

usually more than \$150. The evidence discloses the actual amounts from February 28, 1956 to April 30, 1957. During this period the lowest charge was \$158.60, and the highest was \$219.10. The bill for the two-month period ending April 30, 1957, was \$218.67.

The bill for the two-month period between April 30, 1957, and June 28, 1957, was \$16.02, and from that time until August 27, 1958, the bills were all much smaller than they previously had been. During this period the highest bill was \$61.28, and the lowest was \$10.67. The billing for the two-month period ending August 27, 1958 was \$12.55. For the two-month period between August 27, 1958, and October 27, 1958, the billing was \$220.70.

Specifically, the complaint in this matter alleges that on or about January 22, 1959, the defendant rendered to complainant a bill showing an unpaid balance of \$1787.73 and requests that defendant be enjoined from making this charge. The reason for this billing allegedly was to cover charges for the period between April 30, 1957 and August 27, 1958, during which time it was contended that the meter dials had revolved completely during each of these billing periods and that therefore the complainant had not been charged for approximately 10,000 KWH during each two-month period but merely had been charged for the excess of this amount shown on the meter face.

The evidence submitted at the hearing includes analysis of customer accounts submitted by the company and the data concerning the meter concerned. It was pointed out that the meter in question was disconnected in November of 1958 and tested. The

tests show that this meter was operating within acceptable tolerances of accuracy.

The position of the complainant was that he had paid each bill as it had been rendered and had, in fact, not known of any significant change in the amounts of billings inasmuch as his wife handled these accounts and he being busy in the grocery store did not pay any attention to them. He also pointed out that under the company's contention the billings for the questioned period were considerably higher than they had been before or since. For example, the billing which the company contends should have been made for the period ending June 28, 1957, was 10,319 KWH. The correct billings for any period, covered by the evidence, prior to this never exceeded 6700 KWH. The billings which the company now contends should have been made for the period from April 30, 1957 to October 27, 1958 all exceeded 10,000 KWH. The billing for the period ending October 27, 1958 was 7420 KWH, and for January 8, 1959 it was 9318 KWH. After this the billings immediately dropped to 4272 KWH for the period ending February 5, 1959 and have been no higher than that since.

The position of the company was that they had discovered on or about October 27, 1958 that the meter had been completely revolving during each two-month period. They conceded that they had made no check of the situation when the billing dropped from 6682 KWH for the period ending April 30, 1957, to 319 KWH for the period ending June 28, 1957, and during the subsequent billing periods nothing was done by the company until October 27, 1958.

The evidence also discloses that the complainant remodeled his market in April of 1957, and also started to stay open seven days a week about that time. Approximately the first part of 1958 he began closing on Sundays.

Upon this record there is no reason to question the corrected meter readings as submitted by the company. While it may appear peculiar that the meter readings should be so much higher during the questioned period, the evidence does show that the complainant did make certain additions of electrical fixtures to his store and did operate on a seven-day-a-week basis. While the complainant may have some apparent basis in his assertions that he did not actually know of these changes and charges and, further, that the company was dilatory in not checking the matter more promptly than it did, yet the basic problem herein presented is the application of the correct tariff charges for the amount of energy consumed. The conclusion is therefore inescapable that the complaint should be dismissed.

O R D E R

Complaint and answer as above-entitled having been filed, a public hearing having been held thereon, the Commission being fully advised in the premises and hereby finding that complaint has failed to justify the relief sought,

IT IS ORDERED that the complaint of A. R. Marsh, Jr., against Southern California Edison Company be and it hereby is dismissed.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 27th day of July, 1959.

Peter E. Mitchell

Commissioner S. C. Lynn Fox, being necessarily absent, did not participate in the disposition of this proceeding.

[Handwritten signature]

President
[Handwritten signature]

[Handwritten signature]

Commissioners