

Decision 83 01 017 JAN 12 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Sergio I and Bodil E. Carvacho,)
dba Pleasanton Liquors,)

Complainants,)

v.)

Pacific Gas and Electric
Company,)

Defendant.)

ORIGINAL

Case 82-09-03
(Filed September 22, 1982)

ORDER OF DISMISSAL

Complainants allege that defendant's billing for electric service for their liquor store in Pleasanton have been unreasonably high since June 16, 1981 and request that the billing be adjusted. They have deposited \$1,318.75 with the Commission, which is the amount of the billing in dispute. In its answer filed October 22, 1982, defendant denies any errors in its billing and requests that the complaint be dismissed.

Hearing was held before Administrative Law Judge Mooney in San Francisco on November 30, 1982. Prior to the hearing defendant advised that the parties had agreed to settle the dispute. In the circumstances no evidence was taken, and the matter was submitted upon receipt of written confirmation of the settlement agreement.

The written settlement agreement signed by both complainants and the attorney for defendant was filed on December 1, 1982. It provides that complainants are to receive \$200 of the impounded funds on deposit with the Commission and defendant is to receive the balance. It requests that the matter be dismissed.

The parties have agreed that complainants could not have recovered more than \$200, if anything, had the matter been further litigated and desire to avoid further litigation costs. Since the settlement appears equitable to both parties, we find that it should be adopted. We conclude that the impounded funds should be disbursed in accordance with the agreement and that the matter should be dismissed. Since there is agreement between the parties, the following order will be made effective on the date it is signed.

IT IS ORDERED that:

1. Complainants' deposit of \$1,318.75, and any other deposits made by complainants in connection with this complaint, shall be disbursed as follows:

- a. \$200 shall be paid to complainants, and
- b. The balance shall be paid to defendant.

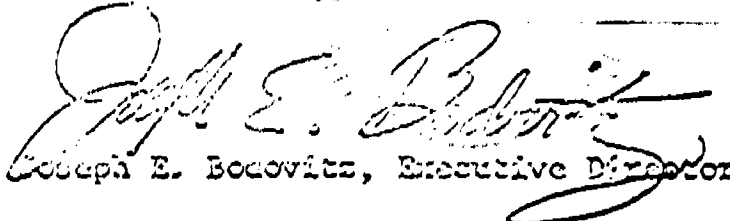
2. In all other respects, Case 82-09-03 is dismissed.

This order is effective today.

Dated JAN 12 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
Commissioners

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


Joseph E. Boiovitz, Executive Director