

## LEGAL NOTICE

# If You Were A Water Customer Of Southern California Edison On Catalina Island, You Could Get A Payment From A Class Action Settlement.

A settlement has been proposed in a class action lawsuit against Southern California Edison (SCE) concerning alleged overcharges and unauthorized charges for water service on Catalina Island. The settlement will provide approximately \$500,000 to customers who had 5/8" x 3/4" meters but were charged for 3/4" meters and approximately \$980,000 to certain customers who were charged for fire protection. The Los Angeles Superior Court authorized this notice. Before any money is paid, the Court must approve the settlement. **IF YOU DID NOT RECEIVE A MAILED NOTICE, YOU MUST SUBMIT A CLAIM FORM TO RECEIVE A PAYMENT.**

### **WHO'S INCLUDED?**

There are two classes of customers who could get benefits:

#### **5/8" METER CLASS**

All present and former customers of SCE who received general metered fresh water service during all or any part of the period from November 1, 2007 through July 8, 2010, and who have been billed for such service a service charge applicable to customers with 3/4" meters when in fact they have a 5/8" x 3/4" meter; and

#### **FIRE PROTECTION CLASS**

All present and former customers of SCE during all or any part of the period from January 1, 1977 through July 8, 2010, who were billed a charge for fire protection based upon the size of the water supply line provided exclusively for public or private fire protection service. This does not include customers with water supply lines used for both fire protection and other fresh water use.

### **WHAT'S THIS ABOUT?**

The class action lawsuit alleged that SCE charged the wrong monthly service charge to customers with 5/8" x 3/4" meters and seeks to recover the overcharges. The class action lawsuit also alleges

that certain customers with public or private fire protection service (e.g., a fire sprinkler system) were charged a monthly charge by SCE without authority from the California Public Utilities Commission. SCE has agreed to settle without admitting liability.

### **WHAT DOES THE SETTLEMENT PROVIDE?**

**5/8" METER CLASS** A refund of the overpayments plus interest at 7% through April 30, 2010.

**FIRE PROTECTION CLASS** A refund of charges for Fire Protection starting in 1977, and possibly some interest. SCE has no billing records prior to 6/11/99. Currently unknown customers for the period prior to 6/11/99 who file claims may reduce the amount of the payments.

### **HOW DO YOU GET A PAYMENT?**

If you have not received the detailed notice mailed to all known class members, call or send an E-mail to Bishton • Gubernick to receive a copy. The contact information appears below. The detailed notice can also be found at [www.fairwaterratescatalina.org](http://www.fairwaterratescatalina.org). **IF YOU DID NOT GET A NOTICE YOU WILL HAVE TO PROVIDE A CLAIM FORM WITH PROOF OF CLASS MEMBERSHIP BY OCTOBER 15, 2010, TO RECEIVE PAYMENT.**

### **WHAT ARE YOUR OTHER OPTIONS?**

If you do not want to be legally bound by the settlement, you must exclude yourself by November 1, 2010, or you won't be able to sue for the legal claims settled in this case. If you exclude yourself, you will receive nothing from the settlement. If you stay in the settlement you can also object. See the detailed notice for information how to exclude yourself or object. The court will hold a hearing in this case (Curtin, et al. v. SCE, L.A.S.C. Case No. BC417712) on December 3, 2010, to consider whether to approve the settlement and a request by lawyers representing the Class Members (**Bishton • Gubernick**, 6701 Center Drive West, Suite 925, Los Angeles, CA 90045; phone no.: 310-337-4866; E-mail: [bishgub@aol.com](mailto:bishgub@aol.com)) for up to \$500,000 in attorneys' fees and costs. This will not reduce the refunds described above. You may attend the hearing but you do not have to.