

Decision No. 40590

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

MAURICE ARMI,

Complainant

-vs.-

SOUTHERN CALIFORNIA GAS COMPANY

Defendant

CASE NO. 4875

ORIGINAL

Maurice Armi, in propria persona.
T. J. Reynolds and Milford Springer
 For Southern California Gas Company.

POTTER, COMMISSIONER:

O P I N I O N

Complainant is the owner of the Alexandria Apartments, 1953 Estrella Avenue, Los Angeles. He complains that the gas bills for said apartment, for the six-months period of June 25, to December 26, 1946, were abnormally high and that the cause was a fast or defective meter. He seeks a refund of \$202.20, which is the amount by which the 1946 charges exceed those of 1945 for the period in question⁽¹⁾.

(1) In 1945 and 1946 gas bills were rendered and paid as follows:
 For the first six months of 1945 and 1946 the bills totaled \$466.26 and \$419.29, respectively. From June 25 to December 26 of said years the following bills were paid:

6/25/45 to 7/26/45	\$37.41	6/25/46 to 7/25/46	\$88.76
7/26/45 to 8/25/45	32.19	7/25/46 to 9/ 5/46	140.48
8/25/45 to 9/25/45	34.26	9/ 5/46 to 9/25/46	67.63*
9/25/45 to 10/24/45	37.41	9/25/46 to 10/24/46	41.69*
10/24/45 to 11/26/45	74.00	10/24/46 to 11/25/46	79.94
11/26/45 to 12/26/45	86.55	11/25/46 to 12/26/46	85.52
Total	\$301.82		\$504.02

* \$109.32 impounded with Commission

A public hearing was held in Los Angeles before Commissioner Potter and Examiner Chiesa and evidence having been adduced, the matter was submitted for decision.

We find upon the evidence of record that prior to June 25, 1946, and subsequent to September 25, 1946, the consumption of gas at said apartment, compared with the amount of gas delivered during the previous corresponding months, was on a normal basis; that gas consumption was abnormally high for the three-months period between June 25, and September 25, 1946, and that the gas bills for said period totaled \$296.87 in 1946 and \$103.86 in 1945; that complainant first learned that his gas bills were exceptionally high in September, 1946, and immediately thereafter had the matter called to the attention of defendant; that two meter readings, taken on September 25, 1946, showed that gas was being consumed at an abnormal rate; that the cause of the excessive consumption was not determined on September 25, 1946, nor has it since been ascertained; that said meter was again checked on September 30, 1946, and it was then registering a normal consumption.

The record also shows that defendant offered to settle the dispute by sharing fifty per cent of the estimated loss as complainant apparently had received no benefit. This offer was not accepted by complainant.

Complainant could not suggest any reason why his meter suddenly began to operate faster than usual except that he guessed that something, for some unknown reason, went wrong with the mechanism within the meter. As to the meter's quick return to normalcy, he implied some person, perhaps a gas company employee, may have been responsible.

Although it is evident that an abnormal amount of gas was used or wasted during the period in question, there is no evidence in the record that shows what caused the sudden changes in the operation of the meter.

The record also shows that complainant refused to permit a meter test in the approved manner but wanted, instead, to have a second meter placed in series (tandem) with the meter on the premises, for a test period. The defendant would not agree to such a test. The meter remained on the premises until June 8, 1947, when, pursuant to the order of this Commission, it was removed for an official test, which was conducted by a Commission engineer, in the presence of complainant and representatives of defendant company.

The result of said test (Exhibit No. 1) shows, and we find, that complainant's meter registered 1.40% in excess of the true amount of gas passed, as indicated by the meter prover, at the full rated capacity of the meter, but only .40% in excess of the true amount indicated by the prover at the average rate of consumption of this size meter; that said percentages are within the allowable limits of 2%, as prescribed by this Commission.

Upon full consideration of the evidence of record in this proceeding, we are unable to find that the abnormal gas consumption, during the period of June 25, to September 25, 1946, resulted from any defect in the meter then in use at said premises or that such abnormal gas consumption was the result of any act of the defendant company or any of its employees; therefore, the complaint will be dismissed.

O R D E R

The case being at issue upon complaint and answer on file, having been heard and submitted for decision, and basing its decision on the findings of fact and conclusions contained in the Opinion preceding this Order, the Commission orders as follows:

That the complaint of Maurice Armi, in Case No. 4875, be, and it hereby is, dismissed.

The effective date of this Order shall be twenty (20) days from the date hereof.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Public Utilities Commission of the State of California..

Dated at Los Angeles, California, this 5th day of August, 1947.

Harold P. Kula

Justus F. Casner

Jack K. Kull

Wyneth Lott
COMMISSIONERS