



ELECTRIC RULE NO. 17.2
 ADJUSTMENT OF BILLS FOR UNAUTHORIZED USE

Sheet 1

A. UNAUTHORIZED USE DEFINED

Once evidence of unauthorized energy use is detected, the investigation of unauthorized use of energy may be conducted by PG&E, in accordance with this rule regardless of ownership of the meter or provision of billing or metering services.

Unauthorized use includes, but is not limited to:

1. Unmetered use of electricity resulting from unauthorized connections, alterations or modifications to electric supply lines and/or electric meters;
2. Placing conductive material in the meter socket to allow energy to flow from the line side of the service to the load side of the service without a meter (cut in flat);
3. Installing an unauthorized electric meter in place of the meter assigned to the account;
4. Inverting or otherwise repositioning the meter, thereby altering registration;
5. Damaging the meter to stop registration, thereby rendering it untestable;
6. Using PG&E service without compensation to PG&E in violation of applicable tariffs and/or statutes, except for meter and billing errors as defined under Rules 17 and 17.1. If it is found that a meter or billing error has occurred, those tariffs, and not Rule 17.2, shall apply. Examples of using PG&E service without compensation include, but are not limited to, the customer, its agent, or other occupant reconnecting service after it has been discontinued in accordance with Rule 11.

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Where PG&E determines there has been unauthorized use, PG&E shall have the legal right to recover, from the person who benefited from such unauthorized use, the estimated undercharges for the full period of that person's unauthorized use. The 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.

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Nothing in this rule shall be interpreted as limiting PG&E's rights under any provisions of any applicable civil or criminal law.

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B. INVESTIGATION OF UNAUTHORIZED USE

(N)

Where unauthorized use is suspected by PG&E, PG&E shall promptly conduct an investigation.

Whenever possible, PG&E shall collect and preserve evidence in the matter, test the meter and obtain connected load information from the Customer or other person sought to be charged for the unauthorized energy use.

If the meter cannot be tested or connected load data cannot be obtained, PG&E will document the reasons why such information could not be obtained.

Whenever possible, upon completion of PG&E's investigation, the Customer or other person being billed will be advised of PG&E's claim and shall be given an opportunity to respond to the claim. Notwithstanding any provisions herein, PG&E reserves all evidentiary privileges and rights.

(N)

C. ADJUSTMENT OF BILLS FOR UNAUTHORIZED USE

(L) (T)

1. ACTUAL USAGE

(N)

If accurate meter readings are available for the unauthorized use period, they will be used for billing purposes.

(N)

2. ESTIMATED USAGE

(L) (T)

If accurate meter readings are not available or the electric usage has not been accurately measured, PG&E may estimate the energy usage for billing purposes. The basis for the estimate may include, without limitation and for illustrative purposes only, the physical condition of the metering equipment, available meter readings, records of historical use, or the general characteristics of the load and operation of the Customer or person being billed, with consideration of any appropriate seasonal adjustment.

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C. ADJUSTMENT OF BILLS FOR UNAUTHORIZED USE (Cont'd)

(N)

2. ESTIMATED USAGE (Cont'd)

Estimated bills for the unauthorized use period may be determined by PG&E based on one or more of the following, without limitation and for illustrative purposes only:

- a. Accurately-metered use from a remote check meter;
- b. The known percent error in metering attributable to the unauthorized use condition as determined by PG&E;
- c. Accurately-metered use prior to the onset of the unauthorized use;
- d. The equipment and hours of operation of the Customer or person being billed;
- e. Accurately-metered subsequent use of 30 days or more (if available);
- f. 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
- g. Other reasonable and supportable billing methodology when none of the aforementioned billing techniques is appropriate under the circumstances.

D. INTEREST ON BILLS FOR UNAUTHORIZED USE

- 1. PG&E may bill and collect interest at a rate of 10 percent per annum on unauthorized use billings from the date the unauthorized use commenced, and/or
- 2. PG&E may bill and collect interest at a rate of 10 percent per annum on amortized repayment agreements.

(N)

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E. RECOVERY OF ASSOCIATED COSTS

(N)

PG&E may recover the associated costs resulting from the unauthorized use including, but not limited to, investigative and equipment damage costs.

F. DISCONTINUANCE OF SERVICE

In accordance with the provisions of Rule 11, where PG&E determines unauthorized use is occurring, PG&E may refuse or discontinue service without further notice.

If any part of the Customer's wiring or any other equipment, or the use thereof, is determined by PG&E or any other authorized public agency to be unsafe or in violation of applicable laws, ordinances, rules or regulations of public authorities, or is in such condition as to endanger PG&E's service facilities, PG&E may discontinue service without further notice.

PG&E may also discontinue service in accordance with the provisions of its tariffs, for nonpayment of a delinquent billing for unauthorized use and for associated costs, including nonpayment under an amortization agreement.

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