

Decision 89 12 035 DEC 18 1989

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**ORIGINAL**

Loren L. Prout, )  
 Complainant, )  
 vs. )  
 Pacific Gas and Electric Company, )  
 Defendant. )

---

Case 89-06-008  
(Filed June 6, 1989)

Loren L. Prout, for himself, complainant.  
Barbara S. Benson, Attorney at Law, for  
 Pacific Gas and Electric Company, defendant.

OPINION

Loren L. Prout (Prout) filed this complaint against Pacific Gas and Electric Company (PG&E) seeking relief from electricity billings in the amount of \$2,999.70.

This decision denies Prout's complaint, finding that PG&E properly billed Prout for electricity during the period of July 16, 1987 through November 14, 1987.

One day of hearing was held in this case. The case was submitted on September 28, 1989.

Prout's Complaint

Prout's complaint states that PG&E overbilled him for the period of July 1987 through November 1987. Prout's November bill was submitted after he received no bill for August through October. The amount of the November bill was \$2,999.70.

The account for the disputed bill is for electricity used to operate equipment in Prout's walnut orchard. The complaint states that Prout could not have used the amount of electricity on the bill because his irrigation pumping equipment was out of service until the end of July. Because his equipment was out of

service, Prout irrigated his walnut orchard only once, for a 12-day period, between July and November 1987. The complaint also states that the high meter reading showed up after the installation of a new PG&E meter, and that Prout did not receive a sufficient explanation of why PG&E changed his meter twice.

#### PG&E's Response

In its response, PG&E states the November 1987 bill is correct. It admits changing Prout's meter twice. The first meter change resulted from a rate change requested by complainant, requiring the installation of a "demand" meter; however, a "nondemand" meter was installed in error. PG&E states the second meter change was for installation of a demand meter. These meter changes, according to PG&E's response, did not affect the accuracy of PG&E's measurement of Prout's electric service.

#### Discussion

Based on the evidence presented in this proceeding, we do not believe Prout was improperly billed for electricity. The electricity billed could have been used by Prout considering his load and the circumstances surrounding his complaint.

Prout states his bill is higher than what would be expected because his irrigation equipment was out of service until the end of July. In fact, Prout's bill reflects very low usage during that period in July. Prout's July meter reading was 410 kilowatt-hour (kWh). Most billed usage during the disputed period occurred between July 28 and October 7, for which PG&E billed Prout 34,813 kWh. Most of the disputed electricity billings, therefore, are for a period during which Prout's pumping equipment was in service.

Notwithstanding the July charges, Prout testified that he irrigated only once for a 12-day period between July and November. We have no reason to doubt the truthfulness of this testimony. However, Prout's foreman, Van Winkle, could not corroborate that the orchard was irrigated only once during the four-month period.

Van Winkle stated he irrigated once a month "all the way up to September." He also testified that harvest takes place during the end of September. Prout's foreman, therefore, could have irrigated once in August and once in early September.

If Prout's foreman irrigated the orchard twice, the equipment would have been in use for 24 hours of about 24 days. PG&E testified that Prout's irrigation equipment would use about 1,340 kWh during a 24-hour period. Over a 24-day period, the pumps would draw about 32,000 kWh, which is slightly less than Prout's bill for the period July 28 through October 7.

PG&E provided records to show that its meters were operating properly and that Prout's usage during 1987 was comparable to usage over comparable periods in 1986 and 1988. Its witness testified that PG&E changed Prout's meters twice because one had been installed in error. PG&E also showed that it investigated Prout's concerns in a timely and fair fashion. Prout did not provide evidence to contradict PG&E's testimony.

In summary, Prout did not demonstrate that his load did not or could not have drawn the amount of electricity billed. We cannot find that PG&E improperly billed Prout for the period of July 16, 1987 through November 14, 1987, and will deny Prout's complaint.

Findings of Fact

1. Prout filed this complaint against PG&E alleging that his billings for July 16, 1987 through November 14, 1987 are incorrect.

2. Prout's irrigation pump was out of service during July 1987.

3. Prout's billed usage for the period of July 16, 1987 through July 28, 1987 is 410 kWh. This amount is much lower than billed usage during August and September 1987, months during which irrigation may occur and during which Prout's irrigation pump was in operating condition.

4. Prout did not provide evidence to demonstrate that his estimated or actual load was not great enough for him to have used electricity for which he was billed between July 1987 and November 1987.

5. Prout's irrigation equipment would use approximately 1,340 kWh over a 24-hour period.

6. PG&E changed Prout's electric meters twice. On the first occasion, PG&E intended to install a demand meter at Prout's request but installed a nondemand meter in error. This second installation was for a demand meter.

7. Prout's billed usage for the period in dispute is comparable to usage during comparable periods in 1988 and 1986.

8. PG&E tested the meters used to determine Prout's electricity usage and found them to be accurate.

Conclusion of Law

Prout's complaint should be denied.

ORDER

IT IS ORDERED that the complaint of Loren L. Prout against Pacific Gas and Electric Company is denied.

This order becomes effective 30 days from today.

Dated DEC 18 1989, at San Francisco, California.

G. MITCHELL WILK  
President  
FREDERICK R. DUDA  
STANLEY W. HULETT  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
Commissioners

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY.

- 4 -

*Wesley Franklin*  
WESLEY FRANKLIN, Acting Executive Director  
DS