**Section 280.105 Treatment of Illegal Taps**

a) Where within 30 days of receipt of a utility's bill a customer alleges that the level of consumption reflected in his utility bill is unreasonably high, it shall be the responsibility of the public utility furnishing natural or artificial gas, electricity, or water to that customer to investigate the allegation. If, as a result of such investigation, the public utility determines that a tap has been constructed on the pipes and/or wires of the customer, the utility shall attempt to notify the landlord or his agent and instruct that the tap should be removed immediately. However, this provision shall in no way prohibit a utility from disconnecting service if the utility determines that an unsafe condition exits. The utility shall also attempt to determine the identity of the party benefiting from such tapped service.

b) If the utility determines that the third party benefiting from the tapped service is not the landlord or his agent as described in Section 54(b) of the Public Utilities Act, the following procedures shall apply once the tap has been removed. The customer whose pipes and/or wires had been tapped by a third party shall be billed by the utility according to a domestic use and/or degree day analysis, whichever is appropriate.

c) If the utility identifies the third party and finds that he is currently a customer of the utility on another account, the utility is authorized to bill that third party's account for the excess usage which is not attributable to the customer whose line had been tapped plus all related expenses incurred by the utility. If the utility identifies the third party and finds that he is not a customer of the utility, the utility is authorized to bill that third party for the excess usage which is not attributable to the customer plus all related expenses incurred by the utility using the procedures established for the billing of unauthorized use of utility service. In cases where the utility cannot determine the identity of the party benefiting from the tap, the utility may assign the dollar amount representing the excess usage and expenses to its bad debt account.

d) In cases where the diversion of gas or electricity is the result of a construction error in the pipes and/or wires which are not the responsibility of the public utility, the accounts of the customers involved may be adjusted according to a domestic use and/or degree day analysis, whichever is appropriate.

e) In instances where the customer of record benefited from, cooperated in or acquiesced to the tap, the utility may collect from the customer of record for the service associated with the tap.