**Rule 3.304 (Winter Disconnections)**

No gas or electric utility may disconnect service to any residential ratepayer between November 1 and March 31, inclusive, unless, in addition to complying with all other requirements of this rule, the utility has complied with the following:

(A) the utility shall make reasonable attempts to give the ratepayer actual oral notice of the information required by Section 3.303. If actual oral notice has not been given in any other manner, reasonable attempts shall consist of at least the following: three telephone calls made at least three hours apart to a telephone number provided by the ratepayer for this purpose or, if no such number has been provided, to the ratepayer's number as it appears in the telephone directory or as obtained from directory assistance, and a personal visit to the premises at which service is provided. Actual oral notice given by one of these methods (telephone calls or personal visit) eliminates the need for further attempts by any other method.

1. The notice required by this paragraph may be given to either the ratepayer or to another responsible adult at the premises where service is to be disconnected.
2. If actual oral notification has not otherwise been given, at least one of the telephone calls made to comply with this section shall be placed between the hours of 5:30 P.M. and 9:30 P.M. on a business day.
3. A telephone call to a telephone not removed from service which results in a busy signal or in any other condition preventing communication, or an unanswered call which has not been allowed to ring for at least 60 seconds, shall not count toward satisfaction of the requirement of this section.
4. The unavailability of a ratepayer's telephone number shall excuse compliance with the requirement to attempt notification by telephone.
5. If no responsible adult is at the premises when a personal visit made in compliance with this paragraph occurs, a notice containing the information required by Section 3.303 shall be left in a secure and conspicuous place.
6. When oral notification is given in compliance with this paragraph, in addition to giving the information required by Section 3.303, the utility shall advise the ratepayer or other responsible adult as the case may be, that oral notification is not required to be given in connection with any subsequent disconnection which may occur during the same winter season, unless the utility's tariffs provide otherwise.

(B) If, after complying with the requirements of subparagraph (A), actual oral notification has not been given, then, at least 48 hours before disconnection is to occur, the utility shall report to the Department of Public Service, in writing or by telephone, the ratepayer's name, address and, if available, telephone number. The utility shall be preparedto provide a description of the observations of the person who attempted to give oral notice by personal visit as to whether the premises appear to be occupied.

(C) If the ratepayer has been given actual oral notice during the current winter period with respect to a previous delinquency, compliance with subparagraphs (A) and (B) shall not be required, provided that the utility shall deliver or mail to the premises at which service is to be disconnected (with a copy mailed to the ratepayer's billing address if different) a notice containing the information required by Section 3.303. Delivery is complete (1) if made by personal service, upon actual delivery to the ratepayer or his premises at least 48 hours prior to the disconnection, not counting Vermont holidays, and (2) in the case of notice by mail, by deposit of the notice at any United States post office, postage prepaid, at least four days prior to disconnection, not counting days when the postal service does not make regular deliveries of mail.

(D) (1) Prior to disconnection during the winter period, the utility shall confirm that outdoor temperatures, as predicted by a current National Weather Service (phone 862-2475) forecast for the Burlington, Vt., area, or by another weather service approved by the Public Utility Commission, will not drop under 10 degrees Fahrenheit during a 48-hour period beginning between 7 a.m. and 10 a.m. on the anticipated date of disconnection. When temperatures are forecast to fall below 10 degrees Fahrenheit during the winter period, the utility is prohibited from performing disconnections.

(2) Utility service to households with any member aged 62 or older shall not be disconnected during the winter period if outdoor temperatures are forecast to fall below 32 degrees Fahrenheit during a 48-hour period beginning between 7 and 10 a.m. on the anticipated date of disconnection, provided that the account holder furnishes advance written notice to the utility that the household qualifies under this paragraph. The utility may require reasonable proof of such qualification under this subparagraph.