

Decision 93042 MAY 19 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ROBERT J. SCOLNIK and )  
MURIEL C. SCOLNIK, )  
Complainants, )  
vs. )  
PACIFIC GAS AND ELECTRIC )  
COMPANY, )  
Defendant. )

---

Case 10854  
(Filed April 29, 1980)

Robert J. Scolnik, for himself, complainant.  
Harry Long, for Pacific Gas and Electric Company,  
defendant.

O P I N I O N

By this filing, complainants Robert J. and Muriel C. Scolnik allege that they have been overcharged on their gas bills since November 1978, at a minimum and perhaps, at a maximum, since 1960. Defendant Pacific Gas and Electric Company denies that complainants have been overcharged on their gas bill during the period covered by the complaint. Pending resolution of the dispute, \$260.70 has been deposited with the Commission. Hearing was held on April 9, 1981; the matter is now ready for decision.

Discussion

Mr. Scolnik (complainant), an attorney, appeared on his and his wife's behalf and sought to substantiate the allegations contained in their complaint. During the hearing, it became apparent that complainants had no evidence to support their claim that they had been overbilled. Rather, it became quite clear that complainants' contentions were based upon their disbelief that their gas bills could have risen so dramatically.

Complainants did not challenge the amounts of gas usage for which they were billed. Rather, they could simply not accept that defendant had been authorized rate increases since 1960, which could result in an eight-fold increase in their gas bill by 1980. They could point to no specific instances in which defendant had ever charged complainants an incorrect rate or improperly calculated their bill.

This complaint should never have been docketed. Complainants are either attacking the reasonableness of the rates charged or they are simply confounded by the rate at which their gas bill has escalated in recent years. Neither ground is sufficient for the filing of a complaint, much less the granting of any relief. Accordingly, the complaint will be dismissed for failure to state a cause of action. We went to hearing, although the complaint was ambiguous, because the complainants appeared pro per and did not appear familiar with our procedures.

Findings of Fact

1. Complainants used the gas for which they were billed.
2. Since 1960, defendant has received authorization for numerous rate increases and has consistently billed complainants in conformance with tariff schedules then on file.
3. No mistakes were made in the mathematical computation of complainants' gas bills.

Conclusion of Law

Complainants have failed to state a cause of action upon which any relief can be granted.

O R D E R

IT IS ORDERED that:

1. Case 10854 is dismissed.
2. The amount of \$260.70 on deposit with the Commission shall be disbursed to Pacific Gas and Electric Company.

This order becomes effective 30 days from today.

Dated MAY 19 1981, at San Francisco, California.

John E. Byrne President  
Robert W. Hurd  
Thomas W. Jones  
Arthur Calvo  
Priscilla C. Grew Commissioners