

Decision No. 89185 AUG 8 - 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JUNE DALEO,

Complainant,

vs.

SOUTHERN CALIFORNIA EDISON
COMPANY,

Defendant.

ECP
Case No. 10559
(Filed May 2, 1978)

June Daleo, for herself,
complainant.
D. E. Sparks and Robert Burbank,
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 27, 1978 and the matter was submitted. Complainant testified on her own behalf. Testimony on behalf of defendant was presented by Robert Burbank, defendant's service representative.

Complainant moved into her present premises about May 13, 1977, where her monthly electric bill remained at about \$40 until she acquired a water heater immediately prior to Thanksgiving Day. Thereafter, her bill increased to \$90, \$107, and \$75, respectively, for the next three months, thereafter abruptly declining and leveling out again at about \$35. She alleges that defendant's representative advised her that if she

experienced excessive electric use because of a faulty appliance, and she had the appliance repaired, defendant would make an adjustment of her bills. She seeks a credit adjustment of \$175.79 of her bills and has paid \$192.86 to the Commission with respect to this complaint.

Complainant's evidence shows that her electric bills did increase following installation of the new water heater, that she paid for two professional repair firms to inspect her electric system and her water heater, and that the report of one firm states that the water heater was improperly wired.

Defendant, however, denies that it promised to adjust electric billings upon the repair of faulty appliances by its customer. Even if made, such a promise, being contrary to the tariffs, would not bind the defendant or the Commission.

The meter on complainant's premises was tested twice and found to be accurate each time. Further, at the hearing, a tabulation of interim meter readings by complainant together with the actual appliance usage between the readings were coordinated, the specified usage being converted into kilowatt-hours. This test also indicated that the meter was accurate.

The evidence is clear that the meter at complainant's premises was not in error and that it was properly read. In these circumstances, we are ~~compelled to~~ conclude that either the high consumption of electric energy complained of was the result of the water heater being improperly wired, or the high consumption must otherwise in fact have occurred. On either ground, we must find for defendant as it is its duty to charge and collect for all energy supplied as provided in the tariffs.

IT IS ORDERED that the relief requested is denied and that the impounded payment of \$192.86, and any other sums deposited with the Commission by complainant with respect to this complaint, be remitted to defendant.

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 Batimani
President

Virginia L. Sturgeon
Richard P. Chavale

Commissioners

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

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