

es /bw

Decision No. 90315 'MAY 22 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Camille Braun and Ernest Braun,)
 Complainants,)
 vs.)
 California Water Service)
 Company,)
 Defendant.)

(ECP)
Case No. 10708
(Filed January 12, 1979)

O P I N I O N

Complainants seek an order requiring defendant to adjust downward by one-half, to reflect normal usage, two water bills of \$42.34 each for the billing periods ending June 15 and July 15, 1978. Complainant alleges that she has no sprinkler system or swimming pool, and could not possibly have used the amount of water for which the bills were rendered.

Pursuant to Rule 13.2 of the Commission's Rules of Practice and Procedure and Section 1702.1 of the Public Utilities Code, all parties consented to the Expedited Complaint Procedure and waived the presence of a court reporter, a record of the hearing, findings of fact, and conclusions of law. The matter was heard April 11, 1979 by Administrative Law Judge N. R. Johnson, and the matter was submitted.

A comparison of past billings for the years 1976 and 1977 with the disputed bills indicates that the disputed bills are substantially in excess of the previous two years' bills. The bills in question are also substantially in excess of the immediately preceding and succeeding bills. Such an erratic billing pattern lends credence to the probability of intermittent meter malfunction and warrants an appropriate adjustment. The ensuing adjustment is based on the average of complainants' June and July 1976 and 1977 billings.

O R D E R

IT IS ORDERED that defendant shall immediately credit complainants' account by \$24.93 to resolve this matter.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 22nd day of MAY, 1979.

John E. Coyne
President
James L. Stinson
Robert D. Smith
James L. Stinson
Commissioners