

ORIGINAL

Decision 97-03-006 March 7, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Dolly C. Leong, )  
 )  
 Complainant, )  
 )  
 vs. )  
 )  
 Southern California Gas Company, )  
 )  
 Defendant. )

(ECP)  
 Case 96-09-023  
 (Filed September 13, 1996)

Dolly C. Leong, for herself, complainant.  
Sid M. Newsom and E. Patterson, for Southern  
 California Gas Company, defendant.

O P I N I O N

This complaint was filed under the Expedited Complaint Procedure set forth in Section 1702.1 of the Public Utilities Code and Rule 13.2 of the Commission's Rules of Practice and Procedure.

A duly noticed public hearing was held in Los Angeles on October 22, 1996. Complainant testified in her own behalf and Sid M. Newsom and E. Patterson testified for defendant. The matter was then submitted for decision.

Background

Dolly C. Leong (Leong) complained to Southern California Gas Company (SoCalGas) that her gas bill of July 18, 1994 in the amount of \$184.01 was excessive and erroneous.

On July 26, 1994, SoCalGas obtained a new reading of Leong's meter which confirmed the July 18, 1994 billing. On October 21, 1994, the customer requested an investigation into the accuracy of her June 16 to July 18, 1994 bill.

Defendant responded with an inspection of complainant's premises, but no gas leakage was detected to account for the large bill in question. As Leong's gas appliances are capable of using

the amount of gas registered by the customer's meter, SoCalGas declined to adjust the billing of which complaint is made.

Leong pursued her complaint to the Commission's Consumer Services Division (Division) which arranged for a test of the accuracy of defendant's meter on February 27, 1995. That test showed the meter to be operating within approved tolerances.

Division, after its review of the circumstances of this case, denied Leong's complaint and provided her with the appropriate form for filing a formal complaint.

Complainant then commenced this proceeding.

Evidence

At hearing, all of the background material was presented. In addition, both complainant and the SoCalGas representatives gave testimony.

An issue developed at hearing concerned whether it was necessary for SoCalGas to estimate complainant's bill because access to her meter was chronically blocked by the storage of collectibles in the passageway adjacent to complainant's garage.

The bill in dispute was on an actual meter reading following three months of estimates made because of the alleged blockage of access. Further, the record shows that gas billings to Leong were delayed or estimated 12 times over an 18-month period including the month in dispute. Defendant's evidence shows that defendant sent letters to and held meetings with complainant over the access issue.

Defendant produced photographs showing blocked access to the meter, and complainant produced photographs showing clear passage to the meter. None of the photographs were taken during the times at issue here.

Whether some or all of the estimated meter readings were necessary remains in dispute. However, the evidence is clear that the meter at complainant's home was operating properly and that it

was, after a period of months, actually and accurately read by defendant.

In these circumstances, the burden of proving some error or omission on the part of defendant falls upon complainant. Leong has not proven that such error or omission occurred.

O R D E R

IT IS ORDERED that the relief requested is denied, and Case 96-09-023 is closed.

This order becomes effective 30 days from today.

Dated March 7, 1997, at San Francisco, California.

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