

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

For Commission Use Only:
Case: 10-0351

FORMAL COMPLAINT

2010 MAY 24 A 11:10

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

ORIGINAL

Regarding a complaint by (Person making the complaint): Carolyn Johnson

Against (Utility name): Com Ed

As to (Reason for complaint) Billing charges to my account based on a prior account holders usage. Com Eds failure to terminate prior account holder's electric service after request was made. Com Eds failure to mitigate their damages by allowing a non paid account to remain active for 3 years.
in Chicago Illinois.

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My mailing address is 808 N. Ridgeland, Oak Park IL 60302

The service address that I am complaining about is 10929 S. Eberhart, Chicago IL 60628

My home telephone is (708) 524-1946

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at (708) 969-0629

My e-mail address is Carolynjohnson@secglobal.net 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.

Title 83 Chapter 1
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.
Sec 280.50 (d) Applicants for Service (see Attached)
Sec 280.100 (a)(b) Unbilled Services (see Attached)
Sec 280.160 Dispute Procedures (see Attached)

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 Attached.

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

Direct ComEd to remove all charges from my account which occurred prior to September 2009 when I applied for service

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 18, 2010
(Month, day, year)

Complainant's Signature: Carolyn Johnson

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, CAROLYN JOHNSON, 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.

Carolyn Johnson
Complainant's Signature

Subscribed and sworn/affirmed to before me on (month, day, year) May 19, 2010

[Signature]
Signature, Notary Public, Illinois



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

State of Illinois }
 }
County of Cook }

Re: 10929 S. Eberhart, Chicago, Illinois
Com Ed acct# 3127123043

My name is Carolyn Johnson and I am the owner of the above referenced property. The property is a two flat building and is occupied by tenants. I have owned the property since 1999. On or about September 2009 because of a new tenant moving into the property I discovered that the electric service for the basement unit and first floor had been cut off. I applied for service for both units until my tenant was able to have service cut on for the first floor apartment. The operator by the name of "Nala" indicated that there was an outstanding balance on the account; however, I was not concerned about it, as it was not in my name.

On or about December 2009 I received a bill for \$239.57 for service from the periods of 11/24/08 through 11/28/09. I contacted Com Ed and inquired as to why they were back billing me for services I never requested. I spoke with a supervisor by the name of Joseph who was very rude and stated to me that since I owned the building it was my charge. I requested the number to the Illinois Commerce Commission and terminated the call.

I filed a complaint over the phone with the ICC with a man by name of Mike. Complaint number 2009-28953 filed 12/29/09. I explained the situation to Mike in detail at which time he indicated he would schedule a conference with Com Ed to discuss the matter.

On January 14, 2010, I had a phone conference with Mike at the ICC and a supervisor with Com Ed (I believe her name was Sandy). During the course of the conversation, I explained to the supervisor at Com Ed that several tenants had moved in and out of the building since 2008. Additionally, I stated that my uncle had occupied the basement apartment for a short period and is now deceased. Further, that I had called Com Ed to have service put in my name in September 2009. My name had been on service on prior occasions with no outstanding bills and I always had the service cut off in my name once the tenant moved in. The supervisor acknowledge that the service was not in my name and further that the prior tenant had requested that service be terminated, however Com Ed left the service on as a convenience for the next tenant. According to Title 83, Chapter I, Section 280.50 (d), Com Ed cannot bill me for services I never requested or used. It is up to Com Ed to verify applicants for service. I have paid for services since September of 2009 based on my application. Mike asked the supervisor to look at the file and to get back with him.

I never heard back from Mike at the ICC or the Com Ed representative. To resolve the matter I called Com Ed on 3/19/10 and spoke with Maria who said that the account was with the ICC and she needed to refer me back to the ICC. I left several messages for Mike to inquire about the status of my complaint seeing that I continued to receive bills from Com Ed for the past due balance. Mike returned one of my phone calls, which I have saved on my voice mail. He simply indicated that he was returning my call. I again contacted Com Ed later that Month in March and was advised by Felicia that my complaint had been resolved and I am responsible for the bill. I asked why was not I notified and she stated that they are not obligated to notify me. I again contacted Mike at the ICC and left several messages. On May 5, 2010, I spoke with Mike who indicated that matter was resolved. I asked when had it been resolved and why wasn't I notified. Mike indicated that it was resolved on January 19, 2010 on the date of the conference call. He said he notified me by phone but could not give me a date when he called. I informed Mike that I wanted to appeal the decision and was not satisfied with the way matters were handled. Pursuant to the Administrative Code, the complaint should have been resolved within 14 days and this did not happen.

Com Ed failed to mitigate their loss by allowing an account to remain active, after the prior customer requested termination of service. They therefore should have no legal grounds to hold me responsible because I own the building. If that were the case, no tenant should be allowed to request service in a building that they don't own, without the owner's consent. This matter has caused me undue stress and financial hardship. I am requesting that the charges prior to September of 2009 be removed from my account. Additionally, if there has been any negative reporting on my credit, I demand that be corrected. Finally, I am requesting that I be notified in writing of any decisions made regarding this account and complaint.

Sincerely,

Carolyn Johnson

Carolyn Johnson 5/20/10