

Decision 08-09-028 September 18, 2008

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

Tim Neuhauser,

Complainant,

vs.

Southern California Edison Company (U338E),

Defendant.

(ECP)  
Case 08-05-017  
(Filed May 6, 2008)

Timothy Neuhauser, for himself, complainant.  
Harold R. McCarthy, for Southern California  
Edison Company, defendant.

**DECISION DENYING RELIEF**

Complainant alleges that Southern California Edison Company (Edison) has overbilled him for electrical service by \$732.72. Edison denies the allegation. Public hearing was held July 24, 2008, and the matter submitted. We decide in favor of Edison.

Complainant testified that in early 2005, he noticed his 120-volt meter acting erratically; he determined it was defective. He installed a 240-volt meter and bypassed his 120-volt meter but he did not inform Edison. He expected Edison to discover the problem on its own. He admits that he owes Edison for unauthorized use since 2005, but not the three-year back bill of \$732.72.

Edison's witness testified that beginning December 2000, Edison began providing complainant 120-volt electrical service at his home. On October 17, 2005, Edison field personnel discovered a hidden, energized, 240-volt meter panel installed adjacent to complainant's existing 120-volt meter panel. Jumpers had been installed so that the energy flowing through the 240-volt meter panel to complainant bypassed the 120-volt meter and was not being metered by either meter. Edison tested the 120-volt meter panel and determined it to be in good working order. Complainant had not requested Edison to upgrade his electrical service from 120 volts to 240 volts, nor had complainant informed Edison that the 120-volt meter was defective. Edison requested complainant to remedy the meter-bypass condition and to obtain approval of the 240-volt meter from the county. Complainant remedied the meter-bypass condition on March 23, 2006. Edison then billed complainant \$732.72 for diverted energy for the period March 23, 2003 through March 23, 2006 in accordance with Commission approved Edison Rule 17.E. which authorizes Edison to estimate a bill for the most recent three years of unauthorized use. Edison based its estimate on complainant's average use in the first year of service, which was a daily average of 8.35 kilowatt-hours (kWh). Edison recomputed complainant's bill March 23, 2003 to March 23, 2006, using a daily average of 8.35 kWh; then subtracted the amount actually paid by complainant and re-billed the difference, \$732.72.

The evidence shows that complainant bypassed Edison's meter and obtained the unauthorized use of electricity. Edison has properly rebilled complainant \$732.72, in accordance with Rule 17.E.

**O R D E R**

**IT IS ORDERED** that:

1. The relief requested by complainant is denied. The \$732.72 on deposit with the Commission shall be paid to Southern California Edison Company.
2. Case 08-05-017 is closed.

This order is effective today.

Dated September 18, 2008, at San Francisco, California.

MICHAEL R. PEEVEY  
President  
DIAN M. GRUENEICH  
JOHN A. BOHN  
RACHELLE B. CHONG  
TIMOTHY ALAN SIMON  
Commissioners