



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE
STATE OF CALIFORNIA

FILED

07-25-11
04:59 PM

MARIA CARMEN OZUNA AND SERAPIO
GARCIA,

Complainants,

v.

SOUTHERN CALIFORNIA EDISON
COMPANY (U338E),

Defendant.

Case No. C.11-06-014
(Filed June 13, 2011)

SOUTHERN CALIFORNIA EDISON COMPANY'S (U 338-E)
ANSWER TO COMPLAINT AND MOTION TO DISMISS

JENNIFER TSAO SHIGEKAWA
REBECCA MEIERS-DE PASTINO

Attorneys for
SOUTHERN CALIFORNIA EDISON COMPANY

2244 Walnut Grove Avenue
Post Office Box 800
Rosemead, California 91770
Telephone: (626) 302-6008
Facsimile: (626) 302-6693
E-mail:rebecca.meiers-@sce.com

Dated: **July 25, 2011**

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE
STATE OF CALIFORNIA**

MARIA CARMEN OZUNA AND SERAPIO
GARCIA,

Complainants,

v.

SOUTHERN CALIFORNIA EDISON
COMPANY (U338E),

Defendant.

Case No. C.11-06-014
(Filed June 13, 2011)

**SOUTHERN CALIFORNIA EDISON COMPANY’S (U 338-E)
ANSWER TO COMPLAINT AND MOTION TO DISMISS**

I.

INTRODUCTION

Pursuant to Rules 4.4 and 11.2 of the California Public Utilities Commission’s (“Commission’s”) Rules of Practice and Procedures, Southern California Edison Company (“SCE”) respectfully submits this Answer to the Complaint of Maria Carmen Ozuna (“Ms. Ozuna”) and Serapio Garcia (“Mr. Garcia”) (collectively “Complainants”), who reside at neighboring residences on South Glenn Alan Avenue in West Covina, and requests that the Complaint be dismissed with prejudice. In addition, to avoid duplicative decision making, prevent potentially inconsistent decisions, and to promote efficiency, SCE requests that this Commission exercise its discretion to consolidate the above captioned matter with

Complainants' informal complaint, CPUC File No. 153653, both of which arise out of the same transactions and occurrences and raise the same claims and issues, and to dismiss both with prejudice.

II.

DISCUSSION

As discussed in detail below, Complainants, who admit receiving unauthorized use of energy for the period SCE identifies, allege that SCE misapplied Rule 17.E., the tariff that governs the adjustment of bills for such unauthorized use, by (1) applying an unreasonable estimate of the value of the energy Complainants used without payment, and (2) seeking to collect more than the value of the most recent three years of unauthorized use in a civil court proceeding. For the reasons fully discussed below, the allegations of the informal and formal Complaints are insufficient to state a claim or to satisfy the Complainants' burden of proof, even if true. Accordingly, SCE requests that both Complaints be dismissed with prejudice.

A. Factual and Procedural Background

1. SCE Receives a Tip Regarding Ms. Ozuna's Unauthorized Use of Energy

On or about April 13, 2009, SCE received a tip that Ms. Ozuna, the owner of Ozuna Electric (License No. 647855), "a woman-owned electrical contracting corporation," *see* Exh. A, bragged to the tipster that she had tampered with her electrical meter by installing an electrical bypass that diverted electrical energy from SCE's meter. According to the tipster, Ms. Ozuna boasted that the bypass allowed her to "run her pool heater and air conditioner all the time" and still pay less than \$60 a month for electricity. *See* Exh. B (investigator notes regarding Ms. Ozuna's residence.)

2. SCE Conducts an Investigation

As detailed below, acting on this tip, SCE commenced an investigation. The investigation revealed that the meter at Ms. Ozuna's residence, as well as at Mr. Garcia's residence, which is located next door, were tampered with and bypassed.¹ Based on this investigation, SCE determined that Ms. Ozuna's service address received unauthorized energy use for which SCE was not compensated from at least February 7, 2001 to August 3, 2009 and that Mr. Garcia received unauthorized energy use for which SCE was not compensated from at least January 10, 2005 through August 3, 2009.

a) The Calculation of Ms. Ozuna's Usage Based on Surveillance Meter Data

On May 4, 2009, SCE installed a pole top surveillance meter with a base reading of 003528.² *See* Exh. B (investigator notes for Ms. Ozuna's residence.) The house meter had a reading that day of 54588. *Id.* For 77 days, from May 4 to July 20, SCE took several readings to get non-summer and summer daily averages, which were combined to arrive at a yearly average.³ *Id.* SCE documented its investigation with photos of the surveillance and house meters. *Id.* The chart below sets forth the data SCE collected.

¹ Mr. Garcia is Ms. Ozuna's father. Mr. Garcia's residence is next door to Ms. Ozuna's residence. Ms. Ozuna claims to own both properties but Mr. Garcia is the account holder at his residence.

² The digital pole top surveillance meter did not start at 000000 because it is not recalibrated after each use.

³ For the purpose of making seasonal adjustments, SCE only has two seasons – summer and winter. Indeed, all of SCE's Commission approved seasonal tariffs state that "the summer season shall commence at 12:00 a.m. on June 1 and continue until 12:00 a.m. on October 1 of each year. The winter season shall commence at 12:00 a.m. on October 1 of each year and continue until 12:00 a.m. on June 1 of the following year." *See, e.g.*, Schedule D at Sheet 3. Thus, SCE's surveillance data properly captured both seasons under its tariffs. In many cases, this approach is most favorable to the customer and detrimental to SCE because heating can cause winter usage to be as high as summer usage.

Ms. Ozuna's Surveillance Data					
Reading Date	Period & Season Measured	Surveillance Meter ("SM") Reading	House Meter ("HM") Reading	HM Daily Average	SM Daily Average
May 4, 2009	Baseline	003528	54588	N/A	N/A
May 27, 2009	May 4-27 (winter)	005111 (1583kWh of usage)	54897 (309kWh of usage)	13.43	68.82
June 23, 2009	May 28-June 23 (End winter, start summer)	006746 (1635kWh of usage)	55249 (352kWh of usage)	13.03	60.55
July 20, 2009	June 24-July 20 (summer)	009218 (2472kWh of usage)	55610 (361kWh of usage)	13.37	91.5
Totals:	77 days (5/4 thru 7/20 = winter and summer measurements)	5690 (adding all usage)	1002 (adding all usage)	13.3kWh / per day (1002 / 77 = 77 day average)	73.9kWh / per day (5690 / 77 = 77 day average)

Based on the above data collected for both seasons, SCE determined that Ms. Ozuna's daily average usage for the entire period of unauthorized use was 73.9kWh per day.

b) The Calculation of Mr. Garcia's Estimated Usage

On information and belief, because Mr. Garcia's unauthorized use and bypass were discovered on July 20, 2009, SCE used thirty days of Mr. Garcia's actual usage after the bypass was removed to calculate his summer daily average. See Exh. C (investigator notes.) Mr. Garcia used 1421 kWhs of electricity over 36 days for a summer daily average usage of 39.47kWh.

SCE calculated Mr. Garcia's winter 32.08 kWh daily average usage, pursuant to Rule 17.E.(f) by referring to the "[a]nnual use profile of five customers with similar connected loads, premises load profiles, or hours of energy use, etc. (percent of annual use.)"

The combined basis was a 34.55 kWh daily average usage, which was applied to the years of Mr. Garcia's unauthorized use.

c) **The Visual Inspection of Ms. Ozuna's and Mr. Garcia's House Meters and Property**

SCE investigators observed that the ring seal was missing on Ms. Ozuna's meter and that Mr. Garcia's meter glass came off prior to removal of the meter, which indicated that the cover seal had been broken. Exhs. B & C (investigator notes.)

In addition, investigators observed that both meters had been bypassed. *Id.* By way of background, a domestic meter generally has several lines attached to the back of the meter. On one side, a line carrying electricity from SCE attaches to the meter. Lines carrying the customer's load are attached to the other side of the meter. Here, jumper cables were used to bypass this arrangement. Specifically, cables were used to attach SCE's line directly to Ms. Ozuna's and Mr. Garcia's load side, bypassing one of the load side wires and preventing most of Complainants' usage from being recorded by their meters. *Id.* The bypass went to the breakers that controlled the air conditioning units and pool pumps, among other items, on both properties. *Id.* Investigators observed that the pool pumps and air conditioners continued to operate even after SCE removed the meter. *Id.* To document the tampering, SCE's investigators also took photos of the bypasses. *Id.*

Through its investigation, SCE also learned that Ms. Ozuna operates her business out of her residence. *Id.* In fact, while investigators were at the home on July 20, they observed "a white contractor style truck" pull up. *Id.* The person at the residence was on a first name basis with the "servicemen" who exited the vehicle and entered the home. *Id.* Based on the visual observations of the property and the fact that Ms. Ozuna operates her business out of the home, SCE determined that Ms. Ozuna "has the propensity of actually using more in the winter months." *See* Exh. B (investigator notes.)

3. SCE Rebills Complainants

Based on its investigation, SCE determined that Ms. Ozuna enjoyed the benefit of electrical service with a value of \$41,094.62. *See* Exh. D (Ms. Ozuna's rebill). SCE also incurred \$1,198.18 of associated costs resulting from Ms. Ozuna's unauthorized use, *see* Exhs. D & E (calculation of associated charges), for a grand total of \$42,292.80. Accordingly, on August 26, 2009, SCE rebilled Ms. Ozuna \$17,776.80 plus associated charges of \$1,198.18 for the most recent three years of unauthorized use from August 3, 2006 through August 3, 2009 and \$23,317.82 for the remaining years from February 7, 2001 through August 2, 2006, for a grand total of \$42,292.80. *See* Exh. D (Ms. Ozuna's rebill.)

Likewise, SCE rebilled Mr. Garcia \$4,615.91 plus associated charges of \$497.50 for the most recent three years of unauthorized use from August 3, 2006 through August 3, 2009 and \$1,348.20 for the remaining years of unauthorized use from January 10, 2005 through August 2, 2006, for a grand total of \$6,461.61. *See* Exhs. F (Mr. Garcia's rebill) & G (calculation of associated charges),

The total amount owed for the most recent three years of collective unauthorized use by Ms. Ozuna and Mr. Garcia, plus associated costs, is \$24,088.39. *See* Exhs. D-G.

4. SCE Sues Ms. Ozuna and Mr. Garcia in Civil Court

SCE filed civil actions against Ms. Ozuna and Mr. Garcia on February 3, 2011 for compensatory damages for violation of SCE's tariffs and treble damages, attorneys fees and costs, prejudgment interest, as well as any other relief the court deemed just and proper, pursuant to California Civil Code Section 1882, *et seq.* *See* Exhs. H & I.

5. Complainants File the Instant Complaints and SCE Dismisses the Civil Act Without Prejudice

On March 29, 2011, Ms. Ozuna, on behalf of her father, Mr. Garcia, filed an informal complaint with the Commission in which she admits that "both meters were bypassed

by my husband, who was an electrical contractor and died more than 10 years ago.”⁴ See Exh. J. In other words, she admits that there has been at least 10 years of unauthorized use at both properties. SCE responded to the informal complaint on May 5, 2011. See Exh. K. On June 13, 2011, Ms. Ozuna and Mr. Garcia then filed the above captioned matter.⁵ Both the informal and formal complaints challenge SCE’s ability to recover more than three years of use in civil court and the reasonableness of SCE’s estimation methodology. SCE dismissed the civil actions without prejudice, pending resolution of these Complaints. The Commission instructed SCE to answer the formal complaint on June 23, 2011.

B. The Scope of this Proceeding and Proceedings Before Other Tribunals

As discussed in Decision 86-06-035, *In re Retroactive Billing by Gas and Electric Utilities to Correct Alleged Meter Underbillings Due to Meter Error and Meter Fraud* (1986) 21 CPUC 2d 270, which approved the current form of SCEs’ Rule 17.E., complaints such as the ones filed here present only two issues for resolution by Commission, namely (1) whether energy was used but not metered, billed or paid for, and (2) what the reasonable estimated value is of that energy under Rule 17.E. Because Ms. Ozuna and Mr. Garcia do not, because they cannot, deny that there was energy use that was not billed or paid for, there is only one issue requiring resolution by this Commission, namely whether the value SCE assigned to the estimated energy usage is reasonable under Rule 17.E.

Who performed the tampering or diversion is not relevant to this proceeding, although it is to others. See D.86-06-035. Rule 17.A.4 specifically defines unauthorized use as “the use of energy in noncompliance with the Company’s tariffs or applicable law. It includes, but is not limited to, meter tampering, unauthorized connection or reconnection, theft, fraud, intentional or

⁴ By quoting this language, SCE in no way concedes that this is an accurate statement of what occurred or that Ms. Ozuna and/or Mr. Garcia did not know about or actively conspire or participate in the tampering and bypassing of the meters at both residences.

⁵ It should be noted that Ms. Ozuna and Mr. Garcia have not impounded any amounts in connection with the filing of the informal or formal Complaints.

unintentional use of energy whereby the Company is denied full compensation for electric service provided.” Rule 17.A.4. Accordingly, under Rule 17, proof that the billed customer tampered with the meter or intended to use the electricity in derogation of the utility's right to payment is unnecessary. The evidence must simply demonstrate that the customer actually received the benefit of the energy's use and did not pay for it. *Id.*

Moreover, this Commission, in approving Rule 17, specifically stated that “[t]he customer is responsible for paying the value of any unmetered energy, regardless of whether the metering discrepancy resulted from tampering by the customer, tampering by a stranger, mechanical failure of the meter, or any other reason” ***“Our only concern is that a customer who has received energy should pay what the applicable tariffs prescribe for that energy.”***

D.86-06-035 (emphasis added).

Meter tampering and energy diversion, however, “are highly relevant to the determinations that the Legislature has delegated to the courts.” *Id.* Civil Code Section 1882 *et seq.*, for example, addresses the problem of meter tampering and energy diversion “by creating a presumption that violation of the law has occurred when a meter has been tampered with and devices for diversion are present,” as is the case here. *Id.* Accordingly, such “statutes also allow the utility to recover treble damages, the cost of suit, and attorneys’ fees.” *Id.* This Commission has also recognized that meter tampering and energy diversion are criminal offenses and has instructed utilities that it “expect[s] the utilities to use the criminal and civil remedies that the Legislature has provided to combat this problem, and [this Commission] will support them in these efforts.” *Id.*

C. Because the Bare Allegations of Ms. Ozuna’s and Mr. Garcia’s Complaints, Even if True, Fail to Allege Facts Sufficient to Satisfy their Burden of Proof, Complainants’ Cases Should be Dismissed With Prejudice.

“The complainant (customer) . . . has the burden of proof to establish that the backbill is unfounded and incorrect. This may entail [denial of unauthorized use] or whatever evidence the

complainant can produce to show that the energy load of the appliances and equipment on the premises is not capable of requiring the amount of energy estimated by the utility as having been used.” D.86-06-035.

Neither Rule 17 nor this Commission has ever established any other criteria for challenging SCE’s estimated usage. Indeed, the only published case in which the Commission adjusted SCE’s estimated usage was a case in which the energy load of the appliances and equipment on the premises was not capable of using the energy alleged or the appliances did not exist at the time of the unauthorized use. *See* D.93-05-004, *Brixley v. Southern California Edison* (1993) 49 CPUC2d 159 (finding SCE’s estimated usage reasonable in all respects except for small adjustments for (1) water beds that did not exist at the time of the unauthorized use, (2) a pool filter that had a 1.0 hp, rather than 1.5 hp, rating, (3) a cooking range and water heater that were not powered by electricity, but rather by propane gas, and (4) the erroneous characterization of a 40-watt bulb operated food dehydrator as an electric kiln).

If a complainant satisfies its burden of proof, “the burden of producing evidence [then] shifts to the utility to support the basis for the backbilling to the customer and to support the reasonableness of its estimate of the amount billed.” D.86-06-035, *In re Retroactive Billing, supra*, (1986) 21 CPUC 2d 270.

The burden cannot and will not shift to SCE in this case because Ms. Ozuna’s and Mr. Garcia’s Complaints, on their face, demonstrate that they cannot satisfy their burden of proof, even if every allegation is presumed to be true. Notably absent from Complainants’ Complaints are any allegations whatsoever that the unauthorized use did not occur or that the appliances and equipment on their respective premises are incapable of using the amount of energy SCE estimated. Indeed, in Mr. Garcia’s informal complaint, Ms. Ozuna admits that there has been at least ten years of unauthorized use and SCE’s investigators observed the pools, air conditioning units, among other things. Complainants therefore fail to make these allegations because they cannot. Further amendment of the Complaint would therefore be futile. The Complaint should therefore be dismissed with prejudice.

D. SCE's Estimated Usage and Backbill Are Reasonable

As explained above, the bypass of Ms. Ozuna's and Mr. Garcia's meters deprived SCE of accurately measured meter readings for the period in question. SCE therefore properly estimated Complainants' usage by utilizing the methodologies authorized by this Commission and set forth in Rule 17.E.

Rule 17.E. provides, in pertinent part:

When regular, accurate meter readings are not available or the electric usage has not been accurately measured, [SCE] may estimate the customer's energy usage for billing purposes on the basis of information including, but not limited to, the physical condition of the metering equipment, available meter readings, records of historical use, and the general characteristics of the customer's load and operation.

Estimated bills for the unauthorized use period may be determined by SCE based on one or more of the following, without limitation:

- a. Accurately-metered use from a remote check meter during the unauthorized use period;

- b. Accurately-metered subsequent use of 30 days or more (if available);
- c. Annual use profile of at least five Customers with similar connected load, premises load profiles, hours of energy use, etc. (percent of annual use); or
- d. Other reasonable and supportable billing methodology when none of the aforementioned billing techniques are appropriate under the circumstances.

Ms. Ozuna and Mr. Garcia do not assert a single allegation to satisfy their burden of proving that the energy load of the appliances and equipment on the premises is not capable of requiring the amount of energy estimated as having been used.

Moreover, as this Commission has noted, "[e]stimation of the amount of unauthorized usage necessarily involves some degree of imprecision. The estimate must be rationally based on known facts, but perfection is not required; the estimate simply must be reasonable in light of

these facts.” D.93-05-004, *Brixley, supra*, 49 CPUC2d 159. Complainants or Ms. Ozuna’s deceased husband, not SCE are the cause of this imprecision. Furthermore, Ms. Ozuna, the owner of an electrical contracting company, could not have reasonably believed that her and her father’s tiny electricity bills were accurate given that they both have pools, run air conditioning systems, and she runs a business out of her home. She therefore failed to mitigate her and her father’s harm. SCE’s estimation of Complainants’ usage is therefore fair and as accurate as possible under the circumstances. Indeed, compared to the other estimation methodologies, the surveillance meter methodology upon which SCE relied to calculate Ms. Ozuna’s estimated usage and which is notably first on Rule 17.E.’s list, provides the most accurate indication of actual usage.

Complainants’ contend that SCE’s calculation of Complainants’ average daily usage based on the actual usage recorded by the surveillance meter and at Mr. Garcia’s property after the bypass was removed is not a fair representative sample of the last ten years because of the temperature variations during that period. Notably absent, however, from the list of estimation methodologies in Rule 17.E. is a temperature analysis of the years in question. This is the case because customer usage does not wildly vary based on the small temperature differences cited by Complainants, especially when they are not motivated to conserve because they have bypassed SCE’s meter. In fact, SCE’s tipster claimed that Ms. Ozuna admitted to running her air conditioner and pool pump year round before SCE discovered the bypass. Other than the seasonal definitions discussed in footnote 3 of this Discussion, SCE’s bills are not based on temperature; they are based on actual usage, which can only be accurately recorded by a meter. SCE measured both Complainants’ actual usage with meters and it is those measurements that properly provide the primary basis for SCE’s estimated value of their unauthorized energy usage.

Rule 17.E.3. also permits SCE to “recover from the Customer the associated costs resulting from the unauthorized use, including both investigative and equipment damage costs. Investigative costs include time and material spent for investigation, bookkeeping, film and film development, and other costs of gathering evidence. Equipment damage costs include the cost to

replace the SCE-owned equipment damaged by the customer.” SCE therefore also included such costs in Complainants’ rebills.

E. The Statute of Limitations

The Commission, in D.86-06-035, *In re Retroactive Billing, supra*, (1986) 21 CPUC 2d 270, which approved the current form of Rule 17.E., specifically explained that the three year limitation on the amount of funds SCE could recover only applied in actions brought before the Commission and that Rule 17.E. does not limit SCE’s ability to collect undercharges going back more than three years in civil or criminal court cases.

Specifically, the Commission stated:

We recognize that the utilities have recourse before the courts to causes of action other than the one created in Section 737, such as fraud, meter tampering or energy diversion under Civil Code Section 1882, breach of contract, etc., and that **many of these other causes of action are governed by longer statutes of limitation that will permit the utility to claim and collect for undercharges going back more than three years. It is not our intent in any way to limit collections related to such actions, and because the issues in such actions are only infrequently encountered by the Commission in the exercise of its jurisdiction, we prefer to leave the resolution of such claims to the greater familiarity and competence of the courts.** The proposed tariff contains a statement that clarifies for intent not to limit the utilities' other rights under the law. In addition, the utilities may recover for more than three years' of backbills in settlement of filed or potential actions in which the law permits a longer period of limitation.

* * * *

In establishing a three-year limitation for energy backbilling in complaints before us, we do not intend to limit in any manner a utility's ability to proceed with whatever civil and criminal remedies for unauthorized energy use it may possess. We encourage and expect the vigorous prosecution of such remedies without regard to the three-year backbill limit.

Id. (emphasis added.)

Based on the foregoing rationale, the Commission approved the current version of Rule 17.E., which states, in pertinent part: “Where SCE determines that there has been Unauthorized

Use of electrical service, SCE may bill the customer for SCE's estimate of such unauthorized use. However, such estimated bill shall indicate unauthorized use for the most recent three years **and, separately, unauthorized use beyond the three-year period for collection as provided by law. Nothing in this Rule shall be interpreted as limiting SCE's rights under any provisions of any applicable law.**" Rule 17.E. (emphasis added.)

In this case before the Commission, because Complainants admit that there was unauthorized use, the Commission must merely decide if SCE's method of estimation is reasonable and confirm that SCE is entitled to the most recent three years of estimated nonpayment for the value of the services rendered, as well as associated costs. Thereafter, SCE can and will resume its pursuit of the full amount owed, in addition to all other damages and penalties to which it is entitled, as is its right under Rule 17 and other applicable law, in other courts of competent jurisdiction. SCE is also entitled to carry out its right to refuse and/or discontinue service under Rules 11 and 17.

III.

ANSWER TO COMPLAINT

It should be noted from the outset that the paragraphs of the formal Complaint are not numbered. For the Commission's ease of reference and to facilitate its understanding of SCE's Answer, SCE has taken the liberty of numbering the paragraphs, commencing with the first paragraph following the "BACKGROUND" heading.

It should also be noted that Complainants and their counsel learned the detailed content of the Complaint during a confidential conference with SCE's attorney and investigators and therefore should not have included such information in a filing with this Commission. Nevertheless, SCE incorporates by reference the affirmative statements made in SCE's Discussion above and responds to the specific allegations of the formal Complaint as follows:

1. Answering Paragraph 1. SCE generally avers that Complainants' recitation of these facts is correct to the extent that it is consistent with the above Discussion at Section II.A.

2. Answering Paragraph 2. SCE generally avers that Complainants' recitation of these facts is correct to the extent that it is consistent with the above Discussion at Section II.A. SCE denies that inspection of the interior of the house was necessary on July 20 or any other subsequent date or that the lack of such an inspection is in anyway relevant to this or any other proceeding.

3. Answering Paragraph 3. SCE generally avers that Complainants' recitation of these facts is correct to the extent that it is consistent with the above Discussion at Section II.A. SCE lacks sufficient information and belief to admit or deny that a subsequent reading of usage between August 3 and August 10 showed 392 total kWh for an average usage of 56kWh per day. Complainants' actual usage after SCE discovered the unauthorized use, removed the bypass, and notified Complainants' that they would have to pay for their electrical consumption is wholly irrelevant to this or any other proceeding. Post-discovery usage is less reliable evidence of prior usage because once individuals are forced to pay for their actual usage, they begin engaging in conservation efforts that were unnecessary in the past to have affordable bills.

4. Answering Paragraph 4. SCE generally avers that Complainants' recitation of these facts is correct to the extent that it is consistent with the above Discussion at Section II.A.

5. Answering Paragraph 5. SCE denies that an identical procedure was used to calculate Mr. Garcia's rebill. Mr. Garcia's rebill was calculated using the methodology described in Section II.A.2.(b) of this Answer's Discussion.

6. Answering Paragraph 6. SCE lacks sufficient information and belief to admit or deny precisely what the inspector said at this confidential conference. SCE avers that applying the 73.9 kWh daily average usage to the entire period of Ms. Ozuna's unauthorized use is a proper, fair, reasonable, and sound approach to valuing her unauthorized use. Moreover, the burden is not on SCE to prove the reasonableness of its valuation. To the contrary, Complainants bear the burden of proving that the backbill is unfounded or incorrect by either (1) proving that the unauthorized use did not occur, or (2) that the energy load of the appliances and equipment on the premises during the period of unauthorized use is not capable of requiring the

amount of energy estimated. Complainants admit to the unauthorized use and do not, because they cannot, make a single allegation that the appliances and equipment on the property could not have used the energy estimated. Accordingly, both of Complainants' actions, on their face, fail to state a claim and should be dismissed with prejudice.

7. Answering Paragraph 7. SCE denies that Complainants' recitation represents "actual statistical data," that such data, even if accurate, is relevant, or that SCE's estimation methodology is in anyway flawed or inadmissible in any court of competent jurisdiction. Indeed, in a criminal case in which a defendant was prosecuted and ordered to pay restitution to the utility, the California Court of Appeal upheld the restitution award and rejected the defendant's claim that the utility's calculation method was "speculative" despite the more stringent burden of proof in such proceedings. *See People v. Phu* (2009) 179 Cal. App. 4th 280 (2009.)

8. Answering Paragraph 8. SCE denies that Complainants' recitation represents "actual statistical data," that such data, even if accurate, is relevant, or that SCE's estimation methodology is in anyway flawed or inadmissible in any court of competent jurisdiction.

9. Answering Paragraph 9. SCE denies that Complainants' recitation represents actual or accurate statistical data, that such data, even if accurate, is relevant, or that SCE's estimation methodology is in anyway flawed or inadmissible in any court of competent jurisdiction.

10. Answering Paragraph 10. SCE denies that Complainants' recitation represents "actual statistical data," that such data, even if accurate, is relevant, or that SCE's estimation methodology is in anyway flawed or inadmissible in any court of competent jurisdiction.

11. Answering Paragraph 11. SCE avers that it properly used the methodology set forth in Rule 17.E.(a) to calculate Ms. Ozuna's estimated usage. SCE denies that the actual daily usage after the bypass was discovered and Complainants were on notice that it had been removed has any relevance whatsoever to this or any other proceeding for the reasons already explained above in SCE's Answer to Paragraph 3.

12. Answering Paragraph 12. SCE admits that it filed two lawsuits against Ms. Ozuna and Mr. Garcia, respectively, on February 3, 2011. The accurate description of the amounts sought is set forth above in Section II.A.4. The damages sought included not only compensatory damages, but also treble damages, attorneys fees and costs, as well as prejudgment interest and any other relief the court deemed just and proper.

13. Answering Paragraph 13. SCE denies that it is only entitled to collect the value of most recent three years of estimated usage. Although this Commission's award is limited to that period, other courts may award the full value of the entire period of unauthorized use, as well as other damages and penalties. SCE properly filed its civil lawsuits within three years of the discovery of the unauthorized use.

14. Answering Paragraph 14. SCE denies that it is only entitled to collect the value of most recent three years of estimated usage. Although this Commission's award is limited to that period, other courts may award the full value of the entire period of unauthorized use, as well as other damages and penalties. SCE properly filed its civil lawsuits within three years of the discovery of the unauthorized use. SCE denies that Complainants accurately calculate the amounts owed.

15. Answering Paragraph 15. SCE denies that there is any flaw whatsoever with its method of calculation or efforts to recover the amounts Complainants' owe for their unauthorized use of energy.

IV.

AFFIRMATIVE DEFENSES

FIRST, SEPARATE AND AFFIRMATIVE DEFENSE

Affirmative Allegations

SCE re-alleges and incorporates herein each and every one of its affirmative allegations set forth above.

SECOND, SEPARATE AND AFFIRMATIVE DEFENSE

Failure to State a Cause of Action

Complainants fail to state facts sufficient to constitute a cause of action for relief against SCE.

THIRD, SEPARATE AND AFFIRMATIVE DEFENSE

Compliance with all Applicable Tariffs, Rules, Regulations and Laws

Complainants are barred from recovery because SCE complied with all applicable rules, laws, regulations, and tariffs.

FOURTH, SEPARATE AND AFFIRMATIVE DEFENSE

Proximate Intervening Cause

If Complainants suffered any injury as alleged in the Complaint, which SCE specifically disputes and denies, the intervening and superseding actions, and/or inactions of Complainants or some other person or entity other than SCE proximately caused such injury in whole or in part.

FIFTH, SEPARATE AND AFFIRAMTIVE DEFENSE

Failure to Mitigate

Complainants failed to mitigate their injury, if any.

WHEREFORE, SCE prays:

1. The informal and formal Complaints are consolidated;
2. The Complaints and relief requested are denied;
3. The Complaints are dismissed with prejudice;
4. For such other relief as the Commission may deem just and equitable.

Respectfully submitted,

JENNIFER TSAO SHIGEKAWA
REBECCA MEIERS-DE PASTINO

/s/ Rebecca Meiers-De Pastino

By: Rebecca Meiers-De Pastino

Attorneys for
SOUTHERN CALIFORNIA EDISON COMPANY

2244 Walnut Grove Avenue
Post Office Box 800
Rosemead, California 91770
Telephone: (626) 302-6008
Facsimile: (626) 302-6693
E-mail: Rebecca.Meiers-De@sce.com

July 25, 2011

Attachment A -

Ozuna Electric

About

Services

Projects

Phone
626.339.8026

24/7 Emergency Service

E-Mail
OzunaElectric@aol.com

Specializing in commercial, industrial, and residential installation and repairs since 1987.

Fax
626.332.4074

Servicing the San Gabriel Valley, LA county, Orange County and the Inland Empire.

©2008 Ozuna Electric inc. | design: [jpsofatso](#)

24/7 emergency service
626.339.8026

[Home](#) [Services](#) [Projects](#) **[About](#)**

About



Maria Carmen Ozuna
President/CEO

Ozuna Electric is a woman-owned electrical contracting corporation specializing in commercial, industrial, and residential installations and repairs. Our qualified journeymen are experienced in a wide range of jobs, including electrical upgrades and maintenance, data cabling, specialty lighting, emergency back up systems, motor control, grounding and exothermic welding. Our previous commercial work has included parks and recreation centers, pathway lighting, factory and warehouse lighting, parking lot lighting, and various electrical industrial systems. We are also well experienced and equipped in the retro-fitting and upgrading of older light systems to help your company become energy efficient and comply with the State of California's Title 24 Code.

With over 20 years in business in the area, owner Maria Carmen Ozuna and her staff of dependable, qualified journeymen are well known for top-quality service at a reasonable rate. Our maintenance programs and general electrical contracting services are tailored to your specific needs. We are available 24 hours a day, 7 days a week for emergency service. All work is guaranteed.

Maria Carmen Ozuna is WMBE certified (Women Minority Business Enterprise), an NFPA member, and a member of [Strategic Alliance](#).



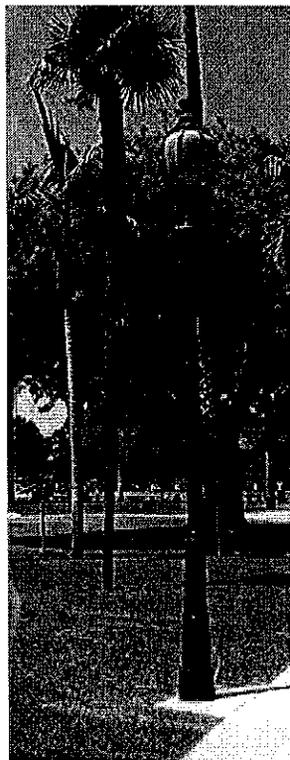
©2008 Ozuna Electric Inc. | design: [jpsofatso](#)

24/7 emergency service
626.339.8026

[Home](#) [Services](#) [Projects](#) [About](#)

Services

Specializing In Commercial, Industrial, and Residential Installation and Repairs.



- | | |
|---------------------------------------|--|
| Service Calls | General Maintenance |
| New Construction | Data Cabling |
| Motor Control | Trouble Shooting |
| Specialty Lighting | Musco Lighting & lighting Controls |
| Emergency Back-Up Systems | Industrial Plants |
| Warehouses | Commercial Centers |
| Office relocation, rewiring, upgrades | Signs and Outdoor Lighting |
| Tenant Improvements | Exothermic Welding |
| Grounding | Energy Conservation Upgrades / Retro-fitting |

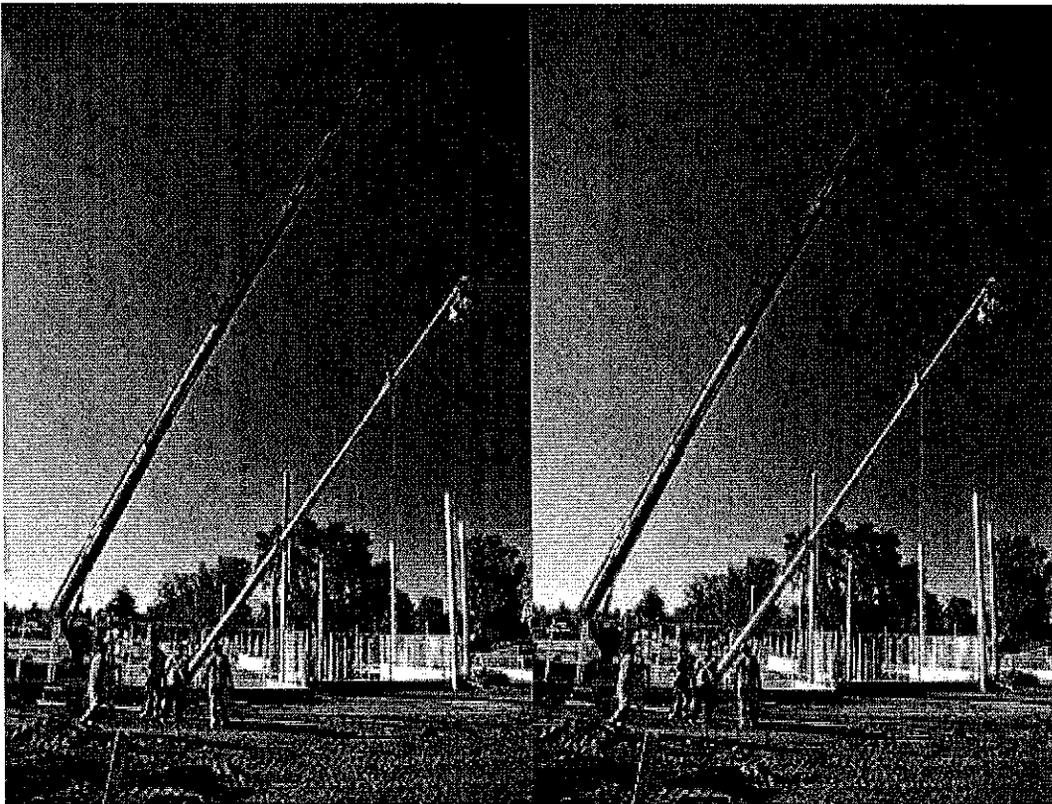
©2008 Ozuna Electric inc. | design: [ipsofatso](#)

24/7 emergency service
626.339.8026

- [Home](#)
- [Services](#)
- [Projects](#)
- [About](#)

Projects

Featured Project: Robinson Park

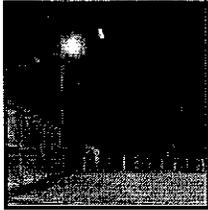






Time-lapse

video of the stadium lighting being erected (youTube video)

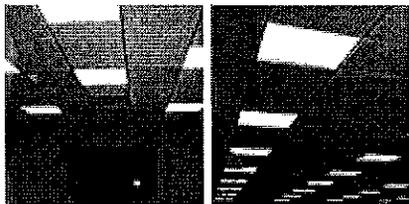


360° Panoramic view of the field at night (QuickTime plugin required)

Calvary Mausoleum



Gardena Civic Center



Paramount Civic Center



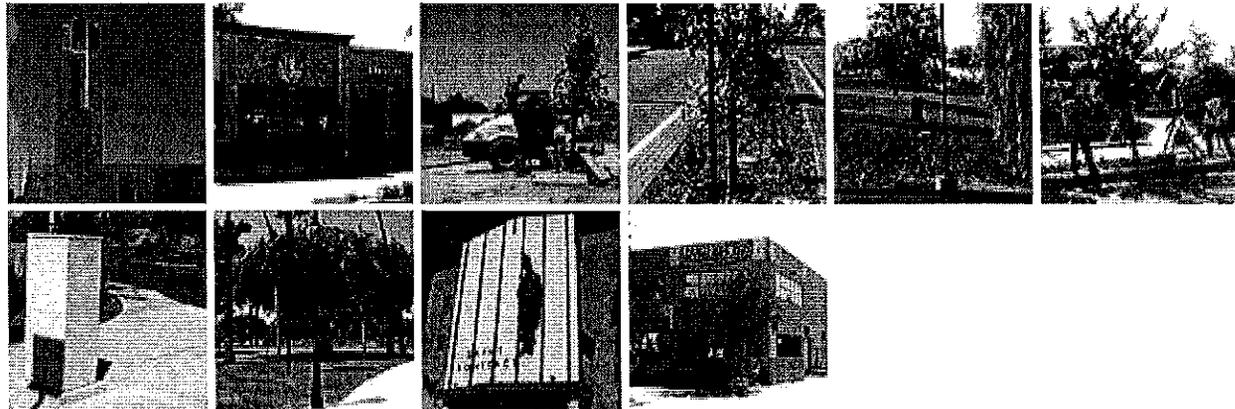
Friendship Square Park



Cal Poly Pomona



Other Projects





©2008 Ozuna Electric inc. | design: [ipsifatso](#)

[Expand](#)

[next](#) [previous](#)

[Close](#)

[Previous](#)

0/0

[Next](#)

Attachment B -

Investigator Notes Regarding Carmen Ozuna's Residence

ENTER INFORMATION AND/OR SELECT THE APPROPRIATE PF KEY

(016)

RPIS * * * * * INQUIRY SERVICE INVESTIGATION * * * * *
 OZUNA ██████████ Customer Number- ██████████
 ████████ S GLENN ALAN AVE SI Number- ██████████
 WEST COVINA CA 91791-2707 USA Sales Order Num-
 Phone- ██████████ - SSN# - ██████████ ESP Customer-

 Tip Date - 04/13/2009 SI Date- 04/17/2009 CIS Acct Num- ██████████
 DA Ind - N Serv Acct Num- ██████████
 SI Status- H COURT, CIVIL Source- 2 EMPLOYEE
 SI Type - 1 UNAUTHORZD Type Service- O OVERHEAD
 Suspect Condition- 99 OTHER Pre Pay- N SO#-
 SI Result - 2 JUMPERS/BYPASS IN METER SOC How to Cut- M METER
 Evidence - NEED OVER THREE YEAR AGREEMENT Service Cut- N
 Hrs. Worked- 7.0 Emp Theft- N
 Field Check- Y ----- Old Meter ----- Remove Num-
 Evidence - Y Rem Date- Mtr Read- Dem Read-
 Rewire - N ----- New Meter ----- Set Num-
 CustContact- Y Set Date- Mtr Read- Dem Read-
 Order Num- Test Date- CSD108- N

PF2 = SI NOTES
PF10 = NEXT PAGE

PF9 = VIEW LOG
PF12 = RETURN

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 04/17/09 Time - 13:47
* OZUNA, [REDACTED] Author - GARCIA, CRYSTAL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - P PUBLIC
Subject - SUSPECT COND/RPTNG PARTY, 09-04-13

=====
04-13-09 MTR#AE85-421183 RD:

PER TIP: CUSTOMER IS ELECTRICIAN BRAGS RUNS POOL HEATER AND AIR COND.
ALL THE TIME. BILLS UNDER \$60.00
RPB RECVD: 04-16-09

04-13-09 LISA GRAVA SSN#XXX-XX-XXXX

=====
PF8 = PREV NOTE
PF12 = PREV TRANS

PF9 = VIEW LOG

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 04/29/09 Time - 09:19
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - INVESTIGATION

=====
4/29/2009 THIS IS ELECTRICIAN. GAVE POLE TOP METER TO JOHN PEREZ TO
SET TODAY. NO OTHER BASIS SEEN ON CSS HISTORICAL USAGE. CUSTOMER HERE
SINCE 1994 AND NO DEFINITIVE DROP IS SEEN. CSS USAGE ONLY GOES BACK TO
2004. IF THERE IS A BYPASS IT IS BELIEVED IT OCCURED BEFORE 2004.

PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 04/29/09 Time - 09:20
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER [REDACTED] Restrict Viewing ? NO
Update - A AUTHOR ONLY

Subject - NEXT ACTION: OBTAIN HAND HELD AND READS

=====

WILL OBTAIN METER READER HAND HELD SO AMR METER CAN BE READ WITHOUT
BEING DETECTED. WILL ALSO OBTAIN POLE TOP READING.

PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 05/04/09 Time - 15:05
OZUNA [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - READS

=====
5/4/2009 SURVEILLANCE METER READ 003528
HOUSE READ 54588

PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 05/14/09 Time - 09:05
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - NEXT ACTION: BY NEXT WEEK

=====

RE-READ METERS.

PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 05/22/09 Time - 13:50
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY
Subject - WILL RE-READ WEEK OF 5/22/09
=====

PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 05/28/09 Time - 08:34
OZUNA [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER [REDACTED] Restrict Viewing ? NO
Update - A AUTHOR ONLY

Subject - READS OF 5/27/2009

=====

HOUSE READ IS 54897, SURVEILLANCE METER READ IS 005111. FROM THE PRIOR READINGS ON 5/4/2009 THERE IS A HUGE DIFFERENCE. 309 KWHS ARE SHOWING ON THE HOUSE METER AND 1583 ARE SHOWING ON THE SURVEILLANCE METER.

THIS EQUATES TO DAILY AVERAGES OF 13.43 ON HOUSE METER AND 68.82 ON SURVEILLANCE METER.

NORMAL A/C USAGE APPEARS TO GO AWAY IN 2006. WILL NEED EXTRA PERSON TO WATCH METER WHEN GAINING ACCESS. NOTED SNAP RING SEAL IS MISSING.

=====

PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 05/28/09 Time - 08:38
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - NEED READ FOR SUMMER USAGE

=====

WILL RE-READ AGAIN 6/4/09 FOR WINTER USAGE AND RE-READ 7/6/09 FOR
SUMMER USE.

=====

PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 06/23/09 Time - 10:48
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - RE-READ

=====
6/23/2009 HOUSE METER READ IS 55249 THIS EQUATES TO A DAILY AVERAGE
FROM LAST READ OF 13.03

6/23/2009 SURVEILLANCE METER READ 006746 THIS EQUATES TO A DAILY
AVERAGE OF 60.55 SINCE LAST READING.

WILL READ ONE MORE TIME TO OBTAIN BETTER SUMMER AVERAGE.

=====

PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 07/20/09 Time - 11:41
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - EVIDENCE = PHOTOS

=====
SHOWING POOL EQUIPMENT ON (PHOTO OF VOLTAGE CHECK) PLUS DIFFERENCES
BETWEEN SURVEILLANCE AND HOUSE METER READS.
=====

PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 3
CUSTOMER NAME Date - 07/20/09 Time - 11:46
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER [REDACTED] Restrict Viewing ? NO
Update - A AUTHOR ONLY

Subject - FOLLOW-UP

=====
7/20/2009 HOUSE METER READ IS 55610. SURVEILLANCE METER READ IS
003528. SPOKE TO HOUSE SITTER. SHE STATED SHE IS THE NIECE AND COULD
NOT GET HOLD OF MARIA AS SHE IS IN COLORADO. SHE DID NOT HAVE THE CODE
TO THE GATE. WE THEN WENT TO PROPERTY NEXT DOOR AND WERE ABLE TO
OBTAIN ACCESS AS IT WAS AN ADJOINING YARD.

THE METER WAS PULLED AND VARIOUS EQUIPMENT WAS STILL ON WITH METER
PULLED . NOTED WERE THE POOL EQUIPMENT AND AIR CONDITIONING PLUS AN
OUTSIDE LIGHT. PHOTOS WERE TAKEN OF THE BYPASS WIRES THAT WERE
ATTACHED TO THE TWO LINE SIDE (UN-METERED WIRES FOUND IN THE PANEL.
=====

PF5 = NEXT NOTE
PF10 = NEXT PAGE

PF8 = PREV NOTE

PF9 = VIEW LOG
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 2 Of 3
CUSTOMER NAME Date - 07/20/09 Time - 11:46
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - FOLLOW-UP

=====
WE INSTRUCTED THE NIECE TO HAVE MARIA CALL US ASAP . ID AND DRIVER
LISCENCE WAS PROVIDED TO NIECE FOR IDENTIFICATION PURPOSES.

THE NIECE LATER CALLED THE PHONE CENTER AND INQUIRED ABOUT OUR VISIT.
SHE WAS SATISFIED AFTER CALLINF THE PHONE CENTER THAT WE WERE EDISON
EMPLOYEES.

A WHITE CONTRACTOR STYLE TRUCK PULLED UP WHILE WE WERE AT THE
RESIDENCE. THE NIECE LEFT THE PERSONS INSIDE CLAIMING THEY WERE
=====

PF5 = NEXT NOTE
PF10 = NEXT PAGE

PF8 = PREV NOTE
PF11 = PREV PAGE

PF9 = VIEW LOG
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 3 Of 3
CUSTOMER NAME Date - 07/20/09 Time - 11:46
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY
Subject - FOLLOW-UP

=====
SERVICEMEN. SHE KNEW BOTH THE PERSONS NAMES. LISCENCE NUMBER OF
TRUCK WAS 8J71399.

THE SUV IN THE DRIVEWAY BELIEVED TO BELONG TO THE NIECE SARA GARCIA
HAD A LISCENCE # OF 4RLN930.

PF5 = NEXT NOTE
PF11 = PREV PAGE

PF8 = PREV NOTE

PF9 = VIEW LOG
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 07/21/09 Time - 09:19
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - GILES LEFT MESSAGE FOR MARIA OZUNA

=====
ADVISED OF ILLEGAL WIRING AND TO CALL.
=====

PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 5
CUSTOMER NAME Date - 07/27/09 Time - 10:34
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - SPOKE TO MARIA CARMEN OZUNA

=====
CUSTOMER GOES BY THE NAME OF CARMEN.

MYSELF AND JESS ZARATE INTERVIEWED MISS OZUNA. THE FOLLOWING TOPICS WERE COVERED.

PENAL CODE VIOLATION (DID NOT ACCUSE BUT ADVISED IT DID OCCUR)

DISCUSSED OVER THREE YEAR PERIOD AND HER OPTION TO SIGN AGREEMENT VS CIVIL INVOLVEMENT. INFORMED ABOUT POTENTIAL TREBLE DAMAGES

=====

PF5 = NEXT NOTE
PF10 = NEXT PAGE

PF8 = PREV NOTE

PF9 = VIEW LOG
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 2 Of 5
CUSTOMER NAME Date - 07/27/09 Time - 10:34
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - SPOKE TO MARIA CARMEN OZUNA

=====
INFORMED HER OF THE LISENCING ISSUES WITH A CONTRACTOR HAVING HAD A
BYPASS FOUND AT THEIR PLACE OF BUSINESS.

ADVISED THAT THE THREE YEAR PERIOD IF NOT PAID COULD RESULT IN TERMIN-
ATION OF SERVICE.

TOLD CARMEN TO HAVE BYPASS REMOVED AT THIS RESIDENCE AND AT 715
GLENN ALAN. SHE OWNS BOTH PROPERTIES.

EXPLAINED TO CARMEN THAT WE NEED TO SPEAK TO HER PARENTS WHO LIVE AT
=====

PF5 = NEXT NOTE
PF10 = NEXT PAGE

PF8 = PREV NOTE
PF11 = PREV PAGE

PF9 = VIEW LOG
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 3 Of 5
CUSTOMER NAME Date - 07/27/09 Time - 10:34
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - SPOKE TO MARIA CARMEN OZUNA

=====

THE NEXT DOOR ADDRESS. SHE REQUESTED THAT SHE HANDLE THE ISSUE FOR THEM SINCE HER FATHER AND MOTHER ARE ELDERLY AND HER FATHER HAS A BAD HEART. I EXPLAINED TO HER THAT I WOULD NEED SOMETHING IN WRITING INDICATING SHE COULD HANDLE THE SITUATION WITH THEM.

I EXPLAINED TO HER THAT BLAME WAS NOT THE ISSUE BUT THAT I DID HAVE INFORMATION THAT LED ME TO BELIEVE HER KNOWLEDGE OF THE BYPASSES.

CARMEN ASKED FOR A BILLING AMOUNT. IT WAS EXPLAINED THAT WITHOUT THE BILLING GOING THROUGH BOOKKEEPING THAT IT WOULD BE ONLY A VERY ROUGH

=====

PF5 = NEXT NOTE
PF10 = NEXT PAGE

PF8 = PREV NOTE
PF11 = PREV PAGE

PF9 = VIEW LOG
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 4 Of 5
CUSTOMER NAME Date - 07/27/09 Time - 10:34
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - SPOKE TO MARIA CARMEN OZUNA

=====

ESTIMATE THAT I COULD GIVE HER AT THIS TIME. I TOLD HER THAT IT WOULD LIKELY BE QUITE LARGE AND COULD BE ANYWHERE BETWEEN 15 TO 20 THOUSAND DOLARS BUT THAT WAS A VERY ROUGH ESTIMATE. SHE WAS INFORMED THAT ASSOCIATED CHARGES WOULD ALSO BE RENDERED FOR THE COST OF THE INVESTIGATION INCLUDING CREW AND BOOKKEEPERS TIME. I EXPLAINED THAT THESE CHARGES COULD ALSO BE QUITE HIGH.

CARMEN WILL CALL ME WHEN THE BYPASSES ARE REMOVED. SHE WAS ADVISED THAT THE SOONER IT GOT DONE THE SOONER THE BILLING COULD BE CALCULATED

.

=====

PF5 = NEXT NOTE
PF10 = NEXT PAGE

PF8 = PREV NOTE
PF11 = PREV PAGE

PF9 = VIEW LOG
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 5 Of 5

CUSTOMER NAME

Date - 07/27/09 Time - 10:34

OZUNA, [REDACTED]

Author - LEFLER, RUSSEL

SI NUMBER

Restrict Viewing ? NO

Update - A AUTHOR ONLY

Subject - SPOKE TO MARIA CARMEN OZUNA

=====
CARMEN HAD INITIALLY ARRIVED WITH AN ATTORNEY. WE ADVISED HER THAT WE WOULD NOT MEET WITH HER WITHOUT OUR ATTORNEY BEING PRESENT AND WE WOULD NEED TO RESCHEDULE. SHE THEN STATED WITH HER ATTORNEYS AGREEMENT THAT SHE WOULD MEET US WITHOUT HIM.

CARMEN WAS ALSO ADVISED THAT NO RECORDING DEVICES WERE BEING USED AND SHE AGREED THAT SHE ALSO HAD NONE OF HER OWN.

THE MEETING WAS TERMINATED WITH THE AGREEMENT THAT CARMEN WOULD CALL AS SOON AS THE BYPASS WAS REMOVED.
=====

PF5 = NEXT NOTE
PF11 = PREV PAGE

PF8 = PREV NOTE

PF9 = VIEW LOG
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 08/04/09 Time - 10:34
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY
Subject - NEXT ACTION 8/7/09

=====
RENDER BILLING.

PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 08/11/09 Time - 11:15
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - WILL WAIT FOR ONE MORE READ TO REMOVE:

=====
CUSTOMER MAY TAMPER AGAIN. WILL RE-READ THIS WHEN HOUSE NEXT DOOR IS
READ AROUND 9/3/09.WILL THEN HAVE POLE TOP REMOVED.

PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 08/19/10 Time - 10:54
OZUNA, [REDACTED] Author - GONZALEZ, ROSAELENA
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - CHANGED TO STATUS Z

=====

WE DID NOT RCV THE OVER 3 YR LETTER SIGNED BY CUSTOMER.

THIS WAS BILLED 10/2009-TIME HAS EXPIRED
PLEASE REBILL CST FOR ONLY 3 YEARS SO THAT WE MAY PURSUE COLLECTIONS

CC:LONNIE
CC:GILES, JOHN

PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 08/19/10 Time - 12:30
OZUNA, [REDACTED] Author - GONZALEZ, ROSAELENA
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - CHANGED TO STATUS S PER JOHN GILES

=====
PER HIS NOTE

'THIS CASE IS WITH SCE. ATTYS AND THE CUSTOMER'S ATTY DO NOT RECALC'

CC:LONNIE LEIFFER

=====
PF5 = NEXT NOTE
PF12 = PREV TRANS

PF9 = VIEW LOG

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 09/22/09 Time - 12:29
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - BILLING NOTES

=====
CUSTOMER WAS USING 68 KWHS PER DAY IN MAY(NON SUMMER MONTHS) AND
61 IN LATE JUNE (SUMMER MONTHS). SHE ALSO USED 91.55 PER DAY BY 7/09.

THEREFORE ALL SURVEILLANCE READINGS WILL BE USED FOR ENTIRE YEAR.
THERE IS NO NEED TO SPLIT THEM UP FOR SUMMER AND WINTER SINCE READS
INDICATE THAT CUSTOMER HAS THE PROPENSITY OF ACTUALLY USING MORE IN SO
ME WINTER MONTHS. THIS HOUSE IS BEING USED AS A ARESIDENCE AND AN
OFFICE FOR AN AIR CONDITIONING COMPANY.

PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 2
CUSTOMER NAME Date - 09/22/09 Time - 13:13
OZUNA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER [REDACTED] Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - BILLING BASIS AND PERIOD:

=====
BILLING BASIS: 5/4/2009(SURVEILLANCE METER READING 003528) TO 7/20/09
(SURVEILLANCE METER READING 009218) = 77 DAYS AND USED 5690 KWHS =
73.89 D.A.

BILLING PERIOD:02/07/2001(AS FAR BACK AS RECORDS KEPT) TO8/3/2009
(DATE VERIFIED BYPASS REMOVED) (TRENA RAN REPORT FOR ADDITIONAL TIME
FRAME NOT ON CSS).

BILL CUSTOMER FOR TIME FRAME INDICATED LESS ALREADY BILLED PLUS
ASSOCIATED COSTS.
=====

PF5 = NEXT NOTE
PF10 = NEXT PAGE

PF8 = PREV NOTE

PF9 = VIEW LOG
PF12 = PREV TRANS

Attachment C -

Investigator Notes – Serapio Garcia

RPIS * * * * * INQUIRY SERVICE INVESTIGATION * * * * *
 GARCIA, [REDACTED] Customer Number- [REDACTED]
 [REDACTED] GLENN ALAN AVE / [REDACTED] SI Number- [REDACTED]
 WEST COVINA CA [REDACTED] Sales Order Num- [REDACTED]
 Phone- [REDACTED] - SSN# [REDACTED] ESP Customer-

 Tip Date - 07/20/2009 SI Date- 07/20/2009 CIS Acct Num- [REDACTED]
 DA Ind - N Serv Acct Num- [REDACTED]
 SI Status- H COURT, CIVIL Source- 2 EMPLOYEE
 SI Type - 1 UNAUTHORZD Type Service- O OVERHEAD
 Suspect Condition- 2 JUMPERS/BYPASS IN METER SOC Pre Pay- N SO#-
 SI Result - 2 JUMPERS/BYPASS IN METER SOC How to Cut- M METER
 Evidence - PHOTOS/METER LOCKER #1 Service Cut- N
 Hrs. Worked- 3.5 Emp Theft- N
 Field Check- Y ----- Old Meter ----- Remove Num- AE85-4 19010
 Evidence - Y Rem Date- 08/03/2009 Mtr Read- 64992 Dem Read-
 Rewire - N ----- New Meter ----- Set Num- E302-0 90336
 CustContact- Y Set Date- 08/03/2009 Mtr Read- Dem Read-
 Order Num- Test Date- CSD108- N

PF2 = SI NOTES
 PF10 = NEXT PAGE

PF9 = VIEW LOG
 PF12 = RETURN

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME : Date - 07/20/09 Time - 16:04
GARCIA [REDACTED] Author - LAPENA, SUZANNE M
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - P PUBLIC
Subject - SUSPECT COND/RPTNG PARTY, 09-07-20
=====

07-20-09 METER AE85-419010

PER TIP: BYPASS IN METER SOCKET
RPB RECVD: 07-20-09

07-20-09 ... SSNXXX-XX-XXXX

PF8 = PREV NOTE
PF12 = PREV TRANS

PF9 = VIEW LOG

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 07/21/09 Time - 10:49
GARCIA [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - EVIDENCE = PHOTOS

=====
SHOWING TWO BYPASS WIRES ATTACHED TO LINE SIDE CLIPS, PHOTO OF A/C
FUSE BLOCK SHOWING VOLTAGE PRESENT WITH METER REMOVED.

PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 2
CUSTOMER NAME Date - 07/21/09 Time - 11:04
GARCIA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY
Subject - INVESTIGATION(DONE BEFORE INPUT)

=====
7/20/2009 READ 64509. FOUND THE SAME SITUATION HERE AS FOUND NEXT DOOR
AT 714 GLENN ALAN. BOTH HOMES ARE OWNED BY MARIA CARMEN OZUNA. SHE IS
THE OWNER OF OZUNA ELECTRIC. THERE WERE TWO WIRES HOOKED TO THE
UNMETERED LINE SIDE OF THE METER SOCKET. WIRES WENT TO BREAKER THAT
CONTROLLED A/C AND POOL PUMP. THE AMPERAGE WITH THE A/C OFF WAS 5.4
AND 5.0. WITH A/C INCLUDED THE AMPERAGE WAS 23.5 AND 21.5..

TOOK PHOTOS OF A/C FUSE BLOCK WITH METER REMOVED AND ALSO NOTED THAT
WITH METER OUT THAT POOL EQUIPMENT STILL WAS OPERATIONAL.

=====

PF5 = NEXT NOTE
PF10 = NEXT PAGE

PF8 = PREV NOTE

PF9 = VIEW LOG
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 2 Of 2
CUSTOMER NAME Date - 07/21/09 Time - 11:04
GARCIA [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY
Subject - INVESTIGATION(DONE BEFORE INPUT)

=====
NEED CUSTOMER CONTACT AND METER TESTED. METER GLASS CAME OFF PRIOR TO
REMOVAL OF METER INDICATING COVER SEAL WAS BROKEN.
=====

PF5 = NEXT NOTE
PF11 = PREV PAGE

PF8 = PREV NOTE

PF9 = VIEW LOG
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 08/04/09 Time - 10:06
GARCIA [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY
Subject - PER MARIA CARMEN OZUNA(DAUGHTER)

=====
SHE WOULD LIKE TO RENDER BILL TO FATHER AS HE IS ELDERLY AND HAS HEART
PROBLEMS AND IS ON DIALYSIS.

PH# FOR CARMEN IS [REDACTED] (ALSO HAS SI AT HER RESIDENCE NEXT
DOOR/ 714 GLENN ALAN).

=====
PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 08/04/09 Time - 10:07
GARCIA [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY
Subject - NEXT ACTION: RENDER BILLING 8/7/09

=====

PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 1
CUSTOMER NAME Date - 09/22/09 Time - 13:14
GARCIA [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY
Subject - BILLING NOTES

=====

CUSTOMER NOT AT HOME AND A/C AND POOL PUMP RUNNING.

PF5 = NEXT NOTE
PF9 = VIEW LOG

PF8 = PREV NOTE
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 2
CUSTOMER NAME Date - 10/02/09 Time - 08:47
GARCIA Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
Update - A AUTHOR ONLY

Subject - BILLING BASIS AND PERIOD:

=====

SUMMER BASIS: 8/3/2009 (DATE BYPASS VERIFIED REMOVED) READ 00000 TO
9/8/2009(CSS)READ 01421= 36 DAYS AND USED 1421 KWHS = 39.47 D.A.

WINTER USAGE: 5 LIKE HOUSES (S/A#`S [REDACTED], [REDACTED], [REDACTED]
[REDACTED], [REDACTED], [REDACTED] FROM 10/6/08(CSS READ) TO 5/11/09(CSS RDS
) = 1085 DAYS AND USED 34,811 KWHS = 32.08 D.A.

COMBINED BASI = 243 DAYS (WINTER) @ 32.08 AND 122 DAYS(SUMMER)@ 39.47=
7795.44 (WINTER) PLUS 4815.34(SUMMER) = 12610.78 TOTAL/365 DAYS = 34.55
D.A.

=====

PF5 = NEXT NOTE
PF10 = NEXT PAGE

PF8 = PREV NOTE

PF9 = VIEW LOG
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 2 Of 2
CUSTOMER NAME Date - 10/02/09 Time - 08:47
GARCIA, [REDACTED] Author - LEFLER, RUSSEL
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - A AUTHOR ONLY

Subject - BILLING BASIS AND PERIOD:

=====
BILLING PERIOD: 1/10/2005 (AS FAR BACK AS HISTORY IS AVAILABLE ON CSS)
TO 8/3/2009 (DATE BYPASS VERIFIED REMOVED).

BILL CUSTOMER FOR TIME FRAME INDICATED LESS ALREADY BILLED PLUS
ASSOCIATED COSTS.

=====

PF5 = NEXT NOTE
PF11 = PREV PAGE

PF8 = PREV NOTE

PF9 = VIEW LOG
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 1 Of 2
CUSTOMER NAME Date - 11/30/09 Time - 13:44
GARCIA Author - MONTGOMERY, DANIELLE
SI NUMBER Restrict Viewing ? NO
Update - P PUBLIC
Subject - REBILLING CALCULATIONS (EST) 09-30-09

=====

SA 20823704

** 09-30-09 ** EMAIL INVESTIGATOR DM
** 11-04-09 ** PHONE MESS TO JOHN REGARDING REBILLING DM
** 11-16-09 ** ENCOST/BILLED FROM 01-10-05 TO 08-04-06, 571DAYS X
571DAYS = 18843KWHS (LESS 12153 REG KWHS) = 6690KWH
ENCOST/BILLED FROM 08-04-06 TO 08-03-09, 1095DAYS X
33DA=36135KWHS (LESS 12631 REG KWHS) = 23504KWHS.DM

** OVER **

PF5 = NEXT NOTE
PF10 = NEXT PAGE

PF9 = VIEW LOG
PF12 = PREV TRANS

RPIS * * * * RPI SVC INVESTIGATION NOTE INQUIRY * * * * Page 2 Of 2
CUSTOMER NAME Date - 11/30/09 Time - 13:44
GARCIA [REDACTED] Author - MONTGOMERY, DANIELLE
SI NUMBER Restrict Viewing ? NO
[REDACTED] Update - P PUBLIC
Subject - REBILLING CALCULATIONS (EST) 09-30-09

=====
** 11-16-09 **

ENERGY \$4615.91
ASSOC \$ 497.50
TOTAL \$5113.41 ESTIMATED! DM

** 11-30-09 ** ADDED OVER 3YR PER J GILES REQUEST DM

ENERGY \$5964.11
ASSOC \$ 497.50
TOTAL \$6461.61 ESTIMATED! DM
=====

PF5 = NEXT NOTE
PF11 = PREV PAGE

PF9 = VIEW LOG
PF12 = PREV TRANS

**Attachment D -
Carmen Ozuna's Rebill**



SOUTHERN CALIFORNIA
EDISON[®]

An EDISON INTERNATIONAL[®] Company

P.O. Box 9004
San Dimas, CA 91773
www.sce.com

OZUNA [REDACTED] / Page 1 of 2

For billing inquiries
call the Revenue Assurance Desk
909-394-8817
Mon - Fri (except holidays), 8:00 a.m. to 4:30 p.m.

Sales order number

Service investigation [REDACTED]

Date bill prepared: 08/26/2010

Service address

[REDACTED] GLENN ALAN AVE
WEST COVINA, CA [REDACTED]

BILL FOR UNAUTHORIZED USE OF SERVICE

Your account summary

During a recent investigation, we discovered your service address at [REDACTED] S GLENN ALAN AVE, WEST COVINA, CA [REDACTED], received unauthorized use of service from February 7, 2001 to August 3, 2009. This bill applies only to your unauthorized use of service.

The summarized bill and associated charges are presented below. Please use the envelope provided for payment and **do not mail with your regular electric bill.** Please write the Sales Order Number on your payment.

These charges are now due and payable. Normal collection procedures will be followed if not paid by 09/14/2010.

Should you have any questions, please contact the Revenue Assurance Desk weekdays, except holidays, between 8:00 a.m. to 4:30 p.m. at 909-394-8817.

CHARGES

Energy charges (less than 3 years)	08/03/06 - 08/03/09	63449 kWh	\$17,776.80
Energy charges (more than 3 years)	02/07/01 - 08/02/06	111792 kWh	\$23,317.82
Associated charges			\$1,198.18
Total original amount			\$42,292.80
Total amount paid			-\$0.00

Total amount you owe by 09/14/2010 \$42,292.80

Please return the payment stub below with your payment in the envelope provided and make your check payable to Southern California Edison.

Sales order number:
Please write this number on your check. Make
your check payable to Southern California Edison.

Amount due by 09/14/2010 \$ 42,292.80

Unauthorized Use of Service

Amount enclosed

\$ _____

OZUNA [REDACTED]
[REDACTED] S GLENN ALAN AVE.
WEST COVINA, CA [REDACTED]

REVENUE ASSURANCE
SOUTHERN CALIFORNIA EDISON
P.O. Box 9004
San Dimas, CA 91773

Service investigation: [REDACTED]

CUSTOMER NAME Ozuna
 SERVICE ADDRESS S Glenn Alan Ave
 CITY, STATE, ZIP CODE West Covina, Ca
 SA#
 Meter # AE85-421183
 RATE Domestic
 Rebill Period 02-07-01 to 08-03-09
 REASON FOR REBILL Revenue Protection
 Current 3 Years

AS BILLED (x0) AS REBILLED NET

BILLING PERIOD	# DAYS	KWH	AMOUNT	KWH	AMOUNT	KWH DIFF	AMOUNT DIFFERENCE
08/10/09	7	392	\$ 175.09	392	\$ 542.34	-	\$ 367.25
08/03/09	25	646		1,848		1,202	
07/09/09	30	365	\$ 43.64	2,217	\$ 580.09	1,852	\$ 536.45
06/09/09	29	415	\$ 50.44	2,143	\$ 554.02	1,728	\$ 503.58
05/11/09	32	445	\$ 54.90	2,365	\$ 612.83	1,920	\$ 557.93
04/09/09	30	412	\$ 50.75	2,217	\$ 520.34	1,805	\$ 469.59
03/10/09	32	485	\$ 61.45	2,365	\$ 555.45	1,880	\$ 494.00
02/06/09	29	437	\$ 55.96	2,143	\$ 504.09	1,706	\$ 448.13
01/08/09	30	697	\$ 108.15	2,217	\$ 521.37	1,520	\$ 413.22
12/09/08	33	586	\$ 81.85	2,439	\$ 576.19	1,853	\$ 494.34
11/06/08	31	491	\$ 63.38	2,291	\$ 540.02	1,800	\$ 476.64
10/06/08	31	490	\$ 60.48	2,291	\$ 540.47	1,801	\$ 479.99
09/05/08	30	432	\$ 51.99	2,217	\$ 525.93	1,785	\$ 473.94
08/06/08	28	520	\$ 64.01	2,069	\$ 482.01	1,549	\$ 418.00
07/09/08	30	538	\$ 64.49	2,217	\$ 525.17	1,679	\$ 460.68
06/09/08	33	539	\$ 68.73	2,439	\$ 588.10	1,900	\$ 519.37
05/07/08	29	440	\$ 54.61	2,143	\$ 517.45	1,703	\$ 462.84
04/08/08	29	424	\$ 52.61	2,143	\$ 527.56	1,719	\$ 474.95
03/10/08	33	560	\$ 75.42	2,439	\$ 595.54	1,879	\$ 520.12
02/06/08	29	493	\$ 66.56	2,143	\$ 523.37	1,650	\$ 456.81
01/08/08	32	835	\$ 141.58	2,365	\$ 586.07	1,530	\$ 444.49
12/07/07	31	509	\$ 67.26	2,291	\$ 570.28	1,782	\$ 503.02
11/06/07	33	442	\$ 54.26	2,439	\$ 611.44	1,997	\$ 557.18
10/04/07	29	365	\$ 43.58	2,143	\$ 541.65	1,778	\$ 498.07
09/05/07	30	468	\$ 55.57	2,217	\$ 551.59	1,749	\$ 496.02
08/06/07	31	473	\$ 56.39	2,291	\$ 571.36	1,818	\$ 514.97
07/06/07	30	373	\$ 44.81	2,217	\$ 560.05	1,844	\$ 515.24
06/06/07	30	293	\$ 34.44	2,217	\$ 554.44	1,924	\$ 520.00
05/07/07	28	292	\$ 34.77	2,069	\$ 517.41	1,777	\$ 482.64
04/09/07	31	357	\$ 42.08	2,291	\$ 570.94	1,934	\$ 528.86
03/09/07	30	328	\$ 39.70	2,217	\$ 554.02	1,889	\$ 514.32
02/07/07	29	329	\$ 39.96	2,143	\$ 574.05	1,814	\$ 534.09
01/09/07	32	870	\$ 156.83	2,365	\$ 623.15	1,495	\$ 466.32
12/08/06	31	524	\$ 71.13	2,291	\$ 609.50	1,767	\$ 538.37
11/07/06	33	422	\$ 51.95	2,439	\$ 652.30	2,017	\$ 600.35
10/05/06	29	453	\$ 54.61	2,143	\$ 569.60	1,690	\$ 514.99
09/06/06	29	627	\$ 81.42	2,143	\$ 554.00	1,516	\$ 472.58
08/08/06	4	99	\$ 13.86	296	\$ 61.32	197	\$ 47.46
08/04/06							
TOTAL	1095	17,866	\$ 2,388.71	81,315	\$ 20,165.51	63,449	\$17,776.80

Ozuna

Beyond 3 Years

AS BILLED			AS REBILLED			NET	
BILLING PERIOD	# DAYS	KWH	AMOUNT	KWH	AMOUNT	KWH DIFF	AMOUNT DIFFERENCE
08/04/06	25	618	\$87.98	1,847	\$485.06	1229	\$397.08
07/10/06	33	854	\$124.99	2,439	\$619.09	1585	\$494.10
06/07/06	29	603	\$87.45	2,143	\$557.05	1540	\$469.60
05/09/06	32	673	\$100.62	2,365	\$616.84	1692	\$516.22
04/07/06	28	549	\$79.50	2,069	\$532.56	1520	\$453.06
03/10/06	30	587	\$84.54	2,217	\$570.36	1630	\$485.82
02/08/06	29	597	\$86.15	2,143	\$448.56	1546	\$362.41
01/10/06	32	1,199	\$199.47	2,365	\$430.99	1166	\$231.52
12/09/05	31	723	\$100.92	2,291	\$412.37	1568	\$311.45
11/08/05	33	532	\$67.58	2,438	\$440.53	1906	\$372.95
10/06/05	29	463	\$56.31	2,143	\$386.03	1680	\$329.72
09/07/05	30	470	\$56.63	2,217	\$399.43	1747	\$342.80
08/08/05	31	564	\$69.40	2,291	\$410.63	1727	\$341.23
07/08/05	30	541	\$66.47	2,217	\$395.89	1676	\$329.42
06/08/05	30	601	\$78.60	2,217	\$396.87	1616	\$318.27
05/09/05	32	618	\$81.15	2,365	\$424.37	1747	\$343.22
04/07/05	29	546	\$69.09	2,143	\$338.21	1597	\$269.12
03/09/05	29	536	\$69.69	2,143	\$340.36	1607	\$270.67
02/08/05	29	551	\$72.51	2,143	\$341.39	1592	\$268.88
01/10/05	33	981	\$140.28	2,438	\$387.35	1457	\$247.07
12/08/04	33	646	\$85.62	2,438	\$388.66	1792	\$303.04
11/05/04	31	435	\$53.66	2,291	\$365.19	1856	\$311.53
10/05/04	32	483	\$57.61	2,365	\$374.56	1882	\$316.95
09/03/04	29	431	\$51.48	2,143	\$339.74	1712	\$288.26
08/05/04	29	458	\$53.90	2,143	\$331.09	1685	\$277.19
07/07/04	30	490	\$57.78	2,217	\$342.12	1727	\$284.34
06/07/04	31	527	\$64.85	2,291	\$358.85	1764	\$294.00
05/07/04	29	510	\$63.59	2,143	\$336.13	1633	\$272.54
04/08/04	29	549	\$71.10	2,143	\$337.73	1594	\$266.63
03/10/04	33	591	\$77.22	2,439	\$385.80	1848	\$308.58
02/06/04	29	531	\$71.17	2,143	\$345.14	1612	\$273.97
01/08/04	31	746	\$101.89	2,291	\$366.82	1545	\$264.93
12/08/03	33	714	\$96.72	2,439	\$392.51	1725	\$295.79
11/05/03	30	586	\$78.09	2,217	\$356.78	1631	\$278.69
10/06/03	31	614	\$82.80	2,291	\$370.13	1677	\$287.33
09/05/03	30	656	\$90.69	2,217	\$358.33	1561	\$267.64
08/06/03	29	618	\$90.89	2,143	\$442.63	1525	\$351.74
07/08/03	32	610	\$86.04	2,365	\$488.49	1755	\$402.45
06/06/03	30	472	\$61.64	2,217	\$454.21	1745	\$392.57
05/07/03	29	416	\$52.23	2,143	\$438.49	1727	\$386.26
04/08/03	28	402	\$50.44	2,069	\$423.20	1667	\$372.76
03/11/03	33	452	\$55.90	2,438	\$498.78	1986	\$442.88
02/06/03	30	441	\$55.91	2,217	\$453.58	1776	\$397.67
01/07/03	32	796	\$121.42	2,365	\$483.92	1569	\$362.50
12/06/02	31	588	\$81.21	2,291	\$468.63	1703	\$387.42
11/05/02	32	530	\$70.32	2,365	\$484.16	1835	\$413.84
10/04/02	29	587	\$84.29	2,143	\$442.63	1556	\$358.34
09/05/02	30	527	\$73.84	2,217	\$477.90	1690	\$404.06
08/06/02	28	513	\$72.79	2,069	\$445.99	1556	\$373.20
07/09/02	33	516	\$69.56	2,439	\$525.77	1923	\$456.21

Attachment E -

Carmen Ozuna's Calculation of Associated Charges

UNAUTHORIZED USE COLLECTIBLE COSTS

1 of 2

S.I. No. 26097423

EMPLOYEE		HOURS WORKED TO DATE										TOT. HRS.	HRLY RATE	SUB. TOT.	TOTALS
Name	Steve Lefler	NT	5									5	34.92		174.60
Soc. Sec. No.		OT													
Occup. Code		DT													
Name	S. Sandora	NT	4 1/2									4.5	31.50		141.75
Soc. Sec. No.		OT													
Occup. Code		DT													
Name		NT													
Soc. Sec. No.		OT													
Occup. Code		DT													
Name		NT													
Soc. Sec. No.		OT													
Occup. Code		DT													
Name		NT													
Soc. Sec. No.		OT													
Occup. Code		DT													
Name		NT													
Soc. Sec. No.		OT													
Occup. Code		DT													
Name		NT													
Soc. Sec. No.		OT													
Occup. Code		DT													
Name		NT													
Soc. Sec. No.		OT													
Occup. Code		DT													



MATERIAL INSTALLATION				
DESCRIPTION	MATERIAL CODE	UNIT COST	QTY.	COST

Material Cost Sub Total \$ _____
 Supply Expense _____% \$ _____
TOTAL MATERIAL COST \$ _____

Total Labor \$ 3161.35
 General Overheads 180% \$ 569.43
 Meter Test/Repair \$ _____
 Material Cost \$ _____
 Sub Total \$ 885.78
 Admin. Exp. _____% (Labor/Mtl) \$ _____
 Other T&D \$ 312.40
 Total Associated Costs \$ 1198.18
 Re-Calculation Energy Estimate (From Front) \$ 41094.62
TOTAL BILLING DUE \$ 42,292.80

Approved For _____ District Mgr.
 Prosecution _____
 as: CRIMINAL CIVIL

AUTHORIZED USE COLLECTIBLE COSTS

T & D
2872

S.I. No. DIST. YR. ID.
26097423

EMPLOYEE		HOURS WORKED TO DATE										TOT. HRS.	HRLY RATE	SUB. TOT.	TOTALS
Name	Jon Perera	NT										2	46.85		93.70
Occ. Sec. No.		OT													
Occup. Code	Troubleman 9501	DT													
Name		NT													
Occ. Sec. No.		OT													
Occup. Code		DT													
Name		NT													
Occ. Sec. No.		OT													
Occup. Code		DT													
Name		NT													
Occ. Sec. No.		OT													
Occup. Code		DT													
Name		NT													
Occ. Sec. No.		OT													
Occup. Code		DT													
Name		NT													
Occ. Sec. No.		OT													
Occup. Code		DT													
Name		NT													
Occ. Sec. No.		OT													
Occup. Code		DT													
Name		NT													
Occ. Sec. No.		OT													
Occup. Code		DT													

MATERIAL INSTALLATION				
DESCRIPTION	MATERIAL CODE	UNIT COST	QTY.	COST

Total Labor \$ 93.70
 General Overheads 141.3% \$ 132.40+
 Motor Test/Repair \$ _____
 Material Cost \$ _____
 Sub Total \$ 226.10
 Admin. Exp. 38.7% (Labor/Mtl) \$ 86.30
 Other _____ \$ _____
 Total Associated Costs \$ 312.40
 Re-Calculation Energy (From Front) \$ _____
 TOTAL BILLING DUE \$ _____

Material Cost Sub Total \$ _____
 Supply Expense _____% \$ _____
 TOTAL MATERIAL COST \$ _____

Approved For Prosecution _____ District Mgr.
 as: CRIMINAL CIVIL

**Attachment F -
Serapio Garcia's Rebill**



SOUTHERN CALIFORNIA
EDISON[®]

An EDISON INTERNATIONAL[®] Company

P.O. Box 9004
San Dimas, CA 91773
www.sce.com

GARCIA, [REDACTED] / Page 1 of 2

For billing inquiries
call the Revenue Assurance Desk
909-394-8817
Mon - Fri (except holidays), 8:00 a.m. to 4:30 p.m.

Sales order number

Service investigation [REDACTED]

Service address [REDACTED] S GLENN ALAN AVE
WEST COVINA, CA [REDACTED]

Date bill prepared: 08/26/2010

BILL FOR UNAUTHORIZED USE OF SERVICE

Your account summary

During a recent investigation, we discovered your service address at 715 S GLENN ALAN AVE, WEST COVINA, CA 91791, received unauthorized use of service from January 10, 2005 to August 3, 2009. This bill applies only to your unauthorized use of service.

The summarized bill and associated charges are presented below. Please use the envelope provided for payment and **do not mail with your regular electric bill.** Please write the Sales Order Number on your payment.

These charges are now due and payable. Normal collection procedures will be followed if not paid by 09/14/2010.

Should you have any questions, please contact the Revenue Assurance Desk weekdays, except holidays, between 8:00 a.m. to 4:30 p.m. at 909-394-8817.

CHARGES

Energy charges (less than 3 years)	08/03/06 - 08/03/09	23504 kWh	\$4,615.91
Energy charges (more than 3 years)	01/10/05 - 08/02/06	6690 kWh	\$1,348.20
Associated charges			\$497.50
Total original amount			\$6,461.61
Total amount paid			-\$0.00

Total amount you owe by 09/14/2010 \$6,461.61

Please return the payment stub below with your payment in the envelope provided and make your check payable to Southern California Edison.

Sales order number:
Please write this number on your check. Make
your check payable to Southern California Edison.

Amount due by 09/14/2010 \$ 6,461.61

Amount enclosed \$ _____

Unauthorized Use of Service

GARCIA, SERAPIO#
[REDACTED] S GLENN ALAN AVE
WEST COVINA, CA [REDACTED]

REVENUE ASSURANCE
SOUTHERN CALIFORNIA EDISON
P.O. Box 9004
San Dimas, CA 91773

Service investigation: [REDACTED]

CUSTOMER NAME Garcia
 SERVICE ADDRESS S Glen Jan Ave
 CITY, STATE, ZIP CODE West Covina
 SA#
 Meter #
 RATE Domestic
 Rebill Period 01-10-05 to 08-03-09
 REASON FOR REBILL Service Investigation
 Current 3 Years

AS BILLED (x80) AS REBILLED NET

BILLING PERIOD	# DAYS	KWH	AMOUNT	KWH	AMOUNT	KWH DIFF	AMOUNT DIFFERENCE
08/03/09	25	655	\$ 83.85	825	\$ 123.89	170	\$ 40.04
07/09/09	30	342	\$ 40.95	990	\$ 148.31	648	\$ 107.36
06/09/09	29	281	\$ 33.63	957	\$ 169.17	676	\$ 135.54
05/11/09	32	328	\$ 39.69	1,056	\$ 200.58	728	\$ 160.89
04/09/09	30	305	\$ 36.93	990	\$ 188.06	685	\$ 151.13
03/10/09	32	349	\$ 42.91	1,056	\$ 185.10	707	\$ 142.19
02/06/09	29	329	\$ 40.94	957	\$ 169.16	628	\$ 128.22
01/08/09	30	457	\$ 58.61	990	\$ 175.52	533	\$ 116.91
12/09/08	33	360	\$ 45.03	1,089	\$ 193.54	729	\$ 148.51
11/06/08	31	384	\$ 47.12	1,023	\$ 181.17	639	\$ 134.05
10/06/08	31	440	\$ 54.00	1,023	\$ 152.79	583	\$ 98.79
09/05/08	30	498	\$ 60.55	990	\$ 143.73	492	\$ 83.18
08/06/08	28	493	\$ 60.28	924	\$ 134.55	431	\$ 74.27
07/09/08	30	501	\$ 59.47	990	\$ 142.81	489	\$ 83.34
06/09/08	33	320	\$ 38.45	1,089	\$ 183.60	769	\$ 145.15
05/07/08	29	227	\$ 27.55	957	\$ 171.85	730	\$ 144.30
04/08/08	29	211	\$ 25.76	957	\$ 171.94	746	\$ 146.18
03/10/08	33	320	\$ 38.87	1,089	\$ 198.68	769	\$ 159.81
02/06/08	29	414	\$ 51.52	957	\$ 174.26	543	\$ 122.74
01/08/08	32	407	\$ 50.12	1,056	\$ 192.45	649	\$ 142.33
12/07/07	31	234	\$ 28.60	1,023	\$ 188.94	789	\$ 160.34
11/06/07	33	191	\$ 23.63	1,089	\$ 196.85	898	\$ 173.22
10/04/07	29	212	\$ 25.65	957	\$ 141.04	745	\$ 115.39
09/05/07	30	399	\$ 47.41	990	\$ 145.55	591	\$ 98.14
08/06/07	31	341	\$ 40.90	1,023	\$ 150.86	682	\$ 109.96
07/06/07	30	250	\$ 30.30	990	\$ 146.06	740	\$ 115.76
06/06/07	30	155	\$ 18.64	990	\$ 177.72	835	\$ 159.08
05/07/07	28	173	\$ 20.93	924	\$ 170.09	751	\$ 149.16
04/09/07	31	199	\$ 23.87	1,023	\$ 188.16	824	\$ 164.29
03/09/07	30	204	\$ 25.03	990	\$ 182.24	786	\$ 157.21
02/07/07	29	220	\$ 27.02	957	\$ 188.61	737	\$ 161.59
01/09/07	32	461	\$ 57.55	1,056	\$ 208.92	595	\$ 151.37
12/08/06	31	251	\$ 31.05	1,023	\$ 202.04	772	\$ 170.99
11/07/06	33	149	\$ 18.74	1,089	\$ 214.63	940	\$ 195.89
10/05/06	29	325	\$ 39.04	957	\$ 144.20	632	\$ 105.16
09/06/06	29	1,072	\$ 197.87	957	\$ 172.25	(115)	\$ (25.62)
08/08/06	4	174	\$ 30.37	132	\$ 19.42	(42)	\$ (10.95)
08/04/06							
TOTAL	1095	12,631	\$ 1,622.83	36,135	\$ 6,238.74	23,504	\$ 4,615.91

Attachment G -

Serapio Garcia's Calculation of Associated Charges

UNAUTHORIZED USE COLLECTIBLE COSTS

S.I. No.

DIST.	YR.	ID.
26	09	1550

EMPLOYEE			HOURS WORKED TO DATE												TOT. HRS.	HRLY RATE	SUB. TOT.	TOTALS	
Name	Steve Lefler	RPI	NT	3.5												3.5	34.92		122.22
Soc. Sec. No.			OT																
Occup. Code			DT																
Name	Danielle Montgomery	Bkpe	NT	2												2	27.73		55.46
Soc. Sec. No.			OT																
Occup. Code			DT																
Name			NT																
Soc. Sec. No.			OT																
Occup. Code			DT																
Name			NT																
Soc. Sec. No.			OT																
Occup. Code			DT																
Name			NT																
Soc. Sec. No.			OT																
Occup. Code			DT																
Name			NT																
Soc. Sec. No.			OT																
Occup. Code			DT																
Name			NT																
Soc. Sec. No.			OT																
Occup. Code			DT																
Name			NT																
Soc. Sec. No.			OT																
Occup. Code			DT																
Name			NT																
Soc. Sec. No.			OT																
Occup. Code			DT																

MATERIAL INSTALLATION				
DESCRIPTION	MATERIAL CODE	UNIT COST	QTY.	COST

Total Labor \$ 177.68
 General Overheads 180 % \$ 319.82
 Meter Test/Repair \$ _____
 Material Cost \$ _____
 Sub Total \$ 497.50
 Admin. Exp. _____ % (Labor/Mtl) \$ _____
 Other _____ \$ _____
 Total Associated Costs \$ 497.50
 Re-Calculation Energy (From Front) \$ 5964.11
TOTAL BILLING DUE \$ 6461.61

Material Cost Sub Total \$ _____
 Supply Expense _____ % \$ _____
TOTAL MATERIAL COST \$ _____

Approved For Prosecution _____ District Mgr.

as: CRIMINAL CIVIL

Attachment H -

Summons and Complaint for Damages and Treble Damages –

Serapio Garcia and Maria Carmen Ozuna

**SUMMONS on Complaint
(CITACION JUDICIAL)**

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)
**CONFORMED COPY
OF ORIGINAL FILED**
Los Angeles Superior Court

**NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):**
SERAPIO GARCIA; MARIA CARMEN OZUNA; and DOES 1 through 10,
inclusive

FEB 03 2011

**YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**
SOUTHERN CALIFORNIA EDISON COMPANY, a California corporation

John A. Clarke, Executive Officer/Clerk

By _____, Deputy

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es):

Los Angeles County Superior Court
West Covina Courthouse
1427 West Covina Parkway
West Covina, CA 91790
East District

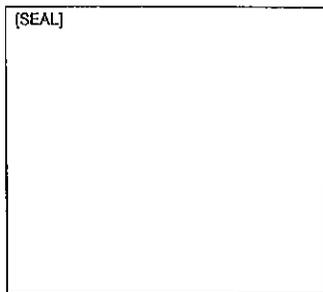
CASE NUMBER:
(Número del Caso): 11B00722

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Michael Gonzales, SBN 115681 (626) 302-6975 Facsimile: (626) 302-6997
Douglas P. Ditonto, SBN 115790, Michael Gonzales, SBN 115681, Brian A. Cardoza, SBN 137415, 2244 Walnut Grove Avenue, GO1-Law Dept., Rosemead, CA 91770

DATE: FEB 03 2011
(Fecha) _____
John A. Clarke, Executive Officer/Clerk, by Marla L. Defoon, Deputy Clerk, by _____, Deputy Clerk (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).



NOTICE TO THE PERSON SERVED: You are served

- as an individual defendant.
- as the person sued under the fictitious name of (specify):
- on behalf of (specify):
under: CCP 416.10 (corporation) CCP 416.60 (minor)
 CCP 416.20 (defunct corporation) CCP 416.70 (conservatee)
 CCP 416.40 (association or partnership) CCP 416.90 (authorized person)
 other (specify):
- by personal delivery on (date):

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Michael Gonzales, SBN 1157
 Douglas P. Ditonto, Michael Gonzales, Brian A. Cardoza
 2244 Walnut Grove Avenue, GO1-Law Dept.
 Rosemead, CA 91770
 TELEPHONE NO.: (626) 302-6975 FAX NO.: (626) 302-6997
 ATTORNEY FOR (Name): Southern California Edison Company

FOR COURT USE ONLY

**CONFORMED COPY
 OF ORIGINAL FILED**
 Los Angeles Superior Court

FEB 03 2011

John A. Clarke, Executive Officer/Clerk
 By _____, Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF **Los Angeles**
 STREET ADDRESS: 1427 West Covina Parkway
 MAILING ADDRESS: Same
 CITY AND ZIP CODE: West Covina, 91790
 BRANCH NAME: East District

CASE NAME: Southern California Edison Company v. Serapio Garcia, et al.

<p>CIVIL CASE COVER SHEET</p> <p><input type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)</p> <p><input checked="" type="checkbox"/> Limited (Amount demanded is \$25,000 or less)</p>	<p>Complex Case Designation</p> <p><input type="checkbox"/> Counter <input type="checkbox"/> Joinder</p> <p>Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)</p>	<p>CASE NUMBER: 11B00722</p> <p>JUDGE: DEPT:</p>
--	---	---

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

<p>Auto Tort</p> <p><input type="checkbox"/> Auto (22)</p> <p><input type="checkbox"/> Uninsured motorist (46)</p> <p>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</p> <p><input type="checkbox"/> Asbestos (04)</p> <p><input type="checkbox"/> Product liability (24)</p> <p><input type="checkbox"/> Medical malpractice (45)</p> <p><input type="checkbox"/> Other PI/PD/WD (23)</p> <p>Non-PI/PD/WD (Other) Tort</p> <p><input type="checkbox"/> Business tort/unfair business practice (07)</p> <p><input type="checkbox"/> Civil rights (08)</p> <p><input type="checkbox"/> Defamation (13)</p> <p><input checked="" type="checkbox"/> Fraud (16)</p> <p><input type="checkbox"/> Intellectual property (19)</p> <p><input type="checkbox"/> Professional negligence (25)</p> <p><input type="checkbox"/> Other non-PI/PD/WD tort (35)</p> <p>Employment</p> <p><input type="checkbox"/> Wrongful termination (36)</p> <p><input type="checkbox"/> Other employment (15)</p>	<p>Contract</p> <p><input type="checkbox"/> Breach of contract/warranty (06)</p> <p><input type="checkbox"/> Rule 3.740 collections (09)</p> <p><input type="checkbox"/> Other collections (09)</p> <p><input type="checkbox"/> Insurance coverage (18)</p> <p><input type="checkbox"/> Other contract (37)</p> <p>Real Property</p> <p><input type="checkbox"/> Eminent domain/Inverse condemnation (14)</p> <p><input type="checkbox"/> Wrongful eviction (33)</p> <p><input type="checkbox"/> Other real property (26)</p> <p>Unlawful Detainer</p> <p><input type="checkbox"/> Commercial (31)</p> <p><input type="checkbox"/> Residential (32)</p> <p><input type="checkbox"/> Drugs (38)</p> <p>Judicial Review</p> <p><input type="checkbox"/> Asset forfeiture (05)</p> <p><input type="checkbox"/> Petition re: arbitration award (11)</p> <p><input type="checkbox"/> Writ of mandate (02)</p> <p><input type="checkbox"/> Other judicial review (39)</p>	<p>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</p> <p><input type="checkbox"/> Antitrust/Trade regulation (03)</p> <p><input type="checkbox"/> Construction defect (10)</p> <p><input type="checkbox"/> Mass tort (40)</p> <p><input type="checkbox"/> Securities litigation (28)</p> <p><input type="checkbox"/> Environmental/Toxic tort (30)</p> <p><input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)</p> <p>Enforcement of Judgment</p> <p><input type="checkbox"/> Enforcement of judgment (20)</p> <p>Miscellaneous Civil Complaint</p> <p><input type="checkbox"/> RICO (27)</p> <p><input type="checkbox"/> Other complaint (not specified above) (42)</p> <p>Miscellaneous Civil Petition</p> <p><input type="checkbox"/> Partnership and corporate governance (21)</p> <p><input type="checkbox"/> Other petition (not specified above) (43)</p>
--	---	--

2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. <input type="checkbox"/> Large number of separately represented parties	d. <input type="checkbox"/> Large number of witnesses
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve	e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. <input type="checkbox"/> Substantial amount of documentary evidence	f. <input type="checkbox"/> Substantial postjudgment judicial supervision

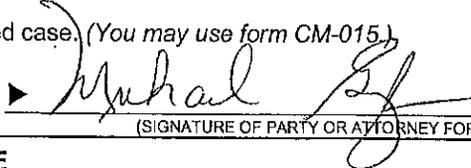
3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive

4. Number of causes of action (specify): Three

5. This case is is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: February 2, 2011
MICHAEL GONZALES
 (TYPE OR PRINT NAME)


 (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

**CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to LASC Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? YES CLASS ACTION? YES LIMITED CASE? YES TIME ESTIMATED FOR TRIAL 3-5 HOURS/ DAYS.

Item II. Select the correct district and courthouse location (4 steps - If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet Form, find the main civil case cover sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Los Angeles Superior Court Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

- | | |
|---|--|
| <ul style="list-style-type: none"> 1. Class Actions must be filed in the County Courthouse, Central District. 2. May be filed in Central (Other county, or no Bodily Injury/Property Damage). 3. Location where cause of action arose. 4. Location where bodily injury, death or damage occurred. 5. Location where performance required or defendant resides. | <ul style="list-style-type: none"> 6. Location of property or permanently garaged vehicle. 7. Location where petitioner resides. 8. Location wherein defendant/respondent functions wholly. 9. Location where one or more of the parties reside. 10. Location of Labor Commissioner Office. |
|---|--|

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death - Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos- Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 2., 4. 1., 2., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 2., 4. 1., 2., 4. 1., 2., 3. 1., 2., 4.
Non-Personal Injury/Property Damage/Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 2., 3.
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16)	<input checked="" type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.

SHORT TITLE: Southern California Edison Company v. Serapio Garcia, et al	CASE NUMBER
--	-------------

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons -See Step 3 Above
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice	1., 2., 3.
	<input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3.
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.

Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case	1., 2., 3.
	<input type="checkbox"/> A6109 Labor Commissioner Appeals	10.
Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not Unlawful Detainer or wrongful eviction)	2., 5.
	<input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence)	2., 5.
	<input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud)	1., 2., 5.
	<input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	1., 2., 5.
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff	2., 5., 6
	<input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5.
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud	1., 2., 3., 5.
	<input type="checkbox"/> A6031 Tortious Interference	1., 2., 3., 5.
	<input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 8.

Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 6.
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure	2., 6.
	<input type="checkbox"/> A6032 Quiet Title	2, 6.
	<input type="checkbox"/> A6060 Other Real Property(not eminent domain, landlord/tenant, foreclosure)	2., 6.

Unlawful Detainer- Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer- Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer- Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6.
Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
Petition re Arbitration (1)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.

Judicial Review (Cont'd.)

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus	2., 8.
	<input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter	2.
	<input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2.
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.

**Provisionally Complex
Litigation**

Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
Construction Defect (10)	<input type="checkbox"/> A6007 Construction defect	1., 2., 3.
Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.

**Enforcement
of Judgment**

Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2., 9.
	<input type="checkbox"/> A6160 Abstract of Judgment	2., 6.
	<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2., 9.
	<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2., 8.
	<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2., 8.
	<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 8., 9.

**Miscellaneous Civil
Complaints**

RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1., 2., 8.
	<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2., 8.
	<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1., 2., 8.
	<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8.

**Miscellaneous Civil
Petitions**

Partnership Corporation Governance(21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment	2., 3., 9.
	<input type="checkbox"/> A6123 Workplace Harassment	2., 3., 9.
	<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case	2., 3., 9.
	<input type="checkbox"/> A6190 Election Contest	2.
	<input type="checkbox"/> A6110 Petition for Change of Name	2., 7.
	<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law	2., 3., 4., 8.
	<input type="checkbox"/> A6100 Other Civil Petition	2., 9.

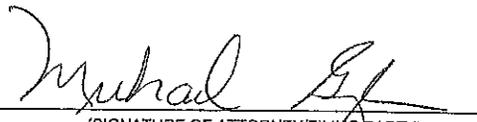
SHORT TITLE: Southern California Edison Company v. Serapio Garcia, et al	CASE NUMBER
--	-------------

Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: CHECK THE NUMBER UNDER COLUMN C WHICH APPLIES IN THIS CASE <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input checked="" type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.		ADDRESS: 715 S. Glenn Alan Avenue	
CITY: West Covina	STATE: CA	ZIP CODE: 91791	

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the West Covina courthouse in the East District of the Los Angeles Superior Court (Code Civ. Proc., § 392 et seq., and LASC Local Rule 2.0, subds. (b), (c) and (d)).

Dated: February 2, 2011


 (SIGNATURE OF ATTORNEY/FILING PARTY)
MICHAEL GONZALES

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet form CM-010.
4. Complete Addendum to Civil Case Cover Sheet form LACIV 109 (Rev. 01/07), LASC Approved 03-04.
5. Payment in full of the filing fee, unless fees have been waived.
6. Signed order appointing the Guardian ad Litem, JC form FL-935, if the plaintiff or petitioner is a minor under 18 years of age, or if required by Court.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

1 DOUGLAS P. DITONTO, State Bar No. 115790
 2 MICHAEL GONZALES, State Bar No. 115681
 3 BRIAN A. CARDOZA, State Bar No. 137415
 2244 Walnut Grove Avenue, 3rd Floor
 4 Rosemead, CA 91770
 Telephone: (626) 302-6975
 Fax: (626) 302-6997
 5 Attorneys for Plaintiff,
 SOUTHERN CALIFORNIA EDISON COMPANY

CONFORMED COPY
 OF ORIGINAL FILED
 Los Angeles Superior Court

FEB 03 2011

John A. Clarke, Executive Officer/Clerk
 By _____, Deputy

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
 9 **FOR THE COUNTY OF LOS ANGELES**

11 SOUTHERN CALIFORNIA EDISON)
 12 COMPANY, a California corporation,)
 13 Plaintiff,)
 14 v.)
 15 SERAPIO GARCIA; MARIA CARMEN)
 16 OZUNA; and DOES 1 through 10,)
 inclusive,)
 17 Defendants.)
 18)
 19)
 20)

CASE NO. 11B00722

COMPLAINT FOR DAMAGES AND
 TREBLE DAMAGES

LIMITED CIVIL ACTION
 DEMAND UNDER \$25,000

21 Plaintiff SOUTHERN CALIFORNIA EDISON COMPANY complains of defendants
 22 and for cause of action alleges:

23 **FIRST CAUSE OF ACTION FOR DAMAGES FOR VIOLATION OF TARIFFS**

24 1. Plaintiff, SOUTHERN CALIFORNIA EDISON COMPANY, is and at all times
 25 herein mentioned was, a public utility corporation organized and existing under and by virtue
 26 of the laws of the State of California and at all times herein mentioned was engaged in the
 27 business of transmitting and distributing electric energy to the inhabitants served by it in the
 28 above-entitled County and elsewhere in the State of California.

1 2. The defendants enumerated herein by the fictitious names of DOES 1 through
2 10, inclusive, are sued by said fictitious names because plaintiff does not know the true names
3 or capacities, whether individual, partnership, sole proprietorship, corporate or otherwise; and
4 plaintiff will ask leave of court to amend this Complaint to show their true names and
5 capacities when the same have been ascertained. Plaintiff is informed and believes, and
6 thereon alleges, that each of the defendants mentioned herein by said fictitious names is
7 responsible in some manner for the occurrence herein alleged, and that plaintiff's damages as
8 herein alleged were proximately caused by such defendants.

9 3. At all times herein mentioned, the unqualified use of the word "defendant"
10 includes all of said defendants named in the caption of the within entitled action, including
11 those fictitiously named.

12 4. At all times herein mentioned, each of the defendants was the agent, servant and
13 employee of the other defendants, acting within course and scope of said agency and
14 employment; plaintiff is informed and believes, and thereon alleges, that each of the acts,
15 circumstances, transactions and happenings mentioned herein occurred within the confines of
16 the above-entitled judicial district for the County and State mentioned above.

17 5. Plaintiff is informed and believes, and thereon alleges, that at all times herein
18 mentioned, defendants SERAPIO GARCIA, MARIA CARMEN OZUNA and DOES 1
19 through 10, inclusive, have owned, controlled, possessed, managed and maintained that certain
20 real property commonly identified as 715 S. Glenn Alan Avenue, West Covina, in the above-
21 entitled County and State.

22 6. At all times herein mentioned, Plaintiff has provided electrical service to the
23 defendants, at the above identified real property. Plaintiff has provided electrical service to the
24 above identified real property pursuant to Plaintiff's written Tariffs, which Tariffs, at all times
25 herein mentioned, were on file with and approved by the Public Utilities Commission of the
26 State of California. Pursuant to Rule 3, said Tariffs constitute the terms and conditions for
27 electric service between the Plaintiff and defendants.
28

1 7. Plaintiff submitted monthly billings for the reasonable value of said electric
2 service as recorded by the kilowatt hour meter installed by Plaintiff on the above identified real
3 property in further accordance with Plaintiff's Tariffs and based upon the rate approved by the
4 Public Utilities Commission of the State of California.

5 8. Plaintiff is informed and believes, and thereon alleges, that at all relevant times
6 herein, defendants, and each of them, voluntarily accepted and enjoyed the benefit of the
7 electrical services provided to said real property by Plaintiff, with knowledge that Plaintiff
8 expected, as it did, to be paid the reasonable value of said service.

9 9. On or about April 13, 2009, Plaintiff was informed that an electrical bypass
10 system had been installed at the heretofore identified real property in order to divert electrical
11 energy from Plaintiffs electrical meter. Until such time, Plaintiff did not, and in exercising
12 reasonable diligence, could not have discovered the diversion and bypass.

13 10. Plaintiff is informed and believes, and thereon alleges, that defendants
14 SERAPIO GARCIA, MARIA CARMEN OZUNA and DOES 1 through 10, inclusive, aided,
15 abetted, solicited, engaged in or authorized the tampering and/or had knowledge of the
16 tampering at the heretofore identified property, which prevented electrical energy from being
17 recorded by Plaintiffs electrical meter

18 11. Plaintiff is informed and believes, and thereon alleges, that since on or about
19 January 10, 2005 through August 3, 2009, defendants, and each of them, have received and
20 enjoyed the benefit of electric service exceeding the amounts for which monthly billings were
21 submitted, to Plaintiff's damage, in the sum of \$5,964.11, which is the actual and reasonable
22 value of the electrical services received by defendants.

23 12. As a further consequence of the energy diversion and/ or meter tampering,
24 Plaintiff was required to, and did, repair and correct the condition caused by the defendants
25 tampering, to Plaintiff's further damage in the sum of \$497.50.

26 13 Pursuant to Plaintiff's written Tariffs, specifically Rule 17 E, Plaintiff is
27 authorized by the Public Utilities Commission of the State of California to adjust defendants
28

1 electric energy bills for the unauthorized use of any energy. Said Rule 17 defines unauthorized
2 use as including, but not limited to "meter tampering, unauthorized connection or re-
3 connection, theft, fraud, intentional or unintentional use of energy whereby the company is
4 denied full compensation for electric service provided."

5 14. Plaintiff performed all conditions, covenants and promises provided on its part
6 to be performed pursuant to its Tariffs and, at all times mentioned herein, did provide electrical
7 service to the above identified real property.

8 15. Plaintiff demanded payment from defendants, for the unauthorized use of
9 electric energy at the heretofore identified real property. The defendants, however, have
10 refused and continue to refuse, to pay the reasonable value of the electric services in the total
11 sum of \$6,461.61.

12 **SECOND CAUSE OF ACTION FOR DAMAGES FOR DIVERSION OF**
13 **ELECTRICAL ENERGY AND TAMPERING PURSUANT TO CALIFORNIA CIVIL**
14 **CODE SECTION 1882, ET SEQ.**

15 16. Plaintiff refers to Paragraphs 1 through 15, inclusive of the First Cause of
16 Action, and incorporates the same by reference as though fully set forth herein.

17 17. Plaintiff is informed and believes, and thereon alleges, that defendants
18 SERAPIO GARCIA, MARIA CARMEN OZUNA and DOES 1 through 10, inclusive, aided,
19 abetted, solicited, authorized the tampering, had knowledge of the tampering, and/or should
20 have known of the tampering, at the heretofore identified property, which was accomplished in
21 order to divert electrical energy from Plaintiffs electrical meter. As a result of defendants
22 wrongful actions, electrical service was diverted from its intended course, and the kilowatt
23 hour meter was prevented from accurately measuring the electrical service supplied to the
24 above identified real property by Plaintiff.

25 18. Plaintiff is informed and believes, and thereon alleges, that at all times herein
26 mentioned, defendants, and each of them, used and received the direct benefit of all, or a
27

1 portion of such unmetered and diverted electrical service with knowledge of, or reason to
2 believe, that said diversion and tampering existed at the time of such use and receipt.

3 19. Plaintiff is further informed and believes, and thereon alleges, that defendants,
4 and each of them, used and received the direct benefit of all, or a portion of such unmetered
5 and diverted electrical service with knowledge of, or reason to believe, that such use and
6 receipt was without the authorization and consent of Plaintiff, to Plaintiff's damage as
7 heretofore alleged.

8 **THIRD CAUSE OF ACTION FOR TREBLE DAMAGES AND COSTS OF SUIT**
9 **PURSUANT TO CALIFORNIA CIVIL CODE SECTION 1882 ET SEQ.**

10 20. Plaintiff refers to Paragraphs 1 through 15, inclusive, of its First Cause of
11 Action, and Paragraphs 17 through 19, inclusive, of its Second Cause of Action, and
12 incorporates the same by reference as though fully set forth herein.

13 21. By reason of the heretofore alleged wrongful acts of defendants, and each of
14 them, Plaintiff is entitled to recover three times the amount of actual damages, attorney fees
15 and costs of suit.

16 WHEREFORE, Plaintiff prays for judgment against defendants, and each of them, as
17 follows:

- 18 1. For Violation of Tariffs:
19 a. General damages in the sum of \$6,461.61.
20 2. For Diversion of Electrical Energy and Tampering:
21 a. Treble damages in the amount of \$19,384.83;
22 b. Attorneys fees and costs of suit incurred herein;
23 3. For prejudgment interest at the maximum rate allowed by law.
24 4. For such other and further relief as the Court deems just and proper.

25 ///

26 ///

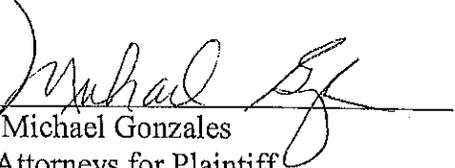
27 ///

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: February 2, 2011

DOUGLAS P. DITONTO
MICHAEL GONZALES
BRIAN A. CARDOZA

By: 
Michael Gonzales
Attorneys for Plaintiff,
SOUTHERN CALIFORNIA EDISON
COMPANY

Attachment I -

Summons and Complaint for Damages and Treble Damages

Maria Carmen Ozuna

**SUMMONS on Complaint
(CITACION JUDICIAL)**

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

**NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):**
MARIA CARMEN OZUNA; and DOES 1 through 10, inclusive

ORIGINAL FILED

FEB 03 2011

**LOS ANGELES
SUPERIOR COURT**

**YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**
SOUTHERN CALIFORNIA EDISON COMPANY, a California corporation

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la Información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es):

Los Angeles County Superior Court
Pomona Courthouse South
400 Civic Center Plaza
Pomona, CA 91766
East District

CASE NUMBER:
(Número del Caso)

R0060488

H

**CASE ASSIGNED FOR
ALL PURPOSES TO
JUDGE LANCE MINTO
DEPT. 4**

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Michael Gonzales, SBN 115681 (626) 302-6975 Facsimile: (626) 302-6997
Douglas P. Ditonto, SBN 115790, Michael Gonzales, SBN 115681, Brian A. Cardoza, SBN 137415
2244 Walnut Grove Avenue, GO1-Law Dept., Rosemead, CA 91770

DATE:

(Fecha)

FEB 03 2011 FEB 03 2011

Clerk, by

(Secretario)

JOHN A. CLARKE

L. MACCORRO

, Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

(SEAL)

NOTICE TO THE PERSON SERVED: You are served

1. as an individual defendant.
2. as the person sued under the fictitious name of (specify):
3. on behalf of (specify):
under:

<input type="checkbox"/> CCP 416.10 (corporation)	<input type="checkbox"/> CCP 416.60 (minor)
<input type="checkbox"/> CCP 416.20 (defunct corporation)	<input type="checkbox"/> CCP 416.70 (conservatee)
<input type="checkbox"/> CCP 416.40 (association or partnership)	<input type="checkbox"/> CCP 416.90 (authorized person)
<input type="checkbox"/> other (specify):	
4. by personal delivery on (date):

1 DOUGLAS P. DITONTO, State Bar No. 115790
2 MICHAEL GONZALES, State Bar No. 115681
3 BRIAN A. CARDOZA, State Bar No. 137415
4 2244 Walnut Grove Avenue, 3rd Floor
5 Rosemead, CA 91770
6 Telephone: (626) 302-6975
7 Fax: (626) 302-6997

8 Attorneys for Plaintiff,
9 SOUTHERN CALIFORNIA EDISON COMPANY

ORIGINAL FILED

FEB 03 2011

LOS ANGELES

10
11
12
13
14
15
16
17
18
19
20
SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

11 SOUTHERN CALIFORNIA EDISON)
12 COMPANY, a California corporation,)

13 Plaintiff,)

14 v.)

15 MARIA CARMEN OZUNA; and DOES 1)
16 through 10, inclusive,)

17 Defendants.)
18)
19)
20)

CASE NO. **LC060488**

COMPLAINT FOR DAMAGES AND
TREBLE DAMAGES

Violation of Tariffs; Diversion of Electrical
Energy and Tampering (Civil Code Section
1882 et seq.)

CASE ASSIGNED FOR
ALL PURPOSES TO
JUDGE BRUCE MINTO
DEPT. 1

21 Plaintiff SOUTHERN CALIFORNIA EDISON COMPANY complains of defendants
22 and for cause of action alleges:

23 **FIRST CAUSE OF ACTION FOR DAMAGES FOR VIOLATION OF TARIFFS**

24 1. Plaintiff, SOUTHERN CALIFORNIA EDISON COMPANY, is and at all times
25 herein mentioned was, a public utility corporation organized and existing under and by virtue
26 of the laws of the State of California and at all times herein mentioned was engaged in the
27 business of transmitting and distributing electric energy to the inhabitants served by it in the
28 above-entitled County and elsewhere in the State of California.

1 2. The defendants enumerated herein by the fictitious names of DOES 1 through
2 10, inclusive, are sued by said fictitious names because plaintiff does not know the true names
3 or capacities, whether individual, partnership, sole proprietorship, corporate or otherwise; and
4 plaintiff will ask leave of court to amend this Complaint to show their true names and
5 capacities when the same have been ascertained. Plaintiff is informed and believes, and
6 thereon alleges, that each of the defendants mentioned herein by said fictitious names is
7 responsible in some manner for the occurrence herein alleged, and that plaintiff's damages as
8 herein alleged were proximately caused by such defendants.

9 3. At all times herein mentioned, the unqualified use of the word "defendant"
10 includes all of said defendants named in the caption of the within entitled action, including
11 those fictitiously named.

12 4. At all times herein mentioned, each of the defendants was the agent, servant and
13 employee of the other defendants, acting within course and scope of said agency and
14 employment; plaintiff is informed and believes, and thereon alleges, that each of the acts,
15 circumstances, transactions and happenings mentioned herein occurred within the confines of
16 the above-entitled judicial district for the County and State mentioned above.

17 5. Plaintiff is informed and believes, and thereon alleges, that at all times herein
18 mentioned, defendants MARIA CARMEN OZUNA and DOES 1 through 10, inclusive, have
19 owned, controlled, possessed, managed and maintained that certain real property commonly
20 identified as 714 S. Glenn Alan Avenue, West Covina, in the above-entitled County and State.

21 6. At all times herein mentioned, Plaintiff has provided electrical service to the
22 defendants, at the above identified real property. Plaintiff has provided electrical service to the
23 above identified real property pursuant to Plaintiff's written Tariffs, which Tariffs, at all times
24 herein mentioned, were on file with and approved by the Public Utilities Commission of the
25 State of California. Pursuant to Rule 3, said Tariffs constitute the terms and conditions for
26 electric service between the Plaintiff and defendants.

27 ///

1 7. Plaintiff submitted monthly billings for the reasonable value of said electric
2 service as recorded by the kilowatt hour meter installed by Plaintiff on the above identified real
3 property in further accordance with Plaintiff's Tariffs and based upon the rate approved by the
4 Public Utilities Commission of the State of California.

5 8. Plaintiff is informed and believes, and thereon alleges, that at all relevant times
6 herein, defendants, and each of them, voluntarily accepted and enjoyed the benefit of the
7 electrical services provided to said real property by Plaintiff, with knowledge that Plaintiff
8 expected, as it did, to be paid the reasonable value of said service.

9 9. On or about April 13, 2009, Plaintiff was informed that an electrical bypass
10 system had been installed at the heretofore identified real property in order to divert electrical
11 energy from Plaintiff's electrical meter. Until such time, Plaintiff did not, and in exercising
12 reasonable diligence, could not have discovered the diversion and bypass.

13 10. Plaintiff is informed and believes, and thereon alleges, that defendants MARIA
14 CARMEN OZUNA and DOES 1 through 10, inclusive, aided, abetted, solicited, engaged in or
15 authorized the tampering, and/or had knowledge of the tampering at the heretofore identified
16 real property, which prevented electrical energy from being recorded by Plaintiff's electrical
17 meter.

18 11. Plaintiff is informed and believes, and thereon alleges, that since on or about
19 February 7, 2001 through August 3, 2009, defendants, and each of them, have received and
20 enjoyed the benefit of electric service exceeding the amounts for which monthly billings were
21 submitted, to Plaintiff's damage, in the sum of \$41,094.62, which is the actual and reasonable
22 value of the electrical services received by defendants.

23 12. As a further consequence of the energy diversion and/ or meter tampering,
24 Plaintiff was required to, and did, repair and correct the condition caused by the defendants
25 tampering, to Plaintiff's further damage in the sum of \$1,198.18.

26 13. Pursuant to Plaintiff's written Tariffs, specifically Rule 17 E, Plaintiff is
27 authorized by the Public Utilities Commission of the State of California to adjust defendants
28

1 electric energy bills for the unauthorized use of any energy. Said Rule 17 defines unauthorized
2 use as including, but not limited to "meter tampering, unauthorized connection or re-
3 connection, theft, fraud, intentional or unintentional use of energy whereby the company is
4 denied full compensation for electric service provided."

5 14. Plaintiff performed all conditions, covenants and promises provided on its part
6 to be performed pursuant to its Tariffs and, at all times mentioned herein, did provide electrical
7 service to the above identified real property.

8 15. Plaintiff demanded payment from defendants, for the unauthorized use of
9 electric energy at the heretofore identified real property. The defendants, however, have
10 refused and continue to refuse, to pay the reasonable value of the electric services in the total
11 sum of \$42,292.80.

12 **SECOND CAUSE OF ACTION FOR DAMAGES FOR DIVERSION OF**
13 **ELECTRICAL ENERGY AND TAMPERING PURSUANT TO CALIFORNIA CIVIL**
14 **CODE SECTION 1882, ET SEQ.**

15 16. Plaintiff refers to Paragraphs 1 through 15, inclusive of the First Cause of
16 Action, and incorporates the same by reference as though fully set forth herein.

17 17. Plaintiff is informed and believes, and thereon alleges, that defendants MARIA
18 CARMEN OZUNA and DOES 1 through 10, inclusive, aided, abetted, solicited, authorized the
19 tampering, had knowledge of the tampering, and/or should have known of the tampering, at the
20 heretofore identified real property, which was accomplished in order to divert electrical energy
21 from Plaintiffs electrical meter. As a result of defendants' wrongful actions, electrical service
22 was diverted from its intended course, and the kilowatt hour meter was prevented from
23 accurately measuring the electrical service supplied to the above identified real property by
24 Plaintiff.

25 18. Plaintiff is informed and believes, and thereon alleges, that at all times herein
26 mentioned, defendants, and each of them, used and received the direct benefit of all, or a
27

28

1 portion of such unmetered and diverted electrical service with knowledge of, or reason to
2 believe, that said diversion and tampering existed at the time of such use and receipt.

3 19. Plaintiff is further informed and believes, and thereon alleges, that defendants,
4 and each of them, used and received the direct benefit of all, or a portion of such unmetered
5 and diverted electrical service with knowledge of, or reason to believe, that such use and
6 receipt was without the authorization and consent of Plaintiff, to Plaintiff's damage as
7 heretofore alleged.

8 **THIRD CAUSE OF ACTION FOR TREBLE DAMAGES AND COSTS OF SUIT**
9 **PURSUANT TO CALIFORNIA CIVIL CODE SECTION 1882 ET SEQ.**

10 20. Plaintiff refers to Paragraphs 1 through 15, inclusive, of its First Cause of
11 Action, and Paragraphs 17 through 19, inclusive, of its Second Cause of Action, and
12 incorporates the same by reference as though fully set forth herein.

13 21. By reason of the heretofore alleged wrongful acts of defendants, and each of
14 them, Plaintiff is entitled to recover three times the amount of actual damages, attorney fees
15 and costs of suit.

16 WHEREFORE, Plaintiff prays for judgment against defendants, and each of them, as
17 follows:

- 18 1. For Violation of Tariffs:
 - 19 a. General damages in the sum of \$42,292.80.
- 20 2. For Diversion of Electrical Energy and Tampering:
 - 21 a. Treble damages in the amount of \$126,878.40;
 - 22 b. Attorneys fees and costs of suit incurred herein;
- 23 3. For prejudgment interest at the maximum rate allowed by law.
- 24 4. For such other and further relief as the Court deems just and proper.

25 ///

26 ///

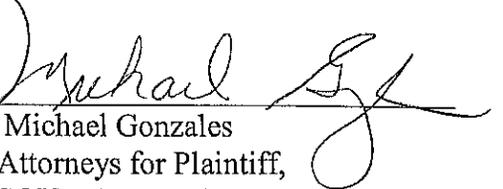
27 ///

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: February 2, 2011

DOUGLAS P. DITONTO
MICHAEL GONZALES
BRIAN A. CARDOZA

By: 
Michael Gonzales
Attorneys for Plaintiff,
SOUTHERN CALIFORNIA EDISON
COMPANY

Attachment J -

Carmen Ozuna's Informal Complaint with Commission –

March 29, 2011

PUBLIC UTILITIES COMMISSION
505 VAN NESS AVE
SAN FRANCISCO, CA 94102



Konra

INFORMAL COMPLAINT

CPUC File No: 153653

Consumer Name: Carmen Ozuna

Garcia, Setapio

Contact Filed: 09-MAR-2011

To Utility: 25-MAR-2011

Closed On:

Contact Type: COMPLAINT

Call - 1000 lines - 1000

MAR 29 2011

Impound Amount:

Contact Source: WEB

Utility Industry Type: Electric Utility

CORP ID/Utility: 338 / Southern California Edison Company

Billing Agent:

Service Address: 715 S Glenn Alan Ave
West Covina, CA 917912708

Mailing Address:
, CA

Service Account #: 2-22-317-4400

Phone#: (626)339-8026

(626) 967-2966

(CBR#):

Att. E302-90336

E-Mail Address: ozunaelectric@aol.com

Language: ENGLISH

Details to Utility:

1. Billing Backbilling

03/25/11 Complaint / Concern: This is the same as my complaint for my home at 714 S. Glenn Avenue which I also own and rent to my mother and father and which also claims that electricity bypassed the meter. It is believed that both of these meters were bypassed by my husband, who was an electrical contractor and died more than 10 years ago.

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVE
SAN FRANCISCO, CA 94102



Utility Comment: It filed a lawsuit on February 3, 2011 seeking the full amount of the claim plus treble damages.
Request of CPUC: To review the status of limitations issues and the methodology used by Edison can calculate the re-bills and to adjust them to a reasonable time and amount.
Utility Name: Southern California Edison Company

Compliance:

What does the utility have to sustain the billing?

- 1. Furnish answer within twenty business days. (If more time is needed, please advise contact representative approximately how much additional time is needed to respond to complaint).**
- 2. Suggest means of resolving this complaint.**
- 3. Is any adjustment indicated? If yes, provide amount.**
- 4. Provide all pertinent information including a copy of all related correspondence with the customer.**
- 5. Contact customer to resolve complaints.**
- 6. Explain company's position.**

Attachment K -

Southern California Edison's Response to Informal Complaint –

May 5, 2011

[REDACTED]

GENERAL INFORMATION

XRef No: 153653 CSS Customer Acct No: [REDACTED]
CIS Account No: [REDACTED] CSS Service Acct No: [REDACTED]
Customer No: [REDACTED]
Customer Name: GARCIA, [REDACTED]
DPA: [REDACTED]
Serv Address: 1712 E WALNUT CREEK PKWY
City/State/Zip: WEST COVINA, CA, 91791-2547, USA
Contact Info Desc: MTR #E302-90336 / OZUNABLECTRIC@AOL.COM
Primary Phone No: (626)967-2966 Ext: Loc: H-HOME
Alternate Phone No: Ext: Loc:
Dept Kind Code: IC01 - CPUC NO MONEY IMPOUND
Type Code: B32 - ENERGY THEFT
Date Received: 3/30/2011 CPUC Rep: E Impound Amount: 0.00

COMPLAINT DETAILS

3/25/11 - COMPLAINT AUTHOR, CARMEN OZUNA, WROTE TO THE CPUC TO PROTEST ENERGY DIVERSION CHARGES AT THEIR PARENTS' HOME, WHICH THEY RENT FROM MS. OZUNA. CUSTOMER STATES THEY HAVE BEEN ADVISED THE METERS WERE BYPASSED BY HER HUSBAND, HOW PASSED AWAY MORE THAN 10 YEARS AGO.

COMPLAINT RESPONSE

1. CHRONOLOGICAL ORDER OF CUSTOMER CONTACT

8/4/09 ACCORDING TO THE SCE FIELD INVESTIGATOR, THE CUSTOMER'S DAUGHTER INDICATED THAT SHE WOULD LIKE TO PRESENT THE BILL TO HER ELDERLY FATHER DUE TO HIS MEDICAL CONDITION

8/26/09 THE CUSTOMER WAS MAILED A BILL FOR \$ 6,461.61, WHICH WAS ITEMIZED ENERGY CHARGES (LESS THAN OR EQUAL TO THREE YEARS) OF \$4,615.91, AS WELL AS (GREATER THAN THREE YEARS) \$1,348.20, ALONG WITH AN ASSOCIATED COST OF \$497.50 = \$6,461.61

2. BILLING/PAYMENT HISTORY

THE CUSTOMER'S SUMMER USAGE WAS BASED ON THE FOLLOWING:

8/3/2009: SCE REMOVED THE CUSTOMER'S BYPASS AND A NEW METER WAS SET WITH A ZERO READ (00000)

9/8/2009 A METER READ OF 01421 WAS OBTAINED COVERING 36 DAYS OF USAGE, THE CUSTOMER'S DAILY AVERAGE (D/A) = 39.47

SCE COMPARED THE WINTER USAGE FOR FIVE LIKE HOUSES AND DETERMINED THAT THE CUSTOMERS LIKELY DAILY AVERAGE WOULD BE 32.08 PER DAY OVER A 1085 DAY PERIOD USING 34,811 KWHS.

SCE COMBINED THE ABOVE BASIS AS FOLLOWS: 243 DAYS (WINTER PERIOD) @ 32.08 D/A PER DAY / 122 DAYS (SUMMER PERIOD) @ 39.47 D/A TOTAL KILOWATTS CONSUMED FOR THE WINTER = \$7795.44 / TOTAL KILOWATTS CONSUMED FOR THE SUMMER = 4815.34 FOR AN OVERALL TOTAL OF 12,610.78 OVER A PERIOD OF 365 DAYS REPRESENTING A DAILY AVERAGE OF 34.55

3. FIELD INVESTIGATION

7/20/09 SCE'S INVESTIGATOR RESPONDED TO AN ANONYMOUS TIP STATING THAT THERE IS A BYPASS IN THE CUSTOMER'S METER SOCKET. DURING THE INVESTIGATION, A READ OF 64509 WAS OBTAINED. PER THE INVESTIGATORS NOTES, THIS SAME SITUATION IS PRESENT AT THE ADJOINING ADDRESS OF 714 GLENN ALAN. BOTH OF THE RESIDENCES ARE OWNED BY MARIA CARMEN OZUNA, WHO IS THE OWNER OF OZUNA ELECTRIC. SCE'S REP FOUND TWO WIRES HOOKED TO THE UNMETERED LINE OF THE METER SOCKET. THE WIRES WENT TO THE BREAKER THAT CONTROLLED THE A/C UNIT AND POOL PUMP. THE AMPERAGE READING WITH THE A/C UNIT OFF WAS 5.4 AND 5.0. WITH THE A/C UNIT INCLUDED, THE AMPERAGE READING WAS 23.5 AND 21.5. PHOTOS WERE TAKEN OF THE A/C FUSE BLOCK - WITH THE METER REMOVED, THE CUSTOMERS POOL EQUIPMENT WAS STILL OPERATIONAL. THE METER GLASS TO THE METER CAME OFF PRIOR TO THE REMOVAL OF THE METER. THIS INDICATES THAT THE SEAL FOR THE METER WAS BROKEN.

7/21/09 PICTURES WERE TAKEN BY SCE'S REVENUE PROTECTION INVESTIGATOR (RPI), DEPICTING THE BYPASS. THE ACTUAL PHOTO SHOWS THE CUSTOMER'S A/C FUSE BLOCK SHOWING VOLTAGE PRESENT (SEE ATTACHED PICTURES)

9/22/09 SCE'S RPI VISITED THE RESIDENCE WHEN THE CUSTOMER WAS NOT AT HOME AND THE CUSTOMERS A/C AND POOL EQUIPMENT WERE OPERATING.

4. CONTACT COMPLAINANT TO RESOLVE

5/3/11 VANESSA KIRKWOOD, REVIEW MANAGER, SPOKE WITH MR. SERAPIO GARCIA REGARDING HIS INFORMAL COMPLAINT FILED BEFORE THE CALIFORNIA PUBLIC UTILITIES COMMISSION. MR. GARCIA WAS ADVISED THAT THE D/A USED TO CALCULATE THE USAGE THAT WAS BEING BYPASSED WAS A GOOD ESTIMATE, BASED ON SUBSEQUENT USAGE. SCE ALSO COMPARED LIKE HOMES IN THE AREA AS AN ALTERNATIVE BASIS. THE CUSTOMER WAS ADVISED THAT SCE STANDS FIRM IN THEIR POSITION AS IT RELATES TO THE PERIOD THE REBILL CAPTURES, AS WELL AS THE BILL AS PRESENTED. THE CUSTOMER IS RESPONSIBLE FOR \$6,461.61 IN CHARGES. IN ACCORDANCE WITH SCE'S TARIFFS # RULE #17, SCE IS SEEKING PAYMENT TOWARDS THE MOST RECENT THREE YEARS, ALONG WITH SEEKING COMPENSATION OUTSIDE OF THE THREE YEAR STATUE, VIA COURTS OF PROPER JURISDICTION.

5. QUOTE TARIFF &/OR RULE FOR UTILITY ACTION

RULE# 17 ADJUSTMENT OF BILLS AND METER TESTS

UNAUTHORIZED USE IS THE USE OF ENERGY IN NONCOMPLIANCE WITH SCE'S TARIFFS OR APPLICABLE LAW. IT INCLUDES, BUT IS NOT LIMITED TO METER TAMPERING, UNAUTHORIZED CONNECTION OR RECONNECTION, THEFT, FRAUD INTENTIONAL OR UNINTENTIONAL USE OF ENERGY WHEREBY SCE IS DENIED FULL COMPENSATION FOR ELECTRIC SERVICE PROVIDED. WHERE SCE DETERMINED THAT THERE HAS BEEN UNAUTHORIZED USE OF ELECTRIC SERVICE, SCE MAY BILL THE CUSTOMER FOR SCE'S ESTIMATE OF SUCH UNAUTHORIZED USE. HOWEVER, SUCH ESTIMATED BILL SHALL INDICATE UNAUTHORIZED USE FOR THE MOST THREE YEARS, AND SEPARATELY, UNAUTHORIZED USE BEYOND THE THREE-YEAR PERIOD FOR COLLECTION AS PROVIDED BY LAW. NOTHING IN THE RULE SHALL BE INTERPRETED AS LIMITING SCE RIGHTS UNDER ANY PROVISION OF ANY APPLICABLE LAW. RULE #3 APPLICATION FOR SERVICE INDIVIDUAL LIABILITY FOR JOINT SERVICE. WHERE TWO OR MORE PERSONS JOIN IN ONE APPLICATION OR CONTRACT FOR ELECTRIC SERVICE THEY SHALL BE JOINTLY AND SEVERALLY LIABLE THEREUNDER AND SHALL BE BILLED BY A SINGLE PERIODIC BILL MAILED TO THE PERSON DESIGNATED ON THE APPLICATION TO RECEIVE THE BILL. WHETHER OR NOT SCE OBTAINED A JOINT APPLICATION, WHERE TWO OR MORE PERSONS OCCUPY THE SAME PREMISES.



SOUTHERN CALIFORNIA
EDISON[®]

An EDISON INTERNATIONAL[®] Company

May 5, 2011

Mr. Serapio Garcia
 [REDACTED] S. Glenn Alan Avenue
 West Covina, Ca [REDACTED]

Dear Mr. Garcia

Re: CPUC Informal Complaint 153653
 SCE Service Investigation 26-2009-07550

Thank you for speaking with me regarding you complaint filed with the California Public Utilities Commission (CPUC) that was received in Southern California Edison's (SCE) Executive office. Below is a summary of our conversation:

During our conversation, I reviewed with you SCE's Rule # 17 Adjustment of Bills and Meter Tests Section A: *General. Estimated Usage: When regular, accurate meter readings are not available or the electric usage has not been accurately measured, SCE may estimate the energy usage for billing purposes on the basis of information including, but not limited to the physical condition of the metering equipment, available meter readings, records of historical use, and the general characteristics of the customer's load and operation.*

I also informed you, that the rebill you received was based on subsequent usage measured on meter # E302-090336 that was installed at your residence on August 3, 2009 when the existing bypass was corrected. This factor was used to determine how SCE would receive full compensation for the electricity that was provided to your residence during the period electricity was being diverted. Our records also show that you received the benefit of the usage that was not being properly registered through meter number # AE85-419010 since you began service at the above address.

Therefore, SCE is seeking compensation totaling \$ 6,461.61 covering the following period:

Energy Charges (within three years)	08/03/06 – 08/03/09 = \$4,615.91
Energy Charges (more than three years)	01/10/05 – 08/02/06 = \$1,348.20
Associated Charges	\$497.50

However, for the purpose in resolving your informal complaint before the CPUC, SCE will pursue the \$1,348.20 Energy Charges for the usage that is beyond the three year period for collection as provide by law in accordance with SCE's Rule #17 Section E Adjustment of Bills for Unauthorized Use

I have provided you with a copy of SCE's Rule # 17 Adjustment of Bills and Meter Test for your review. A copy of this letter along with my written response is being forwarded to the CPUC for their review.

Sincerely,

A handwritten signature in black ink, appearing to read "William K. ...". The signature is fluid and cursive, with a large loop at the end.

cc: CPUC





SOUTHERN CALIFORNIA
EDISON

An EDISON INTERNATIONAL Company

P.O. Box 9004
San Dimas, CA 91773
www.sce.com

GARCIA, [REDACTED] / Page 1 of 2

For billing inquiries
call the Revenue Assurance Desk
909-394-8817
Mon - Fri (except holidays), 8:00 a.m. to 4:30 p.m.

Sales order number

Service Investigation [REDACTED]

Date bill prepared: 08/26/2010

Service address [REDACTED] S GLENN ALAN AVE
WEST COVINA, CA [REDACTED]

BILL FOR UNAUTHORIZED USE OF SERVICE

Your account summary

During a recent investigation, we discovered your service address at 715 S GLENN ALAN AVE, WEST COVINA, CA 91791, received unauthorized use of service from January 10, 2005 to August 3, 2009. This bill applies only to your unauthorized use of service.

The summarized bill and associated charges are presented below. Please use the envelope provided for payment and **do not mail with your regular electric bill.** Please write the Sales Order Number on your payment.

These charges are now due and payable. Normal collection procedures will be followed if not paid by 09/14/2010.

Should you have any questions, please contact the Revenue Assurance Desk weekdays, except holidays, between 8:00 a.m. to 4:30 p.m. at 909-394-8817.

CHARGES

Energy charges (less than 3 years)	08/03/06 - 08/03/09	23504 kWh	\$4,615.91
Energy charges (more than 3 years)	01/10/05 - 08/02/06	6690 kWh	\$1,348.20
Associated charges			\$497.50
Total original amount			\$6,461.61
Total amount paid			-\$0.00

Total amount you owe by 09/14/2010 \$6,461.61

Please return the payment stub below with your payment in the envelope provided and make your check payable to Southern California Edison.

Sales order number:

Amount due by 09/14/2010 \$ 6,461.61

Please write this number on your check. Make
your check payable to Southern California Edison.

Amount enclosed

\$ _____

Unauthorized Use of Service

GARCIA, SERAPIO# [REDACTED]
S GLENN ALAN AVE [REDACTED]
WEST COVINA, CA [REDACTED]

REVENUE ASSURANCE
SOUTHERN CALIFORNIA EDISON
P.O. Box 9004
San Dimas, CA 91773

Service Investigation: [REDACTED]

AUG 26 2010

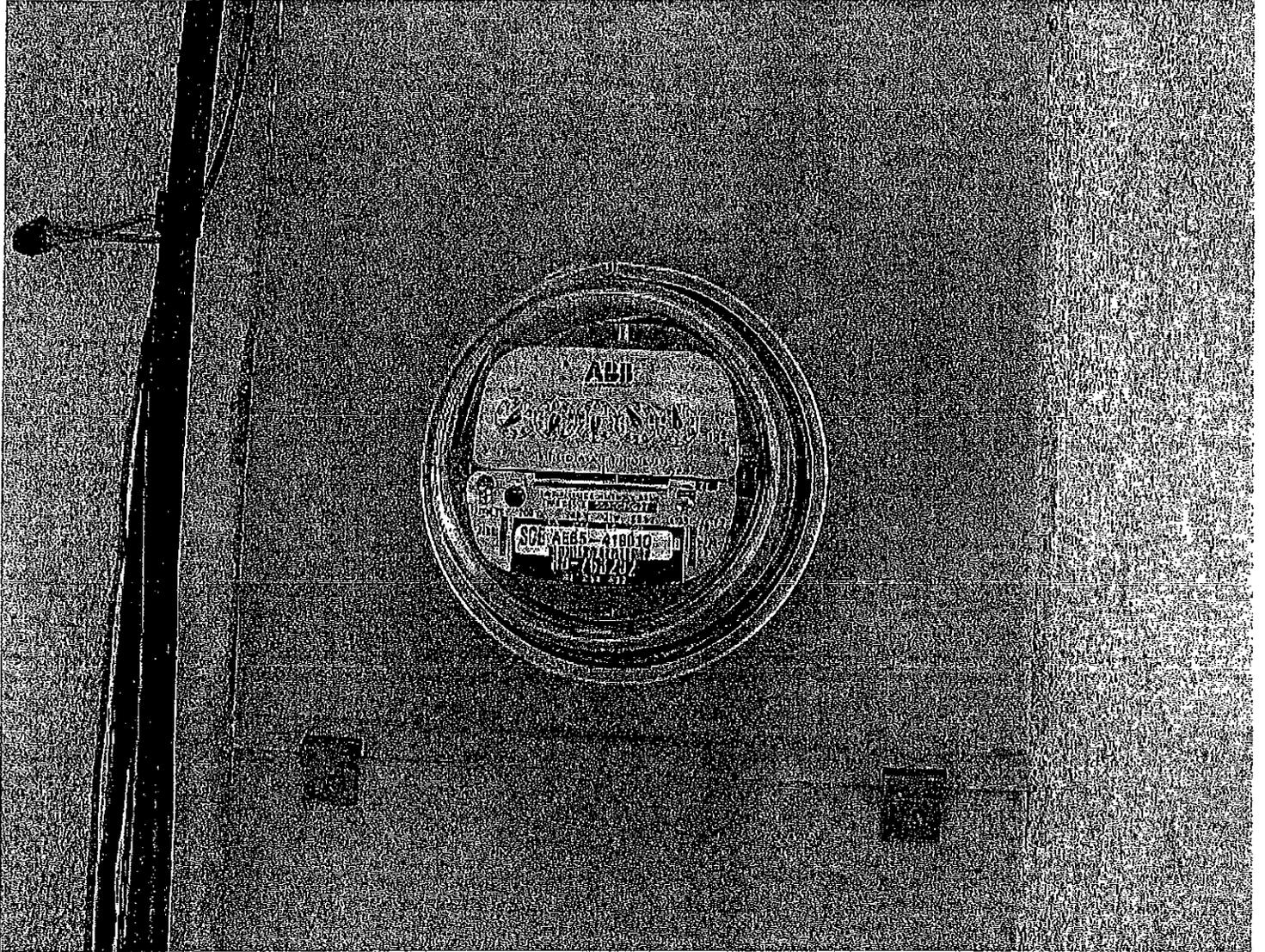


Enclosed is an ESTIMATED bill for Unauthorized Use of Service discovered through a recent service investigation. Please be advised that the "energy" charges are an estimate and may result in a debit or credit variance.

Please contact us immediately to make payment or payment arrangements.

Garcia
S. Glen Ave
West Covina, CA

Service Investigation # [REDACTED]



[REDACTED]

[REDACTED] Garcia
[REDACTED] Glen Ave
West Covina, CA

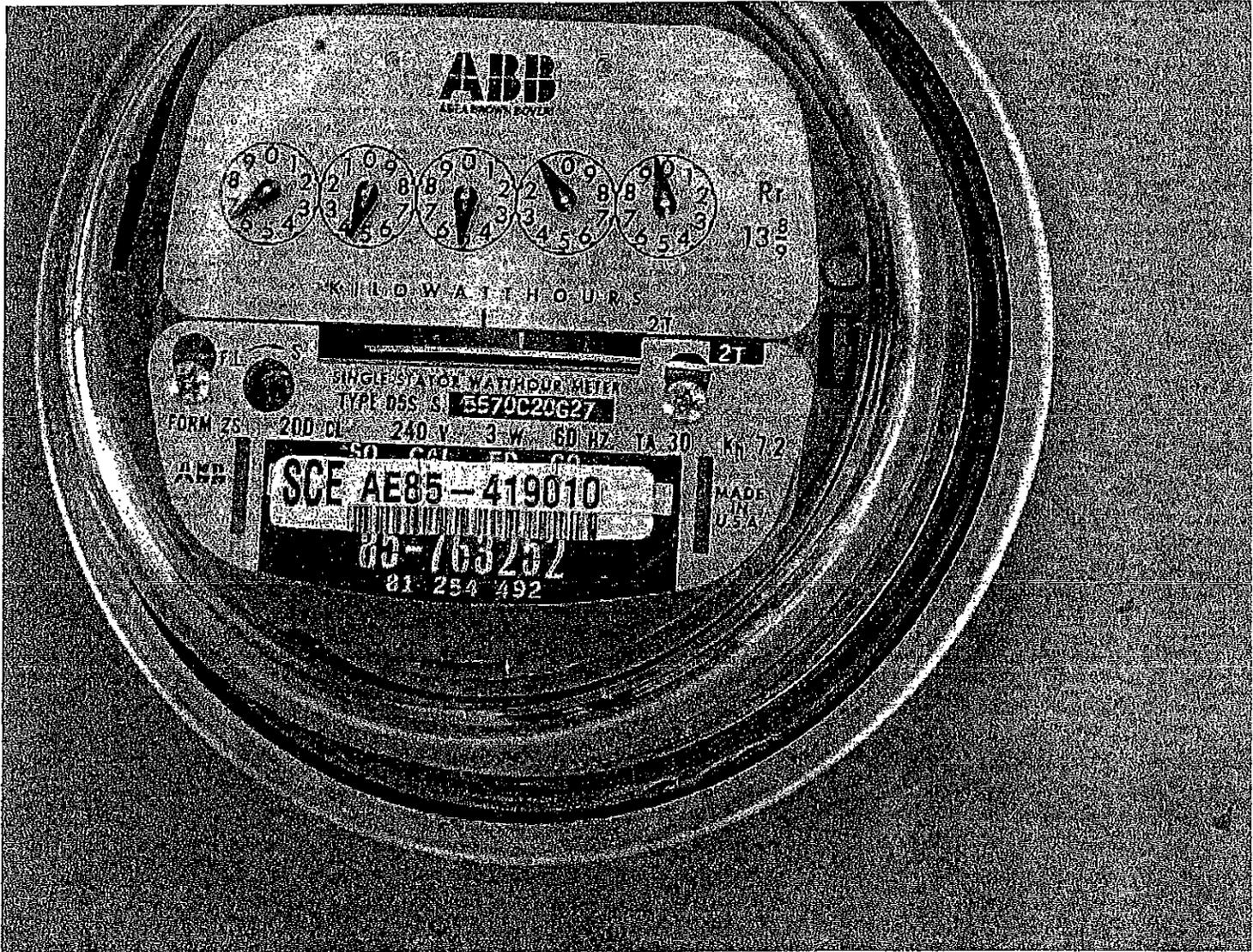
Service Investigation # [REDACTED]



[REDACTED]

Garcia
S. Glen Ave
West Covina, CA

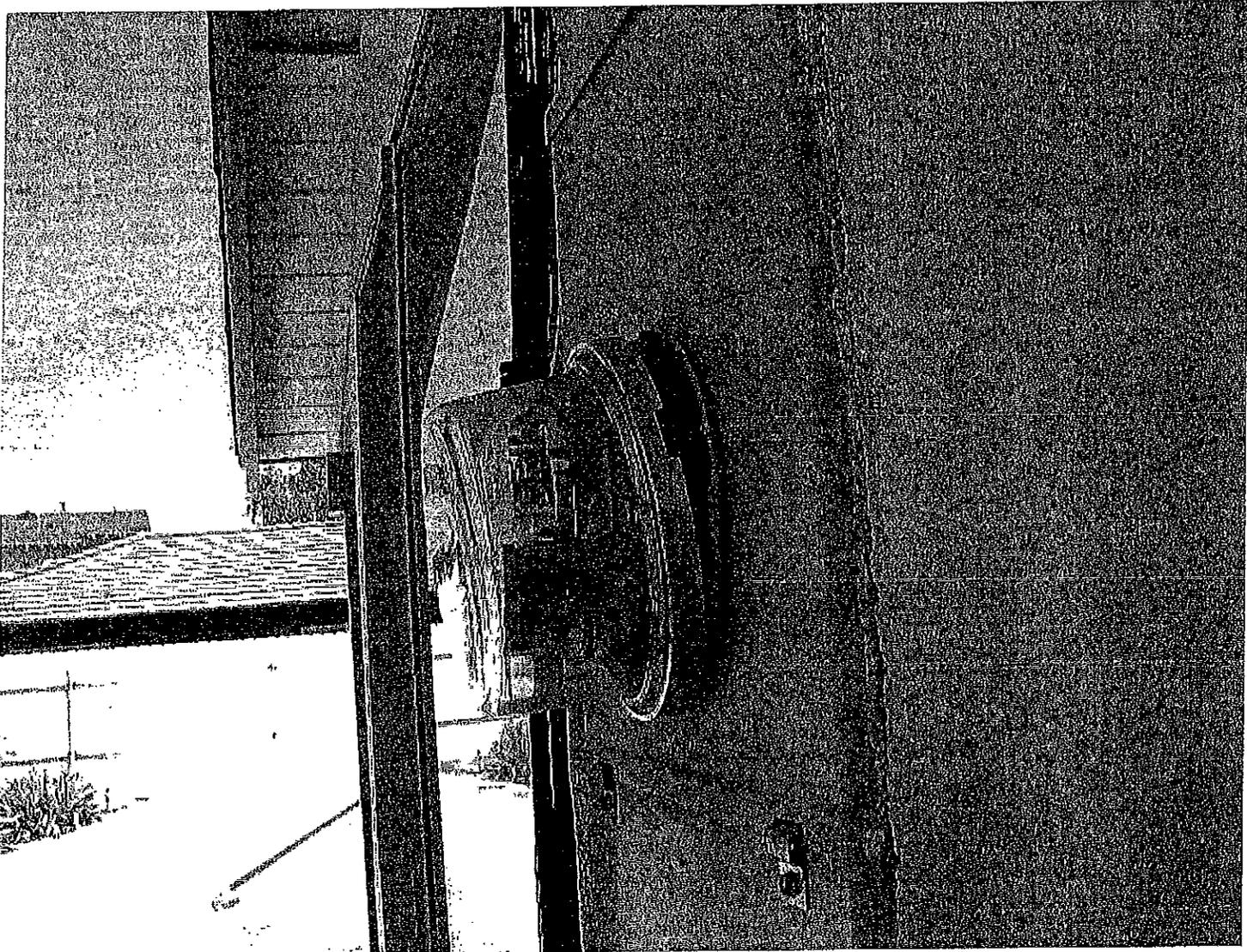
Service Investigation # [REDACTED]



[REDACTED]

[REDACTED] Garcia
[REDACTED] S. Glen Ave
West Covina, CA

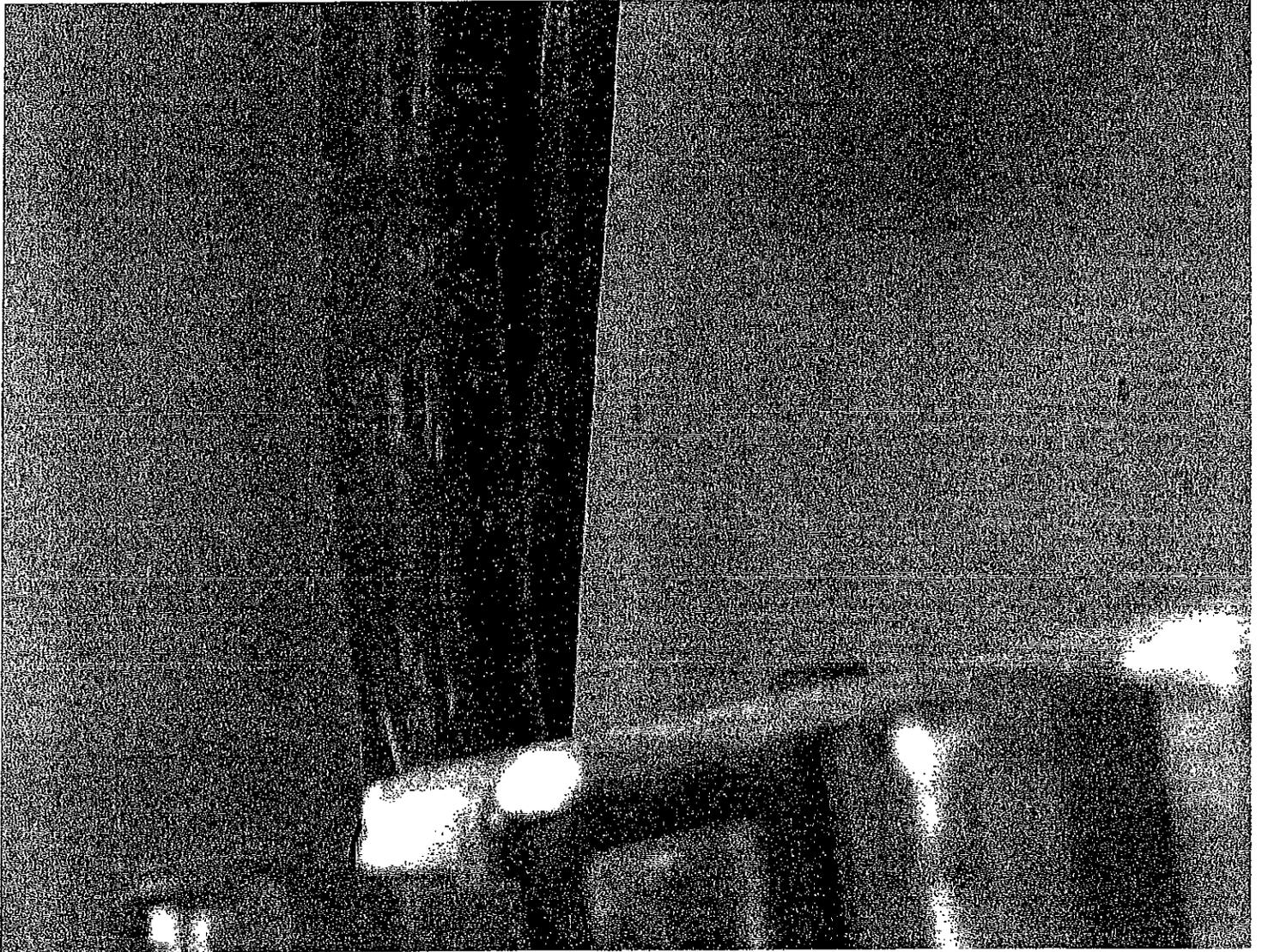
Service Investigation # [REDACTED]



[REDACTED]

[REDACTED] Garcia
[REDACTED] S. Glen Ave
West Covina, CA

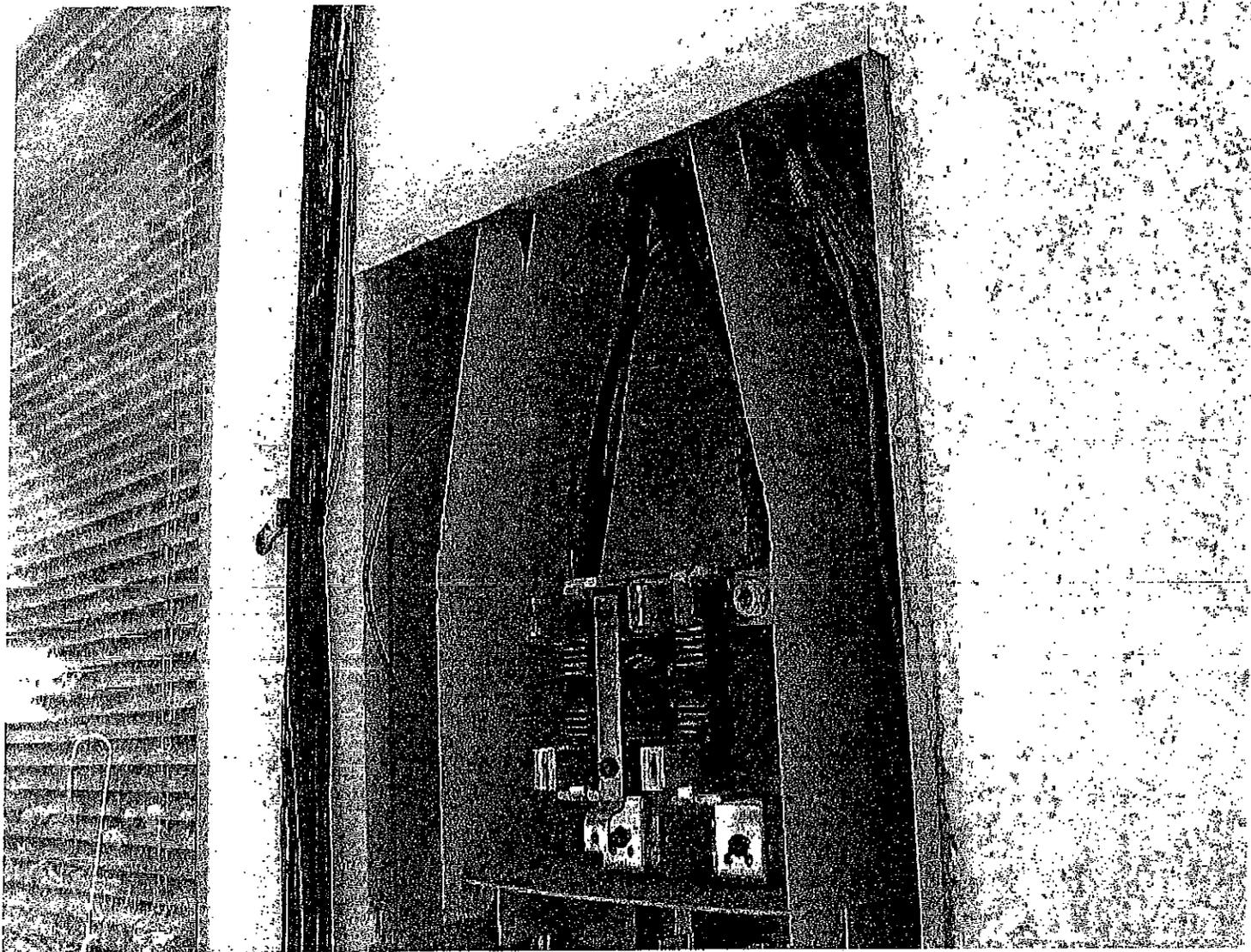
Service Investigation # [REDACTED]



[REDACTED]

Garcia
S. Glen Ave
West Covina, CA

Service Investigation # [REDACTED]

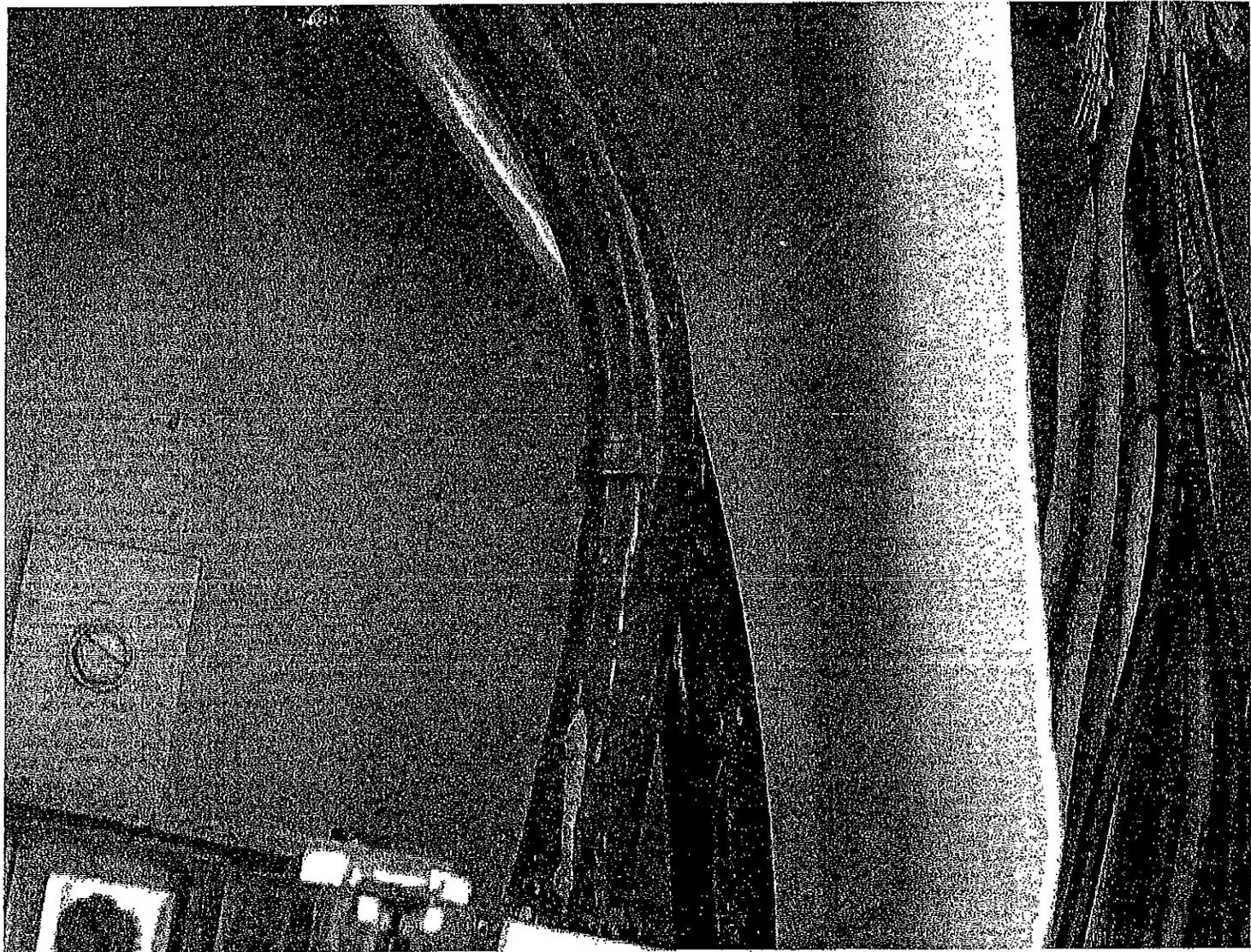


[REDACTED]

[REDACTED] Garcia

[REDACTED] S. Glen Ave
West Covina, CA

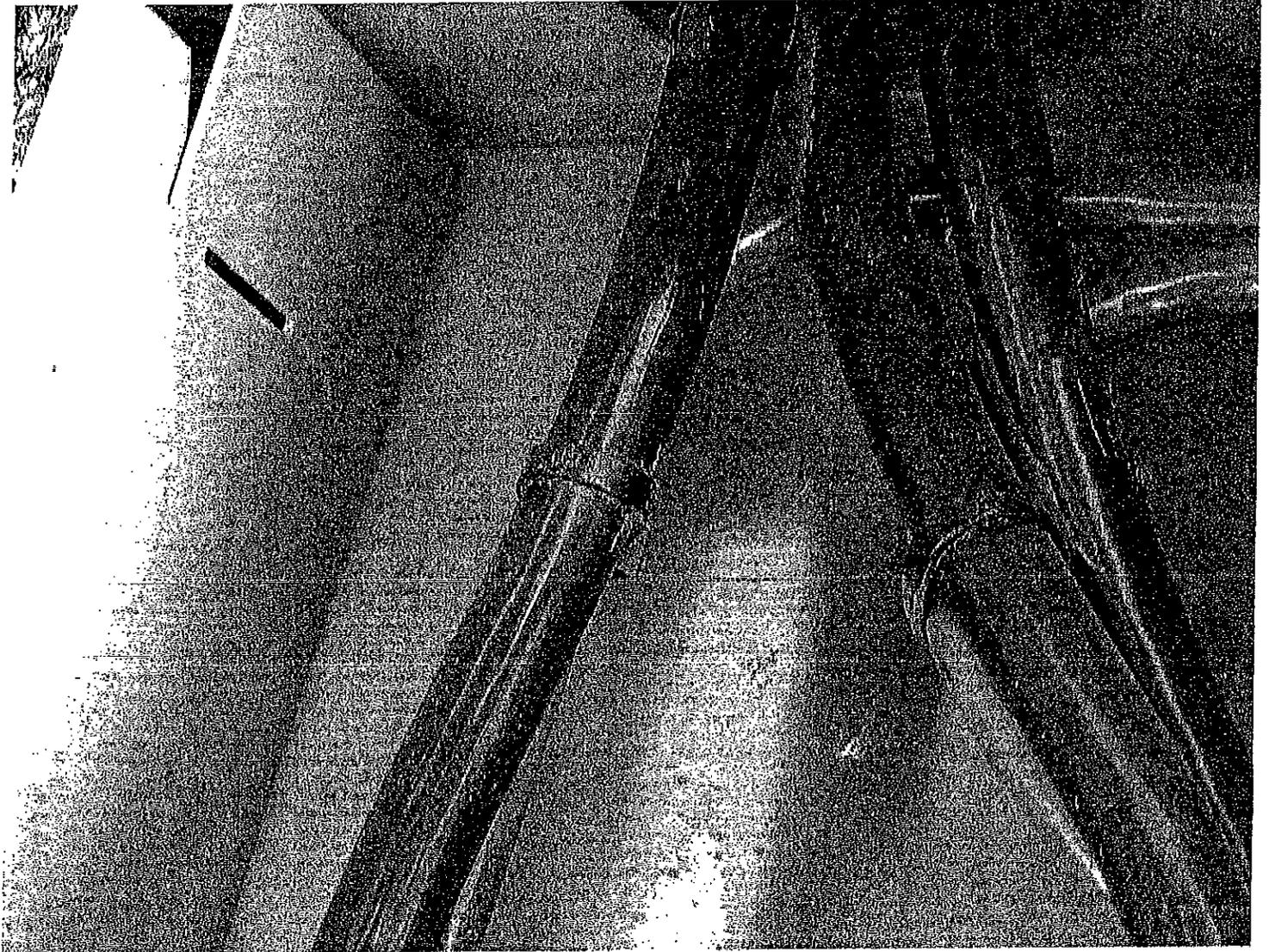
Service Investigation # 2 [REDACTED]



[REDACTED]

[REDACTED] Gareja
[REDACTED] S. Glen Ave
West Covina, CA

Service Investigation # [REDACTED]



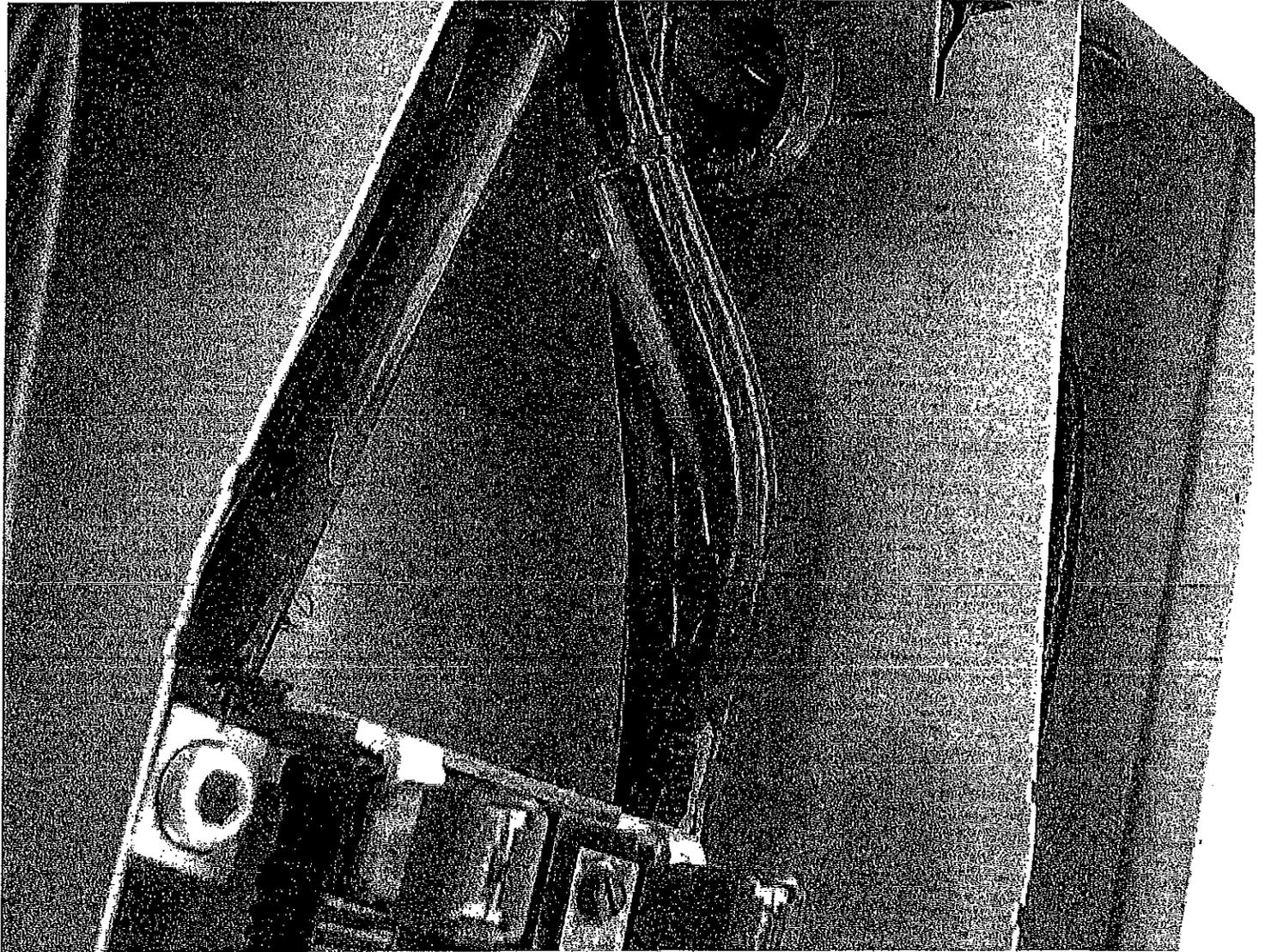
[REDACTED]

[REDACTED] Garcia

[REDACTED] S. Glen Ave

West Covina, CA

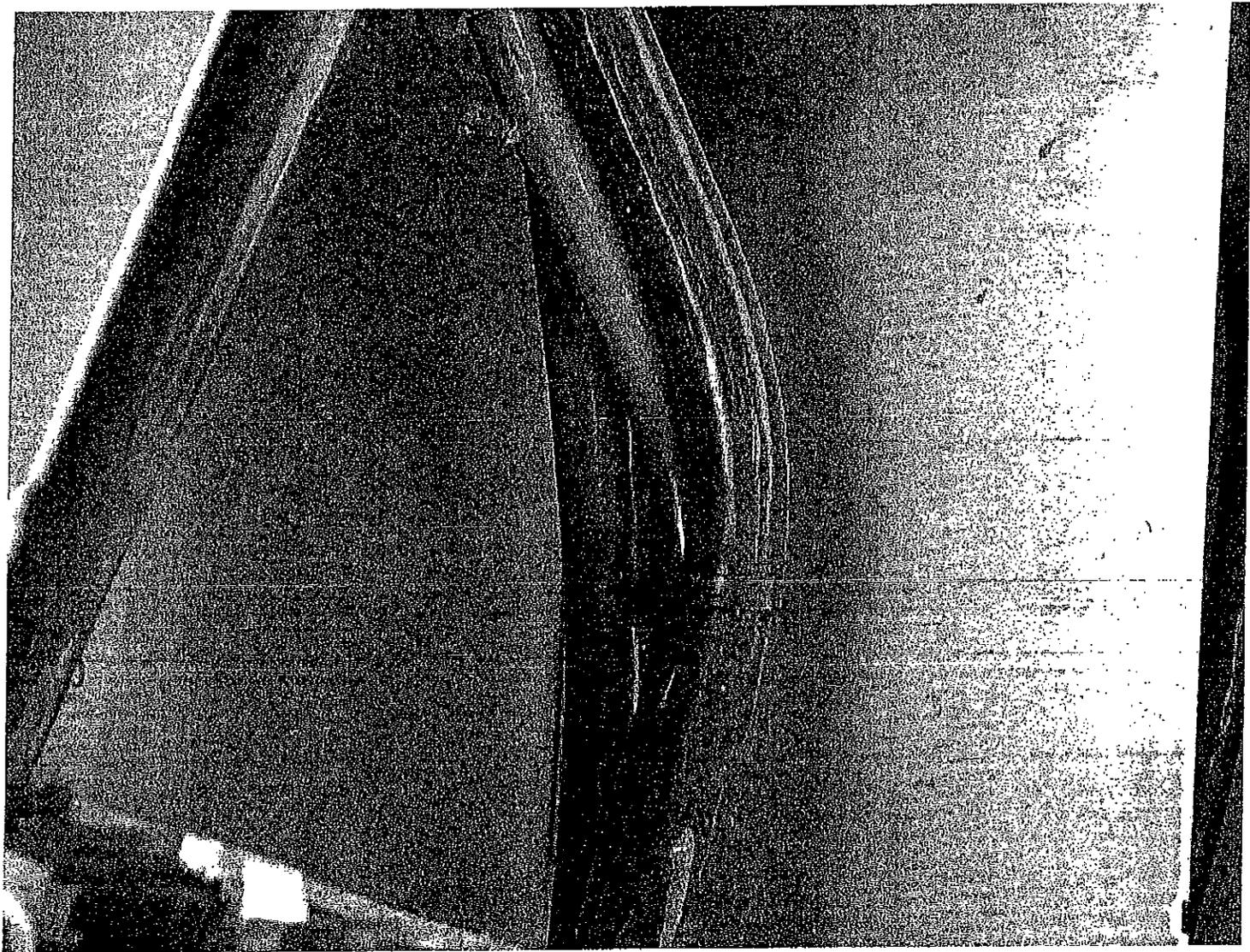
Service Investigation # [REDACTED]



[REDACTED]

[REDACTED] Garcia
S. Glen Ave
West Covina, CA

Service Investigation # [REDACTED]



[REDACTED]

[REDACTED] Garcia
[REDACTED] S. Glen Ave
West Covina, CA

Service Investigation # [REDACTED]



[REDACTED]

VERIFICATION

I am an officer of the applicant corporation herein, and am authorized to make this verification on its behalf. I am informed and believe that the matters stated in **SOUTHERN CALIFORNIA EDISON COMPANY'S (U 338-E) ANSWER TO COMPLAINT** are true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 25th day of July, 2011, at Rosemead, California.

/s/ Akbar Jazayeri

Akbar Jazayeri

Vice President, Regulatory Operations

SOUTHERN CALIFORNIA EDISON COMPANY

2244 Walnut Grove Avenue

Post Office Box 800

Rosemead, California 91770