

ORIGINAL

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS

ILLINOIS
COMMERCE COMMISSION

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FEB 20 PM '00

Stephen L. Happ)
-vs-)
Illinois Power Company)
)
Revenue Adjustment Charges)
in Champaign, Illinois.)
)

CHIEF CLERK'S OFFICE
Docket No. 00-0212

VERIFIED JOINT MOTION TO DISMISS FORMAL COMPLAINT

Now comes Illinois Power Company ("IPC" or the "Company"), together with Mr. Stephen L. Happ, pursuant to 83 Ill. Admin. Code § 200,180(e), and moves to dismiss the complaint on the grounds that a settlement has been reached. In support of this motion, IPC states the following:

On March 6, 2000, Stephen L. Happ filed a Complaint with the Illinois Commerce Commission (the "Commission") against IPC as to revenue adjustment charges in Champaign, Illinois.

In the complaint, Stephen L. Happ expresses concern as to a Revenue Adjustment Charge IPC billed him for the restored services to Units #7 and #8 at 3000 Research Rd. He states that he was not informed at either disconnection or reconnection of services about IPC's related costs. He further requests that IPC notify customers of the Company's policies at the time of a disconnect request.

Stephen Happ has agreed to pay IPC the sum of \$148.92 for each of the two accounts listed in his name at 3000 Research Road 7 and 3000 Research Road 8 in Champaign, Illinois. Upon IPC's

receipt of the payment, it will be treated as full payment for the outstanding disputed amount, as well as any late fees associated with that amount.

As a part of this settlement, the parties agree that

1. no further sums are due to the other party relating to this matter,
2. each party is releasing the other from any and all other claims relating to this matter, and
3. nothing in this settlement releases Stephen L. Happ from his obligation to make timely payments for its ongoing usage of service provided by IPC.

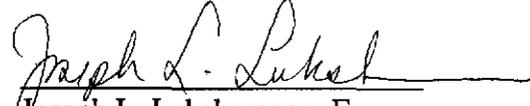
WHEREFORE, Stephen L. Happ and Illinois Power Company respectfully request that the Illinois Commerce Commission dismiss with prejudice the above captioned complaint.

Respectfully submitted,

Stephen L. Happ


Stephen L. Happ
1602 A County Road 200N
Villa Grove, Il. 61956

Illinois Power Company


Joseph L. Lakshmanan, Esq.
Illinois Power Company
500 South 27th Street
Decatur, IL 62521
(217) 362-7449
(217) 362-7458 (facsimile)
Joseph_Lakshmanan@illinoispower.com

Dated: October 17, 2000

VERIFICATION

I, Stephen L. Happ, being sworn on oath, state that the foregoing Verified Joint Motion to Dismiss Formal Complaint is true and accurate to the best of my knowledge, information and belief.


Stephen L. Happ

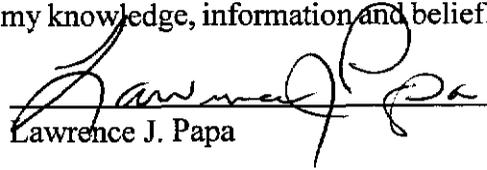
Subscribed and sworn to before me this 26 day of October, 2000.




Notary Public

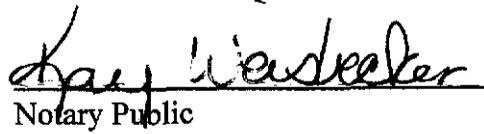
VERIFICATION

I, Lawrence J. Papa, being sworn on oath, state that the foregoing Verified Joint Motion to Dismiss Formal Complaint is true and accurate to the best of my knowledge, information and belief.


Lawrence J. Papa

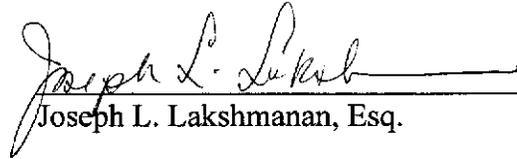
Subscribed and sworn to before me this 30 day of October, 2000.




Notary Public

CERTIFICATE OF SERVICE

I, Joseph L. Lakshmanan, certify that on the 31st day of October, 2000, I served a copy of Illinois Power Company's Petition to Intervene by first class mail, from Decatur, Illinois, postage prepaid to the individuals on the service list attached.


Joseph L. Lakshmanan, Esq.

Service List
Docket No. 00-0212

Stephen L Happ
1602 A County Road 200N
Villa Grove, Il. 61956