

Decision 90 01 038 JAN 24 1990

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

CHARLES J. PONTI,  
VIRGINIA M. PONTI,  
  
Complainants,

vs.

SOUTHERN CALIFORNIA EDISON  
COMPANY,  
  
Defendant.

Case 88-08-027  
(Filed August 10, 1988)

Charles J. Ponti, Virginia M. Ponti, and  
Arthur A. Ponti, for themselves,  
complainants.  
Philip Walsh, Attorney at Law, for Southern  
California Edison Company, defendant.

O P I N I O N

Summary

This decision denies the request of Complainants Charles J. Ponti and Virginia M. Ponti (Pontis) that defendant Southern California Edison Company (Edison) change their swimming pool meter account from a general service schedule to a domestic schedule without cost to them. The decision concludes that Edison has properly followed its tariff rules in serving energy to the pool. The pool may be included in the Pontis' domestic service if they accomplish the necessary wiring changes on their side of the meter.

Background

The undisputed facts in this case are:

1. The Pontis own two adjacent residences located at 5081 and 5091 Berkeley Avenue in Westminster.
2. The Pontis reside at the 5091 residence.

3. The pool is located at the rear of the 5081 residence, a rental house.

4. When the Pontis had the pool installed in 1974, they had it separately metered, since it is used by them rather than by the renters. The pool billing is under Schedule GS-SP, General Service Single Phase Non-Demand.

5. The Pontis' pool usage qualifies as domestic usage, and may be changed to domestic Schedule D after the necessary wiring changes are accomplished.

Positions of Parties

A. Complainants

The Pontis contend that Edison has incorrectly used Schedule GS-SP to bill their pool account. They argue that Schedule D is the proper schedule to use and request that the account be so changed without cost to them.

The Pontis' position may be summarized as follows:

1. The pool account should be on Schedule D because it satisfies all the following domestic usage criteria:

- a. The pool is located in a residential back yard.
- b. The property is zoned single-family residential (R-1) and is used exclusively as a single-family residence.
- c. A residence may be served by two meters.
- d. The service is to only one family.
- e. The lighting does not exceed 300 watts.
- f. There are no motors exceeding two horsepower (hp).

2. It should not be necessary to pay the cost to rewire the pool service through their other meter in order to obtain domestic rates for the pool for the following reasons:

- a. The two meters have been in place for 18 years.

b. The usage will not change as a result of rewiring.

c. The pool is a domestic use.

The Pontis also request unquantified refunds on past bills.

B. Defendant

Defendant Edison's response may be summarized as follows:

1. Two meters cannot serve one residential dwelling under Schedule D since each single family dwelling is entitled to only one baseline allowance.

2. Separately metered service to other than a residence is correctly classified as Schedule GS-SP.

Discussion

The Pontis state that their concern is not the small amount of money involved, but rather the principle. Nevertheless, the apparent reason for the complaint is a recent change in Edison's rate structure. On January 1, 1988, a 25¢ per day customer charge became effective under Schedule GS-SP, increasing to 30¢ per day on November 1, 1988. Previously there was no customer charge. The result is that the electricity consumed by the pool currently costs Pontis about \$4 per month more under Schedule GS-SP than it would under Schedule D. Schedule D serves both the Pontis' residence and the rental house where the pool is located.

Pontis' pool usage is estimated at approximately 272 kilowatt (kW)-hours (h) per month, based on the 2 horsepower pump operating 6 hours per day:

$$2 \text{ hp} \times 0.746 \text{ kW/hp} \times 6 \text{ h/day} \times 365 \text{ days/12 months} = 272 \text{ kWh/month}$$

For that usage, the comparative bills are:

Schedule GS-SP bill	=	30 x \$0.30	=	272 kWh x \$0.11048	=	\$39.05
Schedule D bill	=	272 kWh x \$0.12870	=		=	<u>35.01</u>
				Difference	=	\$ 4.04

The Pontis elected to have a separate pool meter when the pool was installed. They acknowledge that for many years the resulting bills were lower than they would have been under Schedule D. Now that the bills are higher under Schedule GS-SP, the Pontis wish to have the pool billed under Schedule D.

The Pontis are correct in their contention that the pool is a domestic use and therefore may be billed under Schedule D. However, in order to accomplish this change, the Pontis must accomplish the necessary wiring changes on their side of the meter, which are their responsibility, not Edison's. We will not order Edison to bear those costs, which would unnecessarily burden Edison's other ratepayers.

Edison agrees to accomplish the necessary wiring changes up to the meter at no cost to the Pontis. This is properly the responsibility of Edison.

The Pontis alternately suggest that Edison either combine the usage of the pool meter with their domestic meter and render a combined bill, or waive the customer charge of Schedule GS-SP. Edison responds that combining the usage is not allowed under the tariffs, and that even if it were, to do so would be expensive since the bills are rendered by a computer. The computer does not have the capability to combine bills, so the combined bill would have to be manually calculated.

Regarding the suggestion that the customer charge be waived, Edison notes this would violate the tariffs and constitute undue discrimination. Edison suggests that the Pontis consider participating in an Edison general rate case where tariff changes are considered.

We conclude that Edison should not be ordered to combine the Pontis residential and pool bills. It is not justified to increase administrative costs for this purpose, which would ultimately impose the costs on Edison's ratepayers.

We further conclude that it is not justified to order Edison to waive the customer charge of Schedule GS-SP, which would set an undesirable precedent by offering preferential treatment to the Pontis.

Finally, we conclude that Edison correctly used Schedule GS-SP for the pool. By electing to have the pool separately metered, the Pontis prevented the pool from being served on a domestic schedule, since it is not eligible for a separate baseline/lifeline allowance.

This complaint should be denied.

Findings of Fact

1. The Pontis filed a complaint seeking to change their swimming pool energy service from Schedule GS-SP to Schedule D, without cost to them.
2. The Pontis own two adjacent residences at 5081 and 5091 Berkeley Avenue in Westminster.
3. The Pontis reside at 5091, while the swimming pool is located at the rear of the 5081 residence, a rental unit.
4. The swimming pool was separately metered at the Pontis' request when it was installed in 1974.
5. The Pontis benefitted by lower rates for the swimming pool usage under the general service schedule for many years. At this time the rates are higher than domestic rates at the Pontis' usage level due to the recently imposed customer charge.
6. The customer is responsible for wiring changes on the customer side of the meter.
7. To combine the billings of two meters would impose an unjustified administrative burden on Edison.
8. To order Edison to waive the Schedule GS-SP customer charge is not justified and would set an undesirable precedent.
9. Edison is correctly applying its tariffs.
10. The Pontis' requests are not reasonable.

Conclusions of Law

1. Edison's has properly billed the Pontis' swimming pool account under its tariffs.
2. To require Edison either to change the Pontis' wiring, render a combined bill, or to waive the customer charge would impose unjustified costs on Edison and its other ratepayers.
3. This complaint should be denied.

ORDER

IT IS ORDERED that this complaint is denied.  
This order becomes effective 30 days from today.  
Dated JAN 24 1990, at San Francisco, California.

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

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

*Wesley Franklin*

WESLEY FRANKLIN, Acting Executive Director

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