

For Commission Use Only:
Case: 09-0529

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION **FORMAL COMPLAINT**

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

ORIGINAL

Regarding a complaint by (Person making the complaint): DIANA KWIECIEN / SEAN MCNAMARA

Against (Utility name): COMMONWEALTH EDISON ELECTRIC COMPANY

As to (Reason for complaint) IMPROPER BILLING AND METER ACCURACY

CHIEF CLERK'S OFFICE
2009 NOV 12 A 10:33
ILLINOIS COMMERCE COMMISSION

in CHICAGO Illinois.

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My mailing address is 803 MADIERA DRIVE SHOREWOOD IL 60404

The service address that I am complaining about is 803 MADIERA DRIVE SHOREWOOD IL 60404

My home telephone is [815] 729 2713

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at [847] 344 2734

My e-mail address is basia28@yahoo.com I will accept documents by electronic means (e-mail) Yes No

(Full name of utility company) COM ED AN EXELON COMPANY (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.

83 IL ADM PART 280

83 IL ADM PART 410

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

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 attachments

Please clearly state what you want the Commission to do in this case:

see attachments

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: 11/09/2009
(Month, day, year)

Complainant's Signature: *[Handwritten Signature]*

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

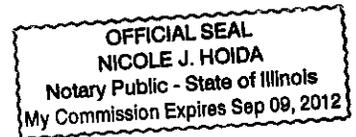
When you finish filling out this complaint form, you need to file the original with the Commission's Chief Clerk. When filing the original complaint, be sure to include one copy of the original complaint for each utility company complained about (referred to as respondents).

VERIFICATION

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

I, DIANA B. KWJECIEN / SEAN MCNAMARA 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.

[Handwritten Signature]
Complainant's Signature



Subscribed and sworn/affirmed to before me on (month, day, year) November 9, 2009

[Handwritten Signature]
Signature, Notary Public, Illinois

(NOTARY SEAL)

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

Summary of the complaint against COM ED by Diana Kwiecien/Sean McNamara

1. The problem started when I received my Electric bill for January 2009, it was \$1,228.01, claiming I used 270 kWh during December 18, 2008 through January 23, 2009 as an "actual" reading of 4875. After receiving the bill on January 26, 2009, I had my husband read the meter, which now read 49895, which was a difference of 114 kWh in three days. This was more kWh than I have ever used in a month, I contacted Com Ed again and demanded an explanation for the kWh usage and the daily power outages.
2. Com Ed declined to answer my questions about the kWh usage, claiming that the meter was correct and the power outages were due to "a power grid issue in my area". In February 2009 I demanded that Com Ed re-read my meter because it was not possible for that type of kWh usage in my single family home, it had to be a faulty meter. Com Ed responded that they could not re-read the meter because my gate was locked. The issue with this response is that my gate is ALWAYS locked because we have 4 dogs. I questioned how the meter was previously read if no one could get into my back yard? Com Ed provided no explanation.
3. Finally on March 11, 2009 Com Ed replaced my meter, I demanded that the meter be tested and I requested the results. I waited for test results and received nothing. I expected at least a phone call from Com Ed, requesting information about my home and surroundings. No one from Com Ed ever called me to ask what was happening in my home or why I thought the meter was faulty. Again, I had daily power outages and no one from Com Ed called me for any information prior to the apparent meter testing.
4. In July 2009, after receiving no information on my meter testing, I contacted Com Ed again, I was told the "meter tested within limits", and I again requested the test results, which NEVER came. How could Com Ed claim the meter was tested properly, if they did not contact me to find out the circumstances of my home? Again, no answers from Com Ed.
5. In August 2009, I received information from CUB (citizen's utility board) about my complaint and I was informed that Com Ed has been charging me the wrong rate since the day I moved into my home in July 2006. I requested more information and learned that Com Ed charges a lesser rate for a home that is all electric, which is what my home is, and has been since I bought the home. Indeed, Com Ed was charging me MORE than what they were supposed to be.
6. After receiving this information and Com Ed being notified of the improper charging, I received a call from Maria Sanchez, claiming that I would have to provide proof that the home was all electric prior to 2007 and that a Com Ed worker would have to come to my home to make sure I wasn't lying and the home as all electric. When I questioned Ms Sanchez about a refund for the overcharging since 2006, she stated "we can only go back 2 years as of the date of the complaint" and it would be reviewed. When I mentioned I could provide bills from 2006, the story changed and I was told it was the "customer's responsibility" to notify Com Ed of an all electric home. As a second time, homeowner, I WAS NOT AWARE of any rate change for an all electric home. I asked Ms Sanchez, why, when I started my new service at 803 Madiera Drive, was I not asked what kind of home it was? AGAIN, no answer from Com Ed.

7. As of today, Com Ed has provided no explanations for my questions and has continued to charge me "late charges" for the disputed bill from January 2009. I have been paying only the monthly charges, for which I demanded Com Ed for "actual reads", and refused to pay for "estimated bills". I occasionally receive phone calls from Com Ed claiming someone will be in my area for a meter read and I should leave the gate unlocked. How were "actual readings" done previously if my gate was locked? AGAIN NO ANSWERS

I can provide information (Com Ed bills) showing that the meter was malfunctioning because in August 2009, we had energy efficient windows installed in the home and the electric bills from September, October and November 2009 showed to be lower than the year prior, without the windows.

I am looking for the Illinois Commerce Commission to help me with these issues;

A malfunctioning meter and a refund for overcharging since the day I moved in.

I want answers about the meter testing and if it was tested correctly because Com Ed did not contact me about my home circumstances.

I have analyzed my bills and I am requesting \$3,198.19 refund for overcharging and ALL late charges reversed for the disputed bill from January 2009.