

## YOUR RIGHTS AS A CUSTOMER

This document summarizes Your Rights as a Customer and is based on customer protection rules adopted by the Public Utility Commission of Texas (PUCT), which apply to all retail electric providers (REPs). You may view the PUCT's complete set of electric rules at: <https://www.puc.texas.gov/agency/rulesnlaws/subrules/electric/electric.aspx>

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

### Obtaining Service

**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, TDU, and registration agent will work together to return you to your chosen REP in accordance with the market process approved by the PUCT.

### Low Income Assistance

**Financial and Energy Assistance:** A residential customer who receives food stamps or Medicaid in their name from the Texas Department of Human Services (TDHS) may be eligible for inclusion on the Low-Income List Administrator (LILA) list. The PUCT has contracted with the LILA to administer the low-income customer identification process in cooperation with the Texas Health and Human Services Commission (HHSC). Inclusion on the LILA list may qualify you for certain benefits from your REP, including the ability to pay a required deposit that is greater than \$50 in two installments. For additional details, please contact your REP.

### Billing Issues

**Unauthorized Charges or “Cramming”:** Before any new charges are included on your electric bill or deducted from your prepaid account balance, your REP must inform you of the product or service, all associated charges, and how these charges will be applied to your electric bill or charged to your prepaid account balance, and obtain your consent for the product or service. If you believe your account balance includes unauthorized charges, you may contact your REP to dispute such charges and may file a complaint with the PUCT. 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 account balance, 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 PUCT on the amount of any unauthorized charge until it is refunded or credited.

You may request your account balance records under the REP's control related to any unauthorized charge within 15 business 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. In addition, you may qualify for a “deferred payment plan.”

For postpaid electric service, a deferred payment plan allows the customer to pay an outstanding bill in installments beyond the due date of the next bill. For prepaid electric service, a deferred payment plan allows the customer to pay a negative current balance over time. For both postpaid and prepaid electric service customers, the REP may require an initial payment to initiate a deferred payment plan and may include a five percent penalty for late payment. While you are on a deferred payment plan, a switch-hold may be applied to your account, which means that you will not be able to buy electricity from other REPs until you pay the total deferred balance. If you do not fulfill the terms of the deferred payment plan, a REP may terminate or disconnect your service. For additional details on these programs, please see your Terms of Service or contact your REP for further information.

A REP must offer a deferred payment plan to postpaid electric service customers who have been under-billed by \$50 or more for reasons other than theft of service, as directed by the PUCT during a state of disaster declared by the governor in the areas covered by the disaster, or upon request for bills that are due during an extreme weather emergency. Additionally, for a bill that becomes due in January or February, (if in the prior month a TDU notified the PUCT of an extreme weather emergency for the residential customer's county for at least 5 consecutive days during the month) or July, August, or September, a REP must offer postpaid electric service residential customers, upon request, a deferred payment plan or level or average payment plan if the customer:

- ī Is not on an existing deferred, level, or average payment plan; and
- ī Is designated as a Critical Care or Chronic Condition Residential Customer; or
- ī Has expressed an inability to pay, unless the customer
  - has been disconnected during the preceding 12 months;
  - has submitted more than 2 payments during the preceding 12 months that were found to have insufficient funds available; or
  - has been the REP's customer for less than 3 months, and do not have sufficient credit or a satisfactory history of payment with a previous REP or utility.

A REP must offer a deferred payment plan to prepaid electric service residential customers who have been underbilled by \$50 or more for reasons other than theft of service; upon request, when the customer's current balance is \$50 or more during an extreme weather emergency; or during a state of disaster declared by the governor in the areas covered by the declaration and the PUCT directs that deferred payments plans be offered.

Postpaid electric service customers who are not delinquent in payment may also be eligible for a level or average payment plan. If you are delinquent in payment, your REP may offer you a level or average payment plan but a switch-hold may be applied to your account. For additional details on these programs, please see your Terms of Service or contact your REP for further information.

**Meter Testing:** The meter located at your premise can be tested once every four years at no cost to you. Your REP can make the request for a meter test on your behalf. 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 TDU. The TDU will advise you of the test results, including the test date, testing person and, if applicable, the removal date of the meter. You have the right to be instructed on how to read your meter. Please contact your REP for further information.

#### Disconnection and Reconnection of Electric Service

**Disconnection of Service:** If you do not pay your electric bill by the due date, your REP may request that the TDU disconnect your electric service. For postpaid electric service customers, prior to disconnecting your service, your REP must provide you with a written Disconnect Notice. This notice must be mailed to you separately (or hand-delivered) 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 the REP's personnel are available to take payments and service can be reconnected. If, however, you have a Critical Care or Chronic Condition Residential Customer designation, you and any secondary contact listed on the PUCT-approved application form will receive written notice of the REP's intent to disconnect service no later than 21 days prior to the date that service will be disconnected.

In addition to non-payment of an electric bill by the due date, your REP may seek to have your electric service disconnected by the TDU for any of the following reasons:

- failure to make a deferred payment arrangement by the date of disconnection;
- failure to comply with the terms of a deferred payment arrangement or other payment agreement made with the REP;
- using service in a manner that interferes with the service of others or the operation of nonstandard equipment;
- failure to pay a deposit required by the REP; or
- failure of a 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.

A written Disconnection Notice is not required for customers on prepaid electric service products. Prepaid electric service customers will receive a low balance warning at least 1 day and not more than 7 days before the account's current balance is estimated to fall below the disconnection balance and is subject to disconnection. In addition to failing to maintain a positive prepaid credit balance, a REP may disconnect a prepaid electric service customer for failing to comply with the

terms of a deferred payment arrangement or other payment agreement made with the REP. The disconnection may not fall on a weekend day or holiday unless the specified mechanisms used to take payment are available.

The PUCT has provided that under certain dangerous circumstances (such as unsafe electric line situations) your REP may authorize your TDU to disconnect your electric service without prior notice to you.

Your REP may not authorize disconnection of your electric service 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 more than 6 months earlier (except theft of service);
- failure to pay any disputed charges until your REP or the PUCT determines the accuracy of the charges and you have been notified of this determination;
- failure to pay charges arising from an underbilling due to faulty metering (unless the meter was tampered with); or
- failure to pay an estimated bill other than a bill rendered pursuant to an approved meter-reading plan, unless the bill is based on an estimated meter read by the TDU.

Additionally, your REP may not disconnect your electric service:

- for non-payment during an extreme weather emergency;
- for residential customers, if the REP receives notification that the energy assistance provider is forwarding sufficient payment for your account provided that such notification is received by the due date stated on the disconnection notice, and you either pay or make payment arrangements to pay any outstanding debt not covered by the energy assistance provider; or
- for residential customers, for non-payment if you inform the REP, prior to the disconnection date stated on the notice, that that you or another resident at the premises is a Critical Care Residential Customer. However, to obtain this exemption, you must enter into a deferred payment plan with the REP and have the Critical Care Residential Customer'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 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.

**Reconnection 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 TDU to reconnect your service. 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.

#### TDU Procedures for Implementing Involuntary Load Shedding

**ERCOT Initiated Load Shedding:** The Electric Reliability Council of Texas (ERCOT) manages the flow of electric power to more than 26 million Texas customers and must ensure that electricity supply is sufficient to meet customer demand (also called load) at all times. When there is not enough electricity available to serve demand and ERCOT has exhausted all other available solutions, ERCOT will instruct TDUs to reduce power on the system to avoid uncontrolled blackouts. This systematic reduction of power is known as an "Involuntary Load Shedding" event. During these events, customers may lose power for varying periods of time until ERCOT is able to restore balance to the electric system.

#### Critical Care and Chronic Condition Status

**Critical Care or Chronic Condition Residential Customer:** You have the right to apply for designation as a "Critical Care Residential Customer" or "Chronic Condition Residential Customer." A Critical Care Residential Customer is a residential customer who has a person permanently residing in his or her home who has been diagnosed by a physician as being dependent upon an electric-powered medical device to sustain life. A Chronic Condition Residential Customer is a residential customer who has a person permanently residing in his or her 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.

Upon your request, your REP will provide to you a PUCT-approved application form, which you and the patient's physician must complete. The patient's physician must sign and electronically return the application form to your TDU by facsimile or other electronic means. The TDU will evaluate the form for completeness. Incomplete forms will be returned to you by the TDU for completion. The TDU may verify the physician's identity and signature and may deny an application for designation, if it determines that the identity or signature of the physician is not authentic. The TDU will notify you and your REP of the final status of the application process, including whether you have been designated for Critical Care Residential Customer or Chronic Condition Residential Customer status. The TDU will also notify you of the date a designation, if any, will expire, and whether you will receive a renewal notice. If the TDU does not approve the application, you may file a complaint with the PUCT. If approved, the designation of Critical Care Residential Customer is valid for two years; and the designation of Chronic Condition Residential Customer is valid for 90 days to one year. Your TDU will send you a renewal form, if applicable, prior to the expiration of your designation.

Designation as a Critical Care Residential Customer or Chronic Condition Residential Customer does not relieve the customer of the obligation to pay the REP or the TDU for services rendered. However, a Critical Care Residential Customer or Chronic Condition Residential Customer who needs payment assistance is encouraged to contact their REP immediately regarding possible deferred payment options or other assistance that may be offered by the REP.

For prepaid electric service customers, your REP will not be able to provide (or continue to provide) prepaid electric service to you if you indicate that your TDU has designated you as a Critical Care or Chronic Condition Residential. If you provide information to your REP, or if your REP receives information from the TDU, that your TDU has designated you as a Critical Care Residential Customer or Chronic Condition Residential Customer, your REP will work with you to transition you to another product or REP in a manner that avoids a service disruption.

#### 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 PUCT 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.

#### Other Protections

**Do Not Call List:** Customers may add their name, address, and telephone number to the statewide "Do Not Call List," which is intended to limit the number of telemarketing calls to you. You may sign up at <http://www.texasnocall.com/>. For an application or to register by phone, call toll-free 1-888-309-0600. You may also visit the PUCT's website at <http://www.puc.texas.gov/> to subscribe to the "Do Not Call" list. Your registered telephone number(s) will remain on the list for three years from the date your residential or wireless telephone number is first published on the list.

**Language Availability:** You may request to receive information from your REP in Spanish or any language in which you were initially solicited. This includes the Terms of Service Agreement, Electricity Facts Label, bills and bill notices, information on new electric services, discount programs, promotions, and access to customer assistance. You will receive this Your Rights as a Customer document and disconnection notices in English and Spanish or English and your designated language if you have designated a language other than Spanish and were originally solicited in that language.

**Privacy Rights:** Except as described below, REPs may not release your proprietary customer information to any other person without your consent. This includes 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 release to the PUCT; an agent, vendor, partner, or affiliate of your REP engaged to perform any services for or functions on behalf of your REP; consumer reporting agencies; energy assistance agencies; law enforcement agencies; or your TDU. A REP may also share this information with a third party for the purpose of marketing such party's products or services to you after you are provided an opportunity to opt-out of the release of your information. In addition, this prohibition does not apply to the release of prior historical usage upon request and authorization of a current customer or applicant of a premise. Industrial and commercial customers may contact their REP or TDU and designate that their prior historical usage is competitively sensitive in order to prevent the release of this information.

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.

Governmental Entities: If you are a governmental entity as defined in the Prompt Payment Act (PPA), TEX. GOVT CODE, Chapter 2251 (<http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.2251.htm>), it is your responsibility to inform your REP of your status so that the PPA protections can be applied. If you are a governmental entity subject to the PPA, your payment shall become overdue as provided in the PPA and interest on an overdue payment shall be calculated by you pursuant to the terms of the PPA and remitted to your REP with the overdue payment. Billing disputes between a governmental entity, as defined in the PPA, and an aggregator or a REP about any bill for aggregator or REP service, shall be resolved as provided in the PPA.

#### Reporting Outages and Emergencies

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, those numbers are:

CenterPoint Energy	1-800-332-7143 or 713-207-2222
Oncor Electric Delivery	1-888-313-4747
Texas New Mexico Power (TNMP)	1-888-866-7456
AEP Texas Central Company AEP	1-866-223-8508
Texas North Company	
Lubbock Power & Light	1-806-775-2509

#### Contact Information

Your REP	REP Customer Service	Public Utility Commission of Texas
GRAVITI POWER, LLC Certificate No. <b>10007</b>  Mailing Address: GRAVITI POWER, LLC P.O. Box 3765, Houston, TX <b>77253-3765</b>  Internet Address:  Gravitipower.com	Small Business Customers <b>1-866-660-4900</b> 7 a.m. to 7 p.m. CT (Mon. - Fri.)  Online: <a href="http://gravitipower.com">gravitipower.com</a> Email Address: <a href="mailto:sales@gravitipower.com">sales@gravitipower.com</a>	Mailing Address: P.O. Box 13326 Austin, TX 78711- 3326  Customer Protection Division: Direct: 512-936-7120 Toll-free: 1-888-782-8477 Fax: 512-936-7003  Online: <a href="http://www.puc.texas.gov">www.puc.texas.gov</a>  E-mail Address: <a href="mailto:customer@puc.texas.gov">customer@puc.texas.gov</a>

