20.53.07.13

.13 Notice of Change in Rate.

A. When a customer's rate changes, a supplier shall make available to a customer his or her rate for the next billing period:

(1) The rate shall be made available at least 12 days prior to close of the customer's billing period;

(2) The rate shall be made available in a clear, easy to access format prescribed by the supplier;

(3) The supplier shall promptly provide the customer written directions on how to access the rate:

(a) At the time of contracting;

(b) In the Contract Summary;

(c) When sending any notice as required in this title;

(d) Upon request; or

(e) If the supplier changes the directions for accessing the rate.

B. A supplier may provide an estimated rate for the customer's next billing period, provided the estimated rate is made available at least 12 days prior to the close of the customer's billing period. If the supplier provides an estimated rate for the customer, the supplier shall not use a rate for billing purposes that is higher than the estimate.

C. Written Notice Requirement.

(1) If a contract with a fixed rate for three or more billing cycles changes to a variable month-to-month price and a change in the contract rate will be equal to or exceed 30 percent of the supplier's current supply rate, the supplier shall provide written notice of the new rate to the customer at least 12 days prior to the close of the customer's billing period.

(2) The written notice shall be provided by mail, or with the mutual consent of the supplier and customer, by email, text, automated phone message or other manner.

(3) The supplier shall maintain records that such notice was provided to the customer.

D. Neither a supplier nor a customer may limit or waive this provision.