

In a second conversation, PG&E indicated the meter was accurate; Northington indicated the meter had been misread. Northington was frustrated because he discussed the high bill with three or four PG&E representatives during the course of his complaint and each one indicated that the high usage was the customer's fault. Northington complains that PG&E did not investigate or verify the monthly meter readings, especially the first two months he had service.

The meter is read by an electronic device which cumulates usage by the month and is programmed with prior usage at the premises. Usage subsequent to complainants' establishment of service was cumulated by the meter reading device on a monthly basis. The electronic meter reading device records an error if monthly usage is out of proportion with usage history. No such errors were recorded. The prior history in this case was that of the prior customer.

PG&E presented documents to show that complainants' first bill did not include usage of the prior customer. PG&E's meter test on April 22, 1996 shows that complainants' meter is within a standard of 99.9% accuracy.

Complainants' pattern of usage is as follows:

DATE	NO. OF BILLING DAYS	METER READING	USAGE (kWh)	USAGE PER DAY (kWh)	ENERGY CHARGES (not including 7.5% city tax)
02/01/96		90024			
02/09/96	8	90076	52	6.5	6.04
03/12/96	32	90583	507	15.8	58.86
04/09/96	28	90863	280	10.0	32.51
*04/22/96	13	90958	95	7.3	none
05/09/96	30	91081	218	7.3	25.30
06/10/96	32	91302	221	6.9	25.65
07/10/96	30	91528	226	7.5	26.24
08/09/96	30	91755	227	7.6	26.36
09/10/96	32	92001	246	7.7	28.66

* electric meter test

Discussion

The above pattern of usage confirms that unusually high usage occurred between February 10 and March 12, 1996. While PG&E argues that high usage was curtailed after complainants received the March bill, we are inclined to believe Northington's argument because of the usage in February and the months after the high bill. Between February 1 and 9, 1996, complainants used 52 kWh or 6.5 kWh per day. Based upon this actual eight-day usage, we would expect total usage for 32 days (4 x 8) to be roughly 208 kWh (4 x 52). Instead, complainants were billed 507 kWh for 32 days. Looking at the subsequent pattern of usage, complainants' usage ranges from 218 to 280 between April and September 1996. Although no weather recordings were produced as evidence, it is reasonable to assume that April was the coldest of these months. Usage of 507 kWh per month is excessive given this actual range of usage.

Because Northington's testimony was highly credible, we do not believe, as PG&E argues, that he received the March bill and knowingly reduced his usage by 50% to avoid further high bills.

Since complainants undoubtedly used electricity during the disputed period, an equitable resolution of this complaint is to credit complainants the amount of all usage over 280 kWh, or 227 kWh (507 kWh - 280 kWh), for the billing period February 9 to March 12, 1996. Neither complainants nor defendant calculated this amount during the proceeding.

O R D E R

IT IS ORDERED that this complaint is granted. Pacific Gas & Electric is ordered to credit the account of Joseph Northington and David McComb an amount equal to 227 kWh electric usage (507 kWh - 280 kWh) at the applicable rate with appropriate city tax treatment for the disputed period.

This order is effective today.

Dated October 25, 1996, at Sacramento, California.

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

Commissioner Daniel Wm. Fessler, being necessarily absent, did not participate.