

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

BEFORE THE

ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
SAMMIE & BOBBY WASHINGTON)
-vs-) No. 07-0610
Peoples Gas, Light and Coke)
Company)
)
Complaint as to billing/charges)
in Chicago, Illinois)

Chicago, Illinois

February 26, 2008

Met, pursuant to adjournment, at 1 o'clock
p.m.

BEFORE:

MS. EVE MORAN,
Administrative Law Judge

APPEARANCES:

MR. BOBBY L. WASHINGTON
7714 South Kingston Avenue
Chicago, Illinois 60649
appearing pro se;

MR. MARK L. GOLDSTEIN
108 Wilmot Road, Suite 330
Deerfield, Illinois 60015
appearing on behalf of
Peoples Gas, Light and Coke Company

SULLIVAN REPORTING COMPANY, by
PATRICIA WESLEY
License No. 084-002170

1 JUDGE MORAN: Pursuant to the direction of the
2 Illinois Commerce Commission, I call Docket 07-0610,
3 and this is Sammie and Bobby Washington versus
4 Peoples, Gas, Light and Coke Company. It is a
5 complaint as to billing/charges in Chicago,
6 Illinois.

7 Might I have the appearances for the
8 record, please.

9 Sir, Bobby Washington, could you please
10 state your name.

11 MR. WASHINGTON: Bobby L. Washington.

12 JUDGE MORAN: Your address?

13 MR. WASHINGTON: 7714 South Kingston Avenue,
14 Chicago, Illinois.

15 JUDGE MORAN: And zip code?

16 MR. WASHINGTON: 60649.

17 JUDGE MORAN: And your telephone, sir?

18 MR. WASHINGTON: 773-356-9762.

19 JUDGE MORAN: Okay. And Sammie Washington is --

20 MR. WASHINGTON: My wife.

21 JUDGE MORAN: -- your wife and she's not here
22 today.

1 MR. WASHINGTON: We kind of separated.

2 JUDGE MORAN: Okay. Thank you.

3 And --

4 MR. GOLDSTEIN: On behalf of Peoples Gas, Light
5 and Coke Company, Mark L. Goldstein, 108 Wilmot
6 Road, Suite 330, Deerfield, Illinois, 60615;
7 telephone number 847-580-5480, and I have with me
8 today Soledad Barragan, B-a-r-r-a-g-a-n, and John
9 Riordan of Peoples Gas.

10 JUDGE MORAN: Thank you so much.

11 And I know this case was up before and
12 we continued it to today. Mr. Washington wasn't
13 here at the time.

14 Have the complainant and respondent had
15 an opportunity to discuss this case?

16 MR. RIORDAN: No, I haven't spoken to him.

17 JUDGE MORAN: Okay. I would like that you do so
18 so that everybody has a better understanding of what
19 the complaint is, what the issues are, and to see if
20 I can narrow those issues or come to some other
21 resolution in this case or, if not, then at least we
22 have a better understanding as we go forward --

1 MR. RIORDAN: Sure.

2 JUDGE MORAN: -- so I think that's usually better
3 done when I'm out of the room.

4 MR. GOLDSTEIN: Can you give us 10 or 15 minutes.
5 I think we can discuss it and then get back to you
6 and see where we are at.

7 JUDGE MORAN: Okay.

8 MR. GOLDSTEIN: Is it okay with you,
9 Mr. Washington?

10 MR. WASHINGTON: Sure.

11 JUDGE MORAN: And that's fine and the court
12 reporter can also take a break.

13 (Whereupon, a break was
14 taken.)

15 Have the parties had an opportunity to
16 discuss the case?

17 MR. RIORDAN: Yes, we have.

18 MR. GOLDSTEIN: Yes.

19 JUDGE MORAN: What is the result of that?

20 MR. GOLDSTEIN: We have not been able to resolve
21 any of the issues involved in Mr. Washington's
22 complaint and so we need to have this matter set for

1 evidentiary hearing, Judge.

2 JUDGE MORAN: Okay. And is there any discovery
3 that needs to be done before then?

4 MR. GOLDSTEIN: We have no discovery that we need
5 to do.

6 JUDGE MORAN: Mr. Washington, discovery is where
7 you try and get any documents that you need from the
8 company in order to substantiate your case or your
9 position.

10 MR. WASHINGTON: I would like to have the
11 documents from all the meter readings in the
12 building, because if the guy's taking meter readings
13 for one house and then I think he should take the
14 meter readings for all the meters in the building
15 when he's in there. See, I have no idea why he was
16 down there, but he said he wanted to read the
17 meters.

18 JUDGE MORAN: I understand.

19 MR. WASHINGTON: But they're telling me the
20 guy -- ain't nobody showed up, but I remember in
21 that year somebody had to show up.

22 JUDGE MORAN: Okay. And maybe help me

1 understand, what kind of building we are talking
2 about?

3 MR. WASHINGTON: Three flat.

4 JUDGE MORAN: It's a three-flat? And you own or
5 rent there?

6 MR. WASHINGTON: Well, I'm the owner.

7 JUDGE MORAN: You're the owner of the building
8 and you rent out --

9 MR. WASHINGTON: Rent out two flats. The wife's
10 renting out.

11 JUDGE MORAN: Whatever year this was at issue or
12 now?

13 MR. WASHINGTON: This is the first I heard of was
14 like the beginning of the heating season.

15 JUDGE MORAN: Okay. So this past fall, this past
16 year --

17 MR. WASHINGTON: Right.

18 JUDGE MORAN: -- in other words?

19 MR. RIORDAN: Judge, the billing period in
20 question goes from September of '08. I'm sorry.

21 MR. GOLDSTEIN: '06.

22 MR. RIORDAN: '06 through '07, so it's a one-year

1 time period from '06 to 7.

2 JUDGE MORAN: This winter season, in other words?

3 MR. RIORDAN: No.

4 MR. GOLDSTEIN: It's the past.

5 MR. RIORDAN: Past.

6 MR. GOLDSTEIN: Past heating season.

7 MR. WASHINGTON: The main thing I heard this
8 after they changed my meter in the basement.

9 JUDGE MORAN: Okay.

10 MR. GOLDSTEIN: We have some kind of time-wise --
11 time-frame dispute as to what actually occurred and
12 that's part of the problem that we cannot resolve
13 today.

14 What I would ask from Mr. Washington is
15 whether since he is the owner of the building
16 whether the other accounts in the building were in
17 the name of tenants during that time period or not,
18 whether he knows that all the accounts --

19 MR. WASHINGTON: My wife was -- when she was
20 staying in the building, she was -- she might have
21 put the gas in her name on the third floor. I'm not
22 sure, but the second floor she had that and I had

1 the first, you know, the building expense.

2 MR. GOLDSTEIN: Were you living on the first
3 floor?

4 MR. WASHINGTON: I was living in the building but
5 I wasn't aware how the gas was being manipulated.

6 MR. GOLDSTEIN: That's fine, just so we have some
7 idea.

8 JUDGE MORAN: The name the meter service would be
9 in is either yours or -- either your name, your
10 wife's name, or any other tenant?

11 MR. WASHINGTON: It would be under Washington.

12 JUDGE MORAN: It would be under Washington?

13 Did any other tenant live in the
14 building at the time of the dispute?

15 MR. WASHINGTON: At that time he said '06 to '07.

16 JUDGE MORAN: Which is the last winter season,
17 not the one that we're currently in now.

18 MR. WASHINGTON: Well, she might not have been
19 living there then.

20 JUDGE MORAN: Okay. Then who would have been
21 living there?

22 MR. WASHINGTON: Nobody.

1 JUDGE MORAN: It would have been empty?

2 MR. WASHINGTON: The building's now just family.

3 MR. GOLDSTEIN: I'm a little confused, Judge,
4 because at least from the record that I see here
5 this afternoon Mr. Washington's wife is the customer
6 for the first floor.

7 MR. WASHINGTON: Okay. I went under a
8 bankruptcy, okay, and she took over the gas bill for
9 the first floor, too, at that time and I was paying
10 it. It was under her name.

11 MR. GOLDSTEIN: Is she going to be a witness?

12 MR. WASHINGTON: And I just put my name on it
13 when you all sent me that letter. I said, well, you
14 know, that's when I put my name on. I said, well,
15 go ahead on and put my name on there. I'm not
16 trying to hurt her.

17 MR. GOLDSTEIN: Is your wife going to be a
18 witness in this proceeding?

19 MR. WASHINGTON: Well, I guess she would have to
20 be if necessary.

21 MR. GOLDSTEIN: That's up to you. I'm just
22 asking whether you are planning on or not.

1 JUDGE MORAN: It makes sense to me at this point
2 because she is a named complainant here.

3 MR. WASHINGTON: Right.

4 MR. RIORDAN: As she's a customer of record on
5 the first floor, Sammie Washington.

6 JUDGE MORAN: I think as it stands in this
7 complaint, we'll have to --

8 MR. WASHINGTON: Both of us --

9 JUDGE MORAN: -- require --

10 MR. WASHINGTON: -- show up?

11 JUDGE MORAN: -- both of you.

12 So we do have a data request oral and
13 that's all I'm going to require from Mr. Washington.

14 MR. GOLDSTEIN: We will provide the bills for the
15 disputed time period for all three meters of the
16 building, Judge, and we'll provide them to
17 Mr. Washington as soon as Mr. Riordan provides that
18 to me.

19 JUDGE MORAN: Bills and meter reading reports, it
20 seems like that --

21 MR. GOLDSTEIN: Oh, yes.

22 JUDGE MORAN: -- that goes hand in hand here.

1 MR. GOLDSTEIN: Yes. Thank you, Judge, for that.

2 JUDGE MORAN: And I think those are reasonable
3 data requests and they will be complied with in time
4 sufficient for the hearing.

5 MR. GOLDSTEIN: We'll provide them within the
6 next 14 days, Judge.

7 JUDGE MORAN: Very good. Then what we'll do
8 we'll have a hearing after that time so that,
9 Mr. Washington, you can have time to review those
10 bills --

11 MR. WASHINGTON: Okay.

12 JUDGE MORAN: -- before you and your wife come in
13 for the hearing.

14 MR. WASHINGTON: All right.

15 JUDGE MORAN: Okay. And with that said, what
16 dates are parties looking at?

17 MR. GOLDSTEIN: How about, Judge --

18 JUDGE MORAN: Yes.

19 MR. GOLDSTEIN: -- if we could suggest March 27th
20 in the afternoon.

21 JUDGE MORAN: March 27th?

22 MR. RIORDAN: That's Thursday.

1 JUDGE MORAN: Does that sound good to you,
2 Mr. Washington?

3 MR. WASHINGTON: (Nodding head.)

4 JUDGE MORAN: It's Thursday, March 27, '08, and
5 what time?

6 MR. GOLDSTEIN: 1:30.

7 JUDGE MORAN: Good. I like that, because you
8 know how it is, everybody comes in in the morning
9 and you're swamped and you can't think of one
10 particular case, you are thinking of many, so by the
11 afternoon, that's all ironed out. Wonderful. Then
12 I will have notice sent to that effect. And is
13 there anything else we need to discuss?

14 MR. WASHINGTON: We don't -- I think we went as
15 far as I can go.

16 JUDGE MORAN: Okay. Anything else outside of the
17 matter itself that we're continuing?

18 MR. GOLDSTEIN: No.

19 MR. RIORDAN: No, we're all set.

20

21

22

1 JUDGE MORAN: Then this matter is continued to
2 March 27, 2008 at the hour of 1:30 p.m.

3 (Whereupon, the above
4 matter was adjourned,
5 to be continued to
6 March 27, 2008 at
7 1:30 p.m.)

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22