

Decision 98-06-055 June 18, 1998

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Richard Beagle,

Complainant,

vs.

Southern California Edison Company,

Defendant.

ORIGINAL

(ECP)

Case 97-12-053

(Filed December 22, 1997)

Richard Beagle, for himself, complainant.
Patricia Aldridge, for Southern California
Edison 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 (PU) Code and Rule 13.2 of the Commission's Rules of Practices and Procedure.

A duly noticed public hearing was held in Buena Park on February 25, 1998. Complainant testified in his own behalf and Patricia Aldridge and Nina Holmquist testified for defendant. The matter was then submitted for decision.

The following payments have been made to the Commission and impounded pending resolution of this complaint:

November 25, 1997	\$ 50.99
January 24, 1998	89.07
February 25, 1998	147.42
February 26, 1998	<u>70.00</u>
Total	\$357.48

Edison's Failure to Disconnect Service

Richard Beagle (Beagle) complains that Southern California Edison Company (Edison) failed to disconnect power at his residence in Santa Ana when he moved out on September 22, 1997, and continued to bill Beagle for power used by others.

Defendant testified that it had an arrangement with the landlord in Santa Ana that when a tenant moved out, Edison would read the meter and prepare a closing bill. The power would not be turned off, but all service after the closing meter read would be billed to the landlord. When a new tenant moved in, the new occupant would order service and be billed prospectively for electricity.

Edison's records show that Beagle's meter was read on the day he moved from Santa Ana and that he was sent a closing bill of \$5.97 based upon the closing meter read. Thus, although service at complainant's former residence was still on, and lights might be seen from the street, Beagle was not billed for energy since the time of his departure on September 22, 1997.

As Edison alleged in its answer to the complaint, Rule 9-A, Rendering and Payment of Bills, does not require that electric service be turned off when a closing bill is rendered. The requirement is that the customer's meter be read on the closing date, and a closing bill be rendered based upon the closing date meter read. This was done in this case.

Edison's Failure to Communicate

Beagle further complains that Edison failed to answer letters which Beagle addressed to various of defendant's departments and locations. He asks that Edison be held accountable for refusal to communicate with respect to his complaint of failure to disconnect.

Edison's answer to the complaint with respect to failure to communicate is as follows:

"Complainant alleges he has protested his closing bill. SCE affirmatively alleges that complainant sent SCE several letters of complaint from October 23, 1997 to January 24, 1998. These letters were sent to various titles and addresses throughout SCE and forwarded to SCE's Consumer Affairs Division in Rosemead. Complainant also filed Informal Complaint 972-79476 with the Commission on December 01, 1997. The Informal Complaint was sent to SCE on December 04, 1997. The Consumer Affairs Division was in the process of answering the Informal Complaint when the Complainant filed a Formal Complaint with the Commission on December 22, 1997. The Formal Complaint was docketed by the Commission on January 30, 1998 and received by SCE on February 5, 1998."

At hearing, Edison's allegations in its answer were proven to be true. In sum, Edison elected to respond to Beagle by way of answer and hearing rather than by letter as this course appeared to be the course chosen by complainant.

Discussion

Complainant has failed to prove any act or thing done by Edison in violation of any provision of law, or of any order, or rule of the Commission as required by PU Code § 1702.

The complaint should be denied.

O R D E R

IT IS ORDERED that:

1. The complaint is denied.
2. The sum of \$357.48, and any other sums deposited by Richard Beagle with the Commission shall be disbursed to Southern California Edison Company to be credited to Richard Beagle's account.
3. Case 97-12-053 is closed.

This order becomes effective 30 days from today.

Dated June 18, 1998, at San Francisco, California.

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