

NW/HW

Decision No. 77822

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

L. BERT EDWARDS

Complainant,

vs.

THE GENERAL TELEPHONE COMPANY, A  
Corporation,

Defendant.

Case No. 8971  
(Filed September 22, 1969)

L. Bert Edwards, in propria  
persona.

A. M. Hart, Donald J. Duckett  
and Walter Rook by Walter  
Rook, for defendant.

O P I N I O N

On September 22, 1969 complainant filed a complaint alleging that defendant had erroneously billed complainant for \$1,964.39 in telephone charges. In Decision No. 77521 dated July 21, 1970 the Commission found that a substantial amount of the disputed bill was caused by an unauthorized use of complainant's credit card and, under the facts of the case, not the responsibility of complainant. Because the number of telephone calls were so numerous the Commission ordered a further hearing on August 31, 1970 to determine the exact amount of unauthorized calls, and required the parties, prior to the hearing, to meet in a mutually convenient place and attempt in good faith to determine which of the disputed charges were unauthorized, and to present the results of the meeting at the hearing.

The parties met and made the determination required by the Commission. At the August 31 hearing the parties submitted a stipulation (herein marked Exhibit 11) which states in part, "Of the total unpaid balance of \$1964.39 it was determined that \$1324.01 were calls made by Mr. Stanley Gerbovaz and unknown parties, leaving a balance of \$640.38 on complainant's bill."

Based on the evidence and the stipulation submitted in this case the Commission finds that \$1,324.01 of the \$1,964.39 bill of defendant to complainant is not the responsibility of complainant and \$640.38 is complainant's responsibility. The Commission concludes that defendant should modify its bill of \$1,964.39 to show the correct balance of \$640.38.

O R D E R

IT IS ORDERED that General Telephone Company of California shall modify its bill of \$1,964.39 heretofore submitted to L. Bert Edwards by reducing it by \$1,324.01 and render a corrected bill to L. Bert Edwards in the amount of \$640.38.

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

Dated at San Francisco, California, this 14th day of OCTOBER, 1970.

[Signature] Chairman  
[Signature]  
[Signature]  
[Signature] Commissioners