Application for Tenant			Index: CUSTOMER SERVICE	
Effective Date: 11/30/2018			Number: 100.2	
Supersedes: NA	Page: 1 of 1	Prepared By: JU	Approved By: JU	

1.0 PURPOSE: To provide a process for tenant application for service

2.0 REFERENCE: Minn Stat.: 504B.215

3.0 POLICY:

Tenants shall have a utility service account in their name if the following provisions have been met:

1. Applicant must fill out application completely and sign where required.
2. A valid photo identification such as State ID, driver license, permanent resident ID, or passport
3. Social Security Number
4. The meter is such that application is made only for the specific unit in which the tenant resides. If the meter services any shared appliances or common areas the tenant shall not be permitted to apply.
5. A copy of the lease may be required.
6. There is no outstanding balance owed by the owner/property manager at the property being applied for.
7. If the tenant had a previous account with Comfort Systems, all past due charges must be paid in full.
8. A security deposit may be required.
9. Lease agreements or arrangements with paying agencies will not supersede Comfort Systems policies for establishing service.

For New Application for Homeowner, see Policy 100.1 For Deposit Information, see Policy 100.5

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Application for LLC			Index: CUSTOMER SERVICE	
			Number: 100.3	
Effective Date:	Supersedes:	Page:	Prepared By: JU	Approved By: JU
11/30/2018	NA	1 of 1		

1.0 PURPOSE: Explanation of requirements for application for services by a Limited Liability Corporation

2.0 REFERENCE: Chapter 48; Section 6

3.0 POLICY:

Application for account must be made by the person or persons responsible for the account. The application must be filled out completely and signed where necessary. The following documents are required for application for services:

1. Completed and signed application
2. A valid photo identification such as State ID, driver license, permanent resident ID, or passport, from an authorized signer for the LLC.
3. Social Security Number
4. A security deposit may be required.
5. A signature and personal guarantee from an officer of the LLC
6. Business filings and/or a letter of authorization allowing the person sign on behalf of the LLC.

Any existing accounts in the LLC's name or in the personal guarantor's name must be current with no past due amounts owing.

Pursuant to §48-11 of Duluth City Code, Comfort Systems requires personal guarantee on all Limited Liability Corporation (LLC) and Limited Liability Partnerships (LLP) applications for service. The personal guarantee can be executed by any member/officer that is authorized to execute contracts on the organization's behalf. When completing an application for service on behalf of an LLC or an LLP, you must provide the LLC/LLP information in the "Applicant" portion of the application. In addition, the officer who will be executing the personal guarantee must provide his/her information in the "Co-Applicant" portion. The two (2) signature blocks on the left-hand side of the application are for the LLC signatory and the two (2) signature blocks on the right-hand side of the application are for the individual who is providing his/her personal guarantee.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Application for Corporation			Index: CUSTOMER SERVICE	
Effective Date: 11/30/2018			Number: 100.4	
Supersedes: NA	Page: 1 of 1	Prepared By: JU	Approved By: JU	

1.0 PURPOSE:

To provide the guidelines for application for services by a corporation

2.0 REFERENCE: Chapter 48; Section 6

3.0 POLICY:

Application for account must be made by the person or persons responsible for the account. The application must be filled out completely and signed where necessary. The following documents are required for application for services:

1. Completed and signed application
2. Articles of Incorporation
3. Tax Identification
4. A security deposit may be required.
5. Business card or letter of authorization for signer on the account.

Any existing accounts in the corporation's name must be current with no past due amounts owing on closed or open accounts with Comfort Systems.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Interim Accounts			Index: CUSTOMER SERVICE	
			Number: 100.5	
Effective Date:	Supersedes:	Page:	Prepared By: JU	Approved By: JU
11/30/2018	NA	1 of 1		

1.0 PURPOSE:

To explain under what circumstances and in what situations an account may be temporarily (interim) placed in another entity’s name.

2.0 REFERENCE: Chapter 48; Section 3

3.0 POLICY:

ComfortSystems sets up an interim account under the owner’s name in the following situations:

1. If a tenant moves out and there is no new applicant, and we are in the heating season (October 15th through April 15th) we will move the account into the owner’s name. This is temporary and does not serve as a form of completed application. If the owner or tenant does not make application by April 15th, the water and gas service will be terminated. Water services may be shut off at any time if an application is not completed.
2. If we do not have the ability to shut off the utilities or access inside to shut off shared services.
3. If the account was placed in the tenant’s name and the meter for the service is shared. Before a notice is sent to the owner informing her/him that an interim account has been created for that location and placed in their name, a Customer Service Coordinator, will attempt to gain entry into the residence, by contacting the owner on record, using a key on file at ComfortSystems, and visiting the property to try and gain access to the meters. Only after the Customer Service Coordinator has exhausted all attempts to gain entry into the property, will a letter be sent to the owner of the property. The letter will give the owner 10 business days to grant us access to the property, or complete an application for the property, before we interim the account to their name.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Pre-signed Applications			Index: CUSTOMER SERVICE	
			Number: 100.6	
Effective Date:	Supersedes:	Page:	Prepared By: JU	Approved By: JU
11/30/2018	NA	1 of 1		

1.0 PURPOSE: To set policy for when pre-signed applications will be accepted

2.0 REFERENCE: Chapter 48 – 3

3.0 POLICY:

Pre-signed applications are accepted from owners or property managers of rental property to facilitate ease of transfer as tenants vacate, or when new properties are purchased.

Pre-signed applications will not be used without express permission from the applicant or authorized signer. At the time an owner contacts ComfortSystems with a request, the accounts for the requested entity will be brought current at the time of the application. A security deposit may be required.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Landlord Revert Application			Index: CUSTOMER SERVICE	
			Number: 100.6A	
Effective Date: 11/19/2019	Supersedes: NA	Page: 1 of 1	Prepared By: JU	Approved By: JU

1.0 PURPOSE: To set policy for when pre-signed applications will be accepted

2.0 REFERENCE: Chapter 48 – 3

3.0 POLICY:

Landlord revert applications are accepted from owners, landlords, or property managers of a rental property to facilitate ease of transfer as tenants vacate by providing uninterrupted service.

The Landlord revert agreement gives express permission from the applicant or authorized signer to automatically revert the account to the signer when a tenant vacates. At the time a tenant contacts ComfortSystems with a stop service request, the landlord, owner, or property manager will become responsible for all charges forward on that utility account regardless of lease agreement between the tenant and authorized signer. The accounts for the requested entity will be brought current at the time of the application. If utility accounts are not brought current at the time of the revert, the uninterrupted service will lapse and the signer will need to provide access to restore service.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Security Deposits			Index: CUSTOMER SERVICE	
			Number: 100.7	
Effective Date:	Supersedes:	Page:	Prepared By: JU	Approved By: JU
01/02/2019	NA	1 of 2		

1.0 PURPOSE: To clarify the terms under which a security deposit is required.

2.0 REFERENCE: Chapter 48-11

3.0 POLICY:

- Credit Reference from a previous utility company for like service held in good standing within the last most recent 12 months.
- Sign up for automatic payments with our Easy Pay program, or recurring Credit Card option with the customer service portal.
- Have a previous account held with ComfortSystems in good standing within the last most recent 12 months.

If a potential customer is unable to meet the criteria above, the customer will be required to provide a deposit. See Standard Security Deposits (Page 12). Deposits must be paid before the application can be completed.

Security deposits are refundable when the account is closed or upon request once a customer makes twelve (12) consecutive on time payments. At the time of the closing of the account, or at the time of eligible refund, the security deposit will be applied to any balance owed by the account holder and the balance of the security deposit will be returned to the account holder. A forwarding address is required in order for the Department to return the refund to the account holder.

For credit reference policy, please see policy 100.9

STANDARD SECURITY DEPOSITS

NEW CONSTRUCTION	\$260.00
GAS/WATER/SEWER/STORM/STREET	\$260.00
MOBILE HOME	\$80.00
WATER/SEWER/STORM/STREET	\$80.00
WATER ONLY	\$35.00
SEWER ONLY	\$65.00
GAS WATER HEATER OR FIREPLACE	\$100.00
GAS RANGE OR DRYER	\$25.00
GAS ONLY MULTI FAMILY 20+ UNITS	\$25.00
GAS HEAT ONLY	\$185.00

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Waiver of Security Deposit			Index: CUSTOMER SERVICE	
			Number: 100.8	
Effective Date:	Supersedes:	Page:	Prepared By: JU	Approved By: JU
11/19/2019	NA	1 of 1		

1.0 PURPOSE: To explain when a security deposit may be waived

2.0 REFERENCE: Chapter 48 – 11

3.0 POLICY:

Applicants may have a security deposit waived in the following situations:

1. Applicant has provided ComfortSystems with a credit reference that meets the credit reference policy requirements.

2. Applicant has a cosigner with an account in good standing with ComfortSystems or with another utility and is able to provide a credit reference from that utility.

3. Applicant is able to provide copies of checks or bank statements from the past 12 months showing proof that applicant has paid the utility bills at a location for the past 12 months and that the account under which the bills were paid is in good standing for the past 12 months.

4. Applicant has a current or previous account in which consecutive payments have been made and the account was open for at least 12 billing cycles, in the preceding year.

5. Applicant signs up for Automatic Payments, or recurring Credit Card option with the customer service portal.

If an applicant has a negative credit history with ComfortSystems within the previous calendar year, we will not waive the deposit for any reason.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Credit References			Index: CUSTOMER SERVICE	
			Number: 100.9	
Effective Date:	Supersedes:	Page:	Prepared By: JU	Approved By: JU
11/30/2018	NA	1 of 1		

1.0 PURPOSE: To determine when customers can provide a credit reference in lieu of a deposit for services

2.0 REFERENCE: Section 48-11

3.0 POLICY:

A credit reference can be provided in lieu of a deposit provided the reference meets the following criteria:

1. Reference must be presented within 10 days of making application for service with ComfortSystems
2. A reference must be for twelve consecutive months for service sometime within the past year. References that are more than 18 months old will not be accepted
3. The reference must be for a utility of comparable value. We do not accept references for utilities of lesser value.
4. A customer can combine multiple credit references to make a comparable reference, they must be received in the allotted time frame referenced below.
5. Once a bad credit reference is issued to ComfortSystems, the customer is required to pay the calculated security deposit. Issuing of a bad credit reference may result in termination of services.

If a customer does not present a credit reference within 10 days of making application and does not pay a deposit within the 10-day time frame, the customer will be sent a reminder letter. If the deposit is not paid or an acceptable credit reference is not provided within 14 days after receiving the reminder letter, a shut off order for services will be created and executed. The customer will then be required to pay the calculated security deposit as well as a restore fee based on the approved fee schedule, a credit reference will no longer be accepted.

For security deposits, see policy 100.5

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Closing Accounts			Index: CUSTOMER SERVICE	
			Number: 100.10	
Effective Date:	Supersedes:	Page:	Prepared By: JU	Approved By: JU
11/19/2019	NA	1 of 1		

1.0 PURPOSE: To explain the process for closing accounts

2.0 REFERENCE: Section 48-3

3.0 POLICY:

Accounts will only be closed at the request of the account holder or co applicant and in the manner and timeframe requested by the account holder or co applicant. ComfortSystems will not close accounts at the request of anyone other than the account holder or co applicant. Accounts can be closed by the account holder in a tenant situation regardless of other tenants remaining in the dwelling. It is the responsibility of the remaining tenants to make application for service.

When an account holder requests an account be closed, the date selected for closure must fall on a business day that is not a holiday. The date requested is the date the services will be shut off if a new tenant or owner has not completed the application process. The only exception is during the heating season (for gas service only), or if the account is reverted to the Landlord. In that case, the account will be reverted (interim) into the owner of the dwelling. The Department will not go back in time for closing accounts. It is the account holder's responsibility to contact the Department with the date the account is to be closed.

Account holders will be responsible for all charges through the close date.

Exception: It is possible that the Department cannot shut off heat utilities while the cold weather rule is in place (October 15th through April 15th of each year). Please see Policy 100.24 for the Cold Weather Rule Requirements)

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Name Changes on Accounts			Index: CUSTOMER SERVICE	
Effective Date: 11/30/2018			Number: 100.11	
Supersedes: NA	Page: 1 of 1	Prepared By: JU	Approved By: JU	

1.0 PURPOSE: Describe Name Change Process

2.0 REFERENCE: Section 48.3

3.0 POLICY:

Names changes on accounts will only be allowed under the following circumstances:

1. An account holder has legally changed his/her name
2. A spouse of a deceased person wishes to put the account into their name
3. Marriage or Divorce
4. Roommates changing account holder responsibility. A security deposit transfer must be signed for this transfer.

In all of these situations, a new application must be filled out and a current copy of a photo identification must be presented. All name changes require supervisor authorization.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Deceased Account Holders			Index: CUSTOMER SERVICE	
			Number: 100.12	
Effective Date:	Supersedes:	Page:	Prepared By: JU	Approved By: JU
11/30/2018	NA	1 of 1		

1.0 PURPOSE: Process for deceased account holder changes

2.0 REFERENCE: Section 48-6

3.0 POLICY:

Accounts cannot be left in a deceased person’s name. In the event an account holder passes away, it is necessary to have either a representative of the estate or someone willing to take responsibility for the account make application. It is necessary because ComfortSystems needs to have a responsible party that is able to make decisions for the dwelling. Per Chapter 48-6, the Department must have a completed and signed application from a responsible person. If there is no current applicant, ComfortSystems may terminate service until such time as an application is made.

ComfortSystems will send a letter to the address of service (and mailing address if applicable) requesting an application. In the event that the deceased person has no surviving spouse, the balance owed at the property may become the responsibility of the new applicant. Each application will be reviewed and this determination will be made. If the balance owing is the responsibility of the new applicant, the applicant will assume services from the most recent meter read and pay all charges owed on the account. Applicants may also be responsible for any previous outstanding charges, see applying for service 100.1 & 100.2.

If ComfortSystems does not receive a response after three written requests, a shut off work order will be created and the property will have services terminated until application is made.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Transactional Information			Index: CUSTOMER SERVICE	
			Number: 100.13	
Effective Date:	Supersedes:	Page:	Prepared By: JU	Approved By: JU
11/30/2018	NA	1 of 1		

1.0 PURPOSE: To outline when account information will be shared with third parties

2.0 REFERENCE: Section 48 – 3

3.0 POLICY:

ComfortSystems does not share information with landlords, other tenants or other parties. The owner of the account is the only person that can access information relative to amounts owed, and payment timeliness.

Exceptions:

In the event that a landlord or management company have an outstanding balance, we will inform a tenant that is attempting to make application that the landlord or management companies outstanding balance must be paid before the application process can be completed.

The Department does share account information with other City offices.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Rejected Payment Methods			Index: CUSTOMER SERVICE	
			Number: 100.14	
Effective Date:	Supersedes:	Page:	Prepared By: JU	Approved By: JU
11/30/2018	NA	1 of 1		

1.0 PURPOSE: To determine the process for returned checks, declined credit cards and other rejected financial instruments.

2.0 REFERENCE: Section 48 – 3

3.0 POLICY:

In the event a check or other payment method is returned to ComfortSystems, all fees associated with the returned transaction will be assessed to the customer. Customers that present a payment method on a banking account with insufficient funds or an account that is closed will be required to pay all future bills with cash, money order or cashier’s check for one year.

NSF checks may result in suspension of services and additional fees.

A rejected payment method used to make a payment on a payment arrangement plan will result in cancellation of the payment arrangements and all monies owed will become due immediately.

If a credit card payment whether debit or credit card is denied whether at the time of attempted payment or at a later date, all fees associated with the denial will be applied to the customer’s account.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Change in Gas Service			Index: CUSTOMER SERVICE	
Change in Gas Service			Number: 100.15	
Effective Date: 11/30/2018	Supersedes: NA	Page: 1 of 1	Prepared By: JU	Approved By: JU

1.0 PURPOSE: To provide information on gas service change process

2.0 REFERENCE: Section 48-43

3.0 POLICY:

There may be a security deposit required on accounts that have changed from non-heat to heat. In the event the account holder has one or more delinquent payments in the previous 12 months, or if a customer has not had 12 months/payments with Comfort Systems yet, a deposit will be required. The deposit may be required because of the increase in usage from non-heat to heat.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Billing Errors			Index: CUSTOMER SERVICE	
			Number: 100.16	
Effective Date: 11/30/2018	Supersedes: NA	Page: 1 of 1	Prepared By: JU	Approved By: JU

1.0 PURPOSE: To identify how usage charges will be applied in the event of a broken meter

2.0 REFERENCE: Minn. Stat. 216B.098

3.0 POLICY:

If a customer’s gas or water meter is broken or if the electronic reader is not functioning which caused the customer to be billed incorrectly, ComfortSystems in accordance with Minnesota Law will adjust the account charges for the time in which the customer was incorrectly billed. Comfort Systems may go back a maximum of 12 months, to correctly bill for a broken or tampered meter.

It is the customer’s right to pay the back bill portion of the bill in the same number of months as the customer was incorrectly charged. For example, if a customer was undercharged for six months, the customer can make payment arrangements on the adjusted charge balance for six months with no finance or late charges assessed to the account.

ComfortSystems will bill based on the previous year’s consumption for the same months as the low or zero read if there is no other way to verify usage.

In the event a customer was overcharged, the Department must look back at the account for the previous 3 years and refund all monies paid by the customer that were charged in error. The Department must offer a refund minus any account balance or apply the overpayment to the customer’s account.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Condemnation and Restoration of Services			Index: CUSTOMER SERVICE	
			Number: 100.17	
Effective Date:	Supersedes:	Page:	Prepared By: JU	Approved By: JU
11/30/2018	NA	1 of 1		

4.0 PURPOSE: Define the process for securing services in a dwelling that was condemned, but has since received temporary restoration orders or the condemnation has been lifted.

5.0 REFERENCE: Minnesota Fire Code

6.0 POLICY:

1. ComfortSystems cannot restore services to a dwelling that has been condemned until The Life Safety Division of the City of Duluth has provided either a temporary order or an order to restore services.
2. ComfortSystems must have an application or current account in order to restore services. An applicant can apply prior to the condemnation being lifted. The application will be retained until such time as the condemnation is lifted or an order to restore is received.
3. The applicant is responsible for contacting the Life Safety Division for the restore or lift of condemnation, and contacting ComfortSystems after the restore order or lift of the condemnation, to set up a service restore appointment.

For Application Policy please see policy 100.1

For Security Deposit Policy please see policy 100.5

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Utility Appeal Process			Index: CUSTOMER SERVICE	
			Number: 100.18	
Effective Date: 11/30/2018	Supersedes: NA	Page: 1 of 2	Prepared By: JU	Approved By: JU

7.0 PURPOSE: Outline the appeals process before the Public Utilities Commission

8.0 REFERENCE: Section 48 – 237, 48 – 238, 48 – 239

9.0 POLICY:

An applicant who desires to dispute a Department finding that is adverse to the applicant and is an appealable finding must do so within six (6) months of the occurrence that gives rise to the appeal. The applicant shall give written notice of the appeal on a form provided by the Department.

The appeal shall state the nature of the dispute and the basis for the appeal. The applicant shall also state the expected outcome of the appeal. Appeals submitted without a clear statement of the dispute will be returned to the applicant. The applicant will have 10 days to resubmit the appeal with the appropriate explanation.

The written notice should be mailed or hand delivered to the Department director. The applicant will be notified by regular mail of the date, time and location of the Commission’s meeting.

Any appeal involving a termination of services must be filed prior to the proposed date of termination to avoid action by the Department.

City staff will prepare a facts and findings report and present this report to the Commission prior to the meeting. The Director of Public Works & Utilities shall provide all information from the applicant to the Commission.

Appeals shall be heard at the first meeting of the Commission following the filing of an appeal, if there are at least five (5) business days, exclusive, between the written filing and the meeting. Otherwise, the appeal will be heard at the subsequent meeting.

The Commission has no power to cancel a debt to the Department.

All decisions of the Commission shall be binding on the Department and the applicant, unless contrary to law. Decisions shall be in written form and sent to both the Department and the applicant within 10 days of the decision.

Definition of an applicant: Any person or persons applying for water or gas service from the Department and any guarantor of payment for such services as provide for in this chapter (See definitions)

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Services Shut Off Due to Non-Payment			Index: CUSTOMER SERVICE	
			Number: 100.19	
Effective Date: 11/30/2018	Supersedes: NA	Page: 1 of 1	Prepared By: JU	Approved By: JU

10.0 PURPOSE: Outline the process and situations when customers may be shut off for nonpayment of services.

11.0 REFERENCE: Section 48 – 208, Minn. Statute 325.025 & Minn. Statute 504B.215

12.0 POLICY:

If no payment is received on a customer account for 60 days, the following procedure will be set into motion:

1. A notice is sent informing the customer that the account is past due and that services may be shut off if the account is not brought current
2. The notice will contain the specific dates that services will be shut off.
3. The account holder has 20 days to respond to the notice and either bring the account to a current status or to make payment arrangements with the credit Department.
4. After 10 days if there is no response from the account holder, a second notice is sent out informing the account holder that there are only 10 days remaining in which to make arrangements to bring the account current.
5. If there is no response within the 20 days since first notification, a work order is produced for the utilities to be shut off.

For Cold Weather Rule, please see Policy 100.25.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Restoration of Services, Credit			Index: CUSTOMER SERVICE	
Restoration of Services, Credit			Number: 100.20	
Effective Date:	Supersedes:	Page:	Prepared By: JU	Approved By: JU
11/30/2018	NA	1 of 1		

13.0 PURPOSE: Outline the process and requirements for restoration of services

14.0 REFERENCE: Section 31 – 8, 48 – 209, 48 – 210, & 48 – 211

15.0 POLICY:

If a customer’s services have been shut off for nonpayment, services will not be restored until the following conditions have been met:

1. Customer must pay all past due amounts and bring the account to a current status.
2. Customer must pay the restoration fee prior to restoration of services.
3. Customer must provide access to the dwelling.
4. Customer must reapply for services if the account has fallen inactive.

ComfortSystems will restore services within 24 business hours.

In the event that an order has been dispatched to a truck, the customer may pay the total amount due in cash only prior to Comfort Systems arrival at the property to complete a shut off of services. Customers cannot pay the Comfort Systems employee that is at the property to perform the shut off. Payment must be made at the office.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Payment Contract			Index: CUSTOMER SERVICE	
			Number: 100.21	
Effective Date:	Supersedes:	Page:	Prepared By: JU	Approved By: JU
11/30/2018	NA	1 of 1		

16.0 PURPOSE: Outline Payment Contract terms and conditions

17.0 REFERENCE: Minn. Statute 216B.098 & Section 48 – 209

18.0 POLICY:

A payment contract will only be offered to customers with an outstanding balance of \$1,500 or more. Terms will be calculated as follows:

1. Balance due on the beginning date of the contract plus consumption to October 1st divided by the number of months until October 1st.
2. The customer will be given a specific dollar amount due each month. A letter will be sent to the customer with all of the payment contract terms and conditions.
3. Payments are due on the same day as the bill is due.

If a customer owes less than \$1,500 payment contracts are at the discretion of the supervisor and/or manager.

For amounts less than \$1,500, please see the Payment Arrangement Policy

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Payment Arrangements			Index: CUSTOMER SERVICE	
			Number: 100.22	
Effective Date:	Supersedes:	Page:	Prepared By: JU	Approved By: JU
11/30/2018	NA	1 of 1		

19.0 PURPOSE: Outline the process and requirements for payment arrangements

20.0 REFERENCE: Minn. Statute 216B.098, & Section 48 – 209

21.0 POLICY:

1. Payment arrangements should not allow a customer to owe a bill into the next billing cycle. At the time arrangements are made, the customer must pay their bill in full before the next billing cycle. The customer will be informed of the due date they must pay what is owed and the total amount owed to avoid termination of services
2. A letter will be sent to the customer outlining the payment arrangements. This letter will be scanned into the customer’s account as proof of the agreement. If the customer disagrees with any or all of the agreement, it is the customer’s responsibility to contact ComfortSystems to discuss concerns.
3. Payment arrangements are offered to customers with a balance of less than \$1,500 owing on their account.

For accounts owing more than \$1,500 please see the payment contract policy.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Penalties/Late Fees			Index: CUSTOMER SERVICE	
			Number: 100.23	
Effective Date:	Supersedes:	Page:	Prepared By: JU	Approved By: JU
11/30/2018	NA	1 of 1		

22.0 PURPOSE: Outline penalties and late fees

23.0 REFERENCE: Sections 31-08 & 48 – 3

24.0 POLICY:

1. Penalties and/or late fees are assessed to accounts that are past due.
2. An account is considered past due when the account bills again without payment in full of the previous month's bill.
3. Account balances under \$75.00 are not subject to penalties and/or late fees.

Penalties may be waived in the event of a bank or processing error and must be approved by a supervisor or manager.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Other Fees			Index: CUSTOMER SERVICE	
			Number: 100.24	
Effective Date:	Supersedes:	Page:	Prepared By: JU	Approved By: JU
11/30/2018	NA	1 of 1		

25.0 PURPOSE: Outline other fees that may be assessed by ComfortSystems

26.0 REFERENCE: Set by City Council

27.0 POLICY:

In the following situations a truck fee will be assessed:

1. A customer fails to provide access to the property and/or meters as arranged.
2. A customer makes unnecessary appointments
3. Shut off or restoration of services as requested by the customer and the customer subsequently decides to have the order reversed after termination of services.
4. Restoration of services due to non-payment of account.
5. When a customer requests to restore service to a seasonal property that was shut off at their request.

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY

Subject: Cold Weather Rule-Natural Gas			Index: CUSTOMER SERVICE	
			Number: 100.25	
Effective Date:	Supersedes:	Page:	Prepared By: JU	Approved By: JU
11/30/2018	NA	1 of 2		

28.0 PURPOSE: To protect utilities and customers during cold weather

29.0 REFERENCE: Minn. Stat. 216B.097

30.0 POLICY:

ComfortSystems will not disconnect the utility service of a residential customer during the period between October 15th and April 15th if the disconnection affects the primary heat source for the residential unit when the follow conditions are met:

1. The customer has verified an inability to pay on forms provided by ComfortSystems or is receiving any form of public assistance, including energy assistance, that used an income eligibility threshold set at or below 50 percent of the state median household income:
2. The customer has entered into payment schedule and is reasonably current with payments under the schedule.
3. ComfortSystems will provide customers seeking Cold Weather Rule protection with referrals to energy assistance programs, weatherization and conservation information and other programs likely to reduce the customer’s energy bills. ComfortSystems will also notify all residential customers of the provisions above annually between August 15th and October 15th.
4. Before disconnecting service to a residential customer during the period between October 15th and April 15th, ComfortSystems will provide all of the following to a customer:
 - a. A notice of the proposed disconnection
 - b. A statement explaining the customer’s rights and responsibilities
 - c. A list of local energy assistance providers
 - d. A form on which to declare the inability to pay
 - e. A statement explaining available time payment plans and other opportunities to secure continued utility service.

5. If a residential customer must be involuntarily disconnected between October 15th and April 15th for failure to comply with the provisions of state law, rule and/or utility policy, the disconnection must not occur:
 - a. On a Friday unless that day the customer declines to enter into a payment agreement offered by ComfortSystems in person or via personal contact by telephone
 - b. On a weekend, holiday or the day before a holiday
 - c. When utility offices are closed
 - d. After the close of business, unless a field representative of the utility who is authorized to enter into a payment agreement, accept payment, and continue service, offers a payment agreement to the customer, or
 - e. Until at least 20 days after the disconnection notice has been mailed to the customer or 15 days after the notice has been personally delivered to the customer.
6. If a customer does not respond to the disconnection notice, the customer must not be disconnected until ComfortSystems investigates whether the residential unit is actually occupied. If the unit is found to be occupied, ComfortSystems must give seven days written notice of the proposed disconnection to the local energy assistance provider before making a disconnection.
7. If the customer appeals the notice of involuntary disconnection prior to disconnection, as provided by ComfortSystems' established appeal procedure, the utility must not disconnect until the appeal is resolved.

Payment Arrangements

In the event the customer meets the income guidelines for non-shut off due to nonpayment, it is still necessary for the customer to make payment arrangements with ComfortSystems. The customer must produce proof of income in order to qualify for non-shut off status. Additionally, a reasonable payment arrangement must be put in place. The following formula will be used to determine payment arrangements: Ten percent of the customer's gross income will be paid during the Cold Weather Rule Months running from October 15th to April 15th of each month. This amount will be verified based on the proof of income provided at the time of the request for non-shut off. The payment arrangement will be provided to the customer.

ComfortSystems believes this a fair and reasonable payment arrangement.

Customer Rights

The customer has the right to appeal the payment arrangements through an appeals process. **(See Policy 100.17 for appeals process)**

COMFORTSYSTEMS, CITY OF DULUTH PUBLIC UTILITIES POLICY				
Subject: Air Test			Index: CUSTOMER SERVICE	
			Number: 100.26	
Effective Date: 11/30/2018	Supersedes: NA	Page: 1 of 1	Prepared By: JU	Approved By: JU

31.0 PURPOSE: To determine when an air test is necessary and billing procedure

32.0 REFERENCE: Internal Policy based on Fire Code and Safety of Customers

33.0 POLICY:

An air test must be completed when the gas service has been off for more than six months. This test will be performed on gas plumbing within the dwelling.

If requested by the customer, an air test may be performed by Comfort Systems. The customer's gas utility must be supplied by the City of Duluth. The test will be charged to the applicant.

The owner or property manager of the address where an air test is requested must schedule the air test.

The basic air test rate will be taken from the approved fee schedule. This will include air testing all house piping up to four (4) gas appliances, the permit, inspection and restoration of gas to the dwelling and relighting all (up to 4) gas appliances. There will be an additional cost for each appliance beyond the 4.

The basic air test rate will apply to a single dwelling/single meter application. Special rates will be given upon customer request for multi-unit/multi-meter applications.

All air tests require there be a working shut off valve at each gas appliance. If a shut off is not present at each gas appliance, one will be installed. The cost for this work will be charged according to the current fee schedule. The rates shall include parts and labor. Pricing can be obtained by contacting Comfort Systems, or referencing the website at www.comfortsystemsduluth.com.

All other repairs made due to air test failure will be charged at the current basic labor rate. Labor rates are based on Department labor and material rates.