

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA



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Mr. Robert Shroeder,)
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Complainant,)
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vs.)
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San Diego Gas & Electric Company (U 902-E),)
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Defendant.)
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)
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ECP
Case No. C.12-07-013
(Filed July 18, 2012)

**ANSWER OF SAN DIEGO GAS & ELECTRIC COMPANY (U 902-E)
TO COMPLAINT OF ROBERT SHROEDER**

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AUGUST 7, 2012

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In accordance with Rule 13.1 of the Rules of Practice and Procedure of the California Public Utilities Commission’s (“Commission”), San Diego Gas & Electric Company (“SDG&E”) hereby answers the Formal Complaint Case Number C.12-07-013 (“Complaint”) of Robert Shroeder (“Complainant”) filed with the Commission on July 18, 2012. Complainant alleges that he was overbilled for the period October 25, 2011 to January 25, 2012 at his residence located at 918 Correa Lane, Spring Valley, CA 91977 in the amount of \$321.97. Complainant had previously filed Informal Complaint Contact No. 215432 on March 26, 2012. The Commission’s Consumer Affairs Branch (“CAB”) closed the file on June 4, 2012, after SDG&E on April 23, 2012, informed the CAB that it was in compliance with all tariffs, rules and regulations.

I. INTRODUCTION

On March 26, 2012, the Complainant filed an informal complaint Contact No. 215432 with the CAB whereby Complainant alleged that SDG&E incorrectly billed for usage ranging from 700 to almost 1,000 kilowatt hours (kwhrs) per month for the billing period October 25, 2011 to January 25, 2012 for the disputed amount of \$321.97. Complainant alleges that even if all the appliances in his home were used daily, his usage would not be able to record such high amounts. Complainant alleges that SDG&E prematurely determined there was no problem with his high bill prior to sending the energy auditor to investigate Complainant's high usage claim. Complainant further asserts SDG&E's Energy Auditor failed to indicate on his audit report that the Complainant's heater was never used and the solar electrical device has been unused for years. Complainant also alleges that no more than 2 lights are ever on at the same time anywhere in the house between the hours 7:00p.m. through 1:00a.m. and that only one television is used.

In addition, Complainant asserts the CAB made errors in not considering evidence that would have resulted in a favorable finding. Complainant further asserts that the CAB incorrectly relied solely on SDG&E's report with no further follow up or separate CAB investigation. Therefore, the Complainant states the outcome of his informal complaint was unfairly predetermined.

SDG&E denied Complainant a bill adjustment based on the following chronological summary of various contacts SDG&E had with the Complainant:

- On November 25, 2008, Complainant established residential gas and electric service at 918 Correa Lane, Spring Valley 91977.

- On February 15, 2012, Complainant contacted SDG&E to dispute his electric bills for the period October 25, 2011 to January 25, 2012. At that time, SDG&E attempted to refer Complainant to “My Account” to view the energy charts and evaluate his electric usage. Complainant refused. As a courtesy to the Complainant, SDG&E issued an order to have the meter tested. In addition, SDG&E provided Complainant with a payment agreement plan and recommended he submit a CARE application.
- On February 17, 2012, SDG&E tested the electric meter. The Complainant elected not to speak with the SDG&E Technician during the test. The meter tested in compliance with Rule 18 filed and approved by the CPUC. Upon completion of testing the meter, SDG&E’s Technician went to the Complainant’s front door to report SDG&E’s findings to the Complainant. The Complainant left a note at the door that stated not to knock or ring the doorbell. A phone number was listed on the note so the Technician called the number, but it went to voicemail. The Technician left a door hanger with the meter test results.
- On April 18, 2012, an SDG&E Customer Energy Specialist met the Complainant at his residence to perform an energy audit. The customer’s residence is a detached, 2-story, single family home, 4-bedroom, 2.5 bathroom approximately 2400 square feet home. The customer is the sole occupant, and he stated that he did not have guests living with him during the high-use period in question. Complainant also confirmed he had no holiday displays during the period in question, and he did not utilize portable heaters. SDG&E’s Energy Auditor read both the gas and electric meters and confirmed the recent reads. The Technician

did not observe any gas leaks or any abnormal electric shortages or ground conditions. The Complainant confirmed he had no electrical or appliance problems or repairs.

II. SDG&E RESPONSE TO THE ALLEGATIONS OF COMPLAINANT

It is well established that the complainant shoulders the burden of proof during complaint proceedings. In the instant case, Complainant fails to meet his burden because he has not shown that SDG&E violated a tariff, Commission order or rule. Rather, SDG&E has demonstrated through a meter test that its meter was functioning with acceptable accuracy limits as provided by Rule 18. In addition, SDG&E sent an Energy Auditor to perform an audit of his home who found no gas leaks or electric short or ground abnormal conditions.

1. SDG&E's Meter Fell Within Acceptable Accuracy Limits as Required by Electric Tariff Rule 18.

SDG&E electric Tariff Rule 18 (Meter Tests and Adjustments of Bills) states that "all electric meters, other than displacement meters, shall be tested in accordance with accepted industry standards and practices. Any such test results shall not register less than minus two percent (2%) error or more than plus one percent (1%) error"¹. SDG&E tested Complainants' meter on February 17, 2012 and found that the meter tested at 100.22 percent, which is within Rule 18's limit². As noted in Exhibit B (Electric Meter Reads), a meter read of 8,000 was obtained. That read confirmed that the previous read obtained on January 25, 2012 of 7672 was correct³. It also indicated that the Complainant's usage was decreasing from 21 kWhrs to 14

¹ SDG&E Electric Tariff Book, Rule 18, Section A

² See Exhibit A – Electric Meter Test Results

³ See Exhibit B – Electric Meter Reads 1/26/11 through 4/19/12

kwhrs per day. This result places the meter's accuracy with Rule 18's limit. Therefore, a malfunctioning meter was not the cause of complainants 3 month spike in kwh usage.

2. Despite Complainant's Dissatisfaction with SDG&E, His Account Does Not Qualify For an Adjustment.

SDG&E has acted appropriately to assist Complainant.⁴ On February 15, 2012, SDG&E guided Complainant to his online account information. On February 17, 2012, SDG&E tested Complainant's meter and found it to be accurate within Rule 18's limits. On April 18, 2012, an SDG&E Customer Energy Specialist performed an energy audit of Complainant's home and did not find any leaks or explanations for the increase from October 25, 2011 to January 25, 2012 from SDG&E's side of the meter.⁵ SDG&E has not had any problem receiving reads from Complainant's electric meter, now or during the period in question.

SDG&E cannot explain the reason for the increase from October 25, 2011 to January 25, 2012, which Complainant acknowledged when he noted that testing the meter after the fact would not provide clues as to what actually happened during the period in question.⁶ However, SDG&E's inspections and tests have demonstrated that any increase was not caused by a malfunctioning or leaking SDG&E meter. Therefore, the increase from 10/25/11 to 1/25/12 was caused by something used and controlled by Complainant, knowingly or unknowingly⁷. Therefore, Complainant's account does not qualify for an adjustment.

⁴ In addition, SDG&E offered Complainant a payment arrangement, put him on an agreed upon payment plan, and provided the Complainant with a CARE application.

⁵ Exhibit D summarizes the auditor's report.

⁶ See Complainant's informal appeal letter, at 7

⁷ See Exhibit C – Electric Consumption for period 1/26/11 through 3/26/12

III. CONCLUSION

SDG&E made all reasonable attempts to satisfy the Complainant regarding the disputed billing amounts: 1) SDG&E guided Complainant to his usage information; 2) SDG&E tested the electric meter and found the electric meter operating within CPUC Rule 18 guidelines; 3) SDG&E offered payment arrangement and put him on an agreed upon payment plan; 4) SDG&E provided the Complainant with a CARE application; and 5) SDG&E performed an energy audit and provided Complainant copies of SDG&E's findings.

WHEREFORE, SDG&E submits that Complainant's complaint is without merit and respectfully requests that the Commission dismiss the Complaint of Mr. Robert Shroeder and that relief sought therein be denied.

Dated at San Diego, California, this 7th day of August 2012.

Respectfully submitted,

SAN DIEGO GAS & ELECTRIC COMPANY

A handwritten signature in cursive script that reads "Aurora Carrillo". The signature is written in black ink and is positioned above a horizontal line.

Aurora Carrillo

Sr. Tariff Administrator

San Diego Gas & Electric Company

8330 Century Park Court, CP 32C

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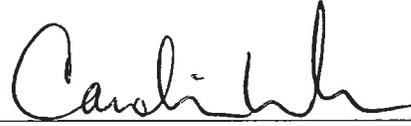
E-Mail: acarrillo@semprautilities.com

VERIFICATION

I am an officer of San Diego Gas and Electric Company, the Defendant herein, and am authorized to make this verification on Defendant's behalf. The statements in the foregoing answer are true and accurate to the best of my knowledge, except as to those matters which are therein stated on information and belief, and as to those matters, I believe them to be true.

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

Executed on August 7, 2012 at San Diego, California.

By: 

Caroline Winn
Vice President - Customer Services

CERTIFICATE OF SERVICE

I hereby certify that a copy of ANSWER OF SAN DIEGO GAS & ELECTRIC COMPANY (U 902-E) TO COMPLAINT OF ROBERT SHROEDER has been electronically mailed to each party of record of the service list in C.12-07-013, and by U.S. mail, first class postage prepaid, to those parties who have not provided an electronic address.

Copies were also sent via Federal Express to the assigned Administrative Law Judge:

Dated this 7th day of August, 2012 at San Diego, California

A handwritten signature in cursive script that reads "Aurora Carrillo". The signature is written in black ink and is positioned above a horizontal line.

Aurora Carrillo
Regulatory Tariffs

Exhibit A – Electric Meter Test Results

05867837 SP SC ELECTRONIC WITH LOAD PROFILE 918 CORREA LN						
06/08/10 IT ITRON		SPRING VALLEY CA 91977				
ACTIVE	C2SODL2	ELEC 6 DIALS TEST INFO: 02/17/12 E1 N OFFICE: SD				
CMH410	MHMT	ELECTRIC METER HISTORY RECORD			04/23/12 15:06	
TEST DATA						
HIST REC	TEST DATE	TEST BY	FULL LOAD	PWR FACTOR	DEMAND	MTR
TEST TYP	TEST REASON	SRV OFC	LGHT LOAD	AVG ACCRACY	SHOP RDG	COND
	0002	02/17/12	02343	100.24		00
	F	CR	SD	100.14	100.22	8000

Exhibit B – Electric Meter Reads

ROBERT SHROEDER											
918 CORREA LN		SPRING VALLEY CA 91977 A RES 9666031259									
E01 G01											
CMR051	MRHI	METER READING HISTORY					04/23/12 15:26				
SVC: E	METER NO: 05867837		DIALS: 6		STATUS: A						
READ	NO	METER	DEMAND	-----	READING	-----	RBT	BILL			
SEL	DATE	DAYS	READING	READING	SRC	INFO	RSN	STA	VFY	RSN	ACCOUNT
	04/19/12		8811	S 00	V	P					
	03/26/12	31	8517	M 00	N	P				9666031259	
	02/24/12	30	8102	M 00	N	P				9666031259	
	02/17/12		8000	S 00	V	P					
	01/25/12	33	7672	M 00	N	P				9666031259	
	12/23/11	30	6964	M 00	N	P				9666031259	
	11/23/11	29	5985	M 00	N	P				9666031259	
	10/25/11	29	5250	M 00	N	P				9666031259	
	09/26/11	32	4823	M 00	N	P				9666031259	
	08/25/11	29	4401	M 00	N	P				9666031259	
	07/27/11	30	4009	M 00	N	P				9666031259	
	06/27/11	32	3607	M 00	N	P				9666031259	
	05/26/11	30	3193	M 00	N	P				9666031259	
	04/26/11	29	2787	M 00	N	P				9666031259	
	03/28/11	31	2430	M 00	N	P				9666031259	
	02/25/11	30	2067	M 00	N	P				9666031259	
	01/26/11	30	1693	M 00	N	P				9666031259	

Exhibit C – Electric Consumption

ROBERT SHROEDER							
918 CORREA LN SPRING VALLEY CA 91977 A RES 9666031259							
E01 G01							
CCI008 CINQ ELECTRIC METER BILLING HISTORY 04/23/12 15:24							
MTR NO: 05867837 RATE: DR HEAT CD: 1 STAT: A NXT BL DT: 05/01/2012							
READ							
SEL DATE	DAYS	BILL USE	USE/DAY	SEAS	MAX DMD	LPP AMT	SERVICE AMT BC
03/26/12	31	415	13 W			87.00	61.57 B
02/24/12	30	430	14 W			86.00	64.96 B
01/25/12	33	708	21 W			85.00	129.46 B
12/23/11	30	979	33 W			79.00	221.25 B
11/23/11	29	735	25 M			65.00	151.76 B
10/25/11	29	427	15 S			56.00	61.95 B
09/26/11	32	422	13 S			54.00	59.94 B
08/25/11	29	392	14 S			53.00	55.82 B
07/27/11	30	402	13 S			51.00	57.19 B
06/27/11	32	414	13 S			50.00	58.63 B
05/26/11	30	406	14 M			49.00	57.89 B
04/26/11	29	357	12 W			49.00	50.47 B
03/28/11	31	363	12 W			49.00	50.97 B
02/25/11	30	374	12 W			49.00	52.93 B
01/26/11	30	387	13 W			50.00	54.84 B

Exhibit D – Energy Auditor Comments

AUDIT REPORT
Robert Shroeder, 918 Correa LN, Spring Valley, CA 91917
Acct #9666031259
I met with the customer, Mr. Shroeder, at his residence, on Wednesday, 4/18/12. The customer's residence is a detached, 2-story, single family home, approximately 2000 – 2400 Sq. ft. The customer is the sole occupant, and he stated that he had no guests living with him during the high use period, and there were no ill persons living there. He had no holiday display. The customer does keep a number of birds. I asked him if he had heated the birds and he said no. On questioning, the customer stated that he had no portable electric heaters. I read both the gas and electric meters and confirmed the recent reads. There were no gas leaks or electric short or ground conditions seen. The customer said that he had had no electrical or appliance problems or repairs. Load on the electric meter when I took the read was about 300 watts. The customer has no pool, spa, aquariums, pumps, or other unusual electric appliances. I observed the following loads (equipment):
ELECTRIC
2- Refrigerators (1 full size in the kitchen and 1 mini bar type)
Central Air Conditioner (approximately 6 kW)
Electric Range and Oven
2- Televisions (only 1 in use at any time)
Clothes washer
Electric Clothes Dryer
Dishwasher (1 -2 loads per month)

Lighting – general household (no large security lights)

GAS

Gas Water Heater (40 gal., approx. 40,000 BTU) (has solar assist, but solar not working)

Central Gas Furnace (approx. 100,000 BTU)

I noted that we had mailed the customer a CARE application a while back, so I left him a new CARE application. I also left him several charts from My Account, showing the elevated monthly and daily use during the disputed period.