Joint Committee on A
ADMINISTRA

Shawn J. O'Farrell OFFICIAL FILE
Kazmier Tooling, Inc.
-vs- ComEd I.C.C. DOCKET NO. 11-0589
Docket No. 11-0589 Exhibit No. 2
ALJ Riley Witness ComEd
ComEd Exhibit
Date 11/10/11 Reporter A.R.

**TITLE 83: PUBLIC UTILITIES**
**CHAPTER I: ILLINOIS COMMERCE COMMISSION**
**SUBCHAPTER b: PROVISIONS APPLICABLE TO MORE THAN ONE KIND OF UTILITY**
**PART 280 PROCEDURES FOR GAS, ELECTRIC, WATER AND SANITARY SEWER UTILITIES GOVERNING ELIGIBILITY FOR SERVICE, DEPOSITS, PAYMENT PRACTICES AND DISCONTINUANCE OF SERVICE**
**SECTION 280.100 UNBILLED SERVICE**

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**Section 280.100 Unbilled Service**

a) A utility may render a bill for services or commodities provided to:

1) A residential customer only if such bill is presented within one year from the date the services or commodities were supplied, or

2) A non-residential customer only if such bill is presented within two years from the date the services or commodities were supplied.

b) No customer shall be liable for unbilled or misbilled service after expiration of the applicable period except in those instances to which 83 Ill. Adm. Code 500.240(a), 83 Ill. Adm. Code 410.260(c), or the following subsections of this Section apply.

c) Tampering

1) When there has been tampering with wires, pipes, meters or other service equipment and the customer has enjoyed the benefit of such tampering, the utility is not restricted to the above time limitations on unbilled service. When a utility applies this provision to bill for service which occurred outside the applicable time limitations, a customer may dispute the bill under the provisions of Sections 280.160 and 280.170 of this Part. The customer shall be responsible for all service usage, and the utility may bill the customer for all service usage during the period the tampering occurred. Customers may be billed for diverted service not used by that customer if that customer had knowledge of or consented to the diversion.

2) If a utility alleges that tampering has occurred, the utility shall have the burden of proving, by a preponderance of the evidence, that the customer's meter has been tampered with, that the customer has benefitted from the tampering and that the utility's rebilling is reasonable.

d) When past due bills occur following the issuance of a "make-up" bill for previously unbilled utility service resulting from two or more consecutive estimated bills,

utility billing error, meter failure, or undetected leakage or undetected loss of service, except in situations where tampering is involved, and where the "make-up" bill exceeds the otherwise normal bill for such billing period by 50%, a utility shall review the bill with the customer, and shall offer to accept payments toward the liquidation of the amount over a normal bill over a period mutually agreed to by the utility and the customer. This period of time shall be at least as long as the period over which the excess amount accrued. Where the excess billing resulted from undetected leakage or loss of service, the period shall be extended so that the bill rendered will not be greater than a normal bill, plus 50%.

e) When a utility computer rejects a bill because it is abnormally high or low, and the utility chooses to delay billing by more than five days, the utility must nevertheless send the customer a statement at the regular billing period which shows that billing has been delayed and that an investigation is being conducted by the utility.

(Source: Amended at 16 Ill. Reg. 11023, effective July 1, 1992)