

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION
FORMAL COMPLAINT

For Commission Use Only:

Case: 11-0746

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

ORIGINAL

Regarding a complaint by (Person making the complaint): Al Brunsting
Against (Utility name): Commonwealth Edison (ComEd)
As to (Reason for complaint): Please see attached "Additions for Formal Complaint by Al Brunsting against ComEd,
Nov. 29, 2011"

in Naperville, Illinois.

11/29/11
ILLINOIS COMMERCE
COMMISSION
2011 NOV 30 P 1:30
CHIEF CLERK'S OFFICE

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My complete mailing address is (include City) 25W282 Gunston Ave., Naperville, IL 60540

The service address that I am complaining about is 25W282 Gunston Ave., Naperville, IL 60540

My home telephone is (630) 357-7058

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at (630) 200-0648

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

(Full name of utility company) ComEd (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.

Please see attached "Additions for Formal Complaint by Al Brunsting against ComEd, Nov. 29, 2011"

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.

Please see attached "Additions for Formal Complaint by Al Brunsting against ComEd, Nov. 29, 2011"

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

Please see attached "Additions for Formal Complaint by Al Brunsting against ComEd, Nov. 29, 2011"

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 (Social Security Number, Driver's License Number, Medical Records, etc.) 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: Nov. 29, 2011
(Month, day, year)

Complainant's Signature: Al Brunsting

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

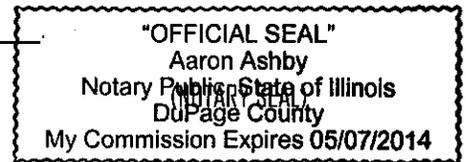
A notary public must witness the completion of this part of the form.

I, Al Brunsting, 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.

Al Brunsting
Complainant's Signature

Subscribed and sworn/affirmed to before me on (month, day, year) Nov. 29th, 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.

AB
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Additions for Formal Complaint by Al Brunsting against ComEd, Nov. 29, 2011

These additions respond to the inquiries on the associated Formal Complaint form.

Summary of the facts and associated references.

Basic references are found on associated CD "ICC/Brunsting Formal Complaint": Naperville Fire Department (NFD) report, Tribune article, Oct. 23, '11 (ComEd story in Trib.pdf). Home owner's meeting minutes (Feb. 13, '10, Home Owners mtg 13Feb10b.pdf). General background (Relevant communications.pdf). I have all relevant receipts and associated explanations.

[20% down, page 1 of Formal Complaint form] As to (Reason for complaint)

On Dec. 17, 2009, about 6:15am, a very damaging electrical fire started in our home (total damage was \$120,000). Simultaneously there was a similar electrical fire at the home of our backyard neighbor. There were other simultaneous electrical power delivery problems and electrical power outages in at least five other nearby homes. All of these electrical power delivery problems in our neighborhood were simultaneously experienced by ComEd customers.

According to the fire department commander on the scene Joyce could have **DIED** in that fire and our home could have burned to the ground, had Joyce not called 911 when she did. We were displaced for 6 months. Joyce & I suffered significant human disruption to our lives (not compensated) because of this ComEd caused fire.

ComEd has admitted that they are the cause and origin of these fires and electrical power problems [see ComEd story in Trib.pdf & Relevant communications.pdf on accompanying CD "ICC/Brunsting Formal Complaint"].

At a home owner's meeting on Feb. 13, '10, ComEd gave an explanation for what happened. That explanation does NOT explain all the known facts of this case. Therefore, ComEd's credibility is suspect at least about these events. ComEd has not responded to follow-up questions regarding this case and safe power delivery. Therefore, we do not know if the ComEd problems associated with these ComEd caused fires have been resolved. We do not know if we have safe electrical power delivery supplied by ComEd.

[80% down, page 1]. List the specific section of the law...

Public Utilities Act Section 8-507. [Report and investigation of accidents]

Sec. 8-507. Every public utility shall file with the Commission, under such rules and regulations as the Commission may prescribe, a report of every accident occurring to or on its plant, equipment, or other property of such a nature to endanger the safety, health or property of any person. Whenever any accident occasions the loss of life or limb to any person, such public utility shall immediately give notice to the Commission of the fact by the speediest means of communication, whether telephone, telegraph or post.

Public Utilities Act Section 8-507: 1st paragraph "...to endanger the safety, health or property of any person".

AB
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In a December 20, 2009, email of mine to Deputy Fire Chief, Naperville Fire Department, Richard J. Mikel he was asked by me the following question: "... if Joyce had not called at 6:28am, but waited longer, the whole house could have burned to the ground. Would you please confirm this?"

By return email (December 21, 2009) Deputy Fire Chief Mikel's responded:

"It is safe to say that a fire left unchecked in the presence of additional combustible materials will ultimately consume those materials. The exact amount of time it would have taken for your house to be consumed by fire is not practical to calculate. However based on time-temperature scales and the ever increasing intensity of an unchecked fire, Paul's statement is certainly true." Here "Paul" refers to Paul Bumba, Fire Captain, Naperville Fire Department (cell 630-420-4199, 630-305-5900). Paul's associated statement is paraphrased as "If Joyce had not called at 6:28am, but waited longer, the whole house could have burned to the ground."

Here's my conclusion: According to these NFD officers who were active at our house during this fire event on Dec. 17, 2009, Joyce could have died and our house burned to the ground if Joyce hadn't called 911 in a timely manner. It seems to me that our house fire, caused by electrical power supplied by ComEd, clearly meets the criteria of endangering the "safety, health or property of any person". My conclusion is that this event meets the "every accident occurring to or on its plant, equipment, or other property" (1st paragraph). We have the NFD report, which is in the public domain and on the accompanying CD.

In Section L, page 2, of that report: "... we [NFD personnel] noticed a transformer base at the back of the property was burning as well." This is the ComEd transformer (ComEd's property) that was subjected to close scrutiny by least four ComEd people for several hours on the Dec. 17 and on at least one subsequent day.

Also, in the next paragraph "...the possibility of a systemic problem..." resulted in multiple fire department companies called to the scene at that time. I interpret "systemic problem" as an electrical power delivery problem in our neighborhood (eventually determined to be the cause of our fire and other simultaneous power delivery problems). ComEd supplies the electrical power to our neighborhood, using their equipment (my understanding) or "property".

To my knowledge no "loss of life or limb to any person" occurred in this event. However, my conclusion is that if Joyce hadn't called 911 at 6:28:16am on Dec. 17 and if Joyce had remained asleep at that time there could have easily been loss of life and property.

I am not an attorney. But as I read this, the words indicate to me that our house fire and the associated events would require ComEd to report this event to the Illinois Commerce Commission, who would likely be interested in this and the associated actions by ComEd.

Our attorney is Stuart Brody. Here are his conclusions about the applicable state law.

From: Stuart Brody [mailto:smb@stbttrial.com]
Sent: Wednesday, September 14, 2011 7:12 PM
To: Al Brunsting; Wernau, Julie
Cc: Joyce Brunsting
Subject: RE: Response to Public Utilities Act Section 8-507

Ms. Wernau:

Pursuant to this provision, ComEd probably should have filed a report with the Commission.

Stuart M. Brody, Esq.
Sneckenberg, Thompson & Brody, LLP
161 N. Clark Street

AB Am

Suite 3575
Chicago, IL 60601
Phone No. (312) 782-9320
Fax No. (312) 782-3787
E-Mail: smb@stbtrial.com

Conclusion: ComEd DID have statutory responsibility to report the incident in question to the ICC.

We customers look to the ICC for our only legal protection from unsafe power delivery from ComEd. ComEd delivered unsafe power in this incident, which was nearly fatal.

[Top, p2] What we want:

(1) Reasonable compensation for human turbulence in our lives. If the ICC does not provide for such compensation, then there will be no push-back on ComEd to deliver safer power to their 3.8 million customers in Northern IL. It would appear that ComEd must make safer power delivery a higher priority and the ICC has an opportunity with this case to clearly make that point. These ComEd caused fires resulted in significant human costs to us (detailed in X) that were reimbursed neither by our insurance company nor by ComEd.

(2) Here is a summary of our estimated human expenses, which does NOT include the cost of loss of sense of security & the fact that Joyce could have died in the fire*. Numerous additional disruptions & inconveniences to our lives are NOT included. * More detail is provided in "List for human costs2.xls".

1	Christmas 2009	\$558.70
2	Illnesses	\$160.00
3	Activities	\$8,289.00
4	Not-available	\$3,597.00
5	Inconveniences	\$23,054.00
6	Standard of Living	\$745.00
7	Grandchild care	\$863.00
8	Move back in	\$3,240.00
	A, Total:	\$40,506.70
	B, Reconstruction costs not covered by Farmers Ins.:	\$25,925.00
	A + B:	\$66,431.70

(3) We are asking for \$66,431.70.

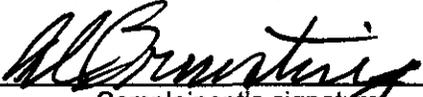
(4) A written and independently verifiable report from ComEd identifying (a) specifically what happened, (b) what actions ComEd took to address the ComEd causes of those fires, and (c) why we now receive safer electrical power. ComEd has given verbal explanations which do NOT explain all the simultaneous facts of this case. They have failed to answer follow-up questions about their apparent inadequate explanations. Therefore, ComEd needs to be required to provide truthful, comprehensive, and accurate written responses to (a), (b), and (c). Such reports would courage ComEd to deliver safer power to their 3.8 million customers in Northern IL.

(5) I submit that the ICC can make a substantial contribution to the 3.8 million ComEd customers in northern IL by requiring ComEd to submit a written, formal, and transparent report on these electrical fires. These reports by ComEd must include a detailed explanation of what happened, why it happened,

and what ComEd did to resolve these power delivery issues. We customers must have a way to provide push-back to ComEd (a monopoly) on unsafe power delivery.

(6) "The ICC's mission is to pursue an appropriate balance between the interest of consumers and existing and emerging service providers to ensure the provision of adequate, efficient, reliable, **safe** and least-cost **public utility services**." Here is a significant opportunity for the ICC to fulfill its mission.

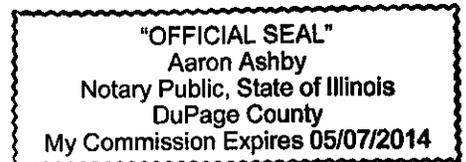
I, Al Brunsting, Complainant, first being duly sworn, say that I have read these four additional pages to "Formal Complaint" form for my case.


Complainant's signature

Subscribed and sworn/affirmed to me

on (month, day, year) Nov. 29th 2011


Signature, Notary Public, Illinois



(NOTARY SEAL)



ICC/Brustling Formel
Complaint