

For Commission Use Only:
Case: 08-0320

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

FORMAL COMPLAINT

Illinois Commerce Commission
527 E. Capitol Avenue
Springfield, Illinois 62701

ORIGINAL

Regarding a complaint by (Person making the complaint): Charles Henry Lewis, Sr.

Against (Utility name): AT&T & SBC Long Distance

As to (Reason for complaint) Deceptive business practices via cramming, misrepresentation, unfair dealings, harassment and I believe AT&T has not acted in good faith.

No information was provided to me, the customer, prior to the first offense, notice of non-compliance, and retaliation for making complaints regarding service, staff and business practices as AT&T does not demonstrate a reasonable standard of care with all customers.
in Chicago Illinois.

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My mailing address is 435 West 125th Street

The service address that I am complaining about is 435 West 125th Street

My home telephone is [773] 785-2773

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at [773] 785-2773

My e-mail address is doorman003@aol.com I will accept documents by electronic means (e-mail) Yes No

(Full name of utility company) AT&T & SBC Long Distance (respondent) is a public utility and is subject to the provisions of the Illinois Public Utilities Act.

In the space below, list the specific section of the law, Commission rule(s), or utility tariffs that you think is involved with your complaint.

I do not know the Commission's violation codes well enough to cite them with accuracy. However, I want a hearing. I do NOT want mediation.

Have you contacted the Consumer Services Division of the Illinois Commerce Commission about your complaint? Yes No

Has your complaint filed with that office been closed? Yes No

CHIEF CLERK'S OFFICE
2008 MAY 15 11:39
ILLINOIS COMMERCE COMMISSION

Please state your complaint briefly. Number each of the paragraphs. Please include time period and dollar amounts involved with your complaint. Use an extra sheet of paper if needed.

(See attached for more details.)

① December 2006 asked for unlimited long distance and local service, and I authorized the change in my AT&T service. AT&T crammed another service on my account and result with unauthorized charges that took four months to reverse. I do not owe AT&T for \$900, and will not pay for \$970 in long distance.

② December 2007 I received a notice, First Offense, with no warning or specific non-compliance issue relevant to my account. I tried to call them, AT&T, several times in December requesting additional information regarding non-compliance but AT&T ignored me. Subsequently received a second offense notice.

Please clearly state what you want the Commission to do in this case: If my service is disconnected, it should be reconnected without payment of any deposit and that I not be responsible for the bill. I want all long distance charges and charges/fees associated to long distance on my AT&T account during the disputed period, January 2008 thru May 2008, reversed to zero balance.

NOTICE: If personal information (such as a social security number or a bank account number) is contained in this complaint form or provided later in this proceeding, you should submit both a public copy and a confidential copy of the document. Any personal information contained in the public copy should be obscured or removed from the document prior to its submission to the Chief Clerk's office. Any personal information contained in the confidential copy should remain legible. If personal information is provided in your public copy, be advised that it will be available on the internet through the Commission's e-Docket website. The confidential copy of any filing you make, however, will only be available to Commission employees. If you file both a public and confidential version of a document, clearly mark them as such.

Today's Date: May 6, 2008
(Month, day, year)

Complainant's Signature: Charles Lewis Sr

If an attorney will represent you, please give the attorney's name, address, telephone number, and e-mail address.

When you finish filling out this complaint form, you need to file the original with the Commission's Chief Clerk. When filing the original complaint, be sure to include one copy of the original complaint for each utility company complained about (referred to as respondents).

VERIFICATION

A notary public must witness the completion of this part of the form.

I, Charles Henry Lewis, Sr., Complainant, first being duly sworn, say that I have read the above petition and know what it says. The contents of this petition are true to the best of my knowledge.

Charles Henry Lewis Sr
Complainant's Signature

Subscribed and sworn/affirmed to before me on (month, day, year) May 6, 2008

Brenda Faye Prowell
Signature, Notary Public, Illinois



NOTE: Failure to answer all of the questions on this form may result in this form being returned without processing.

May 9, 2008

VIA FACSIMILE: 217/542-0673

Ms. Elizabeth A. Rolando
Chief Clerk
ILLINOIS COMMERCE COMMISSION
527 East Capitol Avenue
Springfield, Illinois 62701

RE: 200806630 (TRACK NUMBER: 0823-2008) – FORMAL COMPLAINT (EXTRA PAGE)

Dear Ms. Rolando:

My complaint is against AT&T begins with requesting DSL and subscription to the unlimited local and long distance service plan ending with "cramming" an unauthorized service plan of 10 cents and charging billing \$976.03 which I received Friday, May 9, 2008.

AT&T crammed unauthorized long distance service and charges associated with their Nationwide 10 cent a minute plan for service on my account. The cramming happened on my account more than once since January 2007 and reoccurred in January 2008. The second occurrence resulted with AT&T billing my account for \$976.03 an invoice I received Friday, May 9, 2008.

AT&T was advised in writing via my letters to AT&T's CEO that I do not want the AT&T One Rate Nationwide 10 cents calling plan and do not agree to the terms of the calling plan AT&T forced on my account. In addition to the several calls, there are three letters sent to AT&T's CEO. The letters are dated January 18, 2008 I advised AT&T I do not want the calling plan, cannot pay for service under those terms and stating I do not agree with the terms of calling being forced on my account. The next letter sent to AT&T's CEO is dated January 23, 2008 addressing another letter from AT&T that they had executed the forced plan on my account and a third letter on January 31, 2008. All three letters stated I did not want the calling plan AT&T was forcing on my account. I sent a final letter on March 11, 2008 to AT&T's CEO, after I received the February 2008 billing.

Additionally, in the letter dated January 18, 2008 to AT&T's CEO, I advised that I asked AT&T in my voicemail(s) for information to investigate the non-compliance issue after receiving a letter from AT&T sent to me in December 2007. The letter I received did not state the non-compliance issue as it pertained to my account. I called as instructed in the letter from AT&T but AT&T ignored my calls in December 2007 asking for help and stating I want to comply with the rules to keep the unlimited calling plan that includes local and long distance calls but would need print-outs of all activity on my account to identify the source of the non-compliance issue. AT&T ignored my requests. Discontinuing any non-compliance issues is an impossibility, if I, the customer do not know where the non-compliance issues are.

AT&T did not respond but sent a second letter received January 18, 2008 stating non-compliance on my account, again. AT&T correspondence sent to me in December 2007 is set up to get customers to call and leave messages but there is no assistance provided to the AT&T customer. AT&T does not give any warnings before sending our first offense notices, they do not provide any assistance to resolve said offenses, and AT&T does not provided any time for customers to identify other telephone service carriers. I believe AT&T set out to harm me in retaliation for complaints I made regarding the service and lack of customer service skills demonstrated by the Michelle Murdoch. Michelle is the AT&T Long Distance representative assigned to my account.

The purpose of AT&T correspondence, December 2007, is so that they feel that they have advised the customer but the letter does not explain in clear, concise and measurably what the non-compliance issue(s) are or how to resolve them.

Ms. Elizabeth A. Rolando

May 9, 2008

Page Two

AT&T's letter, dated December 2007, asks the customer instead to call them and then there is no follow-up to help or inform the customer how to resolve the issues stated in their correspondence. After several calls and letters, not once did AT&T describe to me where the non-compliance issue happened until after AT&T succeeded in cramming the unwanted calling plan on my account that generated the \$731.45 billing. How do you track calls to AT&T? AT&T will not send print-outs that might incriminate them. The calls would indicate I tried to resolve this matter in December 2007 with no assistance from AT&T Long Distance representative help. Then, a second notice was mailed to me. What a scam!

Since establishing my AT&T account in 1994, AT&T has engaged "slamming" in 1999/2000, allowing several residents in K-Town on the Westside of Chicago to open service in my name in 2002, deception business practices regarding the DSL in 2006 where the same long distance representatives took four months to reverse the fraudulent charges on my account in April 2007 and now this, "cramming," again.

I would say that AT&T has demonstrates a pattern of behavior that includes fraud, misrepresentation, unfair dealings, deceptive business practices. AT&T does not act in good faith with customers. The practice of cramming, slamming, identify theft, fraud, harassment, intimidation, extortion has got to stop.

I will NOT pay the \$976.03 telephone bill I received on Friday, May 9, 2008 because I NEVER authorized the plan at 10 cent a minute. The change in my service from the unlimited calling plan (i.e., local and long distance calls) to a one rate 10 cent a minute calling plan is unauthorized and it is the second consecutive year that AT&T and Michelle Murdoch has engaged in this illegal practice of cramming and slamming on my AT&T account. I do not believe that AT&T should change customer's service without a signed affidavit because AT&T cannot be trusted with business transactions that are communicated by telephone. AT&T could have discontinued the long distance serve but chose to apply the service of 10 cent a minute that I told them **I did not want and I can not pay AT&T.**

I feel harassed and bullied by AT&T and Michelle Murdoch. I believe both, AT&T and Michelle Murdoch, are criminals.

AT&T and their representatives are liars and need to be exposed. I believe when a subpoena ordering the release of every transaction via activity reports/printouts and voicemails since the inception of my account are revealed that no matter how surreptitiously Michelle Murdoch's attempts are to bullet an unremarkable and false report, AT&T will be exposed for fraud, deceptive business practices and more.

These are my additional comments to be attached to my formal complaint at the Illinois Commerce Commission against AT&T

Sincerely,



Charles H. Lewis
435 West 125th Street
Chicago, Illinois 60628
773/785-2773

April 21, 2008

VIA FACSIMILE: 217/782-1377

Mr. John Schaub
Consumer Services Division
ILLINOIS COMMERCE COMMISSION
527 East Capitol Avenue
Springfield, Illinois 62701

RE: 200806630 (TRACK NUMBER: 0823-2008)

Dear Mr. Schaub:

Thank you for your letter dated April 18, 2008 (see attached).

No, my concerns have not been resolved by AT&T. I am being billed for service I did not authorize.

AT&T's Consumer Services Division is not a trustworthy entity and not being truthful with the Illinois Commerce Commission if they informed you that this matter has been resolved.

This matter has not been resolved.

AT&T committed fraud. AT&T crammed their **AT&T One Rate Nationwide 10 cents calling plan** on my account. I did not authorize it and told them I did not want this calling plan nor could I pay for the service. I believe that AT&T is under the impression they are going to get away with fraud and cramming on my account for the second consecutive year and make me pay for it.

In writing, to AT&T's CEO I stated I did not want this calling plan on my account. My letters to AT&T's CEO are dated January 18, 23, and 31, 2008 and were sent to you as evidence.

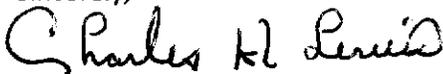
AT&T cannot satisfactorily justify their actions to me and continue to bill me for almost \$1000 for services I specifically told them I did not want?

How is it that I, the customer, said "no" and I get a bill for almost \$1,000 for this unauthorized calling plan?

At this time, I am told that the Illinois Commerce Commission is the best forum to resolve this matter with AT&T.

At this time, I would like to make a formal complaint and request mediation via the Illinois Commerce Commission. Please send to me the paperwork needed to request a formal hearing.

Sincerely,



Charles H. Lewis
435 West 125th Street
Chicago, Illinois 60628

Illinois Commerce Commission
Public Utility Complaint Form
Track Number: 0823-2008

Complainant Information

Full Name: charles lewis
Street Address: 435 west 125th street
Alternate Location:
City: chicago
State: il
ZipCode: 60628
Home Phone: 773-785-2773
Day-Time Phone: 773-785-2773
E-Mail Address: doorman003@aol.com

Complaint Information

Have you been in contact with the Utility?

Yes, I have contacted the utility.

Complaint Type: Telephone

Company Name: AT&T

Company Account Number: 773785-27739018

Disputed Phone Number: 773-785-2773

Please provide the details of your complaint below:

i received at&t correspondence dated january 18,2008 stating terms for one rate and at&t long distance service plan applied to my account. i do not agree with the terms in correspondence i received wednesday,january 23,2008 and will not pay invoices with rates stipulated in correspondence. i did not choose the service plan in the correspondence and decline this service plan. this is an enrichment scam to get me out of the service i agreed to for one that is very costly and unaffordable for me and my family. when i am on the internet and at&t service drops my connection from the internet, i will have to pay outrageous costs due to the the service plan they forced upon me, as well as, local and long distance calls ! no way! i want my service plan restored today i will not pay any at7t invoice sent to my home with these rates on this service plan, forced and imposed upon me by at&t. today apr 11,2008 received a disconnection notice if payment is not received by apr 17,2008 am a patient of dr surrender lal fax 773/863-0327 i have high blood pressure,diabetes,and obesity issues that compromise my heart and now, stress related illnessesall of which may result with my death due to predatory lending and harassment from utility companies more specifically at&t

Company Contacted Date:

Describe the Company's response to you and the action you would like to see taken by the ICC:

Illinois Commerce Commission
Public Utility Complaint Form
Track Number: 0833-2008

Complainant Information

Full Name: Charles Lewis
Street Address: 435 West 125th Street
Alternate Location:
City: Chicago
State: Illinois
ZipCode: 60628
Home Phone: 773-785-2773
Day-Time Phone: 773-785-2773
E-Mail Address: doorman003@aol.com

Complaint Information

Have you been in contact with the Utility?

Yes, I have contacted the utility.

Complaint Type: Telephone

Company Name: AT&T

Company Account Number: 773-785-2773-901-8

Disputed Phone Number: 773-785-2773

Please provide the details of your complaint below:

April 15, 2008 Mr. John Schayb Citizen's Advocate ILLINOIS COMMERCE COMMISSION 527 East Capitol Avenue Springfield, Illinois 62701 RE: 200806630 (TRACK NUMBER: 0823-2008) Dear Mr. Schaybr: My complaint is against AT&T. What AT&T did is called "cramming" because I did not authorize the changes in my AT&T service plan. AT&T was advised in writing via my letters to AT&T's CEO that I do not want the AT&T One Rate Nationwide 10 cents calling plan and do not agree to the terms of the calling plan AT&T forced on my account. In addition to the several calls, there are three letters sent to AT&T's CEO. The letters are dated January 18, 2008 I advised AT&T I do not want the calling plan, cannot pay for service under those terms and stating I do not agree with the terms of calling being forced on my account. The next letter sent to AT&T's CEO is dated January 23, 2008 addressing another letter from AT&T that they had executed the forced plan on my account and a third letter on January 31, 2008. All three letters stated I did not want the calling plan AT&T was forcing on my account. I sent a final letter on March 11, 2008 to AT&T's CEO, after I received the February 2008 billing. Additionally, in the letter dated January 18, 2008 to AT&T's CEO, I advised that I asked AT&T in my voicemail(s) for information to investigate the non-compliance issue after receiving a letter from AT&T sent to me in December 2007. The letter I received did not state the non-compliance issue as it pertained to my account. I called as instructed in the letter from AT&T but AT&T ignored my calls in December 2007 asking for help and stating I want to comply with the rules to keep the unlimited calling plan that includes local and long distance calls but would need print-outs of all activity on my account to identify the source of the non-compliance issue. AT&T did not respond but sent a second letter received January 18, 2008 stating non-compliance on my account, again. AT&T correspondence sent to me in December 2007 is set up to get customers to call and leave messages but there is no assistance provided to the AT&T customer. The purpose of AT&T correspondence is so that feel that they have advised the customer but the letter does not explain in clear, concise and measurably what the non-compliance issue is or how to resolve it. AT&T's letter asks the customer instead to call them and then there is no follow-up to help or inform the customer how to resolve the issues stated in their correspondence. After several calls and

letters, not once did AT&T describe to me where the non-compliance issue happened until after AT&T succeeded in cramming the unwanted calling plan on my account that generated the \$731.45 billing. Since establishing my AT&T account in 1994, AT&T has engaged "slamming" in 1999/2000, allowing several residents in K-Town on the Westside of Chicago to open service in my name in 2002, deception business practices regarding the DSL in 2006 where the same long distance representatives took four months to reverse the fraudulent charges on my account in April 2007 and now this, "cramming," again. I would say that AT&T has demonstrated a pattern of behavior that includes fraud and deceptive business practices. I will not pay the \$731.45 telephone bill. The change in my service from the unlimited calling plan (i.e., local and long distance calls) to a one rate 10 cent a minute calling plan is unauthorized and it is the second consecutive year that AT&T and Michelle Murdoch has engaged in this illegal practice of cramming on my AT&T account. I feel harassed and bullied by AT&T and Michelle Murdoch. I believe both, AT&T and Michelle Murdoch, are criminals. AT&T can start court proceedings on my account so that a judge can decide this matter and AT&T can get the necessary publicity from the media to expose these types of fraudulent business practices. AT&T and their representatives are liars and need to be exposed. I believe when a subpoena ordering the release of every transaction via activity reports/printouts and voicemails since the inception of my account are revealed that no matter how surreptitiously Michelle Murdoch's attempts are to bullet an unremarkable and false report, AT&T will be exposed for fraud, deceptive business practices and more. Therefore, my complaint is against AT&T, still. Sincerely, Charles H. Lewis 435 West 125th Street Chicago, Illinois 60628 773/785-2773

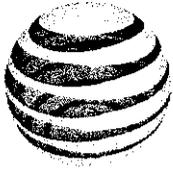
Company Contacted Date:

Describe the Company's response to you and the action you would like to see taken by the ICC:

Illinois Commerce Commission

Rod R. Blagojevich, Governor

<p>Consumer Information</p> <p>Agendas</p> <p>Energy</p> <p>File a Complaint</p> <p>File a Public Comment</p> <p>Find a Form</p> <p>Find a Report</p> <p>Household Goods Moving</p> <p>JULIE Enforcement</p> <p>Railroad Safety</p> <p>Relocation Towing</p> <p>Telephone</p> <p>The Consumer Guide to Relocation Towing</p> <p>Water and Sewer</p> <p>Industry</p> <p>Agendas</p> <p>Cable and Video</p> <p>Chief Clerk's Office</p> <p>Electricity</p> <p>Find a Form</p> <p>Motor Carrier</p> <p>Natural Gas</p> <p>Railroad Safety</p> <p>Telecommunications</p> <p>Transportation Clerk</p> <p>Water and Sewer</p> <p>Services</p> <p>Agendas</p> <p>e-Docket</p> <p>eInsurance</p> <p>eRelocator</p> <p>General Assembly Reports</p> <p>Human Resources</p> <p>Offices and Divisions</p> <p>Press and Media</p> <p>Reference Library</p> <p>RSS Feeds</p> <p>WETSA Program</p> <p>Search</p> <p><input type="text"/> <input type="button" value="Go"/></p> <p><input checked="" type="radio"/> ICC</p> <p><input type="radio"/> Illinois</p> <p>Illinois Commerce Comm. 527 East Capitol Ave Springfield, IL 62701</p> <p>(217) 782-7295</p>	<p>Home > Consumer Information > ICC Informal Complaint Wizard</p> <p>Track Number</p> <p>0833-2008</p> <p>Thank you for submitting your complaint.</p> <p>Print a Copy of Your Complaint Return to ICC Website</p>
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at&t

CHARLES LEWIS
435 W 125TH ST
CHICAGO IL 60628-7157

Page 1 of 2
Account Number 773 785-2773 901 8
Billing Date APR 07, 2008

DISCONNECTION NOTICE

Our records show that your account is past due in the amount of \$663.45. If you have already sent your payment, we thank you and apologize for sending this notice.

If payment is not received by APR 17, 2008 your AT&T Illinois service and any other services associated with your billing telephone number may be disconnected. To stop disconnection of your basic telephone service, including restriction of long distance service, please pay \$660.81.

To stop disconnection of your non-basic telephone services, pay \$663.45 plus any current charges that have since come past due.

Non-basic services include but are not limited to the following:

- AT&T High Speed Internet Access/wireless
- DISH/Voicemail/Custom calling features such as call waiting
- And caller ID/900-976-700 information services

For services other than basic telephone service please
Check your bill

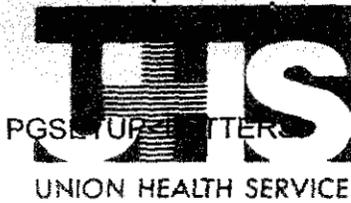
Your basic telephone service will not be disconnected for failure to pay the outstanding non-basic charges. However, action may be taken such as disconnection or restriction of these services and referral of the non-basic charges to a collection agency. In the event of disconnection, reconnection fees may apply.

If your basic service is temporarily disconnected, in addition to paying all outstanding basic charges, you will have to pay a reconnection charge of \$12.40 to reconnect services.

If your long distance is restricted, you may continue to be billed for optional calling plans. You should determine how you want to handle your calling plans during the restriction and contact your long distance provider to discuss.

If you subscribe to a package, please be advised that non-payment or partial payment of your bill may result in the removal of the non-basic

Local Services provided by AT&T Illinois, AT&T Indiana, AT&T Michigan,
AT&T Ohio or AT&T Wisconsin based upon the service address location.



1634 West Polk Street Chicago, Illinois 60612 (312) 423-4200 www.unionhealth.org

LEON WOLIN
President

W. JOE GARRETT
Executive Director

ANGELO P. CRETICOS, M.D., F.A.C.C.
Medical Director

04/16/08

CHARLES LEWIS
435 W 125TH ST
CHICAGO IL 60628

To Whom it May Concern:

Mr. Charles Lewis is under my care at Union Health Services for management and treatment of his Diabetes Mellitus and Hypertension. He also has Sleep Apnea. He is on multiple medical problems. If you have any additional questions you can reach me at 1-312-423-4200 ext # 6500.

Thank you,

Surender Lal M. D.

"not too big to care" AN EQUAL OPPORTUNITY EMPLOYER

