

For Commission Use Only:

Case: 10-0490

# 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):

Tony Iweagwu

Against (Utility name):

Peoples Gas

As to (Reason for complaint)

When I moved from my apartment located at 1433 W. Lunt in Chicago, I cancelled the gas service. Peoples Gas, however, continued to send me a gas bill for the Lunt apartment. I mistakenly believed that the bill was for my new apartment, so I paid the gas bill for Lunt. This resulted in approximately three years of overpayment. I request a refund, because I did not live at Lunt or use the services.

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My mailing address is

4200 N. Marine Drive, Chicago, IL

The service address that I am complaining about is

1433 W. Lunt, Chicago, IL

My home telephone is

[773] 935-9852

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at

[773] 935-9852

My e-mail address is Iweagwu@gmail.com

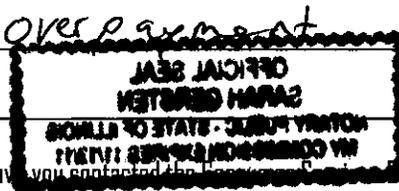
I will accept documents by electronic means (e-mail)  Yes

No

(Full name of utility company) Peoples Gas  
to the provisions of the Illinois Public Utilities Act.

(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.



ILLINOIS COMMERCE COMMISSION  
AUG 5 11:06  
CHIEF CLERK'S OFFICE

Have you contacted the local consumer protection 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 Complaint

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

Refund the money that I paid for gas service at an apartment in which I did not live

**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: August 2, 2010  
(Month, day, year)

Complainant's Signature: Tony Iweagwu

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**

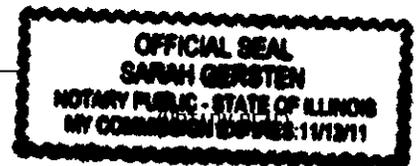
A notary public must witness the completion of this part of the form.

I, Tony Iweagwu, 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.

Tony Iweagwu  
Complainant's Signature

Subscribed and sworn/affirmed to before me on (month, day, year) 8/2/10

Sarah A.  
Signature, Notary Public, Illinois



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

COMPLAINT FOR FINANCIAL RELIEF  
ILLINOIS COMMERCE COMMISSION

TONY IWEAGWU )  
 )  
 )  
 vs. )  
 )  
 PEOPLES GAS )

**TONY IWEAGWU'S COMPLAINT FOR FINANCIAL RELIEF**

Tony Iweagwu, an Illinois resident and People's Gas customer, respectfully submits this complaint for financial reimbursement due to his overpayment of monthly gas bills sent to him by People's Gas. Because People's Gas erroneously sent Iweagwu gas bills for an apartment in which he no longer lived, and Iweagwu mistakenly paid the bills, Iweagwu seeks reimbursement of the money that he paid for gas services which he did not use.

1. Tony Iweagwu (herein after "Iweagwu") is a resident of Chicago, Illinois. Iweagwu has lived in Chicago since approximately 1992.
2. Peoples Gas is a regulated natural gas utility company serving the city of Chicago.
3. Iweagwu has been a customer of People's Gas from approximately 1992, and continuing through the present.
4. From 1992 through July 2006, Iweagwu resided at 1433 West Lunt Avenue, Chicago, Illinois, 60626, Apartment 2S (hereinafter "the Lunt Apartment"). During this entire time, Iweagwu was a customer of People's Gas.

5. 1433 West Lunt is an multi-unit apartment building. While Iweagwu lived at the Lunt Apartment he was a renter not an owner of his apartment.

6. While Iweagwu resided at the Lunt Apartment, he received gas bills from People's Gas. The gas bills charged him a fee according to his monthly usage of heat and gas.

7. Every month Iweagwu promptly paid the gas bills and he was never in default.

8. In 2006, Iweagwu purchased a condominium at 4200 North Marine Drive, Chicago, Illinois, Unit 1103. After Iweagwu purchased the condominium, he moved out of the Lunt Apartment. Iweagwu moved into his new condominium on approximately August 9, 2006.

9. Before Iweagwu moved out of the Lunt apartment, he made numerous calls to his utility companies letting them know that because he was moving he would no longer be using their services at the Lunt Apartment. One of the companies that Iweagwu called was Peoples Gas.

10. During Iweagwu's call with Peoples Gas, Iweagwu informed Peoples Gas that he would no longer be living at the Lunt apartment so they should cancel the service that was currently in his name at the Lunt Apartment. Iweagwu informed Peoples Gas that he was only renting the Lunt apartment and that he did not know who would be occupying the unit after he left.

11. Iweagwu further informed Peoples Gas that they should setup gas service for his new home address, 4200 North Marine Drive, Chicago, Illinois, 60613

(hereinafter the "Marine Drive Condo").

12. Peoples Gas told Iweagwu that they would set up gas service for the Marine Drive Condo and cancel his service at the Lunt Apartment. Iweagwu believed that Peoples Gas would stay true to their word.

13. After Iweagwu moved into the Marine Drive Condo, he began receiving monthly gas bills from Peoples Gas. These gas bills were in Iweagwu's name. Thus, Iweagwu believed that Peoples Gas had followed his instructions and cancelled his gas service at the Lunt Apartment and setup gas service at the Marine Drive Condo.

14. Iweagwu began paying his monthly gas bills in reliance on Peoples Gas's statements that they had cancelled his gas service at Lunt. Iweagwu paid these bills for approximately three years.

15. Unbeknownst to Iweagwu, Peoples Gas was charging him for gas service at the Lunt Apartment AND for the Marine Drive Condo. Thus, Iweagwu has been mistakenly paying for gas services at the Lunt Apartment for which he did not use.

16. Because Peoples Gas had setup gas service in his name at the Marine Drive Condo, Iweagwu believed that Peoples Gas had understood his request to cancel his gas service at the Lunt Apartment.

17. As stated previously, Iweagwu was only a renter at the Lunt Apartment. Because Iweagwu did not own the Lunt Apartment he was not collecting rental income from this unit. Therefore, once Iweagwu left the Lunt Apartment, he had no more connection to this building.

18. Iweagwu does not know the current occupants of the Lunt Apartment and

did not have an agreement with them that he would pay their gas bill. Simply put, Iweagwu had no connection with this apartment and there was no logical reason for him to ever pay the gas bill for the current occupants.

19. Clearly, Peoples Gas understood that Iweagwu was no longer living at the Lunt Apartment because they setup gas service in his name at his new home, the Marine Drive Condo. Accordingly, Peoples Gas had notice that Iweagwu had left the Lunt Apartment

20. At some point in 2009, Iweagwu became suspicious as to why his gas bill was so expensive. Iweagwu inquired with Peoples Gas about his bill, and he discovered that for approximately three years, Peoples Gas had been charging him for gas service at both the Lunt Apartment and the Marine Drive Condo.

21. Iweagwu , explained to Peoples Gas that they he had moved out of the Lunt Apartment years ago, and that there was a mistake. Peoples Gas, however, refused to provide Iweagwu with a refund for this overpayment.

22. With this complaint, Iweagwu simply seeks a repayment of the money that he paid for gas service for which he did not use.

23. Iweagwu moved into the Marine Drive Condo on August 9, 2006. Any money he paid to Peoples Gas after this date was in error. Peoples Gas erroneously sent Iweagwu bills for the Lunt Apartment, and Iweagwu mistakenly paid the bills.

24. Because Iweagwu told Peoples Gas that he would be leaving the Lunt Apartment, and Peoples Gas clearly understood this statement because they began charging Iweagwu for gas service at the Marine Drive Condo, it would be unjust for

Peoples Gas to withhold a refund for the payment of gas services that Iweagwu did not use.

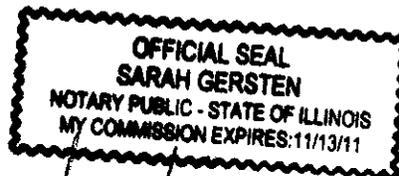
### CONCLUSION

For these reasons stated above, Iweagwu seeks a refund for all the money he paid to People Gas for gas service at 1433 West Lunt, Apartment 2S, after August 2006. This amount is approximately \$ 3,500

This Complaint is Submitted by Tony Iweagwu on August 2nd 2010, 2010.

Tony Iweagwu

Tony Iweagwu  
Illinois Resident  
4200 N. Marine Drive, Chicago, IL  
773-935-9852



Sarah Gersten  
8/2/10