

**OFFICIAL FILE**  
**ILLINOIS COMMERCE COMMISSION**

**FORMAL COMPLAINT**

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

For Commission Use Only:

Case: 10-0642

**ORIGINAL**

Regarding a complaint by (Person making the complaint): Western Howard Corporation

Against (Utility name): Commonwealth Edison Company

As to (Reason for complaint) Double billing account. See attached.

CHIEF CLERK'S OFFICE  
2008 NOV - 9 P 12:34  
ILLINOIS  
COMMERCE COMMISSION

in Chicago Illinois.

**TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:**

My mailing address is c/o Ordowner & Ordowner, P.C., One N. LaSalle St., Chicago, IL 6060

The service address that I am complaining about is 2451 W. Howard St., Chicago, IL 60645

My home telephone is 312 263-5122

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at 312 263-5122

My e-mail address is mtstanley@earthlink.net I will accept documents by electronic means (e-mail)  Yes  No

(Full name of utility company) Commonwealth Edison 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.

Double billed account for service. 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:

We want the account at issue to be investigated and for all amounts wrongfully billed to Western Howard Corporation to be refunded.

**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: October 27<sup>th</sup>, 2010  
(Month, day, year)

Complainant's Signature: *Gary Fredrickson*  
MANAGER

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

Ordower & Ordower, P.C., One N. LaSalle St., Suite 1300, Chicago, IL 60602

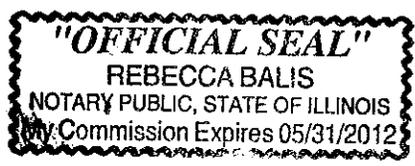
When you finish filling out this complaint form, you need to file the original with the Commission's Chief Clerk. When filing the original complaint, be sure to include one copy of the original complaint for each utility company complained about (referred to as respondents).

**VERIFICATION**

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

I, Gary Fredrickson, 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.

*Gary Fredrickson*  
Complainant's Signature



Subscribed and sworn/affirmed to before me on (month, day, year) October 27, 2010.

*Rebecca Balis*  
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.

**Illinois Commerce Commission**

Western Howard Corporation,                    )  
  Complainant,                                    )  
  )  
  v.    )  
  )  
Commonwealth Edison Company,                )  
  Respondent,                                        )

**FORMAL COMPLAINT EXPLANATION**

1. The service address at issue is 2451 W. Howard St., Chicago, Illinois 60645 (hereinafter “Western Howard”).
2. The Western Howard Building is owned by Western Howard Corporation.
3. Said Western Howard Building held, and continues to hold an account for utility service with Respondent, Commonwealth Edison Company.
4. Through 2006 the Western Howard Building was unoccupied.
5. In 2007 the Western Howard Building completed development of sixty three (63) residential units.
6. The Western Howard Building was the sole consumer of electrical service at the location until residential apartments were first leased to tenants in the year 2007.
7. Beginning in 2007 apartments at the Western Howard Building were leased to residential tenants.
8. All tenants of the Western Howard Building had individually billed electrical service.
9. All tenants of the Western Howard Building were required to pay for electricity consumed in their individual units.
10. Western Howard Corporation was only to be billed for electrical service applicable to common areas, and was not to pay for electricity consumed in units occupied by tenants.

11. Tenants at the Western Howard Building received bills from Commonwealth Edison Company for electricity consumed in their units.
12. Tenants at the Western Howard Building paid for electricity consumed in their individual units.
13. Despite tenant's payment for billed electrical usage, Commonwealth Edison Company continued to bill Western Howard Corporation for electricity also billed to its tenants.
14. Western Howard Corporation paid for electricity it was billed for.
15. Western Howard Corporation was wrongfully billed for electricity that was also billed to its tenants.
16. Beginning in 2007 and continuing through 2010 Commonwealth Edison Company received duplicate payments for electricity billed to Western Howard Corporation and its tenants.
17. Commonwealth Edison Company was unjustly enriched by its receipt of funds wrongfully billed to Western Howard Corporation.
18. Justice requires that Commonwealth Edison Company disgorge itself of funds wrongfully billed to Western Howard Corporation.
19. Commonwealth Edison Company should refund all amounts incorrectly billed to Western Howard Corporation.

WHEREFORE, Western Howard Corporation requests that Commonwealth Edison Company provide an accounting of all amounts billed to the Western Howard Building and its tenants for the years after 2006.

WHEREFORE, Western Howard Corporation requests that judgment be entered in its favor and against Commonwealth Edison Company for all amounts wrongfully billed.