

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

ORIGINAL

COMMONWEALTH EDISON COMPANY)

COMPLAINT AS TO SERVICE IN)
HARVARD, ILLINOIS)

) NO. 10-0051

RESPONSE TO RESPONDENT'S AMENDED MOTION TO DISMISS

Now comes the Complainant, Beverly J. Carlson ("Complainant"), and files her Response to Respondent's, Commonwealth Edison Company ("ComEd") Amended Motion to Dismiss the Formal Complaint ("Complaint") filed by the Complainant, on January 21, 2010, and says:

1. The said Motion is replete with matters which do not appear of record and are not yet supported by Affidavit/s.
2. That the Tariffs cited and attached by ComEd did not take effect until 2008 and are therefore not applicable.
3. That ComEd has, through its course of conduct over 48 years, treated the poles as its own. ComEd's past behavior appears to negate any and all tariffs.

WHEREFORE, Complainant requests that the Motion to Dismiss be denied.

Beverly J. Carlson
BEVERLY J. CARLSON

CHIEF CLERK'S OFFICE

2010 APR 26 A 11:02

ILLINOIS
COMMERCE COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2010, I served my Response to Commonwealth Edison Company's Amended Motion to Dismiss by causing a copy of same to be placed in the US Mail, first class postage affixed, addressed to each of the parties indicated below.

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BEVERLY J. CARLSON

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