

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GENERAL SERVICE RULES & REGULATIONS FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the General Service Rules & Regulations (“Rules and Regulations”) for electric service provided by the North Little Rock Electric Department (the “NLRED”) to its customers were adopted on July 24, 2017 with the adoption of Ordinance No. 8927; and

WHEREAS, in order to clarify, improve, and simplify the rules, certain amendments need to be made to the Rules and Regulations and;

WHEREAS, NLRED staff have advised that specific updates need to be made to certain sections of the Rules and Regulations and;

WHEREAS, City Council has found that it is in the best interest of the City and its residents that these sections be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That Section I.A governing establishing service for residential customers is hereby amended to read as follows:

A. Residential Customers.

Residential accounts may only be established in the name(s) of a property owner or lessee. The following are required to establish residential accounts.

~~1. Proof of Property Ownership/Lease — Warranty Deed, HUD-1 Statement, Early Occupancy Agreement, Lease Agreement or similar document.~~

~~1. 2. Proof of Identity - Government issued photo ID and Social Security Card or second form of ID. Examples: State Driver License or ID, Social Security Card, Military ID, Passport stamped by Homeland Security or Birth Certificate. Service will not be denied for failing to provide Social Security Number. (Examples: State Driver’s License or ID, Military ID, or Passport).~~

~~2. 3. Residential Deposits.~~

a. The amount of the deposit will be based on credit risk to NLRED. The deposit decision reflects the credit risk associated with the credit report of the individual(s) applying for service. These deposit decisions are based upon the credit score from a national credit repository. A credit check fee will be applied for each applicant upon processing. In

order to process the credit check, the applicant must provide a Social Security Number (“SSN”). Service will not be denied for failing to provide a SSN; however, applicants who do not provide a SSN will be charged a minimum deposit of \$300.

- i. Residential applicants who pose minimal credit risk will be charged a minimum of \$100.
- ii. Residential applicants who pose moderate risk will be charged a minimum deposit of \$200.
- iii. Residential applicants who pose substantial credit risk or no credit history will be charged a minimum deposit of \$300.

b. NLRED may impose or increase the amount of deposit for fraud, tampering, bankruptcy, previous unpaid balance, non-pay disconnection or other events related to the creditworthiness of the customer in \$100 increments; provided that the deposit will not exceed two and one half times the expected highest monthly bill.

c. The deposit is due upon with service application request but is payable in two equal installments – one payment upon application and one payment no later than fourteen (14) days of service.

d. No additional arrangements can be made on deposits. Failure to pay deposit will result in disconnect of service.

e. NLRED will periodically review the sufficiency of all customer deposits to determine if the amount of the deposit, surety bond or letter of credit on file is adequate when compared to the usage history of the customer.

f. Customer deposits with actual accrued interest are only refunded when the account is closed and no further financial obligation is owed to NLRED.

3. 4. Fraud - Any person who provides fraudulent information in connection with an application for service shall be denied service until that person provides a valid social security number and documents that positively identify the applicant. Further, any person who provides fraudulent information in connection with an application for service shall be deemed a high credit risk. Submission of a false name, a false government ID, a social security number that is returned as deceased, non-issued, or belonging to a person other than the applicant, shall be presumed to be fraudulent.

SECTION 2: That the definition of “residential customer” in Appendix A: Glossary is hereby amended to read as follows:

Appendix A: Glossary.

~~Residential Customer means a person who receives electric service from NLRED at a permanent dwelling for a single family supplied through one meter for sleeping, house-keeping, and such incidental purposes as may be lawfully conducted.~~

Residential Customer means a person who receives electric service from NLRED at a permanent dwelling, or an authorized accessory building to a permanent dwelling, for one or more persons to live as a single, nonprofit housekeeping unit, and such incidental purposes as may be lawfully conducted.

SECTION 3: That the copies of the NLRED Rules and Regulations on file in the office of the City Clerk, and on the NLRED website at www.nlrelectric.com shall be updated to reflect the amendments set forth in this ordinance.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 5: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 6: That it is hereby determined and found that is a need to update, clarify, and simplify the general rules and regulations for electric service in the City, and that the City and the residents thereof can best be served by the adoption of this Ordinance; THEREFORE, an emergency is hereby declared to exist, and this Ordinance being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Joe A. Smith

SPONSOR:

ATTEST:

Mayor Joe A. Smith

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/cf

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| FILED | 11:05 | A.M. | | P.M. |
| By | City Atty Fields | | | |
| DATE | 10/2/18 | | | |
| Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas | | | | |
| RECEIVED BY | B. Dyer | | | |