



Lubrication Distributor

P.O. Box 495916
Chicago, IL 60649
Phone: 773.768.0026
Fax: 773.768.6187
unicorn1@ameritech.net

Via Hand-Delivery

July 13, 2005

Ms. Monica Leal
Consumer Rights Counselor
Citizens Utility Board
208 S. LaSalle Street, Suite 1760
Chicago, Illinois 60604

Subject: Facts Pertaining to Unicorn Oil Corporation's Request to File a Formal Complaint Through CUB Against Peoples Energy Re: Estimated Bill Overcharges & Costly Peoples Energy-Induced Gas Leak

Dear Ms. Leal:

On 06/21/05, we faxed you a letter verifying our intent to file a formal complaint through CUB regarding the above subject matters—which consists of a two-part complaint relevant to Peoples Energy Account Number 6 5000 1608 5771, Unicorn Oil Corporation located at 10115 S. Torrence Avenue, Chicago, Illinois 60617.

PART I:

Part one of our complaint is regarding nearly 6 years of estimated Peoples Energy bills for natural gas used at the above-mentioned location.

Prior to Unicorn Oil Corporation's occupancy of the above-stated location, a company that refurbished and manufactured gears was housed here. Its operations warranted the use of heavy-duty, natural gas-powered equipment—an operations with 100+ employees.

Unicorn Oil Corporation, an oil distribution company, moved into this location in September, 1999, at which time, natural gas service with Peoples Energy was established in our company's name.

Our company is small, employing 6 people, and our facilities consists of 16,500 s.f. of space, i.e., 1,200 s.f. of office space and 15,400 s.f. of warehouse space, and our need for natural gas is minimal.

Our warehouse is divided into 2 sections—7,400 s.f./South section and 8,000 s.f./North section). The South section has two (2) major overhead industrial heaters of which only one is utilized at a constant 65 degrees during winter months. The North section has 4 major overhead industrial heaters of which only 2 are used at 60 and 65 degrees, 24 hours per day, 7 days per week.

Ms. Monica Leal
Citizens Utility Board
July 13, 2005
Unicorn Oil Corporation Complaint
Against Peoples Energy
Page 2 of 4

Within our office area, the thermostat is routinely set at 71 degrees during the day and 60 degrees at night. It is only logical that our indoor warehouse temperatures remain operational at low output rates due to constant entering and exiting of large capacity commercial trucks and tankers—an environment where it does not make sound economic sense to attempt heating, which is why we maintain temperatures just at levels that prevent freezing of inventory, equipment, and pipes.

From the onset of Unicorn Oil's September, 1999 tenancy at our 10115 S. Torrence Avenue location, Peoples Energy sent estimated bills that appear to reflect estimated bills that were/are relevant to the cost associated with the use of natural gas utilized by the previous occupants of 10115 S. Torrence, Chicago, IL 60617. (SEE ATTACHED: Unicorn Oil Corporation Natural Gas Estimated Bills from December 14, 1999 through June, 2005. and relevant spreadsheet.)

PART II:

On Wednesday, February 19th, 2003, Unicorn Oil Corporation's natural gas service was shut-off inside/outside by Peoples Energy—a disconnection of service because of Unicorn Oil's recurrent challenges to estimated bills from Peoples Energy from June, 2002 to March, 2003, totaling \$5,795.31.

Late evening on Friday, February 21st, 2003, personnel from Peoples Energy arrived at Unicorn Oil to restore natural gas service. The representative advised us that *our gas service had not been cut off from the outside,* and he therefore proceeded to lighting the pilots of the hot water heaters and furnace. After a failed attempt to turn on our furnace using a lighted match, which comes on via electronic ignition, the gentleman from Peoples Energy abandoned his attempt to start our new, seven-month old furnace, advising us that *“our furnace and hot water heaters did not come on because the equipment needs parts.”* Additionally, he stated: *“Gas to this site was never shut-off from the outside.”* At the point, he left after being on-site for approximately 40 minutes. However, in the process of the attempting to start our furnace, the gentleman from Peoples Energy broke a wire on the furnace, and we had to call a service technician from repair.

On Monday, February 24th, 2003, Peoples Energy sent another crew to restore our natural gas service. A crew member stated our *“gas service needed to be turned on from the outside.”* Just prior to turning on the gas from the outside, the representative came inside to check our meter and noticed that *“the meter was running and something was wrong with it, and we would require a new one.”* The crew installed a new meter, restored our gas, then proceeded to turn on our furnace, overhead heaters, and hot water heaters, and during this process of turning on the furnace, the crew discovered that the wire on the furnace that feeds the electronic ignition had been broken, for which we had to call a service technician to repair.

Ms. Monica Leal
Citizens Utility Board
July 13, 2005
Unicorn Oil Corporation Complaint
Against Peoples Energy
Page 3 of 4

On Tuesday, February 25th, 2003, a supervisor from Peoples Energy came on-site to perform a pressure test to make sure there were no gas leaks. However, in the process of conducting the test, he discovered what he described as *a small/insignificant leak.*" I insisted that he summon a crew to detect where the leak was coming from, which he immediately did.

A crew located a gas leak associated with a hot water tank positioned over the office area in the building. They shut-off this hot water tank, checked all of the warehouse industrial overhead heaters, but could not turn on the furnace because they too discovered that the wire relative to the furnace's electronic ignition had been broken. They also turned on the hot water tank located in the warehouse—a tank that had never been turned on for use—and when they turned on this tank, they failed to notice a 4 foot long and 3/4-inch round uncapped T-connected gas pipe, which was positioned less than 4 feet behind an overhead gas-flame heater.

On Wednesday morning, February 26th, 2005, upon arrival to work at 8:00 a.m., we all noticed a very strong natural gas odor throughout the building.

The first Peoples Energy crew that responded to our call, informed us that *"there was no gas leak"* in our building, and they left, and we continued to smell gas so we called Peoples Energy again.

Peoples Energy sent a [female] representative who immediately smelled gas. She in turn, re-called the crew that had been on-site earlier that morning, and they all conducted a thorough search of the premises, but was unable to find the gas leak, and was therefore preparing to leave when one of my drivers arrived, informing us *"he smelled strong natural gas."* Upon hearing this, the female representative decided to conduct yet another search for the leak, and when we walked East in the warehouse, standing directly under a lit overhead heater, we discovered natural gas shooting from the uncapped, 4-foot T-connected gas pipe. This lady retrieved her colleagues from their truck in our parking lot and instructed them to cap the leak.—a leak that could have been fatal had it gone undetected for an additional 24 hours.

Unicorn Oil estimated bills from Peoples Energy for the period of 02/19/05 through 03/14/05 reflect overcharges of \$5,178.79--during which period our gas had been shut-off for 6 days, and the major gas leak occurred.

Ms. Monica Leal
Citizens Utility Board
July 13, 2005
Unicorn Oil Corporation Complaint
Against Peoples Energy
Page 4 of 4

Additionally, based on estimated bills from 12/14/99 through 06/09/05, overall, Peoples Energy over-billed Unicorn Oil Corporation for natural gas in the approximate amount of \$22,547.63 (Reference attached copies of Unicorn Oil's estimated Peoples Energy bills and relevant spreadsheet.)

Should you have any questions, or require additional information, please do not hesitate to contact me.

Thank you for attention and assistance. I am looking forward to hearing from you.

Sincerely,


HELEN CRAWLEY
PRESIDENT

HC:ks
Encls:

Unicorn Oil Corporation

July 13, 2005

List documents includes;

- 1. McGuire Woods, LLP Notice of Motion, on behalf of People Energy Services
State of Illinois Commerce Commission ----- 4 pages**
- 2. McGuire Woods, Notice of Withdrawals as attorney Peoples Energy Service ---1page**
- 3. Unicorn Oil formal Complaint-----1 page**
- 4. Board of Commissioners of Cook County-Identified People Energy name-----1 page**
- 5. 2/24/03;2/25/03 ; 2/26/05 Leak Repair and warning Correction needed-----3 pages**
- 6. 9/29/99 Unicorn Begin Services with People Energy Inspection report-----1 page**
- 7. Computation of overcharges to Unicorn Oil-----3 pages**
- 8. Copies of Gas Bills for the years: 2000, 2001, 2002, 2003,2004 and 6 month 2005**

BOARD OF COMMISSIONERS
of Cook County

Subject Matter

BUREAU OF ADMINISTRATION, by Al Pritchett, Chief Administrative Officer,
transmitting a Communication, dated June 22, 1998:

respectfully request authorization for the Purchasing Agent to ~~enter into~~ negotiate an agency service agreement with PEOPLES ENERGY SERVICES CORPORATION (PES), a subsidiary of Peoples Energy Corporation, formerly known as Peoples Gas Light and Coke Company, for the purchase and delivery of natural gas for the County's heating and cooling needs.

To participate in the deregulated natural gas market, PES will act as exclusive agent for all matters related to the procurement and delivery of natural gas and execute all documents as may be necessary to carry out and comply with the provisions of the Illinois Commerce Commission's conditions of service for public utilities serving Cook County for customer owned gas.

PES has been selected as the most risk free and lowest cost qualified proposer based on a Request for Proposal sent to 21 companies. The contract term is for 5 years. Cook County will save the 8.24% gross receipt tax levied on utility bought gas and possibly save additionally on the price difference between utility owned gas and customer owned gas. The estimated yearly savings will be \$330,000.00. (Annual approximate cost: \$4,000,000.00 or \$20,000,000.00 over five years).

With approval of the service agreement herein, respectfully request that the Chief Administrative Officer of the County of Cook, or his designee, be authorized to execute, on behalf of the County of Cook, all documents necessary to implement and administer the service agreement.

All costs will be charged against the annual appropriation for the utility gas funds for each using department. (499-422, 897-422, 891-422, 898-422, 259-420 and 500-422 Accounts).
Contract period: August 1, 1998 through July 31, 2003.

Referred to the Committee on

Finance

July 9, 1998

Recommendation

7/30/98 Approved as amended

APPROVED BY BOARD OF
COOK COUNTY COMMISSIONERS
as amended
AUG 06 1998

COM 221682

WARNING - CORRECTION NEEDED

No. 114522

ADDRESS 10115 S. TORRENCE FLOOR 810 TOWN _____
 NAME UNICOR N OIL METER NO. 1685615 METER READING _____
 WE HAVE INSPECTED YOUR HOUSE-PIPING MANUFACTURED BY _____
 SERIAL NO. _____ MODEL _____

AND FOUND A CONDITION THAT REQUIRES CORRECTION BY YOU.

CORRECTION NEEDED HAVE CONTRACTOR LOCATE & REPAIR ALL LEAKS IN HOUSE-PIPING

In the interest of good safety and appliance operation, you are urged to have your contractor do the work as soon as possible. A service charge will be made for follow-up inspection unless gas has been shut off at meter or outside valve.

WE ARE REQUIRED TO TAKE THE FOLLOWING ACTION:

ACTION	APPLIANCE DISCONNECTED <input type="checkbox"/>	METER LOCKED OFF * <input type="checkbox"/>	TURNED OFF AT OUTSIDE VALVE * <input checked="" type="checkbox"/>
TAKEN	OTHER _____		

APPLIANCE LEFT	<input type="checkbox"/>
OPERATIVE	<input type="checkbox"/>
INOPERATIVE	<input checked="" type="checkbox"/>

*** WE CANNOT SUPPLY GAS UNTIL THE ABOVE CONDITION IS CORRECTED**

NOTICE RECEIVED BY *[Signature]* BY 644 DATE 2-24-05
 FORM 716 3/97 (Customer's Signature) (THE PEOPLES GAS, LIGHT & COKE CO./NORTH SHORE GAS CO.)

CUSTOMER COPY

**Parts Replacement and Customer Services
Peoples Gas**

Date 2/25/03

Name UNICORN OIL CORP
Address 10115 SO TORRENCE AV Apt. # BLD

Parts Replacement

Description _____

	Regular Time Mon. Thru Sat. 7:30 A.M. to 5:30 P.M.	(Overtime Charges)
<input type="checkbox"/> Flexible Connector Inspection . . . Job Code 05	\$35.00	\$35.00
(One Inspection Charge Per Account, per Service Call Dispatched)		
<input type="checkbox"/> Flexible Connector Installation. . . Job Code 07	Quantity x _____ \$35.00	Quantity x _____ \$50.00
<input type="checkbox"/> Flexible Connector and Valve . . . Job Code 08	Quantity x _____ \$55.00	Quantity x _____ \$80.00
<input type="checkbox"/> Manual Shut Off Valve. Job Code 104.	Quantity x _____ \$20.00	Quantity x _____ \$30.00
<input type="checkbox"/> Thermocouple. Job Code 13	Quantity x _____ \$40.00	Quantity x _____ \$55.00
<input type="checkbox"/> Discharge Pipe Installation Job Code 13	Quantity x _____ \$30.00	Quantity x _____ \$45.00
Total charge for parts replacement		\$ _____

Appliance/Piping Gas Leak Repairs

Job Code 168

Description LEAK'S AT FOUR COCK'S AT OVER HEAD HEATERS,
AND UNION AND EL30 ON WATER HEATER

Piping Repair Location(s) AT DESCRIPTION

OR Appliance Type _____ Manufacturer's Name UNKNOWN

Time Arrived: 12:00 Military Time Time Departed: 12:25 Military Time

Regular Time:- \$40.00 for the first 30 minutes or less and \$35.00 for each additional 30 minute increment or fraction thereof.
 Over Time: \$60.00 for the first 30 minutes or less and \$52.50 for each additional 30 minute increment or fraction thereof.
Note: Regular Time is Mon thru Sat 7:30 A.M. to 5:30 P.M. Charge for repair \$ 40.00

Adjustments to Customer's Appliances

Description _____

Appliance Type _____ Manufacturer's Name _____

Time Arrived: _____ Military Time Time Departed: _____ Military Time

Regular Time: - \$60.00 for the first 30 minutes or less and \$35.00 for each Additional 30 minute increment or fraction thereof.
 Overtime: \$85.00 for the first 30 minutes or less and \$52.50 for each Additional 30 minute increment or fraction thereof.
Note: Regular Time is Mon thru Sat 7:30 A.M. to 5:30 P.M. Charge for adjustment \$ _____

Customer Signature: *[Signature]* Employee Name and Number # 758

WARNING - CORRECTION NEEDED

No. 0158203

ADDRESS 10115 STORRENS FLOOR BLD TOWN Chgo

NAME _____ METER NO. _____ METER READING _____

WE HAVE INSPECTED YOUR 3-OVER HEAD AIR MANUFACTURED BY BRYANT

SERIAL NO. _____ MODEL _____

AND FOUND A CONDITION THAT REQUIRES CORRECTION BY YOU:

CORRECTION NEEDED CLEAN AND ADJUST 3 OVER HEAD HEATERS IN ~~main~~ Building

In the interest of good safety and appliance operation, you are urged to have your contractor do the work as soon as possible. A service charge will be made for follow-up inspection unless gas has been shut off at meter or outside valve.

WE ARE REQUIRED TO TAKE THE FOLLOWING ACTION:

ACTION TAKEN	APPLIANCE DISCONNECTED <input checked="" type="checkbox"/>	METER LOCKED OFF <input type="checkbox"/>	TURNU OFF AT OUTSIDE VALVE <input type="checkbox"/>
	OTHER		

APPLIANCE LEFT OPERATIVE <input type="checkbox"/>
INOPERATIVE <input checked="" type="checkbox"/>

* WE CANNOT SUPPLY GAS UNTIL THE ABOVE CONDITION IS CORRECTED

NOTICE RECEIVED BY [Signature] BY 759 DATE 9-29-99

FORM 716 3/97

THE PEOPLES GAS, LIGHT & COKE CO. / NORTH SHORE GAS CO.)

CUSTOMER COPY

PRINTED BY REGISTERED U.S.A. ZIPSET

Over Charge Cubic Feet Gas Usage

PEOPLES GAS USAGE From December 1999 to June 2005

December 14, 1999 to June 9, 2005

Computation of Cost for the Over Charges of 25,466 Cubic Feet of Gas

Using 6/09/2005 Therm Conversion, Taxes, Gas Charge

Therm Conversion

25466x1.012 25771.592 Therms

Delivery Charge				
Over 100 Therms	25771.59 x	0.13180 \$		3,396.70
Environment Charge	25771.59 x	0.01120 \$		288.64
Gas Charge	25771.59 x	0.64240 \$		16,555.67
Taxes				
Chicago Municipal Tax	\$ 20,241.01 x	8.24% \$		1,667.86
Sales Tax	\$ 20,241.01	0.10% \$		20.24
State Gas Revenue Tax	25,771.59 x Therms \$	0.024 \$		618.52
Total Over Charge In Dollars		\$		22,547.63

Over Charge Cubic Feet Gas Usage
 PEOPLES GAS USAGE From December 1999 to June 2005

	Actual	Estimated	Over Charge
12/14/1999	-2051	1132	
		1585	
		978	
		845	
		568	
5/22/2000	5915	169	
Total Cubic feet	3,864	5,277	1,413
5/22/2000	-5915	94	
		24	
		13	
		12	
		662	
		686	
		1782	
		2525	
2/8/2001	12301	587	
Total Cubic feet	6386	6385	-1
2/8/2001	-12301	1788	
4/10/2001	14957	868	
Total Cubic feet	2656	2656	0
4/10/2001	-14957	399	
		388	
		352	
		352	
		376	
		728	
		1399	
		2402	
		4072	
2/1/2002	20551		
Total Cubic feet	5594	10468	4874
2/1/2002	-20551	1625	
		643	
2/12/2002	21405	2454	
Total Cubic feet	854	4722	3868
2/12/2002	-21405	1265	
		643	
6/10/2002	26079	400	
Total Cubic feet	4674	2308	-2366
6/10/2002	-26079	643	
		643	
		666	
		710	
		643	
11/7/2002	27116	394	
Total Cubic feet	1037	3699	2662
11/7/2002	-27116		
12/9/2002	28770		
Total Cubic feet	1654		

Over Charge Cubic Feet Gas Usage
 PEOPLES GAS USAGE From December 1999 to June 2005

Page 2 of 2

12/9/2002	-28770	666	
		643	
2/19/2003	30855	4623	
Total Cubic feet	2085	5932	3847
2/19/2003	-30855		
3/14/2003	36803	1295	
Total	5948	1295	4653
3/14/2003	-36803	967	
	1102	1079	
		743	
6/6/2003	1556	454	
Total	454	3243	2789
6/6/2003	-1556	621	
		710	
		643	
		666	
		710	
		1430	
		941	
2/6/2004	6975	639	
Total	5419	6360	941
2/6/2004	-6975	1462	
4/6/2004	10270	1833	
Total Cubic feet	3295	3295	0
4/6/2004	-10270	1031	
		710	
		666	
		643	
		643	
9/15/2004	11247	70	
Total Cubic Feet	977	3763	2786
9/15/2004	-11247	444	
		666	
12/7/2004	12815	458	
Total Cubic Feet	1568	1568	0
12/7/2004	-12815		
1/24/2005	15640		
Total Cubic Feet	2825		
1/24/2005	-15640		
2/8/2005	16392		
Total Cubic Feet	752		
2/8/2005	-16392	1690	
4/6/2005	18914	832	
Total Cubic Feet	2522	2522	
4/6/2005	-18914	1026	
		732	
Over Bill Cubic Feet			25,466

WARNING - CORRECTION NEEDED

NO. 0158203

ADDRESS 10115 STORRENCE FLOOR B/D TOWN Chgo

NAME _____ METER NO. _____ METER READING _____

WE HAVE INSPECTED YOUR 3-OVER HEAD HR MANUFACTURED BY BRYANT

SERIAL NO. _____ MODEL _____

AND FOUND A CONDITION THAT REQUIRES CORRECTION BY YOU.

CORRECTION NEEDED CLEAN AND ADJUST 3 OVER HEAD
HEATERS IN ~~multiple~~ Building

In the interest of good safety and appliance operation, you are urged to have your contractor do the work as soon as possible. A service charge will be made for follow-up inspection unless gas has been shut off at meter or outside valve.

WE ARE REQUIRED TO TAKE THE FOLLOWING ACTION:

ACTION TAKEN	APPLIANCE DISCONNECTED	<input checked="" type="checkbox"/>	METER LOCKED OFF	<input type="checkbox"/>	TURNED OFF AT OUTSIDE VALVE	<input type="checkbox"/>
	OTHER					

APPLIANCE LEFT	
OPERATIVE	<input type="checkbox"/>
INOPERATIVE	<input checked="" type="checkbox"/>

* WE CANNOT SUPPLY GAS UNTIL THE ABOVE CONDITION IS CORRECTED

NOTICE RECEIVED BY [Signature]

BY

759

DATE

9-29-99

FORM 718 3/97

(Customer's Signature)

THE PEOPLES GAS, LIGHT & COKE CO. / NORTH SHORE GAS CO.

CUSTOMER COPY

WARNING - CORRECTION NEEDED

NO. 0158203

ADDRESS 10115 STORRENS FLOOR BLD TOWN Chgo

NAME _____ METER NO. _____ METER READING 5

WE HAVE INSPECTED YOUR 3-OVER HEAD THER MANUFACTURED BY RAYAN

SERIAL NO. _____ MODEL _____

AND FOUND A CONDITION THAT REQUIRES CORRECTION BY YOU:

CORRECTION NEEDED CLEAN AND ADJUST 3 OVER HEAD
HEATERS IN ~~meter~~ Building

In the interest of good safety and appliance operation, you are urged to have your contractor do the work as soon as possible. A service charge will be made for follow-up inspection unless gas has been shut off at meter or outside valve.

WE ARE REQUIRED TO TAKE THE FOLLOWING ACTION:

ACTION TAKEN	APPLIANCE DISCONNECTED <input checked="" type="checkbox"/>	METER LOCKED OFF * <input type="checkbox"/>	TURNED OFF AT OUTSIDE VALVE * <input type="checkbox"/>
	OTHER _____		

APPLIANCE LEFT OPERATIVE <input type="checkbox"/>
INOPERATIVE <input checked="" type="checkbox"/>

* WE CANNOT SUPPLY GAS UNTIL THE ABOVE CONDITION IS CORRECTED

NOTICE RECEIVED BY [Signature] BY 759 DATE 9-29-99
FORM 716 3/97 (Customer's Signature) THE PEOPLES GAS, LIGHT & COKE CO. / NORTH SHORE GAS CO.)

PRINTED BY STANDARD REGISTER U.S.A. ZIPSET

CUSTOMER COPY

WARNING - CORRECTION NEEDED

NO. 0158203

ADDRESS 10115 STORRENS FLOOR B/D TOWN Chgo

NAME _____ METER NO. _____ METER READING _____

WE HAVE INSPECTED YOUR 3-OVER HEAD METER MANUFACTURED BY BRYAN T

SERIAL NO. _____ MODEL _____

AND FOUND A CONDITION THAT REQUIRES CORRECTION BY YOU:

CORRECTION NEEDED CLEAN AND ADJUST 3 OVER HEAD
HEADS IN BUILDING

In the interest of good safety and appliance operation, you are urged to have your contractor do the work as soon as possible. A service charge will be made for follow-up inspection unless gas has been shut off at meter or outside valve.

WE ARE REQUIRED TO TAKE THE FOLLOWING ACTION:

ACTION TAKEN	APPLIANCE DISCONNECTED	<input checked="" type="checkbox"/>	METER LOCKED OFF	<input type="checkbox"/>	TURNED OFF AT OUTSIDE VALVE	<input type="checkbox"/>
	OTHER					

APPLIANCE LEFT	
OPERATIVE	<input type="checkbox"/>
INOOPERATIVE	<input checked="" type="checkbox"/>

* WE CANNOT SUPPLY GAS UNTIL THE ABOVE CONDITION IS CORRECTED

NOTICE RECEIVED BY [Signature] BY 759 DATE 9-29-99
FORM 716 3/87 (Customer's Signature) THE PEOPLES GAS, LIGHT & COKE CO. / NORTH SHORE GAS CO.)

CUSTOMER COPY

PRINTED BY [unreadable] REGISTERED IN U.S.A. ZIP SET 0

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

UNICORN OIL CORP./DEBORAH CRAWLEY,
Complainant,

v.

THE PEOPLES GAS LIGHT AND COKE COMPANY,
Respondent.

ICC # 03-0339

NOTICE OF WITHDRAWAL

I hereby withdraw as an attorney for Respondent.

Respectfully submitted,

By: 
Brian J. McCarthy, for
The Peoples Gas Light and Coke Company

Brian J. McCarthy
Attorney for
The Peoples Gas Light and Coke Company
McGuireWoods, LLP
77 West Wacker Drive, Suite 4400
Chicago, Illinois 60601
Phone: (312) 849-8284
Facsimile: (312) 849-8285

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

UNICORN OIL CORP./DEBORAH CRAWLEY,
Complainant,

v.

THE PEOPLES GAS LIGHT AND COKE COMPANY,
Respondent.

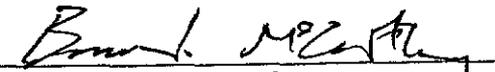
ICC # 03-0339

NOTICE OF WITHDRAWAL

I hereby withdraw as an attorney for Respondent.

Respectfully submitted,

By:



Brian J. McCarthy, for
The Peoples Gas Light and Coke Company

Brian J. McCarthy
Attorney for
The Peoples Gas Light and Coke Company
McGuireWoods, LLP
77 West Wacker Drive, Suite 4400
Chicago, Illinois 60601
Phone: (312) 849-8284
Facsimile: (312) 849-8285

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

UNICORN OIL CORPORATION/
DEBORAH CRAWLEY,

Complainant,

v.

Docket No. 03-0339

PEOPLES ENERGY SERVICES.
CORPORATION,

Respondent.

**PEOPLES ENERGY SERVS. CORP.'S
MOTION TO DISMISS THE COMPLAINT**

Respondent, Peoples Energy Services Corporation ("PE Services"), by and through its attorneys, McGuireWoods LLP, pursuant to Part 200 of the Illinois Commerce Commission's (the "Commission") Rules of Practice, 83 Ill. Adm. Code 200.10 *et seq.*, respectfully moves the Commission to dismiss the instant complaint for want of prosecution. In support thereof, PE Services hereby states as follows:

1. On May 16, 2003, complainant filed the complaint in this matter against PE Services.
2. The complaint against PE Services alleges, in conclusory fashion, that *The Peoples Gas Light and Coke Company* caused a gas leak on complainant's premises and then improperly billed complainant for the gas that allegedly escaped during the alleged gas leak from February 24, 2003 until March 7, 2003.
3. On July 25, 2003, an initial status hearing was held at the Commission before Administrative Law Judge Gilbert (the "hearing").

4. At that hearing, PE Services moved to dismiss the complaint on two grounds: (1) complainant never filed an informal complaint against PE Services, prior to filing its formal complaint as required by sections 200.160 and 200.170 of the Commission's Rules of Procedure; and (2) the complaint incorrectly names PE Services as a party, although there are no allegations of wrongdoing against PE Services. Finally, as Administrative Law Judge Gilbert noted during the hearing, the Commission lacks subject matter jurisdiction over most of the claims made in the complaint, since damages are sought therein. *See* Tr. of July 25, 2003 hearing, p.p. 6 – 7, 15.

5. At the hearing, PE Services withdrew its motion to dismiss on the condition that complainant would file an amended complaint, replacing the correct party respondent in place of PE Services. Apparently upon the understanding that complainant would amend the complaint, Administrative Law Judge Gilbert continued the matter generally. *Id.*, p.p. 18 – 19.

6. During the past nineteen months, one of PE Services' attorneys, Brett J. Beattie, has, on several occasions, contacted Ms. Helen Crawley, CEO of complainant, to attempt to resolve this matter to complainant's satisfaction. However, each time Mr. Beattie has attempted to contact complainant, Ms. Crawley has delayed discussing this matter.

7. To date, complainant has not amended its complaint as contemplated at the hearing, even though complainant has had over twenty-one months to do so. Moreover, complainant has not otherwise indicated an intention to proceed with this matter.

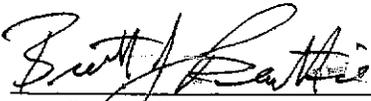
8. Complainant's undue delay in amending the complaint and in delaying discussions with PE Services has unduly prejudiced PE Services.

WHEREFORE, Respondent, Peoples Energy Services Corporation, respectfully requests the Administrative Law Judge to issue a Proposed Order dismissing the formal complaint in ICC Docket 03-0339 for want of prosecution.

Dated: May 4, 2005

Respectfully submitted,

PEOPLES ENERGY SERVICES
CORPORATION

By: 
One of Its Attorneys

Greta G. Weathersby
Brett J. Beattie
Attorneys for
Peoples Energy Services Corporation
McGuireWoods, LLP
77 West Wacker Drive, Suite 4100
Chicago, IL 60601
Phone: (312) 641-2068
Facsimile: (312) 641-2069

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

UNICORN OIL CORPORATION/
DEBORAH CRAWLEY,

Complainant,

v.

ICC # 03-0339

PEOPLES ENERGY SERVICES
CORPORATION,

Respondent.

NOTICE OF MOTION

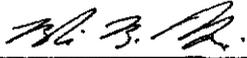
To: Helen Crawley
Deborah Crawley
Unicorn Oil Corporation
P.O. Box 495916
Chicago, IL 60649-5916

Admin. Law Judge David Gilbert
Illinois Commerce Commission
160 North LaSalle Street, Suite C-800
Chicago, Illinois 60601

PLEASE TAKE NOTICE that on this 5th day of May, 2005 Respondent in the above-captioned case sent by Federal Express for filing with the Illinois Commerce Commission, 527 East Capitol Avenue, P.O. Box 19280, Springfield, Illinois 62701, Peoples Energy Servs. Corp.'s Motion to Dismiss.

DATED: May 5, 2005

PEOPLES ENERGY SERVICES
CORPORATION

By: 
One of its attorneys

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this Peoples Energy Serv.Corp.'s Motion to Dismiss the Complaint in the Ill.C.C. Docket No. 03-0339 on Complainant and the Administrative Law Judge by causing a copy to be placed in the U.S. mail, properly addressed and postage prepaid on May 5, 2005.

Dated: May 5, 2005

Respectfully Submitted,

By: 
Blair B. Hanzlik

McGuireWoods, LLP
77 West Wacker Drive, Suite 4100
Chicago, Illinois 60601

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

UNICORN OIL CORPORATION/
DEBORAH CRAWLEY,

Complainant,

v.

Docket No. 03-0339

PEOPLES ENERGY SERVICES.
CORPORATION,

Respondent.

**PEOPLES ENERGY SERVS. CORP.'S
MOTION TO DISMISS THE COMPLAINT**

Respondent, Peoples Energy Services Corporation ("PE Services"), by and through its attorneys, McGuireWoods LLP, pursuant to Part 200 of the Illinois Commerce Commission's (the "Commission") Rules of Practice, 83 Ill. Adm. Code 200.10 *et seq.*, respectfully moves the Commission to dismiss the instant complaint for want of prosecution. In support thereof, PE Services hereby states as follows:

1. On May 16, 2003, complainant filed the complaint in this matter against PE Services.
2. The complaint against PE Services alleges, in conclusory fashion, that *The Peoples Gas Light and Coke Company* caused a gas leak on complainant's premises and then improperly billed complainant for the gas that allegedly escaped during the alleged gas leak from February 24, 2003 until March 7, 2003.
3. On July 25, 2003, an initial status hearing was held at the Commission before Administrative Law Judge Gilbert (the "hearing").

4. At that hearing, PE Services moved to dismiss the complaint on two grounds: (1) complainant never filed an informal complaint against PE Services, prior to filing its formal complaint as required by sections 200.160 and 200.170 of the Commission's Rules of Procedure; and (2) the complaint incorrectly names PE Services as a party, although there are no allegations of wrongdoing against PE Services. Finally, as Administrative Law Judge Gilbert noted during the hearing, the Commission lacks subject matter jurisdiction over most of the claims made in the complaint, since damages are sought therein. *See* Tr. of July 25, 2003 hearing, p.p. 6 – 7, 15.

5. At the hearing, PE Services withdrew its motion to dismiss on the condition that complainant would file an amended complaint, replacing the correct party respondent in place of PE Services. Apparently upon the understanding that complainant would amend the complaint, Administrative Law Judge Gilbert continued the matter generally. *Id.*, p.p. 18 – 19.

6. During the past nineteen months, one of PE Services' attorneys, Brett J. Beattie, has, on several occasions, contacted Ms. Helen Crawley, CEO of complainant, to attempt to resolve this matter to complainant's satisfaction. However, each time Mr. Beattie has attempted to contact complainant, Ms. Crawley has delayed discussing this matter. ✓

7. To date, complainant has not amended its complaint as contemplated at the hearing, even though complainant has had over twenty-one months to do so. Moreover, complainant has not otherwise indicated an intention to proceed with this matter.

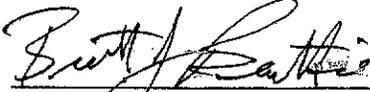
8. Complainant's undue delay in amending the complaint and in delaying discussions with PE Services has unduly prejudiced PE Services.

WHEREFORE, Respondent, Peoples Energy Services Corporation, respectfully requests the Administrative Law Judge to issue a Proposed Order dismissing the formal complaint in ICC Docket 03-0339 for want of prosecution.

Dated: May 4, 2005

Respectfully submitted,

PEOPLES ENERGY SERVICES
CORPORATION

By: 
One of Its Attorneys

Greta G. Weathersby
Brett J. Beattie
Attorneys for
Peoples Energy Services Corporation
McGuireWoods, LLP
77 West Wacker Drive, Suite 4100
Chicago, IL 60601
Phone: (312) 641-2068
Facsimile: (312) 641-2069