

# You should know...



North Dakota Public Service Commission

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North Dakota Public  
Service Commission

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## Protection from Telephone Disconnects

***In North Dakota, your basic local phone service cannot be disconnected for nonpayment of bills for other services, including long distance.***

In North Dakota, your basic local phone service cannot be disconnected for nonpayment of bills for other services, including long distance. **To have basic local phone service disconnected for nonpayment, you must be delinquent in payment for basic local phone service.**

Prior to disconnecting your basic local phone service, the company must give you:

- ☎ a 10-day written notice, and
- ☎ an opportunity to pay or work out a payment plan.

Customers who have contacted their telephone company to discuss disconnection of service and who feel that they are not being treated according to North Dakota Law should call the Commission at 701-328-2400 and ask for the Public Utilities Division.

### APPLICABLE LAWS AND RULES

North Dakota Century Code (N.D.C.C.) Sections 49-02-01.1 and 49-21-01.4 prohibit disconnects except according to Commission rules. North Dakota Administrative Code Section 69-09-05-02 prohibits disconnects unless certain conditions are met.

### CONDITIONS NECESSARY FOR DISCONNECT

To have *Essential Services* disconnected, the customer must be delinquent in payment *for*

*essential services*. If a customer is delinquent in payment for nonessential services, essential services may not be disconnected.

To have *Nonessential Services* disconnected, the customer must be delinquent in payment for nonessential services AND the disconnect must be company specific, unless the local company lacks the technical ability to disconnect individual providers. Of course, if the customer loses dial tone due to nonpayment of local service (an essential service), no other service can be provided.

*Any service* may be disconnected if the customer improperly installs or uses equipment that adversely affects service to others.

**Prior to disconnecting service, the company must give any customer who is delinquent:**

- ☎ a 10-day written notice, and
- ☎ an opportunity to pay or work out a payment plan.

If a customer fails to make agreed upon payments under a payment plan, services covered by that plan may be disconnected without further notice.

If a customer had basic local service disconnected, it can be reconnected upon payment of the amount due related to basic service, plus any reconnect fees, even if payment for other nonessential services has not been made.

The reader agrees that use of this information is entirely at the customer's own risk. The Public Service Commission's services are provided "as is," without warranty of any kind, either expressed or implied, including without limitation any warranty for information provided through or in connection with this service.

# Protection from Telephone Disconnects

(cont.)

## DEFINITIONS

*Essential Services* are listed in N.D.C.C. Section 49-21-01(3). They include service that is necessary for two-way switched communications (basic dial tone) within a local exchange area. Some examples of residential essential services are:

-  The local portion of the bill;
-  Primary directory listing (including nonlisted and nonpublished numbers) and access to directory assistance;
-  Emergency 911 services and emergency operator assistance in local exchange areas in which emergency 911 service is not available;

-  Mandatory, flat-rate extended area service (EAS) to designated nearby local exchange areas;
-  Installation of the service connection for essential services;
-  Signaling service such as touchtone; and
-  Single or multiparty flat-rate or measured service.

*Nonessential Services* are found in N.D.C.C. Section 49-21-01(8). They include:

-  Calling features such as call waiting, call forwarding, three-way calling, intracall, speed calling, call transfer, voice or data store and forward, message delivery, or caller identification;
-  Installation of service connections for non essential services; and
-  Long distance.