

For Commission Use Only:  
Case: 11-0648

ILLINOIS COMMERCE  
COMMISSION

FORMAL COMPLAINT

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

2011 SEP 21 A 10:54 AM

CHIEF CLERK'S OFFICE:

Regarding a complaint by (Person making the complaint): Marc Greenspoon

Against (Utility name): Com Ed

As to (Reason for complaint) billing rate/charge discrepancies and excessive use of estimated billing practices in et

in Chicago Illinois.

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My mailing address is 701 N. Kingsbury St. Chicago, IL 60654

The service address that I am complaining about is 701 N. Kingsbury St. Chicago, IL 60654

My home telephone is [312] 755 1613

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at [312] 755 1613

My e-mail address is ma.greens@aol.com 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.

220 ILCS 5/8 - 303 220 ILCS 5/9 - 252.1

220 ILCS 5/8 - 304 220 ILCS 5/5 - 201

220 ILCS 5/9 - 252 IL Admin. Code, Section 280.80

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:

To order the repayment of any/all erroneously billed amounts by ComEd. To order the cancellation of any erroneous charges currently sought by Com Ed against complainant. To order the pay-

**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.

Complainant's costs & attorney fees

Today's Date: 9/16/2011  
(Month, day, year)

Complainant's Signature: [Signature]

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

Fuksa Khorshid, LLC  
Lema Khorshid

312 266 2221  
lema@fklawfirm.com  
70 W. Erie, 2nd Floor  
Chicago, IL 60654

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**

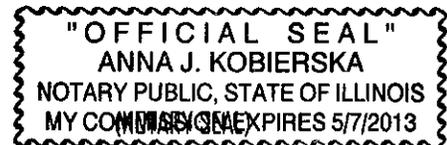
A notary public must witness the completion of this part of the form.

I, Marc Greenspoon, 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.

[Signature]  
Complainant's Signature

Subscribed and sworn/affirmed to before me on (month, day, year) September 16, 2011

[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.

**ILLINOIS COMMERCE COMMISSION  
FORMAL COMPLAINT**

Complainant: Marc Greenspoon  
Respondent: Commonwealth Edison Company

**Complainant's Statement**

1. On February 16, 2010, Mr. Greenspoon received a billing statement from Commonwealth Edison ("ComEd") purporting to charge him for the use of 66,692 kWh of electricity at his home address, 701 North Kingsbury, Chicago, IL 60654. The amount of the bill was stated as \$5,509.24, a cost apparently derived from the total cost of 12 months' electricity usage (2/11/09 – 2/10/10) at the site, minus the value of \$2,075.24 in payments and credits. However, the bill also indicated a Previous actual meter reading of 30,430 kWh and a Present actual meter reading of 60,915 kWh, suggesting that an appropriate total charge would have been for the value of 30,485 kWh of electrical use. When Complainant contacted ComEd at the time of the billing, he did not receive a satisfactory explanation, and paid the \$5,509.24 charge only in response to threats from ComEd to discontinue his electrical service in the event of nonpayment. Mr. Greenspoon disputes the method of calculation of the February 16, 2010 bill with respect to these apparent disparities.

2. On October 14, 2010, Mr. Greenspoon received a billing statement from ComEd, purporting to charge him for the use of 67725 kWh of electricity at his home address. The amount of the bill was stated as \$7,829.53, a cost apparently derived from the total cost of 8 months of electricity usage (2/10/10 – 10/7/10) at the site. While the meter readings in the October bill appear to correspond with the past meter readings in the February bill, Mr. Greenspoon disputes ComEd's allegation that his home used an average of 5557.66 kWh per

month for the period from February 2009 until February 2010, according to ComEd's meter reading, yet averaged 9578.43 kWh per month from February 2010 until October 2010. When Complainant contacted ComEd to dispute his bill, he was told by Becky, a ComEd customer service representative [ID # 2595], that his bill may have been artificially inflated in order to prompt him to schedule a meter reading at his home. Mr. Greenspoon disputes the amount of electricity that he is supposed to have used during this period, based on its apparent inconsistency with past readings and the objectively exorbitant amount that his home is supposed to have consumed, according to the October bill.

3. Both the February and October bills discussed in ¶ 1 and ¶ 2, above, indicate that ComEd engaged in estimated billing in order to calculate his electrical bills for periods of twelve (12) and seven (7) months respectively. The Illinois Administrative Code specifically states that:

[a]ll utilities shall make an actual meter reading at least every second billing period, and no utility may consecutively estimate a customer's service usage unless:

- 1) the procedure used by the utility to calculate estimated bills has been approved by the Commission; and
- 2) the word "estimate" appears prominently on the face of the bill, in a manner previously approved by the Commission.

## II. Admin. Code, Section 280.80.

To the extent that this section of the administrative code applies to Mr. Greenspoon's situation, he objects to the manner in which ComEd employed estimated billing practices for periods of time well in excess of two (2) consecutive months. Whether or not this section applies, Mr. Greenspoon also contends that the use of estimated billing practices by ComEd has, in his case, deprived him of a meaningful opportunity to know even approximately how much electricity his home was using and has, therefore, deprived him of a meaningful opportunity to

moderate his home's electrical usage or to otherwise exercise consumer choice in the purchase of ComEd's product.