

**OFFICIAL FILE**  
**ILLINOIS COMMERCE COMMISSION**

For Commission Use Only:  
Case: 11-0773

**FORMAL COMPLAINT**

2011 DEC -8 1 P 12:39

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

**ORIGINAL**

CHIEF CLERK'S OFFICE

Regarding a complaint by (Person making the complaint): JOHN HUMMEL INSURANCE AGCY

Against (Utility name): REALGY ENERGY SERVICES

As to (Reason for complaint) FALSELY IDENTIFYING THEMSELVES AS A COM ED REPRESENTATIVE. ALSO ILLEGALLY WITHOUT CONSENT OR CONTRACT SWITCHING ELECTRICAL SERVICES WITH COM ED TO REALGY ENERGY SERV. WITHOUT NOTIFICATION.

in ARLINGTON HGTS, Illinois.

**TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:**

My complete mailing address is (include City) 825 E. RAND RD., SUITE 240, ARLINGTON HGTS, IL 60004

The service address that I am complaining about is SAME AS ABOVE

My home telephone is [ ] \_\_\_\_\_

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at (847) 870-8808

My e-mail address is jhummel@farmersagent.com I will accept documents by electronic means (e-mail)  Yes  No

(Full name of utility company) REALGY ENERGY SERVICES (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.

OFFICIAL SEAL  
SUSAN KIRSCHNER  
NOTARY PUBLIC - STATE OF ILLINOIS  
MY COMMISSION EXPIRES 10/31/13

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 EXPLANATION.

Please clearly state what you want the Commission to do in this case: WOULD LIKE TO KNOW WHO DID THE MISREPRESENTATION AND REPRIMAND REALY FOR THIS MISREPRESENTATION TO PREVENT FURTHER PRACTICES.

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: 12/3/11 (Month, day, year)

Complainant's Signature: [Handwritten Signature]

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, IRMGARD HUMMEL, 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.

[Handwritten Signature] Complainant's Signature

Subscribed and sworn/affirmed to before me on (month, day, year) December 3, 2011

[Handwritten 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.

Some time in February, I was contacted at my place of business by phone, by a solicitor from Realgy Energy Services, who identified him/herself as a representative from Com Ed verifying information with regards to our address & account number. I specifically asked if they were a private company or Com Ed, as I have been solicited before by these private energy services with whom I do not wish to sign up. They again stated they were just verifying account information for Com Ed. They asked me if I could confirm the information on a taped recording which I thought was strange because we have been with Com Ed for many years. I have a transmission of this recording which I requested be sent to me after the misrepresentation came to my attention. I was asked simple questions confirming our service and mailing address, my name and position in the company, and the Com Ed account #. At the end of the recording, it asked if I was in agreement to switching my electrical services to Realgy Enerergy Services, at which point I realized it was a solicitation. I did not answer and hung up, thereby ending the phone call. Assuming that was the end of it, when on October 12, 2011, I received a notification letter stating that our services are being switched from Com Ed to Realgy effective November 9, 2011. I never agreed to this verbally nor did I sign anything. When I called Realgy and spoke with Lori Plourde insisting that I never agreed to this and that I want it reversed, I was told that since I agreed verbally (which I didn't), that it is binding in Illinois. She also stated if I wanted to cancel the agreement, I would have to pay an \$809 fee. That is when I insisted she send me the taped transmission. It was very evident that I hung up the phone at the agreement questions, and never consented verbally to anything after realizing that it was a solicitation. Lori Plourde referred me to supervisor, Matthew Sudowski, and had to explain everything again. He seemed helpful, and told me if I fax over a signed letter stating that I do not want Realgy, he would stop the transfer of services. It is ironic that they did not need a signed agreement to switch us over but they need a signed form to cancel the agreement. Upon calling Com Ed on November 1, to check if this had been done, they told me they received nothing and our account is still set up to switch on November 9 to Realgy. We were not able to contact Realgy as they are on the East Coast which was hit by a snowstorm and there was no answer at their number. After several days of continually trying to get a live person, and much aggravation, we were able to resolve the situation but had to get Com Ed to block any future switches.

These companies should not be allowed to continue this type of solicitation and misrepresentation causing the consumer undue hardship in rectifying their unlalwful mishandling of accounts stating that verbal agreements are binding when no verbal agreement was given. At no time did I receive any correspondence, contract, or anything in writing stating that this switch was in the works until 9 months later when I received a notification letter. Did they think I wouldn't take notice and get another customer through illegal practices?

I would like to know that the Realgy representative responsible for this illegal transaction is reprimanded and that Realgy is penalized. I would like to see that this type of practice is not allowed and is stopped.