

FEB 19 1997

Decision 97-02-030 February 19, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Adrienne Miller, )  
 Complainant, )  
 vs. )  
 Pacific Gas and Electric )  
 Company, )  
 Defendant. )

**ORIGINAL**

(ECP)  
Case 96-10-007  
(Filed October 3, 1996)

Adrienne Miller, for herself, complainant.  
Al McLeod, for Pacific Gas and Electric  
Company, defendant.

O P I N I O N

Adrienne Miller (complainant) alleges that Pacific Gas and Electric Company (PG&E or defendant) has transferred erroneous charges of \$1,849.18 to her account. She contends these charges were incurred by a previous tenant; however, PG&E contends its investigation shows that the account was opened by Miller in another name and she is liable for the overdue balance.

A hearing under the Commission's expedited complaint procedure was held on November 6, 1996 in San Francisco.

At the hearing, complainant testified that this account was opened without her knowledge by a friend, DeAnn Thomas, in Thomas' name, but using Miller's social security number and place of employment. Thomas was alleged to be Miller's tenant from 1986 to 1994. PG&E believes that it was Miller who opened the account in Thomas' name.

Miller presented a Notice from the Contra Costa County Welfare Office indicating it would stop automatic payment of

Thomas' rent and utilities effective March 1995. Miller testified that she obtained this document while pursuing collection of back rents from Thomas after Thomas was evicted. The document shows that someone using the name DeAnn Thomas does exist. However, it does not show Thomas' address to be the address of the disputed PG&E account.

Miller also presented 1992 and 1993 U.S. Income Tax Returns showing her address to be different than the one on the disputed account. However, this evidence is contradicted by a statement from the landlord at this address denying that Miller was a tenant or living there at any time.

Miller has no written rental agreement between herself and Thomas or between herself and another party for her residence at another address. She explained that Thomas' agreement and receipts were misplaced or lost in her frequent moves; and she lived with friends and family while Thomas lived in her house. Although her rendition of the facts may possibly be true, there is nothing to corroborate that she did not live on the premises billed and benefit from use of utility services, or that she had no knowledge of the disputed account and did not give her permission for such personal information to be used.

Miller argues that anyone could open an account using someone else's social security number. However, we do not believe this information is normally accessible to a third party. In addition, while we cannot deny that someone could fraudulently use the social security number of another, there is no evidence to corroborate this rendition of the facts, and PG&E's investigation of Miller's employment disclosed facts contrary to Miller's assertions. Miller testified that she and Thomas worked together. However, PG&E found that Thomas never worked at Bank of America, but that Miller had been an employee since 1989 and listed the same address as the disputed account. Miller testified that she intended to move into this house, but changed these plans when her

marriage was cancelled. She continued to receive mail at the address on the disputed account even though she did not live there.

After the hearing, the assigned Administrative Law Judge agreed to allow 30 days for Miller to produce additional evidence to show that her residence was not the address of the disputed bill. However, after 60 days Miller had produced no further evidence, and PG&E was unable to reach her to discuss a payment plan for the outstanding balance of the disputed bill. PG&E requests that the case be submitted and decided in its favor based upon the existing evidence.

Since there is no evidence to corroborate that someone fraudulently used Miller's social security number to establish service and since PG&E's evidence amply supports the proposition that Miller resided at the premises where service was established, we must deny this complaint.

O R D E R

IT IS ORDERED that this complaint is denied, and Case 96-10-007 is closed.

This order is effective today.

Dated February 19, 1997, at San Francisco, California.

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