

Mailed

Decision 91-12-001 December 4, 1991

DEC 4 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Jane Norton, M.D.,)
)
 Complainant,)
)
 vs.)
)
 Southern California Gas Company,)
)
 Defendant.)

ORIGINAL

(ECP)
Case 91-05-015
(Filed May 7, 1991)

Jane Norton, for herself, complainant.
Connie Christensen and George G. Hannah,
for Southern California Gas Company,
defendant.

ORDER DENYING COMPLAINT

This is an Expedited Complaint Procedure pursuant to Public Utilities Code § 1702.1 and Rule 13.2 of the Rules of Practice and Procedure. A public hearing was held before Administrative Law Judge Orville I. Wright on September 26, 1991, and the matter was submitted for decision.

Complainant received unusually high gas bills commencing in October 1990 and continuing until February 1991 when her complaints to defendant caused the latter to change the meter at her home. Following replacement of her meter, complainant's gas bills returned to normal, a circumstance which, in complainant's view, proves that the replaced meter was malfunctioning to produce excessive reading.

Complainant was accompanied to the hearing by an independent plumber who testified that he had tested all gas lines at complainant's home and found no leaks. Further, complainant testified that she had not increased her usage of gas appliances above her norm during the period in question.

Defendant testified that it had replaced complainant's meter, as she had stated. It had also tested complainant's property for gas leaks and found none.

While refusing to grant complainant's request that it release the replaced meter to her for testing by experts of complainant's choosing, defendant did invite complainant to attend, at a scheduled time, its own test of the meter's accuracy. Complainant did not appear at the test, but was given the test results that the suspect meter registered within the range of tolerance specified by the Commission.

Additionally, the gas company notes that the gas appliances at complainant's home are easily capable of consuming the quantities of fuel giving rise to the disproportionate bills of which complaint is made.

This case presents facts showing unexplained high bills for gas service over a period of several months to complainant's premises. As complainant must carry the burden of proof that the high bills are incorrect, and as there is insufficient evidence in the record to find that the burden has been carried, we must find for the defendant.

IT IS ORDERED that the complaint is denied and that this case is closed.

This order becomes effective 30 days from today.

Dated December 4, 1991, at San Francisco, California.

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

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

- 2 -


NEAL J. SHULMAN, Executive Director