

OFFICIAL FILE

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ILLINOIS COMMERCE COMMISSION

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KEITH G. CARLSON)
)
 v.)
)
 PEOPLES GAS)

2010 JUL -6 P 1:03

10-0434

CHIEF CLERK'S OFFICE

NOW COMES the Complainant, KEITH G. CARLSON, and files this Complaint against PEOPLES GAS pursuant to 9-252-.1 of the Public Utilities Act, stating as follows:

1. This action requests a refund of overcharges with interest based on an incorrect billing, in which this action is filed less than two years from the date the customer first had knowledge of the incorrect billing.

2. Over the last year and a half, CARLSON has had numerous communications with and requests to PEOPLES GAS, all met with a lack of response of different excuses, seeking refund of the amounts owed.

3. At every stage of the proceeding, there has been either a failure to appear for an appointment, explanation that there was not the right equipment, a claim that the meter needed to be checked, tested for defects, and now possibly a recycling of the entire meter without explanation as to how this could occur, with many long delays in responses presumably intending to induce CARLSON to wait until after two years had expired before filing a Complaint. Most recently, CARLSON had communications with Michael Read of Peoples Gas.

4. CARLSON is a single person who lives by himself in a condominium, who does not cook in his home, keeps the temperature very low, has an electric dryer, and is many weeks in the year not present in the country, and for many years was receiving estimated billings which were

all paid.

5. Enclosed hereto as Exhibits A and B respectively, are bills received by CARLSON dated June 9, 2008 and July 10, 2008.

6. In Exhibit A, the current "estimate" of therms was 6,140, which was paid.

7. In Exhibit B, the bill dated July 10, 2008 and received after that, PEOPLES GAS had performed an "actual" reading on June 25, 2008, where the meter showed an actual reading of 687.

8. Accordingly, as of July 10, 2008 bill, there was a difference of a negative 5,453 therms of overbilling discovered.

9. However, PEOPLES GAS, instead of refunding the overcharged value of 5,543 therms, simply started re-billing from the actual reading as demonstrated in Exhibit B.

10. Subsequent to that time, CARLSON has had numerous conversations with PEOPLES GAS and a number of letters requesting a refund, but was always met with a different excuse why it could not be paid. See letters attached hereto as Group Exhibit C.

11. After contacting PEOPLES GAS about the erroneous reading, they stated they needed to do a line inspections and additional meter readings. This was done in September of 2008, but no refund was received, although it confirmed the prior erroneous billing. The next actual reading was 866, and PEOPLES GAS stated they had to change the meter to a digital meter.

12. As set forth in the attached letter of August 14, 2009 CARLSON met with persons from PEOPLES GAS three times at his house, and each time they did not have the adequate equipment to change the meter because of a pole in front of the old meter.

13. PEOPLES GAS stated they then wanted to change the meter and test it to make

sure there was no error with the mechanics of the meter.

14. Attached hereto is CARLSON's letter of December 23, 2009, which reflects an actual reading of November 4, 2009 of 927, but he still did not receive the promised refund.

15. This letter sets forth the missed appointments by PEOPLES GAS, the fact that the meter was changed, but there was never a refund of the 5,213 therms, but just the continuing to add to the bill from the reset amount.

16. After PEOPLES GAS then removed the meter and had it tested, CARLSON was informed by PEOPLES GAS that there was nothing wrong with the meter, but he still did not receive the promised refund.

17. Instead, as detailed in the attached letter of January 14, 2010, there was a credit offered of only 199.29, where PEOPLES GAS created a new account number, and restarting the billing without refunding the value of the 5,213 therms, which had been overcharged.

18. In response to the letter of January 14, 2010, CARLSON received from PEOPLES GAS, the letter dated February 19, 2010 from Michael Read, attached as Ex. D, which ignored the history of the account, did not even acknowledge the actual readings previously done, although it did acknowledge the old meter was replaced and found to be in good working condition, and made a partial offer, but did not adjust for the incorrect billing first discovered in July of 2008.

19. CARLSON then wrote to Mr. Read the letters of March 9, 2010 and May 7, 2010, attached as Exhibits E and F, pointing out the errors in the letter of the several prior actual readings, and the history of the numerous attempts at access in changing the meter, and Section 9-252-1.

20. No response was received to the letter of March 9, 2010 to PEOPLES GAS despite

promises, and during several telephone calls which were not returned until CARLSON was finally able to reach Mr. Reed and had a conversation, the attached letter of May 7, 2010 was sent.

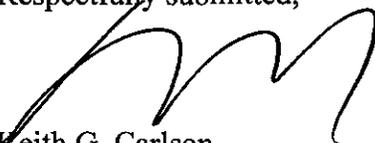
21. The only response Mr. Read had offered for the failure to refund the amounts owed as that the meter might have totally recycled, which is an incredible and unsupported assertion and a new defense raised for the first time. When Carlson inquired of Mr. Read at what number the meter recycled, Mr. Read said he did not know, and therefore could not even provide any factual backup for yet this new defense.

22. Mr. Read said he would respond to my May 7, 2010 letter, but again, I have not received anything in response, apparently hoping that two years from the discovery this incorrect billing will pass without any filing of a Complaint. While Mr. Read promised to provide Carlson the information, but like all the other prior promises from PEOPLES GAS, they have been unfulfilled.

23. In summary, Carlson submits that PEOPLES GAS owes a refund for the incorrect billing of 5,213 therms, which value needs to be determine, since CARLSON's understanding is that the value of therms changes on a monthly basis.

24. CARLSON understands that he has a current account outstanding, which has been in dispute, and request that a portion of the amount owed be credited to the current billing, with the remainder being refunded to CARLSON by check, and returning to normal billing in the future.

Respectfully submitted,



Keith G. Carlson

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VERIFICATION

I, Keith G. Carlson, first being duly sworn upon oath depose
(Name)
that I have read the above and foregoing report by me subscribed and know the contents thereof; that said contents are true in substance and in fact, except as to those matters stated upon information and belief, and as to those, I believe same to be true.

Keith G. Carlson
Keith G. Carlson

Subscribed and sworn to before me
this ~~20th~~ day of July,
20 10th.

America Gonzalez
Notary Public

