

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Lazanius Johnson,

Complainant,

vs.

Pacific Gas and Electric Company,

Defendant.

(ECP)
Case 98-11-008
(Filed November 4, 1998)

Lazanius Johnson, for himself, complainant.
Mary M. Camby, for Pacific Gas and
Electric 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 San Francisco on December 15, 1998. Complainant testified in his own behalf and Mary M. Camby testified for defendant. The matter was then submitted for decision.

Background

Lazanius Johnson (Johnson) stopped residing at his Hayward residence on a regular basis about two years ago. Now, except for occasional visits to Hayward, he resides in San Francisco.

Johnson states that the only appliances he uses in his Hayward premises are a refrigerator and an electric clock, but his energy bills have remained at the

same level in his absence as they were when he resided full-time in Hayward. He believes that he has been overcharged for electric service.

Pacific Gas and Electric Company (PG&E) investigated Johnson's bills by visiting his premises and by testing his meter. The premises visit disclosed that complainant's electric appliances include refrigerator, clock, television, household lighting, range/oven, dishwasher and forced air furnace fan. This connected load confirms complainant's ability to consume the amount of energy billed.

Further, the premises visit of November 12, 1997, revealed that Johnson's refrigerator was operating continuously rather than cycling on and off as it should.

On November 14, 1997, Johnson's electric meter was tested for accuracy in complainant's presence. The meter tested within the limits of accuracy prescribed by the Commission.

Discussion

At hearing, all of the background material was presented. In addition, both complainant and the PG&E representative gave testimony which supports the background facts.

The evidence makes it clear that Johnson's connected load was fully capable of consuming the energy registered on his meter, and the meter itself was tested and found to be operating properly.

In these circumstances, the burden of proving some error or omission on the part of defendant falls upon complainant. Johnson 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 98-11-008 is closed.

This order becomes effective today.

Dated April 1, 1999, at San Francisco, California.

RICHARD A. BILAS
President
HENRY M. DUQUE
JOSIAH L. NEPPER
Commissioners