

**WATER DISCONNECTION NOTICE**  
**LAW EFFECTIVE 11/14/2020**

**§ 70-1605. Discontinuance of service; notice; procedure; limitation on fees**

No public or private utility company, other than a municipal utility owned and operated by a village, furnishing water, natural gas, or electricity at retail in this state shall discontinue service to any domestic subscriber for nonpayment of any past-due account unless the utility company first gives notice to any subscriber whose service is proposed to be terminated. Such notice shall be given in person, by first-class mail, or by electronic delivery, except that electronic delivery shall only be used if the subscriber has specifically elected to receive such notices by electronic delivery. If notice is given by first-class mail or electronic delivery, such notice shall be conspicuously marked as to its importance. Service shall not be discontinued for at least seven days after notice is sent or given. Holidays and weekends shall be excluded from the seven days. A public or private utility company shall not charge a fee for the discontinuance or reconnection of utility service that exceeds the reasonable costs of providing such service.

**§ 70-1606. Discontinuance of service; notice; contents; accessible to public**

(1) The notice required by section 70-1605 shall contain the following information:

- (a) The reason for the proposed disconnection;
- (b) A statement of intention to disconnect unless the domestic subscriber either pays the bill or reaches an agreement with the utility regarding payment of the bill;
- (c) The date upon which service will be disconnected if the domestic subscriber does not take appropriate action;
- (d) The name, address, and telephone number of the utility's employee or department to whom the domestic subscriber may address any inquiry or complaint;
- (e) The domestic subscriber's right, prior to the disconnection date, to request a conference regarding any dispute over such proposed disconnection;
- (f) A statement that the utility may not disconnect service pending the conclusion of the conference;
- (g) A statement to the effect that disconnection shall be postponed or prevented upon presentation of a duly licensed physician's, physician assistant's, or advanced practice registered nurse's certificate, which shall certify that a domestic subscriber or resident within such subscriber's household has an existing illness or handicap which would cause such subscriber or resident to suffer an immediate and serious health hazard by the disconnection of the utility's service to that household. Such certificate shall be filed with the utility within five days of receiving notice under this section, excluding holidays and weekends, and will prevent the disconnection of the utility's service for a period of at least thirty days from such filing. Only one postponement of disconnection shall be required under this subdivision for each incidence of nonpayment of any past-due account;
- (h) The cost that will be borne by the domestic subscriber for restoration of service;
- (i) A statement that the domestic subscriber may arrange with the utility for an installment payment plan;
- (j) A statement to the effect that those domestic subscribers who are welfare recipients may qualify for assistance in payment of their utility bill and that they should contact their caseworker in that regard; and
- (k) Any additional information not inconsistent with this section which has received prior approval from the board of directors or administrative board of any utility.

(2) A public or private utility company, other than a municipal utility owned and operated by a village, shall make the service termination information required under subdivisions (d), (e), (f), (g), (i), (j), and (k) of subsection (1) of this section readily accessible to the public on the web site of the utility company and available by mail upon request.