

Decision 83 07 006 JUL 20 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Ronald P. Balbi, )  
 )  
 Complainant, )  
 )  
 vs. )  
 )  
 Pacific Gas & Electric Company, )  
 )  
 Defendant. )

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(ECP)  
 Case 83-04-03  
 (Filed April 8, 1983)

Ronald P. Balbi, for himself, complainant.  
Robert West, for Pacific Gas and Electric Company,  
 defendant.

OPINION AND ORDER

This is an Expedited Complaint Procedure under Rule 13.2 of the Rules of Practice and Procedure and Public Utilities Code Section 1702.1. A public hearing was held before Administrative Law Judge Wright in San Francisco on May 26, 1983, and the matter was submitted. Complainant testified on his own behalf. Testimony on behalf of defendant was presented by Robert West.

Complainant testified that in February 1981 he turned the thermostat on his gas heater down to its lowest setting and has not raised it since that time. His gas consumption shows 161 therms for December 1980, 155 therms for January 1981, 143 therms for February 1981, and only 58 therms for March 1981. The following months through December 1981 reflect usage in a range from 29 therms to 66 therms. In January 1982, however, complainant was billed for 228 therms, a dramatic increase in indicated usage which ultimately resulted in the filing of this complaint.

Pacific Gas and Electric Company (PG&E) checked the accuracy of complainant's meter on February 12, 1982 and found it to be functioning within approved tolerances. It also found that a 100-therm underread of the meter occurred in December 1981 so that the December 1981 billing should have been for 147 therms and the billing for January 1982 should have been for 128 therms. This error was corrected by PG&E, resulting in a credit of \$15.85 to complainant.

In February 1982 complainant turned off the pilot light on his furnace, and meter readings since then reflect that only the gas water heater is in operation. It was confirmed by defendant that no other gas appliances are attached to complainant's meter.

While neither party to this dispute could reasonably account for the two months of high gas bills charged to complainant, the evidence is clear that the meter on the premises was accurate and that no additional load other than complainant's appliances were on his gas line. In those circumstances we are compelled to conclude that the high use complained of must in fact have occurred. The complainant has failed to meet his burden of proving otherwise.

It is the duty of defendant to charge and collect for all energy used as provided in its tariffs.

IT IS ORDERED that the relief requested is denied.

This order becomes effective 30 days from today.

Dated JUL 20 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President

VICTOR CALVO

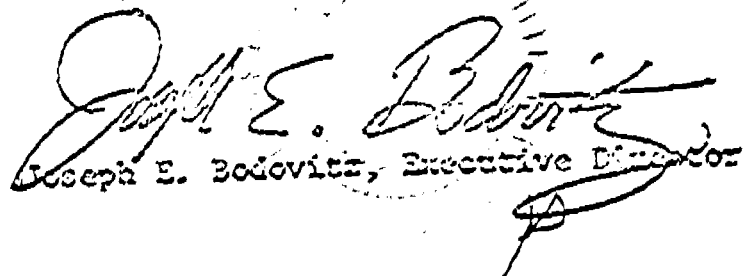
PRISCILLA C. GREW

DONALD VIAL

WILLIAM T. BAGLEY

Commissioners

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

  
Joseph E. Bodovitz, Executive Director