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### Decision 96-10-063 October 25, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Joseph Northington and David McComb,

Complainants,

vs.

Pacific Gas and Electric Company,

Defendant.

(ECP) Case 96-08-056 (Filed August 23, 1996)

<u>Joseph Northington</u>, for complainants. <u>Mary M. Camby</u>, for Pacific Gas and Electric Company, defendant.

#### <u>OPINION</u>

Joseph Northington, representing complainants, and defendant Pacific Gas and Electric Company (PG&E) appeared and presented evidence regarding this high bill complaint on September 19, 1996. Based upon complainant's pattern of usage, we herein conclude that the complaint must be granted. Statement of Facts

Complainants established residential electric service with PG&E on February 1, 1996. The residence is all-electric.

When complainants received the first bill for the period February 9 to March 12, 1996, McComb wrote to PG&E to complain that the bill was too high. Complainants had just moved into the apartment and had not used the wall heaters during the day and very little at night. One of the four wall heaters was used periodically long enough to warm the apartment and then shut off.

In a telephone call, PG&B responded that complainants should check their water heater and indicated that the high usage was probably due to the wall heaters. PG&B indicated it would check the meter.

### C.96-08-056 ALJ/PAB/sid

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.

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	28.56

Complainants' pattern of usage is as follows:

\* 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 Between February 1 and 9, 1996, complainants used 52 kWh or bill. 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  $(4 \times 52)$ . 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. C.96-08-056 ALJ/PAB/sid \*

## <u>ORDBR</u>

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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.