

ORIGINAL

Decision No. 93532 SEP 15 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

RICHARD A. BARD,
Complainant,
vs.
PACIFIC GAS AND ELECTRIC,
Defendant.

Case No. 10871
(Filed June 3, 1980)

Richard A. Bard, for himself, complainant.
Robert B. McLennan, Attorney at Law, and John P. Crews, for Pacific Gas and Electric Company, defendant.

O P I N I O N

Richard A. Bard (complainant) alleges that Pacific Gas and Electric Company (defendant) was not in compliance with its Tariff Rule 11(A) and Decision No. 90430 when it served an undated 24-hour discontinuance of service notice. Complainant requests that defendant be directed to date all notices of discontinuance of service as ordered in Decision No. 90430.

Defendant admitted the allegations in the complaint but denies that its 24-hour notice is not in compliance with Decision No. 90430. It states that 24-hour notices are not required by either the Public Utilities Code or by defendant's tariffs. It states that the 24-hour notices are a followup of the required seven-day notice, that they are computer-generated and distributed to local offices for mailing, hand delivery, or other relevant followup action. Finally, it states that since the 24-hour notice is usually hand-delivered, customers know when the notice is delivered. Defendant also stated that it could, without a problem, hand date the 24-hour notice.

Public hearing was held November 3, 1980 in San Francisco before Administrative Law Judge Banks.

At the hearing complainant stated that although his service was not terminated as a result of the 24-hour notice he was concerned about the dating of such notices in the future.

Defendant reiterated its belief that it was complying with the Commission's decision and defendant's filed tariffs but stated it was prepared to begin dating the 24-hour notices should the Commission find it necessary.

The pertinent part of defendant's Rule 11(A), Nonpayment of Bills, as filed pursuant to Decision No. 90430 provides:

"When a bill is past due, service may be turned off for nonpayment after seven days' notice. The effective date of the notice is the date issued or, if mailed, the postmark date, whichever is later. . . ."

Prior to today, there was no requirement that a 24-hour discontinuance notice be provided a delinquent customer. The 24-hour notice was an accommodation to the customer. By our decision today in OII 49, we are requiring electric and gas utilities to furnish a minimum 24-hour notice by telephone or visit prior to discontinuance of service.^{1/} If the utility fails to contact the customer by telephone after reasonable attempts, we expect the utility to record the date and hour of its attempted contacts. Similarly, if the utility visits the customer's premises and the customer is not home, the utility should post a 24-hour notice of service termination in a conspicuous location on the premises, noting the date and hour of the visit.

Findings of Fact

1. Defendant served an undated 24-hour notice of termination on complainant.

^{1/} A minimum 48-hour notice by personal visit is required for the elderly or handicapped customer.

2. Defendant's Rule 11(A), Nonpayment of Bills, provides that service may be turned off after seven days' notice. The effective date of the notice is the date issued or, if mailed, the postmark date, whichever is later.

3. Defendant's Rule 11(A) does not require that a 24-hour discontinuance notice be served on a customer after a seven-day notice has been served. The 24-hour notice has been an additional accommodation to the customer.

4. Revised tariff procedures for termination of service require the defendant to furnish a minimum 24-hour notice by telephone or visit prior to discontinuance of service.

5. When the defendant unsuccessfully attempts to contact a customer by telephone or visit, it can easily give the date and hour of the attempted contacts for the customer's use.

Conclusions of Law

1. Defendant acted properly and in accordance with its filed tariffs when it served complainant with a 24-hour discontinuance notice.

2. Defendant should provide customers with the date and hour of attempted 24-hour contacts by telephone or visit.

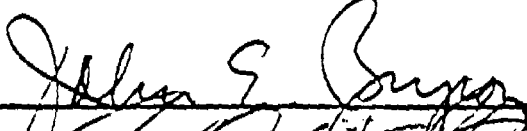
C.10871 ALJ/jn *


O R D E R


IT IS ORDERED that Pacific Gas and Electric Company shall give the date and hour of attempted 24-hour contacts by telephone or visit. If the contact was by telephone the utility should record the date and hour of all reasonable attempts to contact the customer. If the contact is by visit, the utility should post a 24-hour notice of service termination in a conspicuous location on the customer's premises, noting the date and hour of the visit.


This order becomes effective thirty days from today.


Dated SEP 15 1981, at San Francisco, California.



President








Commissioners