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Decision 91-07-029 July 24, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Norman Dreyfuss,

Complainant,

vs.

Southern California Edison
Company,

Defendant.

ORIGINAL

(ECP)

Case 91-03-041

(Filed March 20, 1991)

Norman Dreyfuss, for himself, complainant.
Patricia Aldridge, for Southern California
Edison Company, defendant.

O P I N I O N

Complainant Norman Dreyfuss disputes the Southern California Edison Company (Edison) electric bill in the amount of \$607.39 for the two-month period from August 13 to October 10, 1990. The bill is for a new, unoccupied house. Since previous bills were substantially lower, and subsequent bills were minimal, Dreyfuss believes that the meter malfunctioned. A hearing on this complaint was held on May 13, 1991.

Edison confirmed the meter reading, tested the meter and found it to be accurate. The house has two 5-ton air-conditioners, which, operating half the time, are capable of the level of usage recorded during the relatively hot period in question. Although the house was unoccupied, it was being offered for sale through Realtors who held open house showings. Edison speculates that it is possible that the air-conditioners were left on. A cool house is more attractive to a prospective buyer, and a heat-soaked house will not quickly cool down.

Dreyfuss argues that this usage could not have happened for two reasons. First, the Realtors were told to shut everything off when not showing the house. Secondly, Dreyfuss had a person handling the landscape and checking the house for vandalism every day during this period.

We conclude that the usage occurred. The meter was reread, and was tested to confirm its accuracy. A meter is not likely to malfunction and then resume accurate operation. The usage in question is credible. The Realtors could have left the air-conditioners on, intentionally or otherwise. The landscape person would not necessarily go into the house if he observed no signs of vandalism.

Having concluded that the billed usage is accurate, we now consider what is equitable to Dreyfuss. Edison did not render a bill for the first monthly billing period from August 13 because its computer singled out the bill for special attention, due to the extremely high comparison compared to previous usage. A bill was not rendered until another month's high usage took place. Because of this delay in rendering the bill, Edison offered Dreyfuss an adjustment of \$100, since the delay in billing prevented him from taking actions to reduce the usage during the second month.

We agree that an adjustment is appropriate, but conclude that \$100 is not adequate. If issued monthly, the bills would have been \$379.31 for the first month, and \$228.08 for the second month. Had Mr. Dreyfuss received the \$379.31 bill, he could have taken steps to reduce the usage. His bills for three months after October 10 were very low, ranging from \$9.07 to \$22.21. We conclude that an adjustment to \$22.21 for the second month is reasonable, considering that the weather subsequently moderated and reduced the need for air conditioning while the house was being shown. Therefore, we assume that the usage would be at least as high as the highest of the three subsequent months.

The adjustment is \$205.87 (\$228.08 less \$22.21).

O R D E R

IT IS ORDERED that:

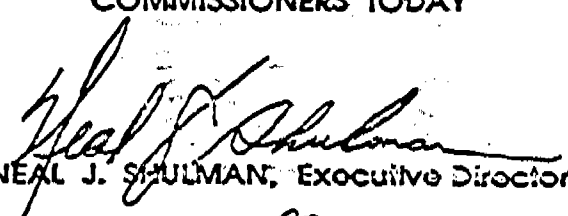
1. The \$607.39 fee impounded by the Commission shall be disbursed in the amount of \$205.87 to complainant Norman Dreyfuss, and \$401.52 to Southern California Edison Company.

2. Except to the extent granted, the complaint is denied. This order is effective today.

Dated July 24, 1991, at San Francisco, California.

PATRICIA M. ECKERT
President
G. MITCHELL WILK
JOHN B. OHANIAN
DANIEL Wm. FESSLER
NORMAN D. SHUMWAY
Commissioners

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


NEAL J. SHULMAN, Executive Director
PS