

ORIGINAL

Decision No. 89187 AUG. 8 - 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

GEORGE ROHAN, MARIE ROHAN, AND)
WILLIAM COUNTS,

Complainants,

vs.

ARROWHEAD UTILITY COMPANY,

Defendant.

(ECP)

Case No. 10574

(Filed May 15, 1978)

Marie L. Rohan and William P.
Counts, for themselves,
complainants.
Don M. Mauk, 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 July 6, 1978 and the matter was submitted. Complainants testified on their own behalf. The testimony on behalf of defendant was presented by Don M. Mauk, assistant secretary.

Complainants own a cottage at Lake Arrowhead where water services are provided by Arrowhead Utility Company. Complainants have owned their cabin for approximately five years, during the course of which time they have been uniformly charged the minimum bimonthly rate of \$18.50, using less than the 1,000 cubic feet per billing period provided under the minimum rate. For the period October 28, 1977 until January 6, 1978, the meter at the

Lake Arrowhead premises registered 21,120 cubic feet of usage, resulting in a billing in the amount of \$311.04, although there was no different use of water than normal consumption. Complainants therefore filed a complaint with the Public Utilities Commission.

At the hearing, it was determined that the policy of defendant is to provide an approximate 50 percent reduction in those bills where the water for which charge is made is not put to beneficial use. Defendant testified that it could not establish that the water which was registered by the meter in this case was not put to beneficial use, the meter having been tested and proven to be functioning properly, and the premises inspected for leakage.

Complainants testified that the only use of the Lake Arrowhead property for the billing period in question was 10 days' rental to tenants who were longtime friends of complainants and who had advised them that they made no unusual use of the water service so as to cause the excessive meter reading.

At the suggestion of Judge Wright, the parties agreed to compromise the bill in dispute in harmony with defendant's established policy with respect to wasted water. Computation of the proper billing under these circumstances was thereupon made, showing that \$164.72 of the disputed bill was due to defendant and \$146.32 of said bill was due to complainants.

Defendant testified that it had received the \$311.04 in dispute and would refund \$146.32 to complainants. Complainants waived any interest on said sum.

IT IS ORDERED that defendant refund the sum of \$146.32 to complainants in conformity with the stipulated agreement entered into at the hearing, without interest.

The effective date of this order shall be the date hereof.

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

Robert Bateman
President

Herbert L. Shugart
Charles D. Clark

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.