**Section 512.165 Rate Notice to Customers**

a) Each AGS shall make publicly available on its website, without need for customer login, rates currently available to residential customers, including but not limited to fixed periodic charges and per-therm charges. Additionally, when a customer’s rates change during the term of an agreement or contract, the AGS shall make the new rates available to that customer on its website, and, if applicable, through the customer’s online account, at least 30 days prior to the effective date of any rate change. The AGS must disclose the period to which the rates will apply. In addition, each AGS shall provide the rate information to its residential variable rate customers who request it through the AGS’ toll-free number. The customer's contract shall contain the website address and toll-free phone number through which a customer may obtain variable rate information in accordance with this Section.

b) If the AGS charges for residential variable rate customers are included on the utility’s bill, the AGS shall use the allotted space on the utility’s bill to disclose the customer's variable rate that is in effect at the time the bill is received by the customer and the percentage change, if any, of the variable rate from one monthly billing period to the next. When there is insufficient available allotted space on the utility bill for the AGS to make these disclosures each month, the AGS shall ensure that no residential variable rate customer receives consecutive monthly bills that fail to disclose upcoming variable rates in the bill's message section.

c) If the AGS bills its residential variable rate customers directly, the AGS shall ensure that those customers' bills always contain the variable rate information described in this Section.  Additionally, every AGS that issues a single bill for delivery and supply shall include the utility gas supply cost.

d) If the natural gas utility's implementation of Section 19-135 prevents an AGS from complying with this Section, the AGS shall include a bill message that contains the toll-free phone number and website address where the variable rate information can be obtained by the customer. The requirements of subsections (b) and (c) to provide notifications in customer bills do not apply if the AGS sends the notifications required by this subsection via a written communication sent at the same time as the customer's monthly bill.

e) If a residential variable rate customer's rate increases by more than 20% from one monthly billing period to the next, in addition to any notice required by this Section, the AGS shall send a separate, dated, written notice to the customer informing the customer of the upcoming rate change and including the utility gas supply cost.

f) Subsections (a) through (e) shall not apply to contracts that disclose the formula that will allow a customer to determine the variable rate based on a publicly available, whether for free or a fee, index or benchmark. For contracts to which subsections (a) through (e) do not apply:

1) The AGS shall provide sufficient information on its website, or through the customer’s online account to identify the inputs to the formula used to calculate the variable rate, including the timing and location of the index or benchmark price and any other information necessary to calculate the rate;

2) The AGS shall provide clear and unambiguous information on the index or benchmark and any risks represented by the potential volatility (price spikes) involved in the rate calculations; and

3) Notice of the rates shall be available on the AGS’ website and by toll-free telephone as soon as reasonably practicable.

g) If a contract includes a provision that results in a change to the residential customer's rate plan, including a change from a fixed rate to a variable rate, the AGS shall send a separate, dated, written notice of the upcoming change at least 30 days, but no more than 60 days, prior to the switch. The separate written notice shall include:

1) A statement printed or visible from the outside of the envelope or in the subject line of the email (if customer has agreed to receive official documents by email) that states "Upcoming Rate Plan Change";

2) The bill cycle in which the changes to the rate plan will begin; and

3) A statement in bold lettering, in at least 12-point type, that the rate can change for the remainder of the contract. If the customer is on a plan that changes from a fixed price to a variable price at the end of the contract term or during the contract term, and if the customer is eligible for one or more fixed rate offers from the AGS, the AGS shall include information about those offers, including information explaining how to enroll in the offers.

h) An AGS that currently enrolls residential customers on a variable rate product for three consecutive months in any gas utility's service territory, including products that automatically switch or convert to a variable rate during the term of the contract, or automatically renews customers on a variable rate product for three consecutive months in any gas utility’s service territory, must, for each such variable rate product, publicly disclose on the AGS’ website and make available through a toll-free number, the one-year variable rate price history, or history for the life of the product if it has been offered less than one year and shall include the utility gas supply cost. An AGS shall not rename a product in order to avoid disclosure of price history.