

**PLEASE READ  
THIS DOCUMENT CONTAINS IMPORTANT INFORMATION  
REGARDING YOUR RIGHTS AS A CUSTOMER**

***Por favor refiérase a la parte interior de este documento para leer esta información en español.***

This document summarizes Your Rights as a Customer and is based on customer protection rules adopted by the Public Utility Commission of Texas (PUC). These rules apply to all retail electric providers (REPs), including those affiliated with your Transmission and Distribution Service Provider (TDSP) (Affiliated REP) and the provider of last resort (POLR), unless otherwise noted. You may view the PUC's complete set of electric rules at <http://www.puc.texas.gov/rules/subrules/electric>.

For your convenience, contact information is located at the end of this document.

**Obtaining and Canceling Service**

**Low-Income Customers:** A customer who receives food stamps, Medicaid, AFDC or SSI from the Texas Department of Human Services (TDHS) automatically qualifies for the LITE-UP Texas program. Customers qualified for the LITE-UP Texas program are eligible to pay a required deposit that is greater than \$50 in two installments. The first installment shall be due no earlier than ten days after the issuance of written notification and the second installment shall be due no earlier than 40 days after the issuance of written notification.

The affiliated REP or POLR may waive the deposit if the customer is medically indigent. In order to be considered medically indigent, the customer must meet the following guidelines:

1. the customer's household income must be at or below 150% of the poverty guidelines, as certified by a governmental entity or government-funded energy assistance program provider; AND
- 2a. the customer or customer's spouse must be certified by the person's attending physician (medical doctor, doctor of osteopathy, nurse practitioner, registered nurse, state-licensed social worker, state-licensed physical or occupational therapist, or employee of an agency certified to provide home health services pursuant to 42 U.S.C. §1395 *et seq.* which can be viewed at: <http://caselaw.lp.findlaw.com/casecode/uscodes/42/chapters/7/subchapters/xviii/toc.html>) as being unable to perform three or more activities of daily living, defined as "(l)imited to the following activities: bathing, dressing, grooming, routine hair and skin care, meal preparation, feeding, exercising, toileting, transfer/ambulation, positioning, and range of motion", OR
- 2b. the customer's monthly out-of-pocket medical expenses exceed 20% of the household's gross income.

Please call your affiliated REP or POLR if you believe you are eligible. Eligibility for medically indigent status must be established annually.

**Unauthorized Change of Service Provider or "Slamming":** A REP must obtain your verifiable authorization before switching your electric service. If you believe your electric service has been switched without your authorization, you should contact your chosen REP and request assistance. The affected REPs, TDSP and registration agent will work together to return you to your chosen REP in accordance with the market process approved by the PUC.

**Billing Issues**

**Unauthorized Charges or "Cramming":** Before any new charges are included on your electric bill, your REP must inform you of the product or service, all associated charges, and how these charges will be billed before they appear on your electric bill and obtain your consent for the product or service. If you believe your bill includes unauthorized charges, you may contact your REP to dispute such charges and may file a complaint with the PUC. Your REP will not seek to terminate or disconnect your electric service for non-payment of an unauthorized charge or file an unfavorable credit report against you for disputed unpaid charges that are alleged to be unauthorized, unless the dispute is ultimately resolved against you. If the charges are determined to be unauthorized, your REP will cease charging you for the unauthorized service or product, remove the unauthorized charge from your bill, and refund or credit all money you paid for any unauthorized charge within

45 days. If charges are not refunded or credited within three billing cycles, interest shall be paid to you at an annual rate established by the PUC on the amount of any unauthorized charge until it is refunded or credited.

You may request all billing records under the REP's control related to any unauthorized charge within 15 days after the date the unauthorized charge is removed from your bill. Your REP will not re-bill you for any charges determined to be unauthorized.

**Deferred Payment Plans and Other Payment Arrangements:** If you cannot pay your bill, please call your REP immediately. Your REP may offer you a short-term payment arrangement that allows you to pay your bill after your due date, but before your next bill is due. (A deferred payment plan allows a customer to pay an outstanding bill in installments that extend beyond the due date of the next bill.) Your REP must offer you a deferred payment plan unless you have received more than two termination/disconnection notices during the past 12 months, you have been a POLR customer for fewer than three months and do not have sufficient credit or payment history with another REP, or if you have received a disconnect notice for failing to comply with the terms of an existing deferred payment plan. All REPs must offer deferred payment plans to customer who have been under-billed, or upon request for bills that are due during an extreme weather emergency and to customers who have been under-billed. A deferred payment plan may include a five percent penalty for late payment; however, the POLR may not charge a late fee. If you do not fulfill the terms of the payment arrangement or deferred payment plan, a REP may terminate or disconnect service. For details on these programs, please see your Terms of Service or contact your REP for further information.

**Financial and Energy Assistance:** If a customer contacts the REP and indicates an inability to pay, the REP must inform the customer of all applicable payment options and payment assistance programs that are offered by or available from the REP. A residential electric customer who receives food stamps, Medicaid, AFDC or SSI from the Texas Department of Human Services (TDHS) or whose household income is not more than 125% of the federal poverty guidelines may qualify for energy assistance. Contact your REP for more information.

**Meter Reading and Testing:** Please contact your REP for information about how to read your meter. You have a right to request a meter test. Your REP may make this request to your TDSP on your behalf. The meter located at your premise can be tested once every four years at no cost to you. If the meter has been tested more than once in a four year period, and the meter is determined to be functioning properly, then you may be charged a fee for the additional meter test(s) at the rate approved for your TDSP. The TDSP will advise you of the test results, including the test date, testing person and, if applicable, the removal date of the meter.

#### **Contract Termination**

**Termination of Service:** Your REP may terminate your electric service for reasons other than non-payment as specified in your Terms of Service. If you do not obtain service from another REP prior to the termination date, you will be transferred to the POLR in your area. Your current REP will mail you a separate Termination Notice no earlier than the first day after the date your bill is due. The termination date will be 10 days from the date the notice is issued and may not fall on a holiday or weekend.

Your REP cannot terminate your contract for any of the following reasons:

- failure to pay for electric service by a previous occupant of the premise if that occupant is not of the same household;
- failure to pay any charge unrelated to electric service;
- failure to pay a different type or class of electric service not included on the account's bill when service was initiated;
- failure to pay under-billed charges that occurred for more than six months (except theft of service);
- failure to pay any disputed charges until your REP or the PUC determines the accuracy of the charges and you have been notified of this determination;
- failure to pay charges arising from an under-billing due to faulty metering (unless the meter was tampered with); or
- failure to pay an estimated bill unless the estimated bill is part of a pre-approved meter-reading program or in the event the local distribution company is unable to read the meter due to circumstances beyond its control.

#### **Disconnection of Electric Service**

**Disconnection of Service:** The PUC has provided that, under certain dangerous circumstances (such as unsafe electric line situations), a REP may authorize your TDSP to disconnect your electric service without

prior notice to you. Additionally, a REP may seek to have your electric service disconnected for any of the reasons listed below:

- failure to pay a bill owed to the REP, or to make a deferred payment arrangement by the date of disconnection;
- failure to comply with the terms of a deferred payment agreement made with the REP;
- using service in a manner that interferes with the service of others or the operations of non-standard equipment; - failure to pay a deposit required by the REP; or
- failure of the guarantor to pay the amount guaranteed when the REP has a written agreement, signed by the guarantor, which allows for disconnection of the guarantor's service.

Prior to disconnecting your service for non-payment, the REP must provide you a Disconnection Notice. This notice must be mailed to you separately no earlier than the first day after the date your bill is due. The disconnection date must be 10 days from the date the notice is issued and may not fall on a holiday or weekend or the day preceding unless their personnel are available to take payments and service can be reconnected.

The REP may not seek to have your electric service disconnected by your TDSP for any of the reasons listed under the Termination of Service portion of this document.

Additionally, the REP may not disconnect your electric service:

- if it receives notification by the disconnection date that an energy assistance provider will be forwarding sufficient payment on your account;
- for non-payment during an extreme weather emergency and must offer you a deferred payment plan for bills due during the emergency; or
- for non-payment if you inform the REP, prior to the disconnection date stated on the notice, that you or another resident on the premises has a critical need for electric service. However, to obtain this exemption, you must enter into a deferred payment plan with the REP and have the ill-person's attending physician contact the REP and submit a written statement attesting to the necessity of electric service to support life. This exemption from disconnection due to illness or disability shall be in effect for 63 days and may be applied for again after the 63 days has expired and the deferred payment plan has been fulfilled.

**Restoration of Service:** If your service has been disconnected by the REP for non-payment, the REP will, upon satisfactory correction of the reasons for the disconnection, notify your TDSP to reconnect your service. The REP will continue to serve you under the Terms of Service in effect prior to issuance of the Disconnection Notice. If your service was disconnected due to a dangerous situation, your service will be reconnected once you notify your REP that you have corrected and satisfactorily resolved the dangerous situation.

### **Disputes With Your Provider**

**Complaint Resolution:** Please contact your REP if you have specific comments, questions or complaints. Upon receipt of a complaint, your REP must investigate and notify you of the results within 21 days. If you are dissatisfied with the results of the investigation, you may request a supervisory review. Your REP must advise you of the results of the supervisory review within 10 business days of your request. If you are dissatisfied with the results of the investigation or supervisory review, you may file a complaint with the PUC and the Office of Attorney General, Consumer Protection Division. For a complaint involving a disputed bill, your REP may not initiate collection activities, termination or disconnection activities or report the delinquency to a credit reporting agency with respect to the disputed portion of the bill. However, after appropriate notice, your REP may send a disconnection notice for non-payment of any undisputed portion of the bill.

**Reporting Outages:** Your REP is responsible for providing you with the telephone number you may use to report outages or other emergencies. For your reference, this contact information is also provided at the end of this document.

### **Critical Care and Chronic Condition Residential Customers**

If you are a residential customer who has a person permanently residing in your home who has been diagnosed by a physician as being dependent upon an electric-powered medical device to sustain life, you may qualify for designation as a "Critical Care Residential Customer." If you are a residential customer who has a person permanently residing in your home who has been diagnosed by a physician as having a serious medical condition that requires an electric-powered medical device or electric heating or cooling to prevent the impairment of a major life function through a significant deterioration or exacerbation of the person's medical condition, you may qualify for designation as a "Chronic Condition Residential Customer." You have the right to apply to your TDSP for Critical Care Residential Customer or Chronic Condition Residential Customer designation. Designation as a Critical Care Residential Customer or Chronic Condition Residential Customer

does not guarantee the uninterrupted supply of electricity. For more information or to request a copy of the application form, please contact us at 866-785-4668.

#### **Other Protections**

**Do Not Call List:** Customers who do not want to receive telemarketing calls may add their name, address, and telephone number to the statewide electric “Do Not Call List.” You may register for the “Do Not Call List” in three ways: online at [www.texasnocall.com](http://www.texasnocall.com), call toll-free 1-866-TXNOCAL(L) (1-866-896-6225), or write Texas No Call, P.O. Box 313, E. Walpole, MA 02032. You may be required to pay a charge not to exceed \$5.00 to register a telephone number, and the number will remain on the list for three years. Once you register for inclusion on the “Do Not Call List,” you can expect to stop receiving telemarketing calls regarding consumer goods and other services. If you register for inclusion on the list via phone or online, you must pay the fee with a credit card. If you register for inclusion on the list via mail, the fee must be paid with a money order, check or credit card.

**Language Availability:** You may request to receive information from your REP in Spanish, or any language in which you were solicited. This includes the Terms of Service Agreement, Your Rights as a Customer, bills and bill notices, termination and disconnection notices, information on new electric services, discount programs, promotions, and access to customer assistance.

**Privacy Rights:** All REPs are prohibited from disclosing or selling any confidential customer information, including: your name, address, account number, type or classification of service, historical electricity usage, expected patterns of use, types of facilities used in providing service, individual contract terms and conditions, price, current charges or billing records. This prohibition does not apply to the release of your information under certain circumstances as required by law, including a release of your information to the PUC, an agent of your REP, credit reporting agencies, law enforcement agencies or your TDSP. Your information will be shared with other retail REPs, aggregators or third parties only with your consent.

**Special Services:** Your REP may offer special services for hearing-impaired customers and programs for customers with physical disabilities. If you have a physical disability or require special assistance regarding your electric account, please contact your REP to inquire about the process to become qualified for any of these special services.

**Contacts**

<b>REP Mailing Address</b>	<b>REP Customer Service</b>	<b>Outages &amp; Emergencies</b>	<b>Public Utility Commission of Texas Mailing Address</b>	<b>Public Utility Commission of Texas Customer Service</b>
<p><b>Green Mountain Energy Company:</b> P.O. Box 689008, Austin, TX 78768</p>	<p><b>Green Mountain Energy Company</b></p> <p><b>RESIDENTIAL</b> Toll-free: 1-866-785-4668 8 am – 8 pm CT (Mon. - Fri.)</p> <p>Fax: 512-691-6153</p> <p>Email: support@GreenMountain.com</p> <p><b>COMMERCIAL SERVICES</b> Toll-free: 1-866-767-5817 7:30 am to 6 pm CT (Mon. - Fri.)</p> <p>Fax: 214-291-5875</p> <p>Email: TXBizCS@GreenMountain.com</p> <p><b>Online:</b> Website: <a href="http://GreenMountain.com">GreenMountain.com</a></p>	<p><b>Contact CenterPoint Energy:</b> Toll- free: 1-800-332-7143</p> <p><b>Contact ONCOR Electric Delivery:</b> 1-888-313-4747</p> <p><b>Contact Texas-New Mexico Power:</b> 1-888-866-7456</p> <p><b>Contact AEP Texas Central Company or AEP Texas North Company:</b> 1-866-223-8508</p> <p><b>Contact Sharyland Utilities:</b> (956) 668-9551</p>	<p>Consumer Protection Division, P.O. Box 13326 Austin, TX 78711-3326</p>	<p>Direct: 512-936-7120 Toll-free: 1-888-782-8477 Fax: 512-936-7003</p> <p><b>Online:</b> Website: <a href="http://www.puc.state.tx.us">www.puc.state.tx.us</a> E-mail Address: <a href="mailto:customer@puc.state.tx.us">customer@puc.state.tx.us</a></p>