

Anderson 6

- If you are billed every other month, you need to be late two times in a row or three total times during any 12 month period.

The company can demand a deposit if they discover that you have tampered with the equipment to your benefit.

When you apply for utility service, some utilities can insist that you pay a deposit if your "credit score" is below a certain level.

If you have been a customer for at least two years, the utility cannot make you pay a deposit due to late payments unless you have been disconnected for nonpayment and you are seeking reconnection.

Generally, the utility must refund your deposit, with interest, after one year. They do not have to refund it if you:

- are now disconnected for nonpayment;
- repeatedly paid late, as shown in the foregoing examples;
- benefited from tampering; or
- have any unpaid past due bills.

Usually, the amount of the deposit cannot be more than one-sixth of the estimated annual cost of service.

Denials Based on Unrelated Bills

A utility cannot refuse to give you service because of some matter unrelated to your service, such as non-payment of another person's utility bill or nonpayment for different kinds of services. However, a utility can deny service to an applicant until the applicant satisfies an unpaid bill from a former residence for the same type of service.

Service When a Bill is in Dispute

A utility cannot cut off service to force you to pay a bill that you dispute. If this happens, they must promptly restore service while the dispute is pending. Of course, you must pay the undisputed portion of the bill. It is illegal for the utility to threaten to discontinue service for nonpayment of a disputed bill.

If you dispute a bill or part of it, you must try in good faith to resolve the dispute. This means that you must use the dispute mechanisms available from the utility and if necessary, use the complaint procedures available through the ICC described later.

Undercharges

Sometimes, a utility mistakenly bills you less than they should and does not discover the mistake until months or years later. When this happens, you may be presented with a very large bill. Although the utility has a right to collect this undercharged amount, they cannot disconnect service due to its non-payment.

OFFICIAL FILE

I.C.C. DOCKET NO. 11-0164Anderson Exhibit No. 6

Witness _____

Date 10/11/11 Reported P.W.

Illinois Commerce Commission Dispute Procedures

Informal Complaints to the ICC

If you have a question or a problem with a utility bill, first contact the utility by phone, by letter, or in person. If you cannot solve the problem with the customer service representative, ask to have a supervisor hear the complaint.

If you cannot work out a solution, you should contact the Illinois Commerce Commission (ICC). They will start an informal investigation in an effort to settle the dispute. They can be reached as follows:

Chicago:

ICC Consumer Services Division
160 N. LaSalle St., Suite C-800
Chicago, Illinois 60601

Springfield:

ICC Consumer Services Div.
527 E. Capitol Ave.
Springfield, IL 62794

Their phone number statewide is:

800-524-0795 (toll free)
800-858-9277 (TDD)

You can file complaints electronically at the Illinois Commerce Commission.

These informal complaints may take two to four weeks to resolve. After taking the information from you, a counselor will contact the utility for further information and learn the position of the utility on the complaint. The counselor will try to solve the complaint in a way that is satisfactory to both sides. If either side disagrees with a proposed resolution, the counselor has no power to decide the outcome.

While complaints are being investigated, you must continue to pay current bills, and the undisputed portion of a past-due bill or enter into a DPA for its payment.

Formal Complaints to the ICC

If the problem cannot be resolved through the informal complaint process, you can file a formal complaint with the ICC. There are detailed rules of procedure for filing and conducting such a complaint. There are forms available from the:

Chief Clerk, ICC
527 East Capitol Ave.
Springfield IL 62794.

You can also file a complaint online at the ICC website. After the complaint has been filed, there will be a hearing. You can have a lawyer, but it is not required. If you disagree with the final ICC

The LAA will give this assistance if the household is income eligible for LIHEAP, contains a member who receives SSI, or has a total income at or below 150% of poverty level.

LIHEAP Appeals

If your application for LIHEAP assistance is denied or not acted on promptly, you can appeal. The appeal process includes the following levels:

- **The Informal Conference.** The LAA designates a hearing officer to conduct the informal conference, which is designed to make sure that you understand the actions taken or any reason for delay. At the end of the conference, the hearing officer must give you a written decision.
- **The State Review.** If you are not satisfied with that decision, you can request a state review within 30 days from the decision resulting from the informal conference. A staff person from HFS will review your file and must send you a decision in writing within 15 days of your request for review.
- **The Formal Hearing.** If you are not satisfied with the state review, you have 30 days to submit a letter to HFS requesting a formal hearing, which is conducted by a state hearing officer. The hearing must take place within 30 days of the date of your letter, and a written decision must be made within 10 days of the hearing. If you are not satisfied with the hearing decision, you have 35 days to bring a lawsuit to have that decision reviewed by a judge.

Where To Go For More Information

Statutes and Regulations

- The Illinois Public Utilities Act can be found at 220 ILCS 5/1-101.
- The regulations of the Illinois Commerce Commission can be found at 83 Ill.Admin.Code 280.
- The Tenant Utility Payment Disclosure Act can be found at 765 ILCS 740/1.
- The Rental Property Utility Service Act can be found at 765 ILCS 735/0.01.
- The statutory authorization for the LIHEAP program can be found at 42 U.S.C. §8621 and 305 ILCS 20/1.
- The LIHEAP regulations can be found at 47 Ill.Admin.Code 100.

Agencies and Organizations

Illinois Commerce Commission (ICC)

800-524-0795 (toll free)

800-858-9277 (TDD)

[The ICC's Website](#)

Chicago:

ICC Consumer Services Division

160 N. LaSalle St., Suite C-800

Chicago, Illinois 60601

Springfield:

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Springfield, IL 62794