

March 6, 2009

PAULA JOHNSON
715 N 24TH ST
EAST SAINT LOUIS IL 62205

Re: Stopped Meter - Bill Based on Prior Year's Usage
Account Number 76875-97024

Dear Customer:

On 01/13/09 our representative found that your gas meter was not recording your usage correctly on or about 12/21/08. Since service was still available while the meter was stopped, we estimated your use from 12/21/08 to 01/13/09 per Illinois Commerce Commission's Administrative Code Part 500.240 regarding non-registering meter usage. The estimate is based on prior year's usage at your location.

Below is a summary explaining how your charges were determined.

Dates	Original Billed Usage	Adjusted Usage
12/21/08 - 01/11/09	0	153
01/11/09 - 01/13/09	0	16

Your next bill will include the stopped meter adjustment. The adjustment will be noted as a miscellaneous charge at the end of your bill. If you are on Budget Billing, the stopped meter adjustment will be reflected in your settlement balance.

We want to provide quality service and apologize for any inconvenience this may have caused. Should you have any additional questions or need to make arrangements on the bill, please contact us between 7:00 a.m to 7:00 p.m., Monday - Friday at the telephone number listed on your bill.

Ameren
Customer Service

March 6, 2009

PAULA JOHNSON
715 N 24TH ST
EAST SAINT LOUIS IL 62205

Re: Stopped Meter - Bill Based on Prior Year's Usage
Account Number 76875-97024

Dear Customer:

On 01/13/09 our representative found that your gas meter was not recording your usage correctly on or about 12/21/08. Since service was still available while the meter was stopped, we estimated your use from 12/21/08 to 01/13/09 per Illinois Commerce Commission's Administrative Code Part 500.240 regarding non-registering meter usage. The estimate is based on prior year's usage at your location.

Below is a summary explaining how your charges were determined.

Dates	Original Billed Usage	Adjusted Usage
12/21/08 - 01/11/09	0	153
01/11/09 - 01/13/09	0	16

Your next bill will include the stopped meter adjustment. The adjustment will be noted as a miscellaneous charge at the end of your bill. If you are on Budget Billing, the stopped meter adjustment will be reflected in your settlement balance.

We want to provide quality service and apologize for any inconvenience this may have caused. Should you have any additional questions or need to make arrangements on the bill, please contact us between 7:00 a.m to 7:00 p.m., Monday - Friday at the telephone number listed on your bill.

Ameren
Customer Service

**IN THE CIRCUIT COURT OF THE 7TH CIRCUIT JUDICIAL CIRCUIT
SANGAMON COUNTY, ILLINOIS
200 South 9th Street, Room 405,
Springfield, Illinois 62701,**

PAULA JOHNSON)
715 North 24th Street)
East Saint Louis, Illinois 62205)
PETITIONER,)
)
VS.)
)
ROBERT COCHE, DIRECTOR et al)
CONSUMER SERVICES DIVISION)
ILLINOIS COMMERCE COMMISSION))
527 East Capitol Avenue)
Springfield, Illinois 62701)
(sued in His Official Capacity))
RESPONDENT(S).)

2008 SC003553

CAUSE NUMBER _____
CLAIM: Actual Damages \$2,308.00

FILED

JUN 26 2008 CIV.-3

Anthony P. ... Clerk of the Circuit Court

PETITIONER'S ORIGINAL COMPLAINT

A. Parties

1. Petitioner, Paula Johnson, is a legally disabled citizen, that resides in the City of East St. Louis, County of St. Clair, in the State of Illinois.
2. Respondent, Illinois Commerce Commission is a State of Illinois Government Agency that has general supervisory duties over Illinois Public Utilities.
3. Respondent, Robert Coche, is the Director of the Consumer Services Division of the Illinois Commerce Commission, whose Offices are located at 527 East Capitol Avenue, Springfield, Illinois 62701, where all contacts were made, and is being sued in His Official capacity.
4. Petitioner, Paula Johnson pays a Monthly Illinois State Commerce Tax Fee to the Illinois Commerce Commission, by and through the Ameren IP Utility Company for services pursuant to 220 ILCS 5/4-101 et seq. and 220 ILCS 5/10-109 for Claims against a Utility and Investigation.

5. The Ameren IP Utility Company provides Petitioner with Natural Gas Services in the home where she resides in a disabled household. Ameren is a St. Louis-based Corporation (NYSE: AEE) serving 2.4 million electric customers and nearly one million natural gas customers in a 64,000-square-mile area of Missouri and Illinois addresses are Ameren Corporation *1901 Chouteau Ave., St. Louis, MO 63103*

B. Jurisdiction

6. Jurisdiction and venue are proper in this Court pursuant to 5 ILCS 140/11. Plaintiff has exhausted Her administrative remedies, and pursuant to 5 ILCS 140/11, is granted permission to file suit in this Court. Jurisdiction and venue are proper in this Court pursuant to 5 ILCS 140/11.

C. Facts

7. Petitioner, Paula Johnson, is legally disabled and resides in a household with disabled residents, only receives disability income, and qualifies as low-income poverty level, and received natural gas services through the Ameren IP Utility Company, until May 20-23, 2008, on Account Number 76875-97015.
8. Respondents, et al, by and through the Consumer Services Division of the Illinois Commission did receive a monthly Illinois State Commerce Tax Fee, paid by Petitioners to Respondents through the Ameren IP Utility Company, that had supervisory duties over Ameren IP pursuant to 220 ILCS 5/4-101 et seq.
9. Petitioner, has never been allowed to pursue violations through the Respondents Consumer Services Division and have never received a decision nor any rulings by and through written complaints to the Consumer Services Division of the Illinois Commerce Commission in 2007 nor in 2008.
10. The residence of 715 North 24th Street, East St. Louis, Illinois, have Gas Furnace

Heat, Gas Water Heater, and a Gas Stove.

11. Petitioner, in good faith, paid over the budget billing amount for natural gas services for 715 North 24th Street, East St. Louis, Illinois, on continued disputed billings and services throughout the year 2007, January of 2008, February of 2008, March of 2008, April of 2008, and payments made in May of 2008, on Accounts 76875-97015.
12. Ameren IP denied the valid illness certificate from a Physician in the year 2007 and in April of 2008, on natural Gas Utility Services at 715 North 24th Street, East St. Louis, Illinois, which was disputed, and thus a complaint was filed with Respondents.
13. Petitioners Informal Complaints were filed with the Illinois Commerce Commission Consumer Services Division, in April of 2007, and June of 2007 on disputed billings and services.
14. On July 7, 2007, Petitioner, Paula Johnson, and occupied residents made a formal written request to the Chief Clerk, ICC, 527 East Capitol Ave, Springfield IL 62794, against the Ameren IP Utility Company because prior informal complaints have not been investigated nor pursued by the Illinois Commerce Commission.
15. In January of 2008 Ameren IP added \$1,480.00 to the Ameren IP natural gas services bill at 715 North 24th Street, East St. Louis, Illinois, for a claim of natural gas services on an unrelated account outside the County of St. Clair, dated in the year 2001; in which the Petitioner, nor the residents of 715 North 24th Street, East St. Louis, Illinois were responsible for.
16. Petitioners Informal Complaints were filed in January of 2008, in February of 2008, in March of 2008 on this disputed billings and services.
17. Petitioners Formal Complaint on this disputed billing and services, to the Chief Clerk,

ICC, 527 East Capitol Ave, Springfield IL 62794, dated May 2008, against the Ameren IP Utility Company because prior informal complaints have not been investigated nor processed by the Illinois Commerce Commission.

18. Beginning in January of 2008, Ameren IP would apply payments made on the billings for 715 North 24th Street, to the disputed billing of \$1480.00. Therefore an informal complaint was filed with the Illinois Commerce Commission, Consumer Services Division, that was never processed.
19. Beginning in February of 2008, Ameren IP demanded the full remaining amount of \$1480.00 to be paid in full on the March 2008 Billing or the Utility would be disconnected. Therefore an informal complaint was filed with the Illinois Commerce Commission, Consumer Services Division on this disputed matter of the \$1,480.00, that was never processed by Respondents.
20. On or about May 20th, 2008 through May 23, 2008, the Ameren IP Utility Company shut off natural gas services to 715 North 24th Street, East St. Louis, Illinois, without the posting of notices nor by any form of notification, nor by phone.
21. As a result of the surprised disconnection of natural gas services, Petitioner, inclusive of disabled residents were and are unable to safely prepare Foods, to heat water to prevent infectious bacteria for safety and sanitary medical conditions, and unable to heat home during the evening cool temperatures from May 2008 to date.
22. On May 23, 2008 Petitioner made an Emergency Complaint on disputed billing, disputed services, and unlawful disconnection, in which the Emergency Complaint that was received by the Illinois Commerce Commission as of today, June 20, 2008, has not been processed. Petitioner remains without natural gas service.

D. Count I-Negligence

23. Respondents, the Consumer Services Division of the Illinois Commerce Commission, was grossly negligent in its duty to process the Informal, Formal, and Emergency written complaints that it repeatedly received through the year 2007 and 2008 for violations under the Public Utilities Act (Act) and violations under the consumer protection statutes; in that the Respondents, the Illinois Commerce Commission (ICC) regulates these public utilities upon which the complaints are brought.
24. The repeated gross negligence of the Illinois Commerce Commission to process the Informal Complaints and the Formal Complaints and Emergency Complaints, repeatedly allowed and encouraged consumer protection statute violations and the failure of the Ameren IP Utilities Duty to Serve; in that a public utility must supply adequate and reasonably efficient service. They must do this impartially and at reasonable rates. They must provide service without unjust discrimination and without delay. The utility must provide service for all who request it, who are willing to pay for it, and who abide by the company's rules.
25. The gross negligence of the Illinois Commerce Commission to process the Informal Complaints and the Formal Complaints, allowed and encouraged the failure of the Utilities Duty in regards to Denials Based on Unrelated Bills; in that a utility cannot refuse to give you service because of some matter unrelated to your service, such as non-payment of another person's utility bill or nonpayment for different kinds of services.
26. The gross negligence of the Illinois Commerce Commission to process the Informal

Complaints and the Formal Complaints, allowed and encouraged the Utilities unlawfully disconnect Service When a Bill is in Dispute; in that A utility cannot cut off service to force you to pay a bill that you dispute. If this happens, they must promptly restore service while the dispute is pending. . It is illegal for the utility to threaten to discontinue service for nonpayment of a disputed bill.

27. The gross negligence of the Illinois Commerce Commission to process the Informal Complaints and the Formal Complaints, allowed and encouraged the failure of the Utilities Duty to regarding Undercharges; in that , they cannot disconnect service due to its non-payment.

28. The gross negligence of the Illinois Commerce Commission to process the Informal Complaints and the Formal Complaints, allowed and encouraged the failure of the Utilities Duty in regards to When a Shut-Off is Not Allowed; in that there are certain situations where its illegal for a utility to shut off your service. In these situations, if they shut off service, they must restore it. These situations include:

- Where you enter into a **deferred payment arrangement (DPA)** with the utility. A "deferred payment arrangement" (DPA) is an agreement with the utility in which you make a down payment of at most one-fourth of the amount you owe, and pay the rest over a period of up to 12 months; in that when you have given the utility a **valid illness certificate** from your doctor or board of health. The rules specify what must be stated in the certificate. An illness certificate prohibits shut-off only for 30 days, although the certification can be renewed for another 30 days.

E. Count II-Breach of Duty

29. Petitioner incorporates the allegations contained in paragraphs 1 through 28 as if fully stated herein in.
30. Respondents did so breach its duty to Petitioners in that it had a duty to process and prosecute Informal Complaints, Formal Complaints, and Emergency Complaints in violation of 220 ILCS 5/10-108, for Respondents' violations pursuant to 220 ILCS 5/2-101 et seq., for violations by Respondents pursuant to 220 ILCS 5/10-109, for violations by Respondents pursuant to 220 ILCS 5/2-105, for violations by Respondents pursuant to 220 ILCS 5/10-109, for violations by Respondents pursuant to 220 ILCS 5/10-201, for violations of Respondents pursuant to 220 ILCS 5/4-101 et seq., and for violations of Respondents pursuant to 815 ILCS 5052VV.
31. The Consumer Services Division of the Illinois Commerce Commission did so repeatedly breach those duties, as set forth in the Petition.
32. The Consumer Services Division of the Illinois Commerce Commission did so repeatedly breach its supervisory duties over Illinois Public Utilities by failing to allow a counselor to contact the utility for further information, for failing to allow a counselor to learn the position of the utility on the complaint, by failing to solve the complaint in a way that is satisfactory to both sides, for failing to forward a decision of the outcome of Informal and Emergency Complaints if either side disagrees with a proposed resolution, for failing to investigate the Informal, Formal and Emergency Complaints, for failing to acknowledge the Petitioners' good faith efforts to pay current bills, and failure to acknowledge the Petitioners' request to enter into a DPA for its payment.

33. Respondents, et al, further breached its duty in the processing of two separate Formal Complaints to the ICC, which was properly filed under the detailed rules of procedure for filing Formal Complaints and forwarded to the Chief Clerk, ICC, 527 East Capitol Avenue, Springfield, Illinois 62794.
34. Respondents, et al, further breached its duty when it failed to allow Petitioners a Hearing in 2007 and in 2008; in that after Petitioners Formal complaint was filed in 2007 and again in 2008, Petitioners were denied a hearing.
35. Respondents, et al, further breached its duty when it denied Petitioners with the process of receiving a final ICC decision, denying Petitioners rights for a rehearing, by filing an application within 30 days of the date of the final order, and continuing the matter to an Illinois appellate court. .
36. Petitioners, Paula Johnson, brought these two formal complaint against the Ameren IP Utility Company on current and past unresolved violations of the consumer protection statutes in Cause Number 2005-07529s, including Violations under
- The Illinois Public Utilities Act 220 ILCS 5/1-101.
 - The regulations of the Illinois Commerce Commission at 83 Ill.Admin.Code 280.
 - The Tenant Utility Payment Disclosure Act 765 ILCS 740/1.
 - The Rental Property Utility Service Act 765 ILCS 735/0.01.
 - The statutory authorization for the LIHEAP 42 U.S.C. 8621 AND 305 ILCS 20/1.
 - The LIHEAP regulations 47 Ill.Admin.Code 100; including in Petitioners Formal Complaints to the ICC;

Count I. Violations Under The Duty to Serve -- In General
Count II. Violations Under Deposits as a Condition of Service
Count III. Violations Under Denials Based on Unrelated Bills

Count IV. Violations Under Service When a Bill is in Dispute

Count VI. Violations Under The Landlord's Duty to Provide Utility Service
Duties Imposed By Law or Lease

Count VII. Violations Under When the Landlord Fails to Pay the Utility Bill

Count VIII. Violations Under If Your Bill Includes Service to Common Areas or to Other
Units

Count IX. Violations Under Winter Shutoff Rules

Count X. Violations Under Reconnection Rules After a Shutoff

Count XI. Violations Under The Low-Income Home Energy Assistance Program
(LIHEAP)

F. Damages

37. As a direct and proximate of Respondent's gross negligence, violations under the consumer protection statutes and breach of duty, Petitioner has suffered, and is currently suffering the following injuries and damages:

- Physical pain and mental anguish in the past and future
- Medical expenses in the past and future
- Petitioners unable to cook or prepare food in the disabled Household
- Petitioners unable to provide heat during evening cool temperatures
- Petitioners inability to heat water for proper cleansing to prevent infection and to insure healthy sanitation, for the purpose of having the disabled Household habitable.

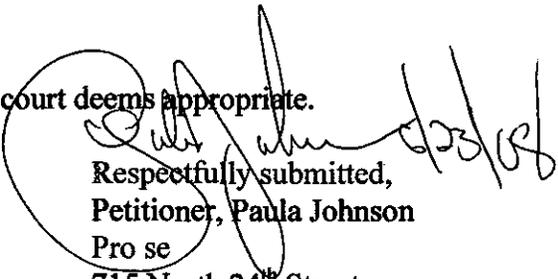
G. Prayer

WHEREFORE, Petitioners Complaint has shown (1)the existence of a duty on the part of the Respondents to protect the plaintiff from the injury of which she complains; (2) the failure of Respondent to perform that duty; and (3) injury to the Petitioner and disabled persons at the residence. For these reasons for violations under consumer protection statutes, gross negligence, and breach of duty, Petitioner asks judgment against Respondents for

- Actual damages for the purchase of prepared pre-cooked food (due to inability to prepare uncooked foods) , costs of using an outside Facility with hot water to cleanse

medical equipment and the hospital bed linens at the residence of Petitioner, and costs of alternate bathing Facilities, Medication for nausea and vomiting, Medication for preventive infections, as of June 21, 2008 is \$2,308.00

- Exemplary damages for the wanton, willful and reckless conduct of Respondents \$200,000.00
- Punitive damages, and all other relief the court deems appropriate.



Respectfully submitted,
Petitioner, Paula Johnson
Pro se
715 North 24th Street
East Saint Louis, Illinois 62205
Phone: 618-558-1329

2008SC003553

IN THE CIRCUIT COURT OF THE 7TH CIRCUIT JUDICIAL CIRCUIT
SANGAMON COUNTY, ILLINOIS
200 South 9th Street, Room 405,
Springfield, Illinois 62701.

PAULA JOHNSON
715 North 24th Street
East Saint Louis, Illinois 62205
PETITIONER,

VS.

ROBERT COCHE, DIRECTOR et al
CONSUMER SERVICES DIVISION
ILLINOIS COMMERCE COMMISSION)
527 East Capitol Avenue
Springfield, Illinois 62701
(sued in His Official Capacity)
RESPONDENT(S).

7005 3110 0004 2680 9691

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 00.59	0190
Certified Fee	\$2.70	
Return Receipt Fee (Endorsement Required)	\$2.20	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.49	

Postmark Here
JUN 23 2008
06/23/2008

PS Form 3800, June 2002 See Reverse for Instructions

Part To
Robert Coche, Illinois Commerce Commission
Street, Apt. No.,
or PO Box No.
527 East Capitol Avenue
City, State, ZIP+4[®]
Springfield Illinois 62701

CERTIFICATE OF SERVICE AND PROOF OF MAILING

To each Defendant:

This Service is in pursuant to Rule 284(b). Service by Certified or Registered Mail; under penalty and perjury of law Petitioner, Paula Johnson hereby certifies that on June 23, 2008, a true and correct copy of her Petition was sent via United States Certified Mail Delivery Number 7005-3110-0004-2680-9691, to the following:

RESPONDENT ROBERT COCHE et al,
DIRECTOR
CONSUMER SERVICES DIVISION
ILLINOIS COMMERCE COMMISSION
527 EAST CAPITOL AVENUE
SPRINGFIELD, ILLINOIS 62701

FILED

JUN 26 2008 CIV.-3

Anthony P. Schubert Clerk of the
Circuit Court

Respondents are required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, in the office of the clerk of this court, 200 South 9th Street, Room 405, Springfield, Illinois 62701, within 60 days after service of this summons, not counting the day of service.

UNDER PENALTIES AS PROVIDED BY LAW, THE UNDERSIGNED CERTIFIES THAT THE STATEMENTS SET FORTH IN THIS INSTRUMENT ARE TRUE AND CORRECT, THE UNDERSIGNED CERTIFIES AS AFORESAID THAT SHE VERILY BELIEVES THE SAME TO BE TRUE.

On this 23rd Day of June, 2008.

Paula Johnson, Petitioner
618-558-1329

Paula Johnson