

Decision \_\_\_\_\_

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

Nicolo Klaus De Guzman,

Complainant,

vs.

Southern California Edison Company (U 338 E),

Defendant.

(ECP)

Case 13-01-002

(Filed January 3, 2013)

Nicolo Klaus De Guzman, Complainant.Prabha Cadambi, for Southern California Edison Company,  
Defendant.**DECISION DISMISSING COMPLAINT AND DENYING DEFENDANT'S  
MOTION TO FILE CONFIDENTIAL ANSWER UNDER SEAL****1. Summary**

Complainant, Nicolo Klaus De Guzman (De Guzman), seeks to have a closing bill transfer of \$8,528.24 removed from his account. De Guzman denies that he was the customer of record and therefore responsible for the charges. The request for relief is denied as moot, as discussed below.

The motion of Defendant, Southern California Edison Company (SCE) to file certain information under seal is denied, as discussed below.

**2. Discussion**

From 2004 to 2008, De Guzman's parents lived at 425 Paseo Laredo, Cathedral City, the service address where the charges were incurred. SCE did

not discover that electricity had been consumed at the Paseo Laredo service address, but not billed to the residents until Arrabelle Gomez, De Guzman's sister, contacted SCE in 2008 to have service established in her name at the service address. SCE billed the account \$14,768 for idle usage for December 2005 to December 2008 and made payment arrangements with Ms. Gomez of \$206 per month, plus current charges.<sup>1</sup> The payment arrangement was complied with until August 2011 when Ms. Gomez terminated service at the Paseo Laredo service address and moved out of SCE's service territory. There remained a balance of \$8,528.24 on the account.

During the course of a closing bill dispute with SCE at another service address, De Guzman provided SCE with information about previous addresses, one of which was the Paseo Laredo address with the remaining balance of \$8,528.24. Pursuant to SCE tariff, Rule 17, SCE transferred the balance to De Guzman's current service address bill, which is the basis for this complaint.<sup>2</sup>

At the hearing on February 20, 2013, De Guzman stated that the service address in question was a senior mobile home park and because he was under 55 he could not have resided there during the time in question. De Guzman also stated that he and his six brothers and sisters all stayed with their parents briefly to provide caretaker assistance, but that he never resided there and simply used the service address as a permanent mailing address.

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<sup>1</sup> When SCE discovers that electricity is being consumed at a service address and there is no name on the service account at that address, it is considered idle usage.

<sup>2</sup> SCE's Rule 17, Section E states that, "Adjustment of Bills for Unauthorized Use - 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..."

SCE asked for a continuance to investigate this information. The Administrative Law Judge (ALJ) granted the continuance. SCE subsequently contacted the ALJ and stated that the charges had been removed from De Guzman's account. In a telephone conversation with the ALJ, De Guzman verified that the charges had been reversed on his current bill. When the ALJ asked De Guzman if he wanted the complaint dismissed, De Guzman stated that he wanted SCE to admit the error before he would ask that the complaint be dismissed.

Since the basis for the complaint no longer exists, the relief requested is denied as moot and this complaint is dismissed.

On February 13, 2013, SCE filed a motion to file a confidential version of its answer under seal. Since the charges that are the subject of this complaint have been removed, there is no need for certain information contained in SCE's confidential version of its answer. The public version of SCE's answer is sufficient for the record. Therefore, SCE's motion to file a confidential version of its answer under seal is denied, and the confidential version is not accepted for filing.

### **3. Assignment of Proceeding**

Catherine J.K. Sandoval is the assigned Commissioner and Linda A. Rochester is the assigned ALJ in this proceeding.

## **O R D E R**

**IT IS ORDERED** that:

1. The relief requested is denied as moot.
2. Case 13-01-002 is dismissed.

3. Southern California Edison Company's February 13, 2013, motion to file information under seal is denied, because the confidential version is not accepted for filing.

4. Case 13-01-002 is closed.

This order is effective today.

Dated \_\_\_\_\_, at Carmel-by-the-Sea, California.