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Decision No. 84533

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SKI-LIFT APARTMENTS CORP.,)

Complainant,)

vs.)

Case No. 9922

SOUTHERN CALIFORNIA EDISON)
COMPANY, a corporation,)

Defendant.)

ORDER GRANTING INTERIM RELIEF

Complainant alleges:

1. Complainant corporation is the owner of two apartment buildings at Mammoth Lakes, California. We infer from the complaint that complainant's shareholders are the families which occupy the apartments.

2. The apartments in question were operated by Resort Operators, Inc. (Resort) pursuant to a lease with complainant. This lease included a requirement that Resort pay the utility bills. Resort did pay the utility bills until December 14, 1975, when it apparently became delinquent in these payments. On May 6, 1975, Resort filed a petition for reorganization under Chapter XI of the Bankruptcy Act.

3. Complainant was not the party regarded by defendant as responsible for the utility bills before May 1, 1975 and is not liable for said bills.

4. Defendant will cut off electric service as of June 10, 1975, unless otherwise ordered by this Commission.

Complainant seeks an interim order preventing termination of electric service pending a determination of liability for the past due bills. Complainant further requests an interim order requiring defendant to accept an application from complainant for new service, commencing May 1, 1975, with deposit and rates at defendant's prevailing practice and schedules.

The Commission finds that sufficient facts have been alleged to indicate a doubt as to who is responsible for the charges for electric service supplied by defendant. We further find that immediate and irreparable injury will occur to complainant and the families occupying its apartments if electric service is discontinued. We conclude the interim relief should be granted.

IT IS ORDERED that:

1. Defendant shall cease and desist from discontinuing complainant's electric service for reasons of failure to receive payment for service prior to May 1, 1975.

2. Complainant may make application for service from defendant in the same manner as if it were seeking new service as of May 1, 1975. This application must be made within seven days of the effective date of this order.

3. Defendant shall cease and desist from discontinuing electric service to complainant prior to the expiration of the period allowed in Ordering Paragraph 2. If complainant makes proper application for service as contemplated in Ordering Paragraph 2, and if, within one week of presentation of a bill for electric service commencing May 1, 1975 to the regular billing date, complainant pays the bill for charges commencing May 1, 1975, the cease and desist order in Ordering Paragraphs 1 and 3 shall continue until further order of the Commission.

Hearings on this matter may be scheduled following completion of the normal pleadings contemplated in the Commission's Rules of Practice and Procedure.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 10th day of JUNE, 1975.

Yunus L. Sturgeon
President
William J. Givens
W. J. Givens
Robert J. Givens
Commissioners