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I N D E X

<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-</u> <u>direct</u>	<u>Re-</u> <u>cross</u>	<u>By</u> <u>Examiner</u>
BOBBIE WASHINGTON					23
JOHN RIORDAN	36				
SAMMIE WASHINGTON					92
JOHN RIORDAN					96

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
Peoples Gas Nos. 1 - 8	20	91

1 (Whereupon, Respondent
2 Exhibit Nos. 1 through 8 were
3 marked for identification
4 as of this date.)

5 JUDGE MORAN: Okay. Pursuant to the direction
6 of the Illinois Commerce Commission, I call
7 Docket No. 07-0610. This is Sammie and Bobbie
8 Washington versus Peoples Gas, Light and Coke
9 Company. It is a complaint as to billing/charges
10 in Chicago, Illinois.

11 My name is Eve Moran. I'm the
12 administrative law judge that is going to be
13 hearing this case. I have with me Administrative
14 Law Judge Bonita Benn (phonetic), who will be
15 observing as she is new to this assignment.

16 And may I have the appearances for the
17 record, please.

18 MR. GOLDSTEIN: Want me to start, Judge?

19 JUDGE MORAN: Yes.

20 MR. GOLDSTEIN: On behalf of the Peoples Gas,
21 Light and Coke Company, Mark L. Goldstein,
22 108 Wilmot Road, Suite 330, Deerfield, Illinois

1 60015.

2 I have with me today as a witness John
3 Riordan, and also from Peoples Gas today is Soledad
4 Barragan. That's S-o-l-e-d-a-d, B-a-r-r-a-g-a-n.

5 MS. SAMMIE WASHINGTON: Sammie Washington.

6 JUDGE MORAN: And?

7 MR. BOBBIE WASHINGTON: Bobbie Washington.

8 JUDGE MORAN: And your address, please?

9 MR. BOBBIE WASHINGTON: 7714 South Kingston,
10 Chicago, Illinois 60649.

11 JUDGE MORAN: Telephone number?

12 MR. BOBBIE WASHINGTON: (773) 356-9762.

13 JUDGE MORAN: Thank you.

14 And those are all the appearances that
15 we have today.

16 The last time this case was up, I think
17 it was decided that, today, we would be holding the
18 evidentiary hearing, if things were not worked out.
19 And I am assuming that they have not been worked
20 out and so we are ready to proceed.

21 What I'm going to do first is swear in
22 all the witnesses that are going to be testifying

1 here today.

2 So please raise your right hand.

3 (Witnesses sworn.)

4 JUDGE MORAN: Thank you.

5 And I guess we will start with --

6 Ms. Washington and Mr. Washington, you're both
7 going to be testifying here today; am I correct?

8 MR. BOBBIE WASHINGTON: Right.

9 JUDGE MORAN: Okay. Who wishes to go first?

10 MR. BOBBIE WASHINGTON: I don't know what I'm
11 testifying against right now.

12 JUDGE MORAN: Well, I guess what I need you to
13 tell me under oath is, what is the problem here?

14 MR. BOBBIE WASHINGTON: The problem --

15 JUDGE MORAN: What is -- what is your complaint,
16 when it started, what property is involved?

17 If you want, and if it'll be helpful, I
18 will lead you to some degree in terms of the
19 basics.

20 MR. BOBBIE WASHINGTON: Hm-hmm.

21 JUDGE MORAN: What I need is I need to know the
22 whole story --

1 MR. BOBBIE WASHINGTON: Okay.

2 JUDGE MORAN: -- basically.

3 MR. BOBBIE WASHINGTON: All right.

4 JUDGE MORAN: And I don't get too much out of
5 the complaint.

6 So please tell me. What is the date
7 that is -- that something happened or that there's
8 been some dispute?

9 MR. BOBBIE WASHINGTON: Okay.

10 BOBBIE WASHINGTON,
11 called as a witness herein, having been first duly
12 sworn, was examined and testified as follows:

13 EXAMINATION

14 BY

15 JUDGE MORAN:

16 Q. When did this problem arise?

17 A. The way this problem arise, after they put
18 in a new meter in the basement of the building.

19 Q. Okay. Well, let's maybe back up. Let's
20 start with the building.

21 A. Yeah.

22 Q. You own a building or you rent a building?

1 **A.** We own the building.

2 **Q.** Okay. And where is that building located?

3 **A.** 7714.

4 **Q.** 77?

5 **A.** 14.

6 **Q.** 14?

7 **A.** South Kingston.

8 **Q.** South Kingston.

9 And that's in Chicago?

10 **A.** Chicago, right.

11 **Q.** And how many units in that building?

12 **A.** Three units.

13 **Q.** All right. So there's three apartments and

14 then there's a basement or is the basement also an

15 apartment?

16 **A.** No, the basement -- just the basement.

17 **Q.** Okay. So you have three units upstairs?

18 **A.** Yeah.

19 **Q.** A basement?

20 **A.** Right.

21 **Q.** And you have how many meters?

22 **A.** Three -- three meters.

1 Q. Okay. One for each unit?

2 A. Yeah, one for each unit.

3 Mine, I take care in the basement and --
4 I mean, take care of the building heat and the
5 first floor.

6 Q. Okay. Because you live on the first
7 floor --

8 A. Right.

9 Q. -- in other words?

10 Okay. So the first floor has a meter
11 that takes care of the unit and also all service
12 areas?

13 A. Yeah. Right.

14 Q. Okay. And how long have you owned that
15 building?

16 A. About 25, 26 years now.

17 MS. SAMMIE WASHINGTON: 24.

18 THE WITNESS: 24 years.

19 BY JUDGE MORAN:

20 Q. Okay. And you are telling me that there
21 was a problem with your billing that arose when
22 there was a meter change?

1 **A.** Right. With the amount. With the -- with
2 the payments that's supposed to have been made.

3 **Q.** Okay. So there was -- okay. Well, let me
4 back up.

5 You indicate to me that there was a
6 meter change --

7 **A.** Right.

8 **Q.** -- in your building?

9 **A.** Right.

10 **Q.** Was that meter change only on the first
11 floor meter --

12 **A.** Just first floor --

13 **Q.** -- or was it on all the meters?

14 **A.** Just the first floor meter.

15 **Q.** Okay. So first floor meter was changed?

16 **A.** Right.

17 **Q.** Do you know when it was changed?

18 **A.** Well, I guess that was around
19 December something. I'm not sure.

20 **Q.** Pardon me?

21 **A.** I'm not sure about that.

22 **Q.** Okay.

1 **A.** It's been a while. I should have brought
2 all the information here.

3 MS. SAMMIE WASHINGTON: Here's the letter here.
4 It's dated May '07.

5 THE WITNESS: May '07.

6 MS. SAMMIE WASHINGTON: I don't know when it was
7 installed.

8 BY JUDGE MORAN:

9 **Q.** Okay. So last May, you got some sort of
10 letter?

11 **A.** Yeah, that they was going to install the
12 meter.

13 **Q.** Okay. So May 2007, you received a letter
14 and the letter was from Peoples Gas?

15 MS. SAMMIE WASHINGTON: Correct.

16 BY JUDGE MORAN:

17 **Q.** Okay. And it indicated that there would be
18 a change in meters, but you don't know exactly when
19 that meter change occurred; am I correct?

20 **A.** Well, I don't know the exact date right
21 now. You know, it just -- you know, it was like, I
22 would say around September or October, something

1 like that.

2 Q. Okay. So sometime in the fall?

3 A. Sometime in the fall.

4 Q. Now, you had not had any problems with your
5 bill prior to the meter change?

6 A. Well, I had problems, though, but the point
7 is, I had paid up, you know, to '07. We make sure
8 we paid, but seemed like after the meter change is
9 when I got bills saying I owe so much money after
10 the meter was changed and I don't understand that.

11 Q. Okay. And why do you not understand that?

12 A. Because --

13 Q. Could it be that you thought you were
14 current?

15 A. Right.

16 Q. Okay. You thought that you were making the
17 payments in full on your gas?

18 A. The payments was made for that -- them
19 particular months they talking about; but then when
20 the meter was changed, they sent me another bill,
21 you know, me saying that I owe -- how much was
22 that? 1,000 --

1 MS. SAMMIE WASHINGTON: Okay. This is a revised
2 billing, revised prior billing from 9/8/06 through
3 9/8/07, and it came up to \$6,286.08. This was
4 after the installation of that meter.

5 THE WITNESS: That's with the billing that we
6 had before, plus that. That's why.

7 BY JUDGE MORAN:

8 Q. It appears to me that you have some
9 documents there --

10 MS. SAMMIE WASHINGTON: This is --

11 BY JUDGE MORAN:

12 Q. -- that you are --

13 A. This is what they gave me here.

14 Q. Oh.

15 MR. GOLDSTEIN: Judge, what the Washingtons are
16 referring to are the exhibits that we have provided
17 them this afternoon.

18 Perhaps it may be a little, you know,
19 unusual, but perhaps what we might want to do is
20 put on our case and let the complainant respond to
21 it, because it appears that they do not have any
22 exhibits with them today.

1 And I would be happy to defer any
2 cross-examination that I might have. We'll put on
3 Mr. Riordan as a witness who will go through and
4 explain exactly what happened. And then you'll
5 have some -- I hope, a better picture of what's
6 going on at this South Kingston address and, you
7 know, then you could ask questions and --

8 JUDGE MORAN: Of course.

9 MR. GOLDSTEIN: -- and the Washingtons could ask
10 questions of our witness and get a fuller picture
11 of what actually occurred, if that would be okay
12 with your Honor.

13 JUDGE MORAN: Obviously. And do you -- what I'm
14 trying to say is, do you have those documents
15 that --

16 MR. GOLDSTEIN: I've already provided them to
17 Mr. Washington.

18 JUDGE MORAN: Okay. So these are documents
19 you've provided to Mr. Washington?

20 THE WITNESS: Well, this is one --

21 MR. GOLDSTEIN: This is one of the exhibits
22 today.

1 JUDGE MORAN: Please. Please.

2 And are you going to be introducing
3 those documents or referring to those documents
4 today?

5 MR. GOLDSTEIN: Yes, I am, through my witness,
6 Mr. Riordan.

7 JUDGE MORAN: Okay. And are those documents
8 marked for identification?

9 MR. GOLDSTEIN: Well, they are marked. I don't
10 know if --

11 JUDGE MORAN: Oh, so they are all, in fact --
12 this is the same packet that is laying here?

13 MR. GOLDSTEIN: That's correct, Judge.

14 JUDGE MORAN: I see.

15 MR. GOLDSTEIN: And it's all marked Peoples Gas
16 Exhibits 1 through 8.

17 JUDGE MORAN: And it consists of how many pages?

18 MR. GOLDSTEIN: The only exhibit that is really
19 multiple paged is Exhibit 7, which --

20 JUDGE MORAN: Oh, so there are --

21 MR. GOLDSTEIN: -- which contains all of the
22 bills that are in dispute. And I believe that

1 there are 11 pages to that exhibit.

2 Other than that, the Exhibit 1 has two
3 pages, and I believe all the other exhibits are --
4 contain only one page.

5 JUDGE MORAN: Okay. Then when we have a break,
6 I did not understand that these are all -- this
7 looked to me like one packet.

8 MR. GOLDSTEIN: Oh, sorry.

9 JUDGE MORAN: Very confusing. So we're going to
10 separate these into seven exhibits.

11 MR. GOLDSTEIN: Eight exhibits, Judge.

12 JUDGE MORAN: Or eight.

13 And then we will staple them, and then
14 each exhibit will have to be marked one of one, one
15 of two, so that --

16 MR. GOLDSTEIN: Well, that --

17 JUDGE MORAN: -- these do not get lost or
18 confused.

19 MR. GOLDSTEIN: As I said to your Honor,
20 Exhibit 7, which is -- which contains the billing
21 that's in dispute --

22 JUDGE MORAN: Hm-hmm.

1 MR. GOLDSTEIN: -- is marked 7-A through 7-K.

2 JUDGE MORAN: Good. And so the others are all
3 single page?

4 MR. GOLDSTEIN: Except for Exhibit 1, which only
5 has two pages.

6 JUDGE MORAN: Okay.

7 MR. GOLDSTEIN: And that could be marked 1-A and
8 1-B, if you'd like.

9 JUDGE MORAN: Okay. I'll decide that, but --
10 much clearer to me now.

11 This is what I'm going to do now: I'm
12 going to stop my questioning of you, Mr. and
13 Mrs. Washington. I haven't actually started with
14 you yet, but I'm going to let Peoples Gas put their
15 attorney -- not their -- excuse me. Peoples Gas
16 put their witness on to give me a little more
17 information, and I will then ask you questions and
18 allow you to tell me things, too, okay?

19 THE WITNESS: Okay. Excuse me for one moment.

20 JUDGE MORAN: Sure.

21 THE WITNESS: These papers should have been sent
22 to my, you know --

1 MR. GOLDSTEIN: Well --

2 THE WITNESS: They wasn't sent to me, but they
3 told me I was -- they was going to send me
4 something so I could look at them.

5 JUDGE MORAN: And why were they not sent?

6 MR. JOHN RIORDAN: I oversaw -- I dropped ball
7 on that part. I was supposed to send the
8 information out to them and I kind of forgot, to be
9 honest with you.

10 JUDGE MORAN: Okay.

11 MR. GOLDSTEIN: Judge, let me suggest this: And
12 in fairness to the Washingtons --

13 JUDGE MORAN: Uh-huh.

14 MR. GOLDSTEIN: -- let me go through the
15 testimony and exhibits with Mr. Riordan. Let's
16 take a recess, let the Washingtons review the
17 documents that we have provided this afternoon.

18 JUDGE MORAN: Okay.

19 MR. GOLDSTEIN: And then we can resume --

20 JUDGE MORAN: And, certainly, you can give them
21 an explanation of the documents if they have any
22 questions.

1 MR. GOLDSTEIN: Yes. And the explanation,
2 obviously, will be part of Mr. Riordan's testimony.

3 JUDGE MORAN: Okay.

4 In other words, I'm not excusing them
5 from not providing you that information; but what
6 I'm doing now is rather than continuing the matter
7 to another date and allowing you an opportunity to
8 examine those documents, what -- I'm trying to cure
9 that harm to you by requiring them to both give a
10 thorough explanation and you can follow along with
11 those documents. And answer any questions you
12 might have on those documents. And that's how
13 we're going to proceed, okay?

14 MR. GOLDSTEIN: Mr. Riordan has been sworn,
15 Judge?

16 JUDGE MORAN: Yes, he has.

17 So please put on your witness.

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1 Business Bureau on billing matters that customers
2 are disputing; billing matters, service order
3 matters.

4 Any dispute that a customer files with
5 the agency are assigned to my employees who I
6 oversee making sure that they are doing the
7 necessary work on each inquiry.

8 Q. And as the billing supervisor, that's how
9 you became familiar with the first floor account at
10 7714 South Kingston --

11 A. Yes, it is.

12 Q. -- is that right?

13 A. Yes.

14 Q. And, generally speaking, in the -- for the
15 first floor account at 7714 South Kingston, that
16 account is in whose name?

17 A. The account is under the name of Sammie J.
18 Washington.

19 Q. All right.

20 Let me start by going through the
21 various exhibits that we are going to tender this
22 afternoon.

1 Mr. Riordan, all of the exhibits that
2 I'm going to show you, which is Peoples Gas
3 Exhibits 1 through 8, they're all taken from the
4 books and records of Peoples Gas, are they not?

5 **A.** That's correct.

6 **Q.** And those books and records are kept in the
7 ordinary course of Peoples Gas business; is that
8 right?

9 **A.** That's correct.

10 **Q.** All right.

11 Let's start out with Exhibit No. 1,
12 which is a two-page exhibit. Could you explain how
13 you would classify this particular exhibit?

14 **A.** Exhibit 1 and the second page behind it is
15 what we refer to as a copy of the transaction
16 history of an account.

17 What this reflects, reflects anything
18 that happens to a customer's account in the course
19 of a billing, any payments that are received, any
20 type of maintenance that's done on the accounts
21 such as a billing adjustment, meter reading, meter
22 readings entered onto the account for billing

1 purposes, any type of a payment plan that may have
2 been established for the customer.

3 It's basically a month-by-month
4 transcript, month-by-month listing of what activity
5 has occurred on the account.

6 **Q.** And as part of the -- that exhibit, the
7 transaction history, it shows the bills that were
8 issued and the payments that were made on the first
9 floor account at 7714 South Kingston; is that
10 right?

11 **A.** Yes, it is.

12 **Q.** Now, is there anything else that you would
13 like to point out with respect to this exhibit that
14 might be helpful in understanding how the exhibit
15 works?

16 **A.** Well, one thing I'd like to point out on
17 it, on the first page, if we look at the first page
18 and we look down to the date, which is on the
19 left-hand side column, a date of September 10th of
20 '07.

21 JUDGE MORAN: Hm-hmm.

22 THE WITNESS: Okay?

1 What I want to point out here at this
2 point, the entry of September 10th of '07, we show
3 that there was a payment posted to the customer's
4 account of \$85, which would be the fifth column in.

5 Do you see there? Do you see?

6 MS. SAMMIE WASHINGTON: I see it.

7 THE WITNESS: And at that point, the sixth
8 column over, it would indicate that, at that point,
9 after the customer made a \$85 payment, that, at
10 that point, they had a 41-cent credit on the
11 account, which is an overpayment. They paid \$85.
12 The bill was only 84.59.

13 So, at that point as of September 10th,
14 what this would tell us is that this particular
15 account, at that point, would have been up to date
16 with us.

17 What we had billed for the last billing,
18 which in this case was August 10th, which was the
19 bill right below the September 10th date, the last
20 billing we had sent prior to all the adjustments,
21 the account was paid in full based on estimated
22 bills that we were sending Sammie Washington for

1 the first floor account.

2 The issue here that the dispute is
3 regarding is regarding a billing adjustment that
4 took place on September the 11th. In this
5 transaction history, you'll see what -- you'll see
6 the wording that is called "balloon billing."

7 What "balloon billing" means to us is an
8 adjustment being made to a customer's account due
9 to a reading -- a company reading taken on the
10 meter where prior bills that were previously issued
11 which were estimated bills were canceled out and
12 the account was rebilled to an actual reading that
13 was taken at that time. That's what we -- our
14 terminology is "balloon billing."

15 So we cancel out bills affected by
16 previous estimates and we then rebill the account
17 based on that company reading as taken at that time
18 to send out an adjusted bill or a corrected bill at
19 that point, which is the September 11th bill that
20 is in question at this point.

21 BY MR. GOLDSTEIN:

22 **Q.** And is it your understanding, Mr. Riordan,

1 that it is that particular balloon billing from
2 September 11th, 2007, which is the bill that is in
3 dispute in this matter?

4 A. That's correct.

5 Q. All right.

6 JUDGE MORAN: And when you canceled out, how far
7 did you cancel out the bills?

8 THE WITNESS: We canceled back to the last
9 actual reading prior to the current reading. So in
10 this --

11 JUDGE MORAN: Which was --

12 THE WITNESS: In this case here, the current
13 reading I'm speaking of now took place on
14 September 11th of '07. The last company reading
15 prior to that was on September 8th, 2006.

16 JUDGE MORAN: Was --

17 THE WITNESS: So we're looking at roughly 12
18 months.

19 JUDGE MORAN: The last actual was -- I'm
20 sorry -- December --

21 THE WITNESS: No, no. September 8th.

22 JUDGE MORAN: September...

1 THE WITNESS: 8th, 2006.

2 JUDGE MORAN: That was the last actual and then
3 the balloon bill --

4 THE WITNESS: Was based on a current reading on
5 September 11th, 2007.

6 JUDGE MORAN: So let me put it this way:

7 The last actual was September 8th, 2006.
8 The next actual was September 11th.

9 THE WITNESS: 2007.

10 JUDGE MORAN: And in between, there were
11 estimated bills --

12 THE WITNESS: Yes.

13 And those estimated bills --

14 JUDGE MORAN: -- going out and those estimated
15 bills are what the Washingtons were paying.

16 THE WITNESS: Correct. Right.

17 JUDGE MORAN: And they were current on all those
18 estimated bills?

19 THE WITNESS: Prior to the rebilling, yes.

20 JUDGE MORAN: All the actual -- all the
21 estimated bills between 9/8/06 and 9/11 until you
22 reissued new bills?

1 THE WITNESS: Correct. Right.

2 JUDGE MORAN: Okay.

3 Proceed.

4 BY MR. GOLDSTEIN:

5 Q. All right.

6 Now, looking at Page 2 of Exhibit 1,
7 Mr. Riordan, and looking at the bottom entries on
8 that particular page, it also shows a balloon
9 billing as of March 15th, 2006?

10 A. Hm-hmm.

11 Q. And would a similar occurrence
12 have happened as the one in September of 2007 to
13 create a balloon billing at that time?

14 A. Back in March of 2006, the same thing had
15 happened at that time, yes.

16 Q. All right. Now, let's turn to Peoples Gas
17 Exhibit 2.

18 Could you --

19 JUDGE MORAN: Oh, I still have a question on
20 Exhibit 1.

21 MR. GOLDSTEIN: Certainly.

22 JUDGE MORAN: You're talking about a previous

1 balloon billing that occurred?

2 THE WITNESS: In March of 2006, March 15th of
3 2006.

4 JUDGE MORAN: Right.

5 That meant that there were estimated
6 billings prior to that?

7 THE WITNESS: Prior to March of '06, correct.

8 JUDGE MORAN: Right.

9 And then in 2006, you did a balloon
10 billing on that --

11 THE WITNESS: Yes.

12 JUDGE MORAN: -- which -- which now, because of
13 an actual meter reading, showed differences and you
14 had to do a balloon billing then.

15 MR. GOLDSTEIN: Right. But --

16 JUDGE MORAN: I have not finished.

17 After that balloon billing --

18 THE WITNESS: Hm-hmm.

19 JUDGE MORAN: -- were those payments made?

20 THE WITNESS: If we look again at the second
21 page of No. 1 --

22 JUDGE MORAN: Hm-hmm.

1 THE WITNESS: -- as you mentioned, at the time
2 we sent out the balloon billing, March 15th of
3 2006 --

4 JUDGE MORAN: Right.

5 THE WITNESS: -- between March 2- -- between
6 March 15th and (sic) 2006 --

7 JUDGE MORAN: Yes.

8 THE WITNESS: -- and if we go back again to
9 Page 1 and we look at the August of 2007 entry, at
10 that point, everything that was billed from, let's
11 say, March of '06 through August of '07, which
12 would also include current estimated bills and
13 everything else, at that point, everything was paid
14 off as well on that first balloon bill.

15 JUDGE MORAN: That's what I'm trying to --

16 THE WITNESS: That also was paid off.

17 JUDGE MORAN: -- to find out.

18 THE WITNESS: Right.

19 JUDGE MORAN: So -- so that was all paid and
20 there was no problem until -- until that
21 September 12th, 2007 bill came in --

22 THE WITNESS: Correct.

1 JUDGE MORAN: -- is that --

2 THE WITNESS: Correct.

3 JUDGE MORAN: I mean, the Washington's account
4 was current all the way through, even though they
5 had hurdles of other balloon billings there?

6 THE WITNESS: Well, when you say "other balloon
7 billings," you're just referring to the
8 September 11th --

9 JUDGE MORAN: I'm referring to that March 15th.

10 THE WITNESS: -- March 15th.

11 Okay. That March 15th balloon bill and
12 all the other bills that were issued were found as
13 a paid off in full, I would say, up to that
14 August of '07 payment that ended up with a 41-cent
15 credit.

16 JUDGE MORAN: Right.

17 THE WITNESS: Because other bills that were
18 issued in between that time that they were also
19 paying.

20 JUDGE MORAN: Right.

21 THE WITNESS: So that balloon bill --

22 JUDGE MORAN: So they had a balloon bill, then

1 they had more estimated bills --

2 THE WITNESS: Right.

3 JUDGE MORAN: -- then they had a balloon bill,
4 right?

5 THE WITNESS: Correct.

6 JUDGE MORAN: And then we get to September 2007,
7 everything is paid up. Everything is paid up and
8 there's a 41-cent credit.

9 THE WITNESS: At that time of August of '07,
10 yes.

11 JUDGE MORAN: Okay. I'm just trying to
12 understand it.

13 Thank you.

14 BY MR. GOLDSTEIN:

15 Q. Before we get to Exhibit 2, Mr. Riordan,
16 can you determine how the Washingtons reacted to
17 the balloon billing that occurred on March 15th,
18 2006?

19 A. Not according to what I see here on the
20 transaction history panel.

21 What I do see on the March 20- -- the
22 date of March 26th of '06, there was a -- there was

1 an inquiry made that, at that time, the account was
2 set up on what we call a budget plan.

3 A budget plan would be basically a set
4 amount that they pay going towards future bills.

5 JUDGE MORAN: And that's -- is there a rule for
6 that -- for these budget plans?

7 Is it a budget plan on the bill or is it
8 a budget plan in -- on the balloon billing?

9 THE WITNESS: Well, the case --

10 JUDGE MORAN: I guess that's my question.

11 THE WITNESS: Okay. On the March 24th entry,
12 what was established, as I said, was a budget plan.

13 Now, the budget plan would only be for
14 any current, future bills that were going to come
15 out to the customers. It would not have affected
16 that balloon bill of March 15th of '06.

17 The budget would be anything going
18 forward from that point on.

19 JUDGE MORAN: Forward. I see.

20 THE WITNESS: Right.

21 But if you go back to the same sheets,

22 Page 1 --

1 JUDGE MORAN: Hm-hmm.

2 THE WITNESS: -- and we go up further to the
3 date of August 23rd of 2006 --

4 JUDGE MORAN: Yes.

5 THE WITNESS: -- you're going to see a
6 description called "payment plans."

7 JUDGE MORAN: Yes.

8 THE WITNESS: Now, at that point, there would
9 have been payment arrangements made at that point
10 on the total balance that they owed us, which would
11 also include the remaining balance of the balloon
12 bill as well as any bill for, let's say, April,
13 May, June and July.

14 So whatever the total --

15 JUDGE MORAN: So it's the balloon bill plus
16 everything that accumulated after that.

17 THE WITNESS: Correct.

18 So on August 14th, if we looked on the
19 August 14th entry --

20 JUDGE MORAN: Hm-hmm.

21 THE WITNESS: -- you'll see a total amount due
22 at that time of \$3,699.04. Okay?

1 You see that amount there?

2 JUDGE MORAN: Hm-hmm.

3 THE WITNESS: So that was the true account
4 balance at that time on August 14th of '06.

5 So the payment arrangements we're
6 referring to would have taken place on the \$3,699,
7 which again would have included the balloon bill
8 amount that was billed back in March.

9 So we set them up on a payment plan to
10 pay off the balloon bill as well as the other bills
11 that were -- the three or four bills that came out
12 since March on August 23rd, 2006.

13 JUDGE MORAN: Okay.

14 Thank you.

15 BY MR. GOLDSTEIN:

16 Q. Now, let's turn to Peoples Gas
17 Exhibit No. 2, Mr. Riordan. Could you explain how
18 you describe --

19 JUDGE MORAN: And then show that to -- so
20 that -- we want to make sure that everybody's on
21 the same page, please show that to the Washingtons.

22 MR. GOLDSTEIN: (Indicating.)

1 JUDGE MORAN: Okay.

2 All right.

3 BY MR. GOLDSTEIN:

4 Q. Could you explain what this --

5 JUDGE MORAN: And do you have a pen there where
6 you can note things for yourself as they're going
7 with these lines? Because I know I have to do
8 that.

9 BY MR. GOLDSTEIN:

10 Q. Now, could you please describe what this
11 exhibit is?

12 A. Okay. Peoples Exhibit -- Peoples Exhibit
13 No. 2, again, is a screen print of what we call the
14 bill history detail panel, a bill history detail
15 panel. And what that shows is on the -- starting
16 on the left-hand column, you're going to see each
17 particular month.

18 You're going to see what the date
19 bill -- the account was billed on. And the third
20 column -- I'm sorry, fourth column over is a column
21 that's named Current Bill Amount. That's going to
22 indicate what the current bill amount was for that

1 month that it was billed.

2 The fifth column over is listed as
3 payments. That will indicate any payment that was
4 received by the customer during that billing
5 period.

6 The next column over would be Other
7 Charges. Other charges would represent, for
8 example, late fees that were added onto the unpaid
9 balance. It would also indicate any possible
10 deposit that may have been required at one time.

11 The second to last column is marked as
12 Arrears, and, again, that's just giving a running
13 total of what the past-due balance is at that time
14 of the current billing for that particular month.

15 And, again, the last column just says
16 Bill Status, which is just a term for billing
17 showing that the account was billed in that
18 particular month.

19 Q. All right. Let's now turn to Peoples Gas
20 Exhibit No. 3.

21 JUDGE MORAN: Okay.

22 BY MR. GOLDSTEIN:

1 Q. Could you explain what this exhibit shows?

2 A. Peoples Gas Exhibit No. 3, again, is one of
3 our screen prints, but this particular screen print
4 is from what we would call our meter reading
5 information. The meter reading information, of
6 course, is what we go by when we send out the bills
7 to the customer.

8 One thing I'd like to point out on this
9 one here is that we can look on the transcript and
10 look down approximately one of the -- third of the
11 way down or almost to the bottom and look at a date
12 that's listed as of August -- I'm sorry,
13 September 8th of 2006.

14 JUDGE MORAN: Okay. Wait until I find it.

15 THE WITNESS: Sure. Fine.

16 JUDGE MORAN: Okay. And that's an actual read
17 there?

18 THE WITNESS: Right.

19 JUDGE MORAN: Okay.

20 THE WITNESS: Do you see -- Ms. Washington, do
21 you see the September 8, 2006 column I'm referring
22 to?

1 MR. GOLDSTEIN: This is this.

2 MS. SAMMIE WASHINGTON: Okay.

3 THE WITNESS: Okay.

4 What I want to point out here is if --
5 as we use that September 8, 2006 date and go
6 over -- you know, scroll to the right, as we call
7 it -- just keep going in that same row, what you're
8 going to see is a meter number, P1910841. That was
9 the meter number that was servicing that first
10 floor account at that time.

11 The reading code that you see is actual.
12 That tells us that tells -- that represents a
13 company reading that was obtained by a company
14 employee at that time, and then the date that that
15 reading was obtained was on September 8th of 2006.

16 The meter reading that the person took
17 at that time is what we call the meter reading
18 index. In this case, it's 99206.

19 So, at this point on September 8, as I
20 mentioned earlier, that was the last actual reading
21 we took on that meter prior to the September 11th
22 of 2007 reading.

1 Okay?

2 JUDGE MORAN: So, in other words, if we go in
3 that one, two, three, four -- in that fifth column
4 which holds the actual and scroll all the way up --

5 THE WITNESS: Hm-hmm.

6 JUDGE MORAN: -- we don't get to another actual
7 until 9/11/2007.

8 THE WITNESS: Correct.

9 JUDGE MORAN: And that's -- okay.

10 THE WITNESS: Okay.

11 JUDGE MORAN: Can you --

12 MS. SAMMIE WASHINGTON: I can -- thanks.

13 JUDGE MORAN: Okay.

14 THE WITNESS: One thing I'd just touch on, based
15 on what you mentioned was, again, if you look at --
16 if you go up from that September 8th of 2006 under
17 the "read date" column --

18 JUDGE MORAN: Hm-hmm.

19 THE WITNESS: -- the next read date, of course,
20 you see is October of '06, November of '06. Those
21 would be the estimated readings that were being
22 billed to Ms. Washington -- Mr. and Mrs. Washington

1 in those particular months.

2 So, in October, the estimated reading
3 shows 99518 --

4 JUDGE MORAN: Hold on.

5 THE WITNESS: Sure.

6 JUDGE MORAN: In October --

7 THE WITNESS: October 9th of '06.

8 JUDGE MORAN: October... I don't have an
9 October 9th.

10 Oh, yeah. All right. Read date,
11 October 9th. Okay. I see it.

12 THE WITNESS: Okay. On November 7th, '06, right
13 above it, our reading at that time was again 99896.

14 JUDGE MORAN: Hm-hmm.

15 THE WITNESS: Again, if we keep going all the
16 way up to, let's say, August 8th of '07 --

17 JUDGE MORAN: Wait.

18 THE WITNESS: Hm-hmm.

19 JUDGE MORAN: Okay.

20 THE WITNESS: Those are -- and then, again, the
21 reading at that time on August 8th of '07 shows
22 2166.

1 JUDGE MORAN: Hm-hmm.

2 MS. SAMMIE WASHINGTON: Excuse me.

3 THE WITNESS: Sure.

4 MS. SAMMIE WASHINGTON: I don't see this
5 August 8th. I see --

6 JUDGE MORAN: It's under that read date.
7 Here, let me help you.

8 MS. SAMMIE WASHINGTON: Okay. I see it.
9 August 8th. Okay.

10 JUDGE MORAN: There's so many dates.

11 MS. SAMMIE WASHINGTON: On this column?

12 JUDGE MORAN: Yes. Yes.

13 MS. SAMMIE WASHINGTON: Okay. Got it.

14 JUDGE MORAN: It's the read date. You were
15 reading it.

16 MS. SAMMIE WASHINGTON: Okay.

17 JUDGE MORAN: Okay.

18 THE WITNESS: So what this is representing --
19 the point I'm trying to make out is that from
20 September 8th of '06 up through August 8th of '07,
21 all the bills that were sent out show as estimated
22 bills along with the estimated reading that was

1 billed to the customers at that time.

2 MS. SAMMIE WASHINGTON: You said between
3 August 8th and what date?

4 THE WITNESS: Between September 8th of '06 and
5 August 8th of '07.

6 MS. SAMMIE WASHINGTON: I'm sorry.
7 September 8th, '06. Okay.

8 THE WITNESS: Yeah. That was the reading.

9 MS. SAMMIE WASHINGTON: And August 8th, '07.

10 THE WITNESS: Right.

11 Those bills and the readings that you
12 were billed to during that time were all estimates.

13 MS. SAMMIE WASHINGTON: Hm-hmm.

14 THE WITNESS: Okay?

15 Now, knowing that we hadn't read the
16 meter and knowing that there were no readings on
17 that meter from September of '06 up to, at that
18 time, August of -- August 8th of '07; when we read
19 the meter now on September 9th -- I'm sorry,
20 September 11 of '07 -- and where you'll see that,
21 it will be more or less on the top part of the
22 page.

1 JUDGE MORAN: Yes.

2 THE WITNESS: Okay.

3 MS. SAMMIE WASHINGTON: Hm-hmm.

4 JUDGE MORAN: Yes.

5 THE WITNESS: Up here?

6 JUDGE MORAN: Hm-hmm.

7 MS. SAMMIE WASHINGTON: Okay.

8 THE WITNESS: Now, at that time, you'll see that
9 the reading taken on September 11 of '07 is an
10 actual reading again, and the reading at that time
11 is 4472. That means that was the actual reading
12 the serviceperson took or the meter reader took at
13 that time when they were out there.

14 What happens is because of the time
15 period of estimates that we bill the customer, what
16 happens is we go into the system -- or the system
17 automatically goes in, cancels out the bills prior
18 to the last reading, which, again, was back to
19 September 8th of '06.

20 JUDGE MORAN: Yes.

21 THE WITNESS: And we then rebill the account on
22 a month-by-month basis based on the reading taken

1 on September 11, where we now reallocate all the
2 consumption that was used --

3 JUDGE MORAN: Hm-hmm.

4 THE WITNESS: -- and we rebill it on
5 month-by-month basis to a more evenly (sic) amount
6 than what the original estimates were that were
7 billed initially.

8 JUDGE MORAN: And is that done manually or by
9 some kind of program?

10 THE WITNESS: This -- in this instance here,
11 this was done automatically by the system through a
12 batch billing program.

13 JUDGE MORAN: Okay. And then I see that, you
14 know, for a while, we've had estimates. Now, all
15 of a sudden, we have an actual -- on 9/11, an
16 actual 9/24.

17 THE WITNESS: Right. 9/24 --

18 JUDGE MORAN: What is --

19 THE WITNESS: 9/24.

20 JUDGE MORAN: Are those actual readings again?

21 THE WITNESS: Yes.

22 The 9/24 date is significant here.

1 That's because that's the date we went out there
2 and changed the meter.

3 JUDGE MORAN: Oh, so the meter number's going to
4 change.

5 THE WITNESS: Right.

6 So if we look at the reading on
7 September 11, again, of 4472 --

8 JUDGE MORAN: Hm-hmm.

9 THE WITNESS: -- and we go out there 13 days
10 later on September 24th --

11 JUDGE MORAN: Right.

12 THE WITNESS: We read the old meter again.

13 Before we take it out, we take a reading on the old
14 meter.

15 JUDGE MORAN: Right.

16 THE WITNESS: That reading now is 4489 --

17 JUDGE MORAN: Hm-hmm.

18 THE WITNESS: -- what you see there.

19 JUDGE MORAN: Hm-hmm.

20 THE WITNESS: Right above it on 9/24 again,
21 you're going to see all zeros.

22 JUDGE MORAN: Yes, I do see it.

1 THE WITNESS: But now if you scroll over --

2 JUDGE MORAN: Do you see that?

3 MS. SAMMIE WASHINGTON: Yes.

4 THE WITNESS: Oh, if you scroll back over to the
5 left a little bit --

6 JUDGE MORAN: And we go to the left and there's
7 a different meter number.

8 THE WITNESS: Right.
9 To the fourth column --

10 JUDGE MORAN: Okay.

11 THE WITNESS: -- you now have a different meter
12 number.

13 That's a new meter number that was put
14 in on the 24th at the time we changed the meter.

15 MS. SAMMIE WASHINGTON: Okay.

16 THE WITNESS: That's just showing what the meter
17 reading is, what it is started at, and what the old
18 meter number was and what the removed reading was.

19 That's why you're going to see -- that's
20 why you kind of see two different readings on
21 September 24. You have the old reading removed and
22 the new meter -- the new meter reading being the

1 set index.

2 Now, at the time we set that new meter,
3 that new meter also had an attachment on it we call
4 an ERT device, E-R-T. That represents Electronic
5 Radio Transmission, I believe is the wording.

6 JUDGE MORAN: Hm-hmm.

7 THE WITNESS: Okay. Since September 24th of
8 '07, the meter that's in there now, we get a
9 reading on that every month because of the -- it's
10 one of our meters that now have an electronic
11 device that sends out a signal on a monthly basis
12 so we're now reading that meter.

13 We don't come into the house. Okay? We
14 read the meter electronically with a van or a car
15 that goes down the street and picks up these
16 readings automatically on these meters.

17 JUDGE MORAN: And are you saying that the old
18 meter did not have that ERT device?

19 THE WITNESS: That's correct. Yes.

20 JUDGE MORAN: Okay.

21 THE WITNESS: And at that point from
22 September 24th up through the most current, you'll

1 see that all the readings or read codes are shown
2 as "van." That's another actual reading wording
3 for the Company.

4 JUDGE MORAN: Hm-hmm.

5 THE WITNESS: So... Read code.

6 BY MR. GOLDSTEIN:

7 Q. Let's now turn to Respondent Peoples Gas
8 Exhibit 4.

9 JUDGE MORAN: Now, let me interrupt you just for
10 a minute.

11 If you have any questions for?

12 MR. BOBBIE WASHINGTON: We are talking up to
13 that meter read 0000, right?

14 That's the way he's billing me from,
15 right?

16 JUDGE MORAN: Well, why don't you ask that
17 question to Mr. Riordan.

18 MR. BOBBIE WASHINGTON: Is that the way you
19 bill?

20 Well, since we went to the meter read,
21 was it September 24th?

22 THE WITNESS: September 24, this.

1 MR. BOBBIE WASHINGTON: September 24th, you
2 billing me from previous year up until the 24th of
3 September?

4 THE WITNESS: The adjusted billing we're
5 referring to is balloon bill. We call it balloon
6 bill is the billing from September 8th of '06
7 through the first reading in September, September
8 11th of '07.

9 MR. BOBBIE WASHINGTON: Now, whose name was on
10 the '06 bill?

11 THE WITNESS: That account was still under
12 Sammie Washington's name at that time.

13 MR. BOBBIE WASHINGTON: Was it still under
14 Sammie?

15 THE WITNESS: Yes. Our records show the account
16 in question has been under the name of Sammie
17 Washington since February 11th of 2004.

18 MR. BOBBIE WASHINGTON: Okay. I know.

19 Okay.

20 BY MR. GOLDSTEIN:

21 Q. All right.

22 Let's look at Peoples Gas Exhibit 4.

1 Would you explain what that letter is.

2 **A.** Okay. Exhibit No. 4 is a letter the
3 Company was sending out. The date on this letter
4 was May 30th of 2007. It was --

5 MS. SAMMIE WASHINGTON: Excuse me.

6 THE WITNESS: Yes. Exhibit 4?

7 MR. GOLDSTEIN: (Indicating.)

8 MS. SAMMIE WASHINGTON: Okay. I have it.

9 THE WITNESS: A letter was sent out on May 30th
10 of 2007 addressed to Sammie J. Washington or
11 current resident, 7714 Kingston.

12 This was a letter that was -- the
13 Company was sending out in situations where we were
14 trying to gain access to premises where meters were
15 not ERTed. What I mean by that is --

16 JUDGE MORAN: Right. Didn't have those ERT --

17 THE WITNESS: Correct.

18 JUDGE MORAN: -- capabilities.

19 THE WITNESS: And as well as read the meter.

20 We also wanted to read the meter, but we
21 also wanted to come out and change the existing
22 meter, put in the electronic meter.

1 JUDGE MORAN: Hm-hmm.

2 THE WITNESS: So it's just a letter basically
3 saying to the customer, Help us to deliver timely,
4 accurate bills, asking them to call to make an
5 appointment to schedule a meter change to come out
6 and change the meter, get readings on the meter.

7 JUDGE MORAN: Hm-hmm.

8 BY MR. GOLDSTEIN:

9 Q. And looking at Peoples Gas Exhibit 5,
10 Mr. Riordan, a similar letter was sent out on
11 July 25th, 2007; is that right?

12 A. That's correct. Yes.

13 Q. And was there any response that you know of
14 with respect to either of those letters, either the
15 May 30th, 2007 letter, Exhibit 4, or the July 25,
16 2007 letter, Exhibit 5?

17 A. No, there's no -- I show no response in
18 either one of those.

19 MR. BOBBIE WASHINGTON: What kind of response
20 are you talking about?

21 THE WITNESS: Where a call would have been made
22 by the customer saying, Okay. I got your letter.

1 Let's schedule a meter change.

2 MR. BOBBIE WASHINGTON: Well, how did they -- I
3 think I got that letter and I schedule a change.

4 THE WITNESS: You did schedule a change, but I
5 think that the change was a result of that
6 September 11 bill you got, which was the -- this
7 balloon bill we're talking about.

8 MR. BOBBIE WASHINGTON: No, no, no. The change
9 came -- I didn't know nothing about the balloon
10 billing until the change.

11 I had no billings on the balloon billing
12 until the change.

13 THE WITNESS: Okay.

14 BY MR. GOLDSTEIN:

15 Q. Now, let's look at Peoples Gas Exhibit
16 No. 6, Mr. Riordan. Could you explain what that
17 exhibit is?

18 A. Sure.

19 Exhibit 6 is a profile or a screen print
20 of our service order completion tickets. On the
21 left-hand side, the third column down, you'll see
22 what type of an order it was. In this case, it was

1 a meter change.

2 The fourth row down, if you go over to
3 the right-hand side, you're going to see a date of
4 September 24th of '07, as the arrival date. Our
5 serviceperson arrived there at 9:00 o'clock in the
6 morning. And right next to it is a completion
7 date, which, again, is September 27th of '07 -- I'm
8 sorry, September 24th of '07, and the time at that
9 point was 10:56.

10 The middle part of the screen print on
11 this row here that my finger's on -- I don't know
12 if you can see here or not --

13 JUDGE MORAN: Hm-hmm.

14 THE WITNESS: -- the information you see there
15 has a meter number.

16 The meter number that shows there is
17 1910841. That was your old meter number.

18 MS. SAMMIE WASHINGTON: Hm-hmm.

19 THE WITNESS: As you scroll over to the right,
20 you're going to see the current read -- again,
21 04489 is the current read. The reading type is
22 shown as actual, meaning, again, it's an actual

1 reading taken by our employee.

2 Right below that row or column, we have
3 now the information that's related to the new meter
4 number that was put in there, the new meter number
5 being P2817868.

6 Again, if you scroll over to the right a
7 little bit further, you're going to again see a
8 current reading, and that's all zeros, four zeros.
9 That would indicate, like I said, the set index on
10 that new meter.

11 And this is a copy of the meter change
12 ticket that the serviceperson would have filled out
13 when he was there on September 24th of '07.

14 BY MR. GOLDSTEIN:

15 Q. And all that information is actually
16 contained on Peoples Gas Exhibit 3, is it not, with
17 respect to the readings for the old and the new
18 meter --

19 A. Yes.

20 Q. -- as well as the meter numbers for the old
21 and the new meter?

22 A. That's correct.

1 Q. And there's also a box on the -- in the
2 middle of Peoples Gas Exhibit 6, which says
3 "completion remarks."

4 A. Hm-hmm.

5 Q. Could you explain what is noted in that
6 box?

7 A. Okay.

8 Q. Those are -- those would be remarks that
9 the serviceperson would enter on his completion
10 ticket.

11 You have here Crew No. 757. That's just
12 our service person's ID number, 757.

13 JUDGE MORAN: Okay.

14 THE WITNESS: He says here, D-I-S-C, which would
15 be the abbreviation for disconnected. He says
16 here, Disconnected boiler, which would be your
17 central heating plant based on valve leaking.
18 Advised owner of same.

19 So he found a valve leaking. So he
20 disconnected the furnace or central heating plant,
21 and he advised the owner the same, meaning that he
22 advised the owner what the problem was; he found

1 this valve leaking; that the owner would have to
2 take care of it.

3 JUDGE MORAN: And what kind of valve was it for,
4 you don't know?

5 THE WITNESS: Yeah, I --

6 MR. BOBBIE WASHINGTON: It was changed. It was
7 a line up under the bottom the furnace that had
8 corroded and it was leaking gas, a little gas
9 leaked.

10 JUDGE MORAN: Oh, okay.

11 So it was leaking gas --

12 MR. BOBBIE WASHINGTON: So he could turn it --
13 if you had turned it on, you know, the gas would be
14 leaking all through the building.

15 BY MR. GOLDSTEIN:

16 Q. All right. Let's now --

17 MR. BOBBIE WASHINGTON: So I had to get it
18 fixed.

19 MR. GOLDSTEIN: I'm sorry.

20 BY MR. GOLDSTEIN:

21 Q. Let's now turn to Peoples Gas Exhibit 7.

22 And as we explained earlier, that is the

1 September 11, 2007 balloon bill that was issued; is
2 that right, Mr. Riordan?

3 **A.** That's correct.

4 **Q.** And could you explain how the Company
5 issues such a balloon bill?

6 **A.** Sure.

7 The first page of Exhibit 7, which is --
8 you see marked 7-A is the initial page that has all
9 the details behind what the bill is for.

10 Upper column that says, Activities Since
11 Last Bill, start there.

12 JUDGE MORAN: Okay. Hold on.

13 THE WITNESS: That's fine.

14 JUDGE MORAN: Oh, yeah. All right. Activity.
15 Hm-hmm.

16 THE WITNESS: The first line item we show is a
17 previous balance which is \$84.59.

18 And we mentioned earlier back on Exhibit
19 No. 8 that on August -- I'm sorry, September 10th,
20 2007, we posed the \$84 payment to the customer's
21 account. That's what you see there as a minus 85.
22 That's the customers's payment.

1 Now, at the point of the reading taken
2 in the night of billing, which is the night of
3 September 11, what's happened here is the fourth
4 line down from where it says, Activities since last
5 bill, you're going to see wording that says, Cancel
6 prior billing 9/8/07 through 8/8/07.

7 If we scroll over to the right, you're
8 going to see an amount of \$3,623.07.

9 JUDGE MORAN: Which was all the amount that had
10 been paid in that period?

11 THE WITNESS: That had been paid, correct, as
12 well as what was estimated during that time period.

13 JUDGE MORAN: Okay.

14 THE WITNESS: Again, those were the estimated
15 bills that we referred to before that were all
16 estimated since September -- I'm sorry. Since the
17 last time --

18 JUDGE MORAN: Okay.

19 THE WITNESS: Actual reading.

20 JUDGE MORAN: I understand.

21 So this is to cancel the prior billing.
22 This is canceling all the estimated billing.

1 THE WITNESS: Correct.

2 JUDGE MORAN: Okay.

3 THE WITNESS: Also, by canceling all those
4 bills, the column above it, which says, Late
5 payment charge allowed --

6 JUDGE MORAN: Hm-hmm.

7 THE WITNESS: -- that would also be canceling
8 any late payments where -- late payment charges
9 that were assessed to those estimated bills.

10 JUDGE MORAN: In those estimated times.

11 THE WITNESS: Right. So giving the customer
12 back a credit or whatever they were billed for.

13 JUDGE MORAN: I understand.

14 THE WITNESS: The wording "revised prior
15 billing," this is where now the system will
16 automatically go back in and rebill the account
17 based on the reading taken on September the 11th of
18 '07, and reallocate the consumption from
19 September 8th of '06 again through August 8th of
20 '07 in the amount of \$6,286.08.

21 JUDGE MORAN: Hm-hmm.

22 THE WITNESS: At that point, the rebilling of

1 6,286.08, basically, what we're doing is we're
2 giving the Washingtons credit for the 3623.07 and
3 the late fees. We're applying that to the rebilled
4 amount, which is leaving at that point the balance
5 of 2,533.24.

6 JUDGE MORAN: And let me ask you, because this
7 is something I'm not clear about.

8 Where do you reflect all the payments
9 that were made on the estimated bills?

10 THE WITNESS: Those would be reflected on each
11 bill we had sent to them prior each month.

12 It wouldn't reflect on this particular
13 bill here.

14 JUDGE MORAN: I mean, it doesn't reflect in this
15 summary.

16 THE WITNESS: No. Right.

17 It doesn't reflect the payments --

18 JUDGE MORAN: This summary just reflects --

19 THE WITNESS: The transactions on September the
20 11th.

21 But we would know that, again, going
22 back by looking at the -- starting off with the

1 previous balance of 84.59 and them paying \$85, that
2 would tell us at that point they were paid
3 up to date.

4 JUDGE MORAN: They were paid up to date --

5 THE WITNESS: Up through August 8 of '07.

6 JUDGE MORAN: Okay.

7 So you would derive from that balance
8 that all of the estimated billing in the amount of
9 3623 had been paid?

10 THE WITNESS: Yes.

11 JUDGE MORAN: I get it.

12 Can you check that for me?

13 THE WITNESS: We can go back.

14 JUDGE MORAN: I --

15 THE WITNESS: Okay.

16 JUDGE MORAN: I'm going to ask you to do that as
17 a data request.

18 THE WITNESS: Sure.

19 JUDGE MORAN: An ALJ data request.

20 MR. GOLDSTEIN: Well, you mean -- what
21 specifically are you asking now, Judge?

22 JUDGE MORAN: I want to know the amount of

1 payments that were made during the period of
2 estimated billing.

3 MR. GOLDSTEIN: Can you do --

4 THE WITNESS: We can point those payments out to
5 you on Exhibit 1.

6 JUDGE MORAN: Then fine. Show me that.

7 THE WITNESS: All right.

8 All right. Let's go back to Exhibit 1.
9 Let's actually start back on the second page of
10 Exhibit 1.

11 JUDGE MORAN: Okay.

12 THE WITNESS: And in the description column,
13 seventh row down, which is date of September 29th
14 of '06.

15 JUDGE MORAN: September -- to September.

16 THE WITNESS: I'm sorry. August 29th of '06.
17 Excuse me. August 29th of '06.

18 JUDGE MORAN: Yes.

19 THE WITNESS: You're going to see a payment --
20 at that time, there was \$1,000 payment made on the
21 account.

22 JUDGE MORAN: Hm-hmm.

1 THE WITNESS: If we go up two rows on
2 September 27th --

3 JUDGE MORAN: Hm-hmm.

4 THE WITNESS: -- you see a payment at that time
5 of \$1450.

6 JUDGE MORAN: Hm-hmm.

7 THE WITNESS: If we go to the first page of
8 Exhibit 1 to the bottom of the page, on
9 December 26th of '06, we see a payment again of
10 \$1200.

11 Also, pointing out that if you look at
12 the column to the right of that, at that point,
13 you're going to see what the running balance was on
14 the account owed at that time. So you're kind of
15 seeing payments and what the account balance was at
16 that time as well.

17 Going up a couple more lines on
18 January 22, you have another payment of \$700.

19 JUDGE MORAN: Okay. January 22nd, yes.

20 THE WITNESS: February 8th of '07, you'll see a
21 payment of \$800.

22 JUDGE MORAN: Yes.

1 THE WITNESS: March 6th of '07 of \$1,100.54.

2 April 30th of '07, you have an \$800
3 payment.

4 JUDGE MORAN: Yes.

5 THE WITNESS: May 30th of '07, you have a \$350
6 payment; June 7th of '07 of 267.32; July 10th of
7 199.30.

8 I also want to point out at that time on
9 July 10th, as well, you can see that they were up
10 to date as well with what the bills were. They had
11 a zero balance as well and going back to -- no, I'm
12 sorry. At that point, they had a zero balance.

13 August 7th, they paid 92.82 -- I'm
14 sorry, 92.92. Again, at that point, they had a
15 zero balance. And then the September 10 payment of
16 \$85, which left them with a 41-cent credit at that
17 point.

18 JUDGE MORAN: Okay. Thank you.

19 BY MR. GOLDSTEIN:

20 Q. All right.

21 Now, looking back at Exhibit 7,
22 Mr. Riordan, and those pages marked 7-B through

1 7-K, would I be correct to state that those various
2 bills that are shown for that period of time was
3 the one-year billings that were recalculated in
4 order to come up with the \$6,286.08 revised prior
5 billing as shown on Exhibit 7-A?

6 A. That's correct.

7 Q. Is there anything else you would like to
8 add with respect to what is contained on the
9 various pages of Respondent's Exhibit 7?

10 A. No.

11 Q. All right.

12 Let's now turn to --

13 JUDGE MORAN: I have a question.

14 Mr. Riordan, how do these duplicate
15 bills -- I mean, what factors are used to create
16 these duplicate bills?

17 THE WITNESS: Well, the duplicate bills are just
18 a printout from the system of the original bills
19 that were sent out on September 11.

20 I mean, the wording "duplicate" is just
21 when we printed them out from our system.

22 JUDGE MORAN: No, no, no.

1 THE WITNESS: Are you talking about the
2 rebillings?

3 JUDGE MORAN: I'm talking about the actual
4 rebillings.

5 THE WITNESS: Oh, okay.

6 JUDGE MORAN: Thank you.

7 In other words, how -- you know, you're
8 not dealing with -- you've got two actuals and all
9 these --

10 THE WITNESS: Okay.

11 JUDGE MORAN: -- in the middle.

12 If you're revising them, what factors
13 are used to come up with these amounts?

14 THE WITNESS: When we take -- when we cancel out
15 the prior bills back to the last reading at that
16 time, again, which was back in September of '08 --
17 I'm sorry, September 8th of '06, we know what the
18 reading on the meter was at that date. When we
19 read the meter on September 11th of '07, we had
20 another actual reading.

21 So we now have two readings that we know
22 how much true consumption was used from one date to

1 the next based on actual readings.

2 JUDGE MORAN: Hm-hmm.

3 THE WITNESS: At that point when the system
4 rebills the account and reallocates all that
5 consumption, it's going to reallocate it over the
6 same original billing months, but it's more
7 accurate based on weather conditions for those
8 billing months and degree days based on the rebill
9 months that we're billing them for.

10 JUDGE MORAN: And can you explain what -- what
11 degree days?

12 THE WITNESS: Degree days are used in the
13 Company terminology to determine heating fact- --
14 how much heat would be required during, let's say,
15 heating -- heating season months.

16 And, of course, you're going to use more
17 consumption during the winter months than you're
18 going to be using in the summer months when you're
19 not using your heat.

20 Heating degrees days are figured out
21 based on the outside temperature compared to the
22 normal average temperature for that day. For

1 example, on the -- if we look back on the last page
2 of Exhibit 7-A, which we marked 7-K --

3 JUDGE MORAN: Hm-hmm.

4 THE WITNESS: -- we would see that --

5 JUDGE MORAN: Okay. Let us all find it.

6 THE WITNESS: I'm sorry.

7 JUDGE MORAN: 7-K. It's the last page of
8 Exhibit 7. Okay.

9 Hm-hmm.

10 THE WITNESS: Okay. So when this rebilling
11 occurred, this rebilling was the first rebilling
12 from August 8th of '06 through September -- I'm
13 sorry, September 8th of '06 through October 9th of
14 '06.

15 And if we look on the left-hand side of
16 the page where it has meter reading information,
17 we're going to show that the reading on
18 September 8th is marked as that last actual reading
19 we referred to when we rebilled the account, which
20 was 9/9/06.

21 So when the consumption is now being
22 reallocated, it's going to be reallocated during

1 the same billing time period, but more accurately
2 distributed than what the prior estimates were
3 during those same months before that, what we're
4 saying were underestimated during that 12-month
5 time period.

6 So all of the bills that were part of
7 Exhibit 7 are shown what the reallocation is of the
8 consumption for each of those rebills more accurate
9 than what the original estimated bills were that
10 were canceled out.

11 JUDGE MORAN: Okay. And on these rebills, when
12 it says "current estimate," that's the current
13 estimate generated by the computer program, not the
14 current -- not referring to the current estimate
15 that was estimated actually?

16 THE WITNESS: Right.

17 That's the new --

18 JUDGE MORAN: Okay.

19 THE WITNESS: -- current estimate based on the
20 reallocation of the consumption.

21 JUDGE MORAN: Thank you.

22 BY MR. GOLDSTEIN:

1 Q. Let's now turn to Peoples Gas Exhibit 8.

2 Could you explain what is contained on this
3 exhibit, Mr. Riordan?

4 MS. SAMMIE WASHINGTON: Did you say A or 8?

5 MR. GOLDSTEIN: Eight. The last exhibit.

6 JUDGE MORAN: It's the last page of the --

7 MS. SAMMIE WASHINGTON: The same. Okay.

8 MR. GOLDSTEIN: This one.

9 MS. SAMMIE WASHINGTON: Okay.

10 THE WITNESS: All right.

11 Exhibit 8 is a screen print that we call
12 of our profile panel. This would be the panel that
13 gives us a lot of information regarding this
14 particular account.

15 Again, if we look at the top row going
16 across, the status is active, which means it's an
17 active gas on account. The account type is listed
18 as commercial/RES, which is a residential heating.

19 JUDGE MORAN: Hm-hmm.

20 THE WITNESS: That's the account type for
21 billing. The turn-on date, as I said earlier, was
22 February 11 of 2004. That's when this account

1 became an active account.

2 Going back over again to the left-hand
3 side of the column, you're going to see the most
4 recent service to date. What that means is the
5 last time we billed this account was on March 12th
6 of 2008. Just recently.

7 The current bill at that time up to
8 March 12th of 2008 was \$1,204.40. The account
9 arrears, which is 5,908.45, is everything that is
10 past due, including the amount that's being
11 disputed right now of the balloon bill.

12 The total account balance as of
13 March 12th, right now, is \$7,112.85.

14 The bill due date, which reflects for
15 the current bill's due on March 27th. The last
16 payment that was made on this account was for
17 \$261.28. And the payment date of that 261 was on
18 December the 11th of 2007, which means that's the
19 last payment that's been made on this account.

20 The middle columns show we're currently
21 holding \$950 of deposit on this account. They paid
22 950 prior towards a deposit we're holding.

1 The bottom part are just what we would
2 call snapshots of other panels that we can go into
3 to see what other information might be out there
4 pertaining to the customer's account.

5 The first one is kind of highlighted.
6 It's says CUSCOMM, C-O-M-M- -- that's customer --
7 that's abbreviation for customer communication.
8 The customer communication panel would give us
9 information pertaining to information, let's say,
10 regarding customer's inquiries.

11 JUDGE MORAN: Hm-hmm.

12 THE WITNESS: Other buttons that are enabled
13 here just show collection summary, contracts,
14 customer comments, premise instructions.

15 The two little -- three buttons on the
16 bottom here, if you want to call them -- we call
17 them buttons. The red flag would mean there's some
18 information that's pertinent to the account for us
19 to look at.

20 And then you have an account dispute and
21 a working button that indicates there's some type
22 of dispute on the account for anybody that looks at

1 this panel can see a brief snapshot of everything
2 that's going on right now without having to go
3 through all the different panels here.

4 JUDGE MORAN: Okay.

5 MR. GOLDSTEIN: I have nothing else of the
6 witness.

7 I would move into evidence Peoples Gas
8 Exhibits 1 through 8.

9 JUDGE MORAN: Okay. Is there any objection to
10 having this part of the record, any of these
11 materials or these documents that --

12 MR. BOBBIE WASHINGTON: You say you need them?

13 MS. SAMMIE WASHINGTON: No, she said, is there
14 any objection.

15 MR. BOBBIE WASHINGTON: Oh. No, not yet.

16 JUDGE MORAN: Okay. All right.

17 They will be admitted subject to
18 cross-examination. That means any questions
19 that --

20

21

22

1 (Whereupon, Respondent
2 Exhibit Nos. 1 through 8 were
3 admitted into evidence as
4 of this date.)

5 MR. GOLDSTEIN: Judge, as of right now, I would
6 propose a short recess.

7 JUDGE MORAN: Oh, yes.

8 MR. BOBBIE WASHINGTON: Wait a minute. She has
9 to go to work.

10 JUDGE MORAN: Oh, my gosh.

11 What time?

12 MS. SAMMIE WASHINGTON: Actually, I'm on the
13 clock now. I didn't know that it was going to be
14 this long.

15 JUDGE MORAN: Oh, gosh.

16 MR. GOLDSTEIN: Perhaps then we should have
17 Ms. Washington testify and then take a break.

18 JUDGE MORAN: Okay. Yes.

19 MR. GOLDSTEIN: That's fine.

20 JUDGE MORAN: Let's do that, and we can take a
21 break. And you can stay a little longer,
22 Mr. Washington, if we need to let your wife go.

1 SAMMIE WASHINGTON,
2 called as a witness herein, having been first duly
3 sworn, was examined and testified as follows:

4 EXAMINATION

5 BY

6 JUDGE MORAN:

7 **Q.** Ms. Washington, what can you tell me about
8 your complaint in this case?

9 **A.** Okay. My complaint with Peoples Gas goes
10 back long before any of this. It goes all the way
11 back to when I had my son Jason in 1983. That was
12 when we had just moved into the building. We moved
13 into the building in August of that year, and he
14 was born in November. At that time, my son had a
15 jaundice problem. So I was home, but my husband
16 was taking him back and forth to the hospital.

17 At that time, a meter reader came to our
18 house and said he was there to read the meter. And
19 he went down. I, you know, unlocked the door for
20 him. He went down. And when he came back up, he
21 said that -- that our gas was illegally connected,
22 okay? We moved in in August. This is now

1 November, the 1st of November.

2 So he asked for money at that time. And
3 I told him, you know, I would have to talk to my
4 husband about it. When my husband came back, I let
5 him know what had happened. And we discussed it
6 and my -- my thing was to call the gas company to
7 see.

8 And when I called the gas company and
9 reported this, it seemed like from that time up
10 until now, we've had nothing but problems.

11 When they came in, they did find an
12 illegal connection, which had nothing to do with us
13 because we had just moved in there.

14 **Q.** Moved in there. Sure.

15 **A.** Okay?

16 **Q.** Okay. Okay.

17 **A.** So, I mean, we've had disconnections in the
18 heart of the winter, you know. And we are just
19 normal working people.

20 You talking about balloon payments? My
21 understanding is that we won't have this again with
22 this new system; is that correct?

1 MR. JOHN RIORDAN: With the -- yes.

2 THE WITNESS: Okay. But to come up with an
3 estimate of \$2,000 with a disconnection notice
4 tacked onto this, it's absurd to me.

5 You know, it's not like we just have
6 money like this laying around just for the gas
7 bill. And each time it happens, it put us in a
8 strain.

9 BY JUDGE MORAN:

10 Q. And I --

11 A. And, I mean, I understood everything that
12 you said when you went back to the meters and the
13 dates and how you read it and the therms used and
14 all of that.

15 But I'm just -- these are my feelings:
16 That ever since that incident, we've had nothing
17 but problems with Peoples Gas.

18 Q. I'm just wondering -- and, again, I have
19 paid that much attention to these documents except
20 I was trying to find Mr. -- follow Mr. Riordan's
21 explanation.

22 A. Hm-hmm.

1 **Q.** But it seemed like you weren't far away
2 from your -- from making good on even these bills;
3 and then all of a sudden, based on this exhibit,
4 you fell so far behind.

5 What happened?

6 **A.** Well --

7 **Q.** Can you --

8 **A.** First of all, we -- it's a three-flat. We
9 don't -- we haven't had a tenant for over a year,
10 you know. It's things like that.

11 **Q.** And what, you're picking up that gas bill
12 on that unit also?

13 **A.** Correct. Yes.

14 It's -- we heat the building and we
15 don't have the income coming from that.

16 **Q.** Okay.

17 **A.** Hm-hmm.

18 JUDGE MORAN: Okay.

19

20

21

22

1 JOHN RIORDAN,
2 recalled as a witness herein, having been
3 previously duly sworn, was further examined and
4 testified as follows:

5 EXAMINATION

6 BY

7 JUDGE MORAN:

8 **Q.** Mr. Riordan?

9 **A.** Yes.

10 **Q.** When you have these kinds of situations
11 where there's been this balloon billing and then,
12 somehow, someone suffers other things or other
13 situations in a building, don't you provide some
14 kind of payment plans or --

15 **A.** Sure.

16 **Q.** -- budget plans or whatever?

17 **A.** Sure.

18 **Q.** And has that been offered to this couple
19 here?

20 **A.** I believe, at the initial -- at the initial
21 informal request that was put in by the Washingtons
22 on this case before it went to the formal hearing

1 stage, I believe, at the time, the representative
2 who handled the initial --

3 Q. Hm-hmm.

4 A. -- informal. And if you'll give me a
5 minute, I'll pull that original one.

6 MR. BOBBIE WASHINGTON: Can I say something?

7 THE WITNESS: I believe there was a mention --

8 MR. BOBBIE WASHINGTON: They did offer us a
9 plan.

10 JUDGE MORAN: Hm-hmm.

11 MR. BOBBIE WASHINGTON: But it's not for what we
12 owe for gas right now, but I thought we was here --
13 we was talking about the balloon bill, you know,
14 what they estimated that we should have paid back
15 in '06 to '07.

16 JUDGE MORAN: Right.

17 MR. BOBBIE WASHINGTON: That's what I thought we
18 was here for.

19 Now, for us to bill -- the current bill,
20 we going to take care of that, but we got to know
21 about this \$2,000 or something we owe that they
22 said that we didn't pay. You know, we was current

1 and, you know, and that's --

2 JUDGE MORAN: And that's --

3 MR. BOBBIE WASHINGTON: That was kind of a
4 setback when all of a sudden, they going to send
5 us --

6 JUDGE MORAN: I understand. And they will have
7 to -- they will file a brief and show me what the
8 law is on that, and I can only do what the law
9 states.

10 So you will be filing briefs. I'm not
11 making a decision yet. I obviously can't because I
12 have to review all of this and the briefs. And you
13 can certainly file something in writing, too, as to
14 what you believed -- as I understand it now, you're
15 contesting that rebilling which -- which --

16 MR. BOBBIE WASHINGTON: Took place before they
17 put -- I mean, took place after they put the meter
18 in.

19 JUDGE MORAN: Right.

20 So, really, it was tied to the meter,
21 but it wasn't. You're disputing, I think it's like
22 \$2,000.

1 MR. BOBBIE WASHINGTON: Yeah. Right.

2 JUDGE MORAN: That's what I'm sensing from all
3 this.

4 MR. BOBBIE WASHINGTON: Right.

5 JUDGE MORAN: Am I correct?

6 Okay. I'm going to --

7 THE WITNESS: Okay.

8 As I mentioned in regards to the
9 original informal inquiry you filed back in
10 September on this matter, Zenetra, Z, as in zebra,
11 e-n-e-t-r-a, Weatherall, W-e-a-t-h-e-r-a-l-l.

12 She was the individual that handled the
13 inquiry initially. We have a copy here of a letter
14 that was sent to Mr. and Mrs. Washington regarding
15 the outcome of the investigation.

16 JUDGE MORAN: Hm-hmm.

17 THE WITNESS: The last column or last paragraph,
18 she's written, Thank you for your patience as we
19 look into this matter. We realize this billing
20 adjustment may be an inconvenience -- may
21 inconvenience you and we offer our sincere apology.

22 If you would like to make special

1 payment arrangements, please contact me at (312)
2 240-3612, which is her direct number. A copy of
3 this letter has been sent to the Illinois Commerce
4 Commission.

5 JUDGE MORAN: Okay.

6 THE WITNESS: So at the time we closed the
7 informal inquiry, we sent the letter letting them
8 know they have the opportunity to make
9 arrangements, special arrangements.

10 We weren't asking them to pay it all at
11 one time. We would have to at least offer 12
12 months to pay it off, which we would have gladly
13 offered 12 months.

14 We probably would have possibly given
15 you -- you know, if you'd asked, we probably would
16 have been willing to go more than 12 months.

17 MR. BOBBIE WASHINGTON: Well, that wasn't my
18 objection.

19 My objection is that why was that
20 estimated reading there in the first place when I
21 was current with my bill. You know, because you
22 was saying something like I was paying a thousand

1 dollars last year in gas; and now this year, it's
2 almost practically the same per month.

3 So that's why I want to know is where
4 you getting your estimates from.

5 THE WITNESS: Well, we're not estimating any
6 current usage as this time.

7 As we said earlier, September, we put
8 the meter in with an electronic device. So every
9 bill we sent currently has been based on --

10 MR. BOBBIE WASHINGTON: Well, can you tell me
11 this then:

12 The meter you took out, that was a meter
13 that was changed, too. It was changed, I think, in
14 '75 or '76. That was a meter that was changed,
15 too. And we didn't get no billing like what we got
16 then.

17 But this meter that we had now, it
18 was -- it was easier meter to read -- I mean then.
19 It was easier to read in the -- read because the
20 light went one, two, three, four. It didn't have
21 the analogue stuff it on.

22 THE WITNESS: Right. It was a rotary meter.

1 MR. BOBBIE WASHINGTON: And I'm quite sure I
2 have called in that number on that meter to find
3 out if my gas was right and it's no -- it's no --
4 nothing on that.

5 THE WITNESS: Right. I don't have --

6 MR. BOBBIE WASHINGTON: You know what I mean --

7 THE WITNESS: Sure.

8 MR. BOBBIE WASHINGTON: -- how you call in the
9 reading?

10 And -- I'm quite sure I did that quite a
11 few times. And I know I haven't went -- it seemed
12 like, to me, I haven't went a whole year and didn't
13 nobody read my meter.

14 THE WITNESS: Well, you --

15 MR. BOBBIE WASHINGTON: I just want to know
16 where this estimate come from.

17 I mean, like I said, the gas -- this one
18 was much harder than it was last winter.

19 THE WITNESS: Sure.

20 MR. BOBBIE WASHINGTON: But, yet, the billing is
21 about the same.

22 THE WITNESS: Well, unfortunately, like

1 everything else, the current -- you know, current
2 bills now today are much higher than they were last
3 year --

4 MR. BOBBIE WASHINGTON: That's what I'm saying.

5 THE WITNESS: -- due to the cost of gas, plus
6 the colder winter --

7 MR. BOBBIE WASHINGTON: I can understand that.

8 THE WITNESS: A lot of factors play a part of
9 the bills.

10 MR. BOBBIE WASHINGTON: I'm not worried about
11 the billing right now.

12 THE WITNESS: Right.

13 MR. BOBBIE WASHINGTON: I'm talking about how
14 can I owe from last year and the readings are
15 almost the same?

16 See, and the gas wasn't that high last
17 year. See, that's what I'm saying. I can't see
18 the \$2,000. I can't see it at all because we
19 was -- because I was paying every month -- I was
20 paying that gas bill every day -- I mean, every
21 month. And I was paying 1300, 1200 during the
22 winter months.

1 THE WITNESS: Right.

2 MR. BOBBIE WASHINGTON: And during the summer
3 months, we didn't use it.

4 And the little gas, I'm not at home half
5 the time. We are not -- we don't use too much
6 cooking gas. That's what I can't understand.

7 THE WITNESS: I would have to say that's
8 probably half -- if not more than half of this
9 bill, 70, 80 percent of it possibly could be an
10 effect of the heating bills that you were getting
11 from the prior heating season being underestimated.

12 I agree with you. Your cooking gas -- I
13 mean, you have another account on the second floor,
14 which is a nonheating account, which would be, for
15 example, a cooking account only.

16 MR. BOBBIE WASHINGTON: Yeah.

17 THE WITNESS: Okay? This one that we're
18 speaking of would most likely be the main meter for
19 building -- for heat and hot water for the
20 building.

21 MR. BOBBIE WASHINGTON: That's what I'm speaking
22 of.

1 THE WITNESS: Right.

2 MR. BOBBIE WASHINGTON: That's exactly what I'm
3 speaking of. See, I use -- the same meter uses my
4 cooking gas, too.

5 JUDGE MORAN: Okay. So this meter heats the
6 whole building?

7 MR. BOBBIE WASHINGTON: It heats the whole
8 building, plus --

9 JUDGE MORAN: Plus your --

10 MR. BOBBIE WASHINGTON: Plus for the --

11 (Discussion off the record.)

12 JUDGE MORAN: So let me finish and then you can
13 correct me.

14 It's your personal heating -- it's
15 heating, excuse me, for the whole building, plus
16 any personal gas used that you have for appliances,
17 for stoves, anything like that within your unit.

18 MR. BOBBIE WASHINGTON: True.

19 See, in other words, what I'm trying to
20 say is that the heating bills up until -- up until
21 September of '07 seem like it was consistent to me.

22 I mean, as far as the winter was

1 concerned, I paid all the winter bills. And then
2 during the summer, I can see \$84 bills because we
3 wasn't using that gas, and I haven't gotten no
4 central air or nothing.

5 JUDGE MORAN: Well, could it also have been --
6 when was that leak found, the gas leak?

7 MR. JOHN RIORDAN: No, the leak --

8 MR. BOBBIE WASHINGTON: Excuse me. The leak
9 is -- it's like the pilot line. If you pilot is
10 off --

11 JUDGE MORAN: Uh-huh.

12 MR. BOBBIE WASHINGTON: -- you won't get no
13 leak.

14 That's why he just didn't turn the pilot
15 on. He said, I can't turn it on because you have
16 got a leak. He called it something. I forget what
17 he called it.

18 But when I -- when I had the gas -- the
19 man come by and check it, he found a corrosion in
20 the line leading from the pilot -- the pilot light
21 to light the furnace.

22 So it wouldn't -- you know, with the

1 furnace being off all summer, you wouldn't see the
2 leak. You wouldn't even -- it wouldn't be leaking.

3 MS. SAMMIE WASHINGTON: It was not in the
4 heating season, is what he's saying.

5 JUDGE MORAN: Okay.

6 MR. BOBBIE WASHINGTON: Otherwise, if it was
7 leaking while the heating season was on during the
8 winter, we probably blew up the building, because
9 that was a big hole in that pilot light.

10 JUDGE MORAN: Okay.

11 MR. JOHN RIORDAN: That was part of the meter
12 change. That was the meter change on
13 September 24th.

14 JUDGE MORAN: That's what I'm talking about,
15 and --

16 MR. BOBBIE WASHINGTON: Right.

17 MR. JOHN RIORDAN: Right.

18 MR. BOBBIE WASHINGTON: So that leak had nothing
19 to do with it.

20 JUDGE MORAN: Okay. So that would have affected
21 any gas leaking --

22 MR. BOBBIE WASHINGTON: It wasn't -- that was a

1 new furnace --

2 JUDGE MORAN: -- on during the season.

3 MR. BOBBIE WASHINGTON: That was a new furnace
4 we bought in '76.

5 It just that during -- I guess during
6 the summer months, see, they had the line on the
7 ground. That might have got wet or something and,
8 you know, getting corroded.

9 JUDGE MORAN: Okay.

10 MR. BOBBIE WASHINGTON: 2006. I mean, I'm
11 sorry.

12 JUDGE MORAN: Is there anything else -- I'm
13 concerned about you getting back to work.

14 MS. SAMMIE WASHINGTON: Okay.

15 JUDGE MORAN: Is there anything else you want to
16 tell me in terms of this dispute around the meter
17 change?

18 MR. SAMMIE WASHINGTON: No.

19 Basically, I said what I have to say on
20 that.

21 JUDGE MORAN: Okay. Thank you.

22 Then if you need to go, please.

1 MS. SAMMIE WASHINGTON: Okay. Thank you.

2 JUDGE MORAN: I don't want your work to suffer.

3 And -- unless you have any questions for

4 Miss --

5 MR. JOHN RIORDAN: The only thing I would feel
6 like saying to you that, I mean, at this point, we
7 understand how the bill came about, the balloon
8 billing. And usage since then, of course, is all
9 part of the \$7100 I mentioned as your total overall
10 balance right now.

11 And on top of that, I believe there's
12 also been some additional late fees added on on the
13 current billing and stuff like that.

14 I would have no problem at all setting
15 up some type of arrangements that we both can live
16 with to pay off the bill. We're talking about the
17 \$7100, which includes your current charge.

18 MR. BOBBIE WASHINGTON: I'm not talking about
19 the 71 --

20 MS. SAMMIE WASHINGTON: Excuse me --

21 MR. BOBBIE WASHINGTON: I'm talking about the
22 \$2,000.

1 MR. JOHN RIORDAN: No, I understand.

2 The 2000 is included in the 71. I'm
3 including your current usage and anything that's
4 part of the dispute which is included in that
5 \$7100. That's your total balance, okay?

6 MS. SAMMIE WASHINGTON: For the sake of
7 argument, please.

8 MR. JOHN RIORDAN: That's including the
9 current -- the disputed amount we're talking about.

10 Even going back to September of '07,
11 when this balloon bill came out --

12 JUDGE MORAN: Should we go off the record or do
13 you want to stay on the record?

14 What do you want to do?

15 MR. JOHN RIORDAN: I would have no objection to
16 working out some type of a payment arrangement with
17 you on the total balance.

18 And looking at how much has been billed
19 as late charges on that balance, agreeing to waive
20 whatever late charges you've been assessed, working
21 with your total gas balance and putting you on,
22 say, some type of a payment arrangement, 18 months,

1 which would also include those current bills.

2 I have no -- you know, I'm willing -- I
3 know you mentioned about some type of not making
4 arrangements before, I believe you said, but I'm
5 more than willing to try to work some type of
6 arrangements out which are agreeable to both sides.

7 MR. BOBBIE WASHINGTON: So, in other words,
8 you're saying you're going plea bargain with us and
9 keep that \$2,000 on the bill?

10 MR. JOHN RIORDAN: I would say, yes, because I
11 feel that that \$2,000 is true consumption that was
12 underbilled.

13 MR. BOBBIE WASHINGTON: Well, the only thing we
14 can do is wait for the -- you know, the outcome.
15 If we really owed the 2000, then we can go into the
16 arrangements.

17 MR. JOHN RIORDAN: Okay.

18 MR. BOBBIE WASHINGTON: If we going to see if we
19 really supposed to pay that 2000.

20 JUDGE MORAN: Okay. Then -- all right.

21 But, hopefully, you'll keep that offer
22 on the table.

1 Is there any more --

2 MR. GOLDSTEIN: Is this a good time to have a
3 recess, Judge?

4 JUDGE MORAN: Okay. Yeah. Let's take a recess.

5 (Recess taken.)

6 JUDGE MORAN: It appears to the ALJ that
7 Mr. Washington is not comfortable with billings of
8 one year because he believes that they may be much
9 higher than readings for another year.

10 I have asked Peoples Gas to provide a
11 late-filed exhibit in response to an ALJ request
12 and that will be ALJ Request No. 1 of Peoples, and
13 I have been told that Peoples agrees to provide
14 that. It will be made part of the record.

15 It will be served on you,
16 Mr. Washington. In other words, a copy will be
17 mailed to you.

18 MR. BOBBIE WASHINGTON: Okay.

19 MR. GOLDSTEIN: We probably could get that
20 within, say --

21 MR. JOHN RIORDAN: Within a week.

22 MR. GOLDSTEIN: -- from a week from tomorrow.

1 JUDGE MORAN: That's fine.

2 MR. JOHN RIORDAN: Within a week.

3 JUDGE MORAN: And when would we want briefing on
4 this?

5 MR. GOLDSTEIN: What are we briefing, Judge?

6 JUDGE MORAN: Well, I guess you would certainly
7 want to put in some law and some facts in support
8 of your position here.

9 MR. GOLDSTEIN: Well, I would only be willing to
10 brief the matter if the complainant is going to
11 file some kind of brief.

12 I don't want to just file a solo brief.

13 JUDGE MORAN: Well, then I certainly want you
14 to --

15 MR. GOLDSTEIN: It's all the part -- obviously,
16 it's all part of 83 Illinois Administrative Code
17 281.100, which gives the Company the right to go
18 back at least a year on rebilling.

19 JUDGE MORAN: That's correct.

20 Well, then you need to provide me with
21 that provision.

22 MR. GOLDSTEIN: I could -- I'd be happy to do

1 that in a brief form, but, you know, I'd like to do
2 that in response to some -- something that the
3 complainant would file.

4 JUDGE MORAN: Okay.

5 MR. GOLDSTEIN: I don't think he's actually
6 disputing the fact that we can go back a year.

7 I think what he's disputing is the
8 \$2,500 worth of therms that were used in excess of
9 what he was actually billed during that one-year
10 time period.

11 I think that's where the dispute lies.

12 MR. BOBBIE WASHINGTON: I'm just -- you're
13 correct in a way, but I'm just saying I want -- you
14 know, like compare this year to '76 or '75.

15 MR. JOHN RIORDAN: I can tell you that our
16 records don't go back that far. We go back three
17 years. You mean, you're looking at '75 and '76 --

18 MR. BOBBIE WASHINGTON: Not '75. '05. I'm
19 sorry.

20 MR. GOLDSTEIN: You scared the heck out of us.

21 JUDGE MORAN: Okay.

22 MR. GOLDSTEIN: Trying to figure out --

1 MR. BOBBIE WASHINGTON: '05. Like '05, maybe
2 you can throw in '04, if you can.

3 MR. GOLDSTEIN: We'll give him three years'
4 worth of billing --

5 JUDGE MORAN: Three years --

6 MR. GOLDSTEIN: -- if that's what you want.

7 JUDGE MORAN: That would be great. That would
8 be great, because years can be disproportionate one
9 way or the other, and so three years --

10 MR. GOLDSTEIN: But I don't see the -- I don't
11 see the need for the brief. That's, I guess, where
12 I'm headed.

13 What am I -- I mean, I'm --

14 JUDGE MORAN: Well, then do you want to do a
15 draft order?

16 MR. GOLDSTEIN: Yes.

17 JUDGE MORAN: Okay.

18 MR. GOLDSTEIN: I'll --

19 JUDGE MORAN: You wish to do a draft order?

20 Fine.

21 MR. GOLDSTEIN: If you give me about 28 days to
22 do that, Judge.

1 I want to see what the comparative
2 information that Mr. Riordan is going to prepare,
3 because I think it is important and I think it
4 would be most helpful in determining the outcome of
5 this proceeding.

6 JUDGE MORAN: Okay.

7 MR. GOLDSTEIN: And I can also advise your Honor
8 that we have made an offer to try to settle this
9 matter to Mr. Williams.

10 MR. JOHN RIORDAN: Washington.

11 MR. GOLDSTEIN: Washington. I'm thinking --
12 sorry. To Mr. Washington.

13 JUDGE MORAN: Hm-hmm.

14 MR. GOLDSTEIN: And that offer is still on the
15 table during all this time period.

16 JUDGE MORAN: Thank you.

17 Mr. Washington, you have an opportunity
18 to put in writing any arguments you wish to make
19 also.

20 MR. BOBBIE WASHINGTON: The writings I have gave
21 you the first time, didn't you see them? Didn't
22 you -- is that what you mean?

1 JUDGE MORAN: Well, yes, you filled out a
2 complaint; is that what you're talking about?

3 MR. BOBBIE WASHINGTON: No, I mean, what my
4 writings would be -- consist of now?

5 JUDGE MORAN: Well, you could just write --

6 MR. BOBBIE WASHINGTON: Once I come to an
7 agreement to --

8 MR. GOLDSTEIN: Perhaps --

9 MR. BOBBIE WASHINGTON: When he sends me the --

10 JUDGE MORAN: Uh-huh.

11 MR. BOBBIE WASHINGTON: -- you know, the
12 payments and all that stuff, that should be
13 sufficient for me.

14 MR. GOLDSTEIN: Perhaps what we could do is
15 order him to respond to the draft order I'm going
16 to file.

17 JUDGE MORAN: Okay. That's maybe what I will
18 do.

19 I will have Mr. Goldstein prepare a
20 draft order. That will come to you and then
21 anything you disagree with in there, you could just
22 make me a list of and what you disagree with and

1 why.

2 MR. BOBBIE WASHINGTON: Okay.

3 JUDGE MORAN: Would that be easy?

4 MR. BOBBIE WASHINGTON: That would be easy.

5 JUDGE MORAN: Okay. Great.

6 Then we'll do it that way.

7 When do you expect to be able to do a
8 draft order in this case?

9 MR. GOLDSTEIN: I thought I asked for 28 days.

10 JUDGE MORAN: I'm sorry. I didn't hear you.

11 MR. GOLDSTEIN: Oh, I'm sorry.

12 JUDGE MORAN: And that date would be?

13 MR. GOLDSTEIN: April -- yeah, how about
14 April 28th, Judge?

15 JUDGE MORAN: That's fine. Thank you.

16 At this point, I don't believe that
17 anyone -- any side has any more evidence to put
18 into the record, am I correct, other than the
19 late-filed exhibit.

20 Am I correct?

21 MR. BOBBIE WASHINGTON: Yeah, you're correct.

22 Sorry.

1 JUDGE MORAN: Okay.

2 Then at this point, I'm going to mark
3 the record heard and taken. That means the record
4 is now closed.

5 MR. BOBBIE WASHINGTON: Okay. Wait a minute.
6 Excuse me.

7 You say April 28th is what?

8 JUDGE MORAN: That is the date that
9 Mr. Goldstein will file --

10 MR. BOBBIE WASHINGTON: Okay.

11 JUDGE MORAN: -- and serve you. That means he
12 will mail you a copy --

13 MR. BOBBIE WASHINGTON: Something by April the
14 28th.

15 JUDGE MORAN: -- a copy of the draft order.

16 At that point, you will respond in
17 writing to that both (sic) and send a copy both to
18 Mr. Goldstein and to myself.

19 Okay?

20 MR. BOBBIE WASHINGTON: Oh, okay. In other
21 words, we might not have to show up down here
22 anymore?

1 JUDGE MORAN: Oh, no. No. This is the last
2 time.

3 MR. BOBBIE WASHINGTON: Okay.

4 JUDGE MORAN: Everything then can be done by
5 mail.

6 MR. BOBBIE WASHINGTON: All right.

7 JUDGE MORAN: Okay?

8 MR. JOHN RIORDAN: 7714 Kingston.

9 MR. BOBBIE WASHINGTON: 7714 South Kingston,
10 60649.

11 MR. GOLDSTEIN: The only other thing, Judge,
12 that I would point out for the record --

13 JUDGE MORAN: Yes.

14 MR. GOLDSTEIN: -- is that when the information,
15 that comparative therm information --

16 JUDGE MORAN: Yes.

17 MR. GOLDSTEIN: -- that Mr. Riordan is going to
18 prepare, we will send that out to Mr. Washington.

19 I will probably call him a short while
20 after that and ask him whether he's reviewed that
21 and whether we can settle it --

22 JUDGE MORAN: And that's fine.

1 MR. GOLDSTEIN: -- because --

2 JUDGE MORAN: That's fine. I have no problem
3 with that.

4 MR. GOLDSTEIN: That would be about all I could
5 do.

6 MR. BOBBIE WASHINGTON: That's fine.

7 MR. GOLDSTEIN: And if I don't get the right
8 response, then I'll prepare a draft order.

9 JUDGE MORAN: Okay. That sounds good to me.

10 And thank you all, and I'm going to mark
11 the record heard and taken.

12 HEARD AND TAKEN. . .

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