

## YOUR RIGHTS AS A CUSTOMER

This document summarizes Your Rights as a Customer (“YRAC”). The YRAC is based on Customer Protection Rules adopted by the Public Utility Commission of Texas (“PUCT”), which apply to all retail electric providers (“REPs”) such as North American Power and Gas, LLC (“NAP”), and the providers of last resort, unless otherwise noted. You may view these rules at <http://www.puc.texas.gov/agency/ruleslaws/subrules/electric/Electric.aspx>. NAP’s contact information is located at the end of this document.

**Reporting Outages:** You should report outages directly to the transmission and distribution service provider (“TDSP”) in your area. Your REP is responsible for providing you with the telephone number you may use to report outage or other emergencies. These numbers are:

CenterPoint Energy	Oncor	Texas-New Mexico Power Company	AEP – Texas North and Central
1-800-332-7143 or 713-207-2222	1-888-313-4747	1-888-866-7456	1-866-223-8508

**Complaint Resolution:** Please contact your REP if you have specific questions, comments, or complaints. Upon receiving your 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, if available. Your REP must advise you of the results of the supervisory review within 10 business days of your request. If you are not satisfied with the results of the initial investigation or the supervisory review, you may contact the PUCT or the Office of Attorney General. Please include your name and account number, as well as an explanation of the facts and the resolution you desire in your complaint.

During the complaint process, your REP will not initiate collection activities, including termination, or report delinquencies to a credit reporting agency with respect to the disputed portion of the bill. The customer must pay any undisputed portion of the bill and your REP can pursue termination for nonpayment after notice.

**Meter Reading and Testing:** Please contact your REP for information about how to read your meter. You have the right to request a test of the accuracy of your meter at no charge provided that the meter has not been tested by the electric utility or by an authorized agency at the customer’s request within a period of four years. If the meter has been tested per your requests more than once within a four year period and the test finds the meter to be working properly, a fee may be charged, which represents the cost of testing at a rate specified in the approved tariffs for your TDSP.

**Unauthorized Charges:** Your REP may not charge you for any product or service without your authorization. You must be informed of the product or service, including all associated charges prior to billing. If you believe that your bill includes unauthorized charges, you should contact your REP to dispute the charges and may file a complaint with the PUCT. Your REP cannot seek to terminate your electric service for nonpayment of an unauthorized charge, or file an unfavorable credit report against you for not paying charges that you feel were unauthorized unless the dispute regarding the unauthorized charges is ultimately resolved against you. If the charges are determined to be unauthorized, your REP will stop charging you for the unauthorized product or service, remove the unauthorized charges from your bill, and refund or credit all money you have paid for the charges within 45 days. If charges are not refunded or credited within 3 billing cycles, interest shall be paid to you at an annual rate established by the PUCT on the amount of any charge until it is refunded or credited. You may request all billing records or, if applicable, summary of usage and payment records related to the unauthorized charges that are under the REP’s control within 15 days after the date the unauthorized charge is removed from your electric bill. In the event that your REP erroneously files an unfavorable credit report against you for not paying charges that you feel were unauthorized, your REP must correct the credit report without delay.

**Payment Arrangements and Deferred Payment Plans:** If you cannot pay your bill, you should contact your REP immediately. You may be eligible for a short-term payment arrangement that allows you to pay your bill after your due date, but before your next bill is due. You must fulfill your arrangement to avoid termination of service. In addition, you may qualify for a “deferred payment plan.” A deferred payment plan allows you to pay an outstanding bill in installments that extend beyond the due date of your next bill. A deferred payment plan may be established in person or by telephone, but all deferred payment plans shall be confirmed in writing. All REPs must offer customers deferred payment plans upon request for bills that become due during an extreme weather emergency, during a state of disaster declared by the governor to customers in the area covered by the declaration, and to customers who have been under-billed in the amount of \$50 or more with limited exceptions. Additionally, deferred payment plans shall be offered to certain residential customers for bills that become due during July, August, and September, and if certain conditions apply, January and February. For additional details on these programs, please see your Terms of Service Agreement or contact your REP.

**Level and Average Payment Plans:** You may be eligible for a level or average payment plan if you are not currently delinquent in payment to your REP. Additionally, level or average payment plans are available for certain residential customers for bills that become due during July, August, and September, and if certain conditions apply, January and February. If you do not fulfill the terms for the level or average payment plan, your REP may apply a switch-hold to your account or disconnect your service. For additional detail on the available payment plans, please see your Terms of Service Agreement or contact your REP.

**Financial and Energy Assistance:** If you express an inability to pay your bill or you need assistance with your bill payment, you may be eligible for payment assistance. Customers who receive food stamps, Medicaid, AFDC or SSI from the Texas Department of Human Services or whose household income is not more than 125% of the federal poverty guidelines may qualify for energy assistance. You should contact your REP for information.

**Payment Assistance:** Your REP will implement a bill payment assistance program that will solicit voluntary donations from customers through its retail electric bills. An assistance agency will be selected to disburse funds and the agency will not discriminate in the distribution of funds to customers based on race, creed, color, national origin, ancestry, sex, marital status, lawful source of income, disability, familial status, location of customer in an economically distressed geographic area, or qualification for the low-income discount program or energy efficiency services.

**Unauthorized Change of Service Provider:** If you feel that your service was switched without your consent, you should contact your REP. You may request

verification of your authorization to switch. In the event proper authorization was not obtained, as promptly as possible following receipt of notice by the REP, the registration agent will facilitate your prompt return to your original REP, or REP of choice in case of a move-in. The affected REPs, the registration agent, and the TDSP shall take all actions necessary to return you to your original REP, or REP of choice in the case of a move-in, as quickly as possible. The affected REPs, the registration agent, and the TDSP shall take all actions necessary to bill correctly all charges.

You may also file a complaint with the PUCT against your REP if you feel your service was switched without your authorization. Your REP will stop any collection activity related to the alleged unauthorized switch or move-in until the complaint has been resolved.

## **CUSTOMER PROTECTIONS**

### **Disconnection of Service – With Notice:**

A REP may request that the TDSP disconnect your electric service if you do not pay your bill by the due date and after the expiration of a required 10-day notice period. The 10-day notice period begins once your REP issues you a written Disconnection Notice. The Disconnection Notice must be a separate mailing or hand delivered notice with a stated date of disconnection and may not be issued before the first day after the bill is due. The disconnection day may not be a holiday, weekend day, or day that the REP's personnel are not available to take payments, and shall not be less than ten days after the notice is issued. The notice shall also include a statement notifying the customer that if the customer needs assistance paying the bill by the due date, or is ill and unable to pay the bill, the customer may be able to make some alternate payment arrangement, establish a deferred payment plan, or possibly secure payment assistance. **A REP may seek to have your electric service disconnected for any of the reasons listed below:**

- i. failure to pay any outstanding bona fide debt for electric service owed to the REP or to make deferred payment arrangements by the date of disconnection stated on the disconnection notice;
- ii. failure to comply with the terms of a deferred payment agreement made with the REP;
- iii. violation of the REP's terms and conditions on using service in a manner that interferes with the service of others or the operation of nonstandard equipment, if a reasonable attempt has been made to notify the customer and the customer is provided with a reasonable opportunity to remedy the situation;
- iv. failure to pay a deposit as required by PUCT Substantive Rules §25.478 which is available at <http://www.puc.texas.gov/agency/ruleslaws/subrules/electric/25.478/25.478.pdf>; or
- v. 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.

### **Disconnection is prohibited for the following reasons:**

- i. delinquency in payment for electric service by a previous occupant of the premises if the occupant is not of the same household;
- ii. failure to pay for any charge that is not related to electric service;
- iii. failure to pay for a different type or class of electric service unless charges for such service were included on that account's bill at the time service was initiated;
- iv. failure to pay charges arising from an under-billing, except for charges related to theft of service;
- v. failure to pay disputed charges until a determination as to the accuracy of the charges has been made by the REP;
- vi. failure to pay disputed charges while an informal complaint has been filed and is pending or a complaint that has been formally docketed with the PUCT is pending;
- vii. failure to pay charges arising from an under-billing due to any faulty metering, unless the meter has been tampered with; or
- viii. 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 TDSP.

Your REP will not abandon you or a service area without advance written notice to you and the PUCT. In the event your REP terminates your service due to abandonment, your REP will not collect or attempt to collect penalties from you. Your REP will not terminate service for a billing period in which the provider receives a pledge, letter of intent, purchase order, or other notification that an energy assistance provider is forwarding sufficient payment to continue service, provided that such pledge, letter of intent, purchase order, or other notification is received by the due date stated on the termination notice, and the customer, by the due date in the termination notice, either pays or makes payment arrangements to pay any outstanding debt not covered by the energy assistance provider. If an energy assistance provider has requested historical usage data, your REP will extend the final due date on the termination notice, day for day, from the date the usage data was requested until it is provided. Your REP will allow at least 45 days for an energy assistance provider to honor a pledge, letter of intent, purchase order, or other notification.

### **Disconnection of Service – Without Notice: Electric service may be disconnected without notice for the following reasons:**

- i. A known dangerous condition exists. Prior notice will be given if possible. Notice will be provided by phone or posted on the door of the residential unit as soon as practicable after service is disconnected. If service was disconnected because a dangerous condition existed, you must correct the situation to have your service reconnected. Once you notify your REP that corrective action has been taken, service can be reconnected.
- ii. Service was connected by a person without authority and without an Agreement.
- iii. Service is reconnected without authority after being disconnected for failure to pay.
- iv. There is evidence of tampering with equipment of the TPSD.
- v. There is evidence of theft of service.

**Involuntary Suspension or Disconnection:** If service was disconnected because a dangerous situation existed, you must correct the situation to have your service reconnected. Once you notify your REP that corrective action has been taken, service can be reconnected. If your service was disconnected for nonpayment, you must correct the reasons for the disconnection. Once corrected, your TDSP will be notified to reconnect your service. Prior to disconnection, you will continue to receive service according to the Terms of Service that were in effect.

**Reconnection:** Your REP will, upon satisfactory correction for the reason(s) for disconnection, request the TDSP to reconnect your electric service as quickly as possible.

**Do Not Call List:** The PUCT maintains a "Do Not Call List" of customers who do not want to receive telemarketing calls for electric service. Call toll-free 1-866-TXNOCA(L) or 1-866-896-6225, or visit the PUCT website at [www.puc.state.tx.us](http://www.puc.state.tx.us) to subscribe to the Do Not Call List.

**Language Availability:** You may request to receive information from your REP in English, Spanish, or any language in which you were initially solicited as a customer. This includes the Terms of Service Agreement, Electricity Facts Label, bills and bill notices, information on new electric service, discount programs, promotion, and access to customer assistance.

**Privacy Rights:** Your REP will not release confidential information to any other person, including an affiliate of the REP, without obtaining your authorization. Under no circumstances will a REP sell, make available for sale, or authorize the sale of any customer-specific information. This exclusion will not apply to the release of such information by a REP to:

- i. The PUCT in pursuit of its regulatory oversight or the investigation and resolution of customer complaints;
- ii. An agent, vendor, partner, or affiliate of the REP engaged to perform any services for or functions on behalf of the REP;
- iii. A consumer reporting agency as defined by the Federal Trade Commission;
- iv. An energy assistance agency to allow a customer to qualify for and obtain other financial assistance provided by the agency;
- v. Local, state, and federal law enforcement agencies;
- vi. The TDSP within whose geographic service territory the customer is located;
- vii. The Office of the Public Utility Counsel;
- viii. The release of a mass customer list; however, a customer will receive notice and provided with the option of not being included on the list;
- ix. The registration agent, another REP, a provider of last resort, or TDSP as necessary to complete a required market transaction, under terms approved by the PUCT; or
- x. The registration agent or a TDSP in order to effectuate a customer's move-in, transfer, or switch.

**Chronic Condition or Critical Care Status:** A Chronic Condition or Critical Care Residential Customer is a residential customer for whom an interruption or suspension of electric service creates a serious or life-threatening condition. You have the right to apply for designation as a Chronic Condition or Critical Care customer. To obtain this designation, you must receive approval from the TDSP. Upon your request, your REP shall provide you with the application form for Critical Care Residential Customer and Chronic Condition Residential Customer Designation.

**Special Services:** The PUCT offers services to allow comprehensive access to the telephone network by Texans who are deaf, deaf and blind, hard-of-hearing, or speech-disabled. TTY users may obtain access by dialing the Relay Texas number 711 or by dialing the Relay Texas TTY number, 1-800-RELAY TX (735-2989). There is no charge for using Relay Texas. However, you are responsible for paying for any long distance calls. This service is available for Texans 24 hours a day, 365 days a year.

**Statement of Non-Discrimination:** No electric utility or retail electric provider shall discriminate on the basis of race, creed, color, national origin, ancestry, sex, marital status, lawful source of income, level of income, disability, or familial status. No electric utility or retail electric provider shall unreasonably discriminate on the basis of geographic location.

**Contact Information:**

REP Name: North American Power and Gas, LLC  
Internet address: [www.napower.com](http://www.napower.com)  
Customer Service telephone number: 800-396-6035  
Customer service hours: Monday-Friday 8am-5pm CST  
PUCT CERTIFICATE NUMBER: 10207

Business Name (d/b/a): North American Power and Gas, LLC  
Email address: [txcustomer@napower.com](mailto:txcustomer@napower.com)  
Fax: 1-678-831-0118  
Address: 1500 Rankin Road, Ste. 200, Houston, TX 77073

**Public Utility Commission of Texas  
Consumer Protection Division**

Direct: 512-936-7120  
Fax: 512-936-7003  
Internet Web Address: [www.puc.texas.gov](http://www.puc.texas.gov)

Toll Free: 1-888-782-8477  
Address: P.O. Box 13326, Austin, Texas 78711-3326