

ALJ/ems/nb

ORIGINAL

Decision 93132 JUN 2 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Janice Richardson,
 Complainant,
 vs.
 Southern California Edison,
 Defendant.

(ECP)
 Case 10946
 (Filed February 17, 1981)

Ruby L. Netzley, for defendant.

ORDER OF DISMISSAL

Complainant alleges the following: (1) defendant used false billing practices on her account which she disputed but defendant did not settle, (2) defendant did not credit her account with past payments, and (3) defendant billed her double the amount of what was actually due. Complainant seeks an order determining where former payments were credited and to have that money returned to her for credit on her current account.

Defendant admits that complainant's electric service was once disconnected for nonpayment of billings while an informal complaint was pending, but that such disconnection was for non-payment of bills rendered after such informal complaint was filed and which were not in dispute. Defendant further admits that complainant deposited money with the California Public Utilities

Commission to cover the subject in dispute in such informal complaint.^{1/} Defendant denies all other allegations made by complainant.

For separate and affirmative defenses defendant alleges that:

- (1) Its billing practices are, and were, in accordance with its filed tariffs.
- (2) Bills rendered to complainant were for the amount due at the time the billings were produced.
- (3) It properly credited complainant's payments to her account.
- (4) Since complainant became a customer of defendant in March 1979, defendant has disconnected complainant's electric service on several occasions in accordance with Rule No. 11 of its filed electric tariffs, for nonpayment of past-due billings which were not in dispute through either informal or formal Commission procedures.
- (5) The complaint does not state facts sufficient to constitute a cause of action.
- (6) The complaint fails to set forth any act or thing done or omitted to be done by defendant in violation of any provision of law or of any order or rule of the Commission as required by Rule No. 9 of the Commission's Rules of Practice and Procedure.

Defendant asks that the complaint be dismissed and that complainant take nothing by this action.

^{1/} The amount of monies deposited with the Public Utilities Commission in connection with the informal complaint in question has since been disbursed to defendant by the Commission. There are no monies at the present time on deposit with the Commission.

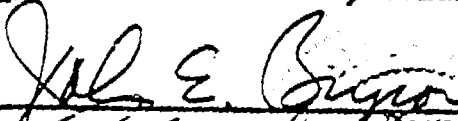
C.10946 ALJ/ems


A duly noticed hearing was scheduled for 10 a.m.,
Tuesday, April 21, 1981, in Los Angeles. Defendant was present.
Complainant failed to appear to present evidence at the hearing.


IT IS ORDERED that Case 10946 is dismissed.


This order becomes effective 30 days from today.

Dated JUN 2 1981, at San Francisco, California.



President






Commissioners

Commissioner Priscilla C. Grew, being
necessarily absent, did not participate
in the disposition of this proceeding.