

ORIGINAL

Decision No. 84963

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

G. E. BATES, dba ABC MOBILEHOME
BROKERS,

Complainant,

vs.

SOUTHERN CALIFORNIA EDISON COMPANY,

Defendant.

Case No. 9938
(Filed June 27, 1975)

Granvil E. Bates, for himself,
complainant.

Mary E. Schroeder, Attorney at
Law, David G. Karnos, Glenn
H. Bashore, and Donald L.
Milligan, for defendant.

O P I N I O N

Complainant alleges that during the period April 19 to August 23, 1974 the defendant charged him and he paid for more electrical energy than he received by reason of the fact that the meter that was used for the purpose of recording his consumption of electrical energy, was defective. He seeks to require the defendant to pay reparation for the amount of electrical energy that he paid for and did not receive. Defendant denies that the meter was defective and denies that the complainant was charged any sum in excess of the electrical energy which he actually received, and contends that the complainant is not entitled to any reparation.

A public hearing was held in Los Angeles on August 21, 1975 before Examiner James D. Tante and the matter was submitted on that date.

At the hearing the parties stipulated that the number of Kwh for which the complainant was billed and for which he paid during the following periods in 1974 was: February 26 to April 19, 414; April 19 to June 25, 1,464; June 25 to August 23, 1,685; August 23 to October 24, 1,869. The parties further stipulated that the period to be considered in the complainant's request for reparation was April 19 to October 24, 1974, and that in the event it was found that complainant was entitled to reparation, it would be computed at four cents for each Kwh that he had been overcharged for during that period.

Complainant is in the business of selling trailers in Glendora, California. His place of business is on a lot 200 feet by 300 feet improved with one office, two small houses, one storage building, 16 light fixtures 20 feet tall with each containing four fluorescent tubes approximately 6 to 8 feet long, and a string of lights 200 feet long containing 100, 100 watt light bulbs. His hours of business are from 8:30 a.m. to 5:00 p.m., and an employee resides in one of the small houses. In a comparable period in the preceding year, April 25 through October 25, complainant was billed and paid for 4,314 Kwh, approximately 700 Kwh or 14 percent less electrical energy than the same period in 1974. During the year following February 26, 1973 complainant was billed and paid for 6,603 Kwh, and during the year following February 26, 1974 he was billed and paid for 6,791 Kwh, approximately three percent more than the previous year. On April 19, 1974 complainant caused his premises to be connected to a different meter situated on his premises in

order to avoid the payment of a charge that would have been necessary had he continued to use the meter that he had been using up to that time. From December 2, 1971 to April 19, 1974 the meter involved herein had not been used and had not been disconnected from the source of electrical energy, but registered no use of electrical energy.

Complainant testified that an electrician employed by him, and representatives of the defendant, investigated the matter and upon disconnecting the wires leading from the meter to his premises, the disc in the meter, the function of which was to record the use of electrical energy, would continue to run without any load being on the meter. This, complainant contends, indicated a recording of use of electrical energy when in fact none was being used. He did not have the electrical appliances on his premises inspected or tested. He stated that during April to October, 1973 he resided in one of the houses on the premises but during 1974 that house was unoccupied and he resided elsewhere.

A representative of the defendant testified that the disc in the meter runs proportional to the current flowing through the meter; that the company's investigation showed that the meter was in good condition and was accurate; that when the wires leading to the premises are disconnected from the meter, the meter will continue to run at a slow speed for a period of three to five minutes in order to seek a balance and stabilize itself, but during this period will not rotate more than one-half revolution in any direction; he testified that in the event the disc made one or more full revolutions during a period of 15 minutes or less, it would be considered

to creep, and would be in need of repair. He stated that the fact that the meter involved herein did not record any use of electrical energy during the period it was in disuse but connected to the source of energy, from December 2, 1971 to April 19, 1974, approximately 2½ years, was evidence that during 1974 the meter was not recording the use of electrical energy when none was being used.

Another representative of defendant testified that during the period involved the load at the premises of the complainant consisted of: a 16 cubic foot double door frost-free refrigerator, 460 watts; one air conditioner, 1,380 watts; one air conditioner, 3,400 watts; one black and white television set, 250 watts; one color television set, 350 watts; miscellaneous lighting and small appliances, 5,000 watts; for a total of 10,840 watts; and that the number of Kwh for which the complainant was billed and for which he paid during the period involved herein is not inconsistent with the existing load.

Findings

1. During the period April 19 to October 24, 1974 the complainant was billed by the defendant and paid for 5,018 Kwh of electrical energy.

2. During that period the defendant's meter accurately recorded the use of electrical energy by the complainant, and the complainant was not charged for any electrical energy that was not provided by the defendant.

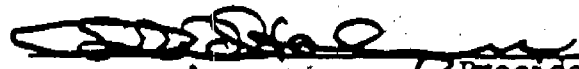
The Commission concludes that during the period April 19 to October 24, 1974 the complainant did not pay the defendant any sum over and above that which was due the defendant, and complainant is not entitled to reparation.



O R D E R


IT IS ORDERED that the relief requested by complainant is denied.


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

Dated at San Francisco, California, this 7th
day of OCTOBER, 1975.



President







Commissioners