

83 Illinois Administrative Code

CH. I, Sec. 200.130
Subchapter b

Section 200.130 Signature and Verification

The original of every pleading filed with the Commission shall be signed by the party filing the same or by an officer, agent or attorney therefor, provided that petitions filed under Section 7-102 of the Public Utilities Act [220 ILCS 5/7-102] shall be signed by the person(s) specified in that Section. The contents of all formal complaints, petitions, applications, petitions to intervene, supplemental formal complaints and supplemental petitions shall be verified by the filing party before a notary public.

(Source: Amended at 24 Ill. Reg. 16019 , effective October 15, 2000)

We never received
this correct booklet until
after the final order
was issued, the one we
were originally sent was
dealing with utilities petitioning
for a rate increase



ILLINOIS COMMERCE COMMISSION

February 19, 2004

Ms. Anna K. Hessel
717 N. Willow
Elmhurst IL 60126

Dear Ms. Hessel:

On February 19, 2004, we received your Exceptions to the ALJ's Proposed Order. We cannot accept the Exceptions as they are not signed. We cannot accept your Motion to Dismiss, as it is illegible and not signed. Attempts were made to contact you at (630) 887-1518 and also at (630) 833-0812. We were informed that both numbers have been disconnected.

Proof this exception was filed ON TIME!

We are therefore returning these documents to you. *I NEVER made a motion to dismiss. COMED DID;*

Sincerely,

I object to the motion to dismiss

Elizabeth A. Rolando

Elizabeth A. Rolando
Chief Clerk

Administrative Law Judge Brodsky HAS MY CURRENT phone number; he has left voice mails for me @ my current number

EAR:mam
Enclosures

630 359 4008

NO ONE EVER told me I had to sign the EXCEPTION. I filed it ON TIME!

I am sorry you feel my hand writing is illegible, therefore, I am PRINTING. I have MS and it is often difficult for me to stabilize my pen; sorry.

Anna K. Hessel

Adm. Judge Steady
James O. Anetis

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

proceedings
Master

Anna K. Hessel :
-vs- :
Commonwealth Edison Company :
Complaint as to being charged for :
electricity did not use for a temporary :
residence in February 2003, in Wood Dale, :
Illinois. :

03-0666

ORDER

By the Commission:

On October 27, 2003, Anna K. Hessel ("Complainant") filed a verified Complaint with the Illinois Commerce Commission ("Commission") against Commonwealth Edison Company ("Respondent") regarding billing and service issues. Pursuant to notice given in accordance with the law and the rules and regulations of the Commission, this matter was heard on November 12, 2003, January 8, 2004, and February 5, 2004, by a duly authorized Administrative Law Judge of the Commission at its offices in Chicago, Illinois. Notice for each hearing was properly served by the Chief Clerk of the Commission to the address of record for each party. **NO IT WAS NOT**

② Complainant indicated at the initial hearing on November 12, 2003, that her address would change within a few days. She was instructed to file her new address in writing with the Chief Clerk. Complainant agreed to do so (Tr. at 6), and additionally stated that she would arrange to have her mail forwarded to her new address (Tr. at 4, 6). Complainant failed to implement these measures.

The November 12, 2003, hearing was continued to December 16, 2003. On December 11, 2003, Complainant requested a continuance until after January 1, 2004, because she could not take time away from work. The matter was set for January 8, 2004, and notice was sent to the addresses of record on December 15, 2003.

Just prior to the January 8, 2004, hearing, Complainant requested a further continuance, again claiming that she could not take time away from work, and additionally asserting that she had not received the notice served by the Chief Clerk on December 15, 2003. Although the continuance of that hearing was not granted, one further hearing date was accorded to Complainant. Complainant was instructed, both by telephone and by mail, to appear on February 5, 2004, and to file her change of address with the Chief Clerk immediately. Complainant again failed to appear on February 5, 2004, and still had not filed her change of address as of that date.

Respondent appeared by counsel at each hearing, and, on February 5, 2004, made an oral motion to dismiss the complaint, with prejudice, for want of prosecution. At the conclusion of the February 5, 2004, hearing, the record was marked "Heard and Taken."

A Proposed Order was served on the parties on February 6, 2004. Complainant filed Exceptions after the time to do so had expired. The Exceptions attempt to inflate the amount of billings at issue; attempt to place at issue her electric bills from seven additional addresses over the past six years; attempt to blame Respondent for her own failure to appear on February 5, 2004; and attempt to fault the Chief Clerk and the Respondent for her own failure to comply with instructions to file her new address with the Chief Clerk. The Commission declines to expand the scope of the Complaint based on the Exceptions, although it takes notice that the billings for at least some of the additional addresses raised in the Exceptions were the subject matter of previous billing complaints brought by Complainant against Respondent.

Respondent filed a Reply to the Exceptions to object that Complainant's Exceptions are untimely and non-responsive to the Proposed Order, as well as to preserve its position regarding the content of Complainant's Exceptions.

The Commission, having considered the entire record and being fully advised in the premises, is of the opinion and finds that Complainant has been given several opportunities to pursue her Complaint. She instead has failed to appear for hearings, has ignored directives regarding the case, and has failed to pursue her Complaint diligently. Therefore, the motion to dismiss should be granted.

IT IS THEREFORE ORDERED that the Complaint filed by Anna K. Hessel against Commonwealth Edison Company on October 27, 2003, be, and the same is, hereby dismissed, with prejudice, for want of prosecution.

IT IS FURTHER ORDERED that, subject to the provisions of the Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.

By Order of the Commission this 7th day of April, 2004.

*Feb-25 received
My
exceptions
on proposed
order, they
were due
Feb 30 or
2/27*

(SIGNED) EDWARD C. HURLEY

Chairman

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION
CERTIFICATE

Re: 03-0666

I, ELIZABETH A. ROLANDO, do hereby certify that I am Chief Clerk of the Illinois Commerce Commission of the State of Illinois and keeper of the records and seal of said Commission with respect to all matters except those governed by Chapters 18a and 18c of The Illinois Vehicle Code.

I further certify that the above and foregoing is a true, correct and complete copy of the order made and entered of record by said Commission on April 7, 2004.

Given under my hand and seal of said Illinois Commerce Commission at Springfield, Illinois, on April 8, 2004.

Elizabeth A. Rolando
Chief Clerk