

Mailed
SEP 23 1996

Decision 96-09-064 September 20, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Vincent Barenchi,)
)
 Complainant,)
)
 vs.)
)
 SOUTHERN CALIFORNIA EDISON COMPANY,)
)
 Defendant.)
 _____)

ORIGINAL

(ECP)
Case 96-06-004
(Filed June 3, 1996)

Vincent Barenchi, for himself, complainant.
P. A. Aldridge, for Southern California Edison
Company, defendant.

O P I N I O N

In August 1995 complainant received an \$85.75 estimated electric bill from Southern California Edison Company (Edison). Complainant alleges that Edison's bill format does not indicate clearly that the bill being presented is an estimated bill, and that the bill format is misleading when the bill is estimated because it is not clear the meter reading being used is an estimated read. Complainant alleges that his bill for September 1995, in the amount of \$321.57, is wrong because he had not had a bill for more than \$110 in the last eight years, and if he had known his August bill had been based on an estimated meter read he would have taken immediate conservation measures. He seeks an

adjustment of over \$200 plus an order requiring Edison to change its estimated billing notice.

Edison denies the allegations. Public hearing was held July 19, 1996.

Complainant testified that his electric bill for August 1995 was \$85.75 and stated on its face "Estimated Bill;" his bill for September 1995 was \$321.57. He had never had an electric bill over \$110. He paid the \$85.75 bill; the \$321.57 bill is in dispute. He said the \$85.75 estimated bill was in violation of Public Utilities (PU) Code § 770(d), which states, in part, "The commission shall require a public utility that estimates meter readings to so indicate on its billings...." The bill Edison sends after an estimation states "Estimated Bill;" complainant contends that Edison's bill, when based on an estimate, should use the words of the statute, "estimated meter reading."

Complainant said that had he known the estimated bill was based on an estimated meter reading he would have been put on notice that excessive electric use was possible and he could have taken precautions. The time of the year this occurred was the time of high air conditioning use. Complainant does not dispute that the electricity was used, but he said he could have conserved had he been put on notice; his usage history shows conservation. An "Estimated Bill" violates the statute and is not adequate notice.

Edison's witness testified that complainant's meter was checked and found accurate. Edison's billing notice is set forth in its tariff and was approved by the Commission. (Bill Form No. 14-574, approved in Advice Letter 1146-E.) In the area directly

below the customer's name, the words "ESTIMATED BILL" are clearly indicated when a bill has been estimated. If a bill is estimated, only the usage is estimated, based on previous consumption. The calculation of the dollar amount of the bill is not estimated.

Edison acknowledges the financial hardship an estimated bill can cause a customer. Because the customer was not offered the opportunity to conserve until he received his September 1995 bill, Edison offered to make a one-time policy adjustment of \$115 towards the \$321.57 bill, in conformity with the Commission's Consumer Affairs Branch guidelines to utilities when considering a customer's non-beneficial use adjustment in a high bill complaint. Those guidelines recommend that when utilities do not provide a bill (or do not read a meter) as regularly scheduled for whatever reason and the customer disputes the bill, then a non-beneficial use adjustment should be offered to settle the dispute based on the customer's inability to conserve energy. The recommended adjustment should be calculated by taking the high bill and subtracting a normal average bill and splitting the difference. Mr. Barenchi's bills were averaging approximately \$90 at the time the August 1995 estimated bill was presented to him. Subtracting the \$90 from the \$321 leaves an amount of \$231 to be divided in half. Mr. Barenchi was offered a \$115 adjustment from the \$321 bill; the offer was refused. Edison states that the offer is still available.

Estimated billing is a useful, and necessary, procedure to assure that utility bills are rendered on a regular basis when

actual meter reads cannot be done in time to meet the billing schedule. This is recognized in Edison's tariff Rule 17A.1., which provides for estimated billing when accurate meter readings are not available. We see no significant difference between the estimated bill being entitled "Estimated Bill" as Edison has done, rather than "Bill based on Estimated Meter Reading" as complainant requests. Either phrase serves as adequate warning that complete accuracy is lacking. We do not agree that PU Code § 770(d) requires the precise language recommended by complainant. Edison's bill indicates it is estimated; that is sufficient.

We agree with complainant that had his August bill been based on an actual meter read, he would have taken conservation measures. His billing history shows a close attention to electric usage. Nevertheless, the electricity was used. We believe the compromise based on the Consumer Affairs Branch guidelines is reasonable under these circumstances. We will authorize a reduction of \$115 from complainant's \$321 bill.

O R D E R

IT IS ORDERED that:

1. The relief requested in the complaint is denied except as specified in Ordering Paragraph 2.
2. The \$321.57 on deposit with the Commission shall be disbursed as follows:

\$206.57 to Southern California Edison Company in full payment of complainant's September 1995 electric bill; and \$115 to complainant.

3. This case is closed.

This order is effective today.

Dated September 20, 1996, at San Francisco, California.

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