

Decision 96-07-048 July 17, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

B. Flynn,)
 Complainant,)
 vs.)
 Pacific Gas and Electric Company,)
 Defendant.)

ORIGINAL
 (ECP)
 Case 96-05-013
 (Filed May 7, 1996)

B. Flynn, for himself, complainant.
Mary Camby, for Pacific Gas and Electric
 Company, defendant.

O P I N I O N

B. Flynn, complainant, alleges defendant, Pacific Gas and Electric Company (PG&E), has unreasonably delayed crediting three payments and has not credited a fourth payment. Flynn requests that PG&E be ordered to stop sending termination notices for a promptly paid account and not to require that he place his account number on his payment check. Flynn impounded \$50.06 at the Commission pending resolution of this complaint.

PG&E denies all allegations.

A hearing under our procedures for expedited complaints was held on June 11, 1996. Based upon evidence and argument presented during the hearing, we conclude the complaint should be denied.

Statement of Facts

Few facts in this proceeding are disputed. Complainant has two residential accounts with PG&E, one for his residence and one for common areas in his rented building. Complainant sent PG&E payment for his residential account in July 1993. PG&E alleges the check was not accompanied by the payment invoice, which Flynn

disputes. The check did not show complainant's address or account number. PG&E has several customers with the same name as complainant. PG&E copied the check, stamped the check "unable to credit payment, call (415) 973-4035," and deposited it in a suspense account. PG&E sent Flynn a 15-day notice of service termination for the residential account.

The July 1993 payment went uncredited until February 1996 when Flynn presented the cancelled check. Until then, PG&E could not verify to which suspense account the money had initially been credited.

In November 1995 Flynn sent PG&E payment for his November bill. PG&E received the check on November 30. The check again had no address or account number. PG&E placed the payment in a suspense account. On December 31, after Flynn wrote to PG&E regarding the payment, PG&E credited the correct residential account for the payment.

In December 1995 Flynn sent PG&E payment for his December bill. PG&E received the payment on approximately December 22 and processed it December 26. Also on December 26, PG&E mailed Flynn a 15-day termination notice. The check showed no address or account number. Flynn sent a note on his next payment stub which PG&E did not review. This December payment was correctly credited in February.

Because the 1993 payment was not found until February 1996, for three years Flynn was always one month behind in paying his bill. Until Flynn submitted an informal complaint to the Commission, PG&E undoubtedly sent Flynn automated termination notices when his account became outstanding for over 30 days. On PG&E's payment envelope, customers are requested to enclose the payment stub and place their account number on their check.

Conclusions

We do not agree that PG&E's payment instructions are overburdensome to all customers. They are particularly applicable

to Flynn. Flynn's argument that PG&E should locate his correct account without his placing an account number on his check is totally unreasonable given his circumstances. There are other customers with the same name, Flynn has two accounts and his checks show no address. Under these circumstances, PG&E's payment instructions are reasonable and Flynn should follow them to avoid delays in crediting his payments.

Accordingly, we find no unreasonableness in the long delays in crediting the correct account or sending termination notices pursuant to unrecorded payments. Flynn contributed to these delays and notices by not following payment instructions.

PG&E has indicated it will transfer an incorrectly applied payment to the account which Flynn indicated during the hearing.

Therefore, this complaint should be denied.

O R D E R

IT IS ORDERED that this complaint is denied. The impounded funds, \$50.06, will be released to defendant and this proceeding is closed.

This order is effective today.

Dated July 17, 1996, at Sacramento, California.

P. GREGORY CONLON
President
DANIEL Wm. FESSLER
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
JOSIAH L. NEEPER
Commissioners