

OFFICIAL FILE

ILLINOIS COMMERCE COMMISSION

For Commission Use Only: Case: 11-0591

FORMAL COMPLAINT

2011 AUG 22 P 1:23

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

ORIGINAL

CHIEF CLERK'S OFFICE

Regarding a complaint by (Person making the complaint): Annetta Strother
Against (Utility name): Northern Illinois Gas Company d/b/a Nicor Gas
As to (Reason for complaint) Customer was over charged due to "estimated usage" accruing on her acct #81-01-19-91254 causing Nicor Gas to be negligent and deceiving by over charging the customer. Nicor Gas misrepresent a bill every month to the customer's then when an "actual reading" Done by Nicor Gas they billed the customer for \$654.44.
in Markham Illinois.

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My mailing address is 16410 S. Homan Ave, Markham, IL 60428

The service address that I am complaining about is 16410 S. Homan Ave, Markham, IL 60428

My home telephone is (708) 825-1508

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at (708) 825-1508

My e-mail address is annetta_strother@yahoo.com will accept documents by electronic means (e-mail) [X] Yes [] No

(Full name of utility company) Northern Illinois Gas Company d/b/a Nicor Gas (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.
83-IL-Adm. Part 280.80 - Sets rules forth for estimate bills
220 ILCS-5/8-302 - Reading of Meters

220 ILCS 5/8-302 (b), (c), (d), (e), (f), (h)(ii)(iii), - Estimated Billing Practices and Policies

Have you contacted the Consumer Services Division of the Illinois Commerce Commission about your complaint? [X] Yes [] No

Has your complaint filed with that office been closed? [] Yes [X] 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

③ I want my meter read accurately every other month and/or 4 times (done quarterly) through out the year and to continue as long as Annetta Strother is a customer of Northern Illinois Gas Company db/a Nicor Gas.

Please clearly state what you want the Commission to do in this case: ① Northern ILLINOIS Gas Company db/a Nicor Gas should be found guilty and fined for failure to read my meter #3303662/acct# 81011991254 at least every 2ND billing period as required. ② I want the \$654.44 balance removed from my account and the 6 month payment plan arrangement canceled immediately and any monies I paid already toward the \$654.44 be credited to my account.

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 17, 2011
(Month, day, year)

Complainant's Signature: Annetta Strother

If an attorney will represent you, please give the attorney's name, address, telephone number, and e-mail address. No Attorney assigned to my case. (AS)

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, Annetta Strother, 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.

Annetta Strother
Complainant's Signature

Subscribed and sworn/affirmed to before me on (month, day, year) August 17, 2011

Leann M. Latimer
Signature, Notary Public, Illinois

July 22, 2014



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

Answers to Question: Please state your complaint briefly as follows:

1. I moved into the residence at 16410 S. Homan Avenue, Markham Illinois 60428 on September 1, 2009. I did not have service until after September 3, 2009 and according to Northern Illinois Gas Company d/b/a Nicor Gas had there first actual reading the meter figures as being 6574 assign to account #81-01-19-9125-4, meter #3303662. Prior to the customer Annetta Strother taking ownership of the residence located at 16410 S. Homan Avenue Markham Illinois 60428 the previous owners had an actual reading of 6572 dated August 28, 2009.
2. On September 11, 2009 another actual reading by Northern Illinois Gas Company d/b/a Nicor Gas was performed that read 6578 and a request for payment of \$75.53 due by November 20, 2009 for service from 09/11/2009 – 10/29/2009 that the customer Annetta Strother paid.
3. Northern Illinois Gas Company d/b/a Nicor Gas gave an estimate reading on 10/29/2009 of 6638 for the location at 16410 S. Homan Avenue, Markham Illinois 60428.
4. On December 4, 2009, there was another actual reading done by Northern Illinois Gas Company d/b/a Nicor Gas for 6790. From September until December 2009 the customer only used 212 USAGE CCF (212 divide by 3 months equals 71 USAGE CCF per month. **Please note these are the WINTER months for Chicago.**
5. On May 11, 2011, Northern Illinois Gas Company d/b/a Nicor Gas falsely charged the customer Annetta Strother for Natural Gas as follows:
 - a. October 2010 - \$101.94
 - b. November 2010 - \$106.74
 - c. December 2010 - \$7.61
 - d. December 2010 – \$94.33
 - e. January 2011 - \$105.22
 - f. February 2011 - \$22.49
 - g. February 2011 - \$64.95
 - h. March 2011 - \$88.07
 - i. April 2011 – \$10.69
 - j. April 2011 – \$38.55
 - k. May 2011 - \$7.73

The Administrative Law states “*the public utility shall make an actual meter reading at least every second billing period*”

The above charges are false because the meter was not read for “ACTUAL”, only “estimated” readings by Northern Illinois Gas Company d/b/a Nicor Gas. This behavior is believed to be **misrepresentation, deceptive practice and negligence.** For example I read the meter to an employee of Northern Illinois Gas Company d/b/a Nicor Gas name Carrie on February 11, 2011 after reviewing my February 2011 statement with false information of an actual reading of 8296 done by a Northern Illinois Gas Company d/b/a Nicor Gas on February 7, 2011. The meter read 7531 on February 11, 2011 and Carrie transpose the numbers in the computer to read 7351 instead of 7531. As a customer I am frustrated with Northern Illinois Gas Company d/b/a Nicor Gas deceptive practice, negligence and fraudulently robbing me of money I don't have and trying to ruin my credit rating.

Via: US Mail and Fax to Nicor Gas (630) 983-0687
US Mail and Fax to Illinois Commerce Commission (217) 785-7413

June 28, 2011

Mr. Franklin Johnson
Consumer Services Division
Illinois Commerce Commission
527 East Capital Avenue
Springfield, Illinois 62701

RE: 2011-09719/Northern Illinois Gas Company
Tracking #1429-2011

Dear Mr. Franklin Johnson,

NO. The above mentioned matter is **NOT** resolved per your letter dated June 24, 2011.

Northern Illinois Gas Company and I have not come to an agreement and/or understanding for why I was over charged due to **estimated usage** accruing on my account #81-01-19-91254 from the last actual reading that was done on December 4, 2009 and never read again until December 3, 2010 by Northern Illinois Gas Company. I have been playing phone tag with Erica Garcia, a Customer Relations at Nicor Gas since I made a complaint with ICC. Ms. Garcia sent me a letter with enclosures dated June 23, 2011 explaining no facts for why Nicor Gas acted inappropriate and assumed that I was going to pay for a bill that I believe is incorrect. I made the payment arrangement so I would not ruin my credit since Northern Illinois Gas Company reports to the credit bureaus every 30 days. I do not believe that making a payment arrangement resolves the issue at hand that is why I am reporting Northern Illinois Gas Company to ICC.

I have enclosed my Nicor Gas statements that are addressed to me as follows:

- Annetta M. Strother, 16410 Homan Ave, Markham, IL 60428-5507, Acct #81-01-19-9125 4 (for 2009-2010)
- Annetta M Vaughn, 14633 Keystone F2, Midlothian, IL, 60445, Acct #4-35-06-4453 2 (2005 – 2006)
- Annetta M Vaughn, 14633 Keystone F2, Midlothian, IL, 60445, Acct #22-04-93-2990 1 (2006-2007)

I have enclosed the above statements for your review and to compare how my pattern for using Nicor Gas over the years even though I changed address from Midlothian to Markham in 2009. I was told by a Nicor Gas Representative that anything in my house that uses gas such as heat, hot water, gas stove and gas dryer will determine the usage that generates a customer's bill. For example, since I have been a customer of Nicor

Gas I have always had a gas stove even though I don't cook because I don't know how to cook so I microwave most or all my food. I use the hot water for various things that need the use of hot water and lastly my gas dryer is only used twice a month when I wash my clothes because most of my business attire/clothes go to the cleaners. My delicates get hung up because I do not want them to shrink by the heat of the dryer. This is how I live my life every day and I cannot understand why Nicor Gas insist on telling me what I do in my house especially when they don't live with me and they failed to perform there job by reading the meter every other month or two months.

If you compare all of my Nicor Gas bills that I have attached for both residents (Markham and Midlothian) you will see that I do not use a lot of GAS. I would also like to add that Nicor Gas **falsified** my May 11, 2011 bill statement for \$654.44 on page 2 they claim that an **actual reading** for 8296 was done on February 7, 2011. Nicor Gas could not have read my meter unless they came to my house and shoveled my snow to because Illinois was closed for a Snow Blizzard on February 3, 2011 and I have attached pictures of my house of how much snow was in my backyard and front yard and without Nicor Gas coming to my home and shoveling my snow there was no way they could have read an **actual reading** on February 7, 2011 when I had a little over 20 inches of snow in my backyard. On Friday, February 11, 2011, in the morning I called Nicor Gas and gave them a meter reading and talked to Carrie the numbers I read to Carrie was 7531 and Carrie transposed the number 7351.

In conclusion, now that I have explained my personal life to the world for why I use very little gas and I believe that the \$654.44 gas bill is incorrect of false readings and transposed numbers. Furthermore, Northern Illinois Gas Company violated the ICC Billing Regulation, which is regulated under the authority of the Public Utilities Act that restricts utilities such as Northern Illinois Gas Company the ability to use **ESTIMATED METER READINGS for consecutive months** the way they have billed me incorrectly for a whole year (December 4, 2009 – December 3, 2010) on estimated cost and when I stood up for my legal rights as a consumer and try to explain this is not fair Nicor Gas chose to ignore the fact that that is illegal. I hope that you can assist me in this matter. I await your response.

Sincerely,


Annetta M Strother

I have also attached some research about Nicor Gas and what the ILCS states is legal. Please see as follows:

“According to Nicor Gas frequently asked questions website
“http://www.nicor.com/en_us/residential/residential_faq/default.htm#9”, Question #9
was asked and answered as follows:

Q9: Can I provide Nicor Gas with a meter reading during the months you are estimating my meter?

**A9: To keep our administrative costs down, every other month Nicor Gas estimates most of our customers' meter readings based on your previous use and the weather. Then, on your next bill any difference from your actual use is automatically corrected when we use an actual meter reading.
Even when your meter reading is estimated, you only pay for the gas you actually use. If you would like to provide an actual reading to Nicor during the months we are scheduled to estimate your reading, log in to My Account and enter your meter reading online.”**

“Utility companies are not required to conduct an actual meter reading every month.

Nicor Spokesman Richard Caragol confirmed that Nicor Gas strives to check every customer’s meter once every two months. The requirement, mandated by the Illinois Commerce Commission, applies to electric and gas bills.

When local utilities do not read meters, residents’ bills will not directly reflect the amount of gas or electricity used during the past month.

“Estimated readings are based on historical usage as well as weather factors at that time,” Caragol said.

Each monthly bill should be marked with an “A” (noting an actual reading) or an “E” (noting an estimated reading), Caragol said.”

Terms on your bill

① Meter Reading

Your gas bill is based on several elements including the amount of natural gas used during your billing period.

Your use is shown as the difference between the current and previous meter readings.

Current Reading: This represents the current reading of your gas meter. There will be a notation on this line indicating one of three methods of meter reading:

- Actual meter reading – your meter was read by a Nicor Gas meter reader.
- Customer reading – you reported your meter reading to us.
- Estimated meter reading – Nicor Gas estimated your reading based on your previous use and the current weather. Every other month, we estimate most of our customers' meter readings. On your next bill, any difference from your actual use is automatically corrected when we take an actual meter reading.
- Previous reading: The reading of your gas meter in the last reading period.

220 ILCS 5/9-252:

"When a customer pays a bill as submitted by a public utility and the billing is later found to be incorrect due to an error either in charging more than the published rate or in measuring the quantity or volume of service provided, the utility shall refund the overcharge with interest. Any complaint relating to an incorrect billing must be filed with the [ICC] no more than 2 years after the date the customer first has knowledge of the incorrect billing."

220 ILCS 5/8-304:

("the [ICC] shall initiate rule-making proceedings to promulgate such rules as it believes reasonable and necessary to ensure the No. 1-10-17588 minimization of the frequency of estimated billing and the increased accuracy of estimation procedures").

cc: Erica Garcia
Customer Relations
Nicor Gas
1844 Ferry Road
Naperville, Illinois 60563

ENCLOSURES