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ORIGINAL

Decision No. 89180 AUG 8 - 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA:

Luis R. Mejia,  
Complainant,  
vs.  
So. Calif. Edison Company,  
Defendant.

(ECP)  
Case No. 10554  
(Filed April 25, 1978)

Luis R. Mejia, for himself,  
complainant.  
D. E. Sparks and F. Palomino,  
for defendant.

OPINION AND ORDER

This is an Expedited Complaint Procedure pursuant to Rule 13.2 of the Rules of Practice and Procedure and Section 1702.1 of the Public Utilities Code. A public hearing was held before Administrative Law Judge Wright in Los Angeles on June 21, 1978 and the matter was submitted. Complainant testified on his own behalf. Testimony on behalf of defendant was presented by F. Palomino, defendant's service representative.

Complainant had moved from his home in Santa Ana to Chino, both homes being approximately the same size, but the latter having air conditioning. Complainant's bill for electric service increased from an average of \$40 bimonthly at Santa Ana to an average of \$150 bimonthly for the first three billing periods at Chino. The bills at Chino for the following billing periods to the date of hearing were \$70.21 and \$47.61, respectively.

Complainant's evidence also shows that his neighbor, in a comparable home, had bimonthly bills of approximately \$45 throughout the same period that complainant has resided in Chino.

On or about October 1, 1977, upon receipt by complainant of his first bill at Chino, complainant telephoned to the Commission to inquire about the large increase over the amounts he was accustomed to pay at Santa Ana. After discussion, he was informed that his newly acquired air-conditioning unit was probably the cause.

Complainant paid the next two bills without complaint on the assumption that air conditioning cost about \$100 per billing period to operate.

In early February 1978, complainant learned in a conversation with his neighbor that the neighbor's bills were averaging \$45 with air conditioning. Complainant promptly complained to the Commission.

Defendant's representatives tested the meter, and it proved to be accurate. They also suggested energy saving techniques which were available to complainant, including not venting the air conditioner so that the cool air would flow only into a room or rooms of his home, away from the thermostat. Additionally, defendant presented a tabulation showing that the electrical appliances on complainant's premises were capable of using energy in excess of the highest use registered by the meter for any period of complainant's occupancy at Chino.

While complainant asserts with all sincerity that he has made no changes in appliance usage to account for the fact that his May 1978 bill is less than \$50 as compared to

former bills of \$150, the evidence is clear that the meter at complainant's premises functions properly and was correctly read. In this case, as with others involving disputed usage, we are faced with the difficult decision of weighing the possibility and probability of an erroneous meter and/or meter reading against what the customer believes to have been his level of consumption. Here the weight of evidence must fall to defendant and we conclude that we must decide in its favor.

IT IS ORDERED that the relief requested is denied and the sum of \$210.00, and any other sums deposited with the Commission by complainant with respect to this complaint, be remitted to defendant to be credited to complainant's account

The effective date of this order shall be thirty days after the date hereof.

Dated at San Francisco, California, this 8th day of AUGUST, 1978.

Robert Bateman  
President

Verdon L. Sturgeon  
Charles D. Shadle

Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Claire T. Dodrick, being necessarily absent, did not participate in the disposition of this proceeding.