

DECISION NO. 97-13-014 CASE NO. _____

APP. NO. 97-08-068

ALJ/RAB/wgp

Mailed

DEC 4 1997

Decision 97-12-014

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Howard Golden,

Complainant,

vs.

Southern California Edison Co.,
(U 338E)

Defendant.

ORIGINAL
Case 97-12-014
(Filed August 21, 1997)

ORDER DISMISSING CASE

Complainant seeks a refund of the cost of his equipment from defendant because "spiked electric burned out fax machine and answering machine." Defendant answered and moved to dismiss.

The facts of the complaint show that complainant seeks damages for harm to his electrical equipment. This Commission is without authority to award damages. Pacific Bell v AT & T (1992) 43 CPUC 2d 100, 102. Our authority is limited to awarding reparations. This complaint will be dismissed for failure to state a claim within our jurisdiction. This case is more appropriate for small claims court.

IT IS ORDERED that the complaint is dismissed, without prejudice.

This order is effective today.

Dated December 3, 1997, at San Francisco, California.

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