

Docket No: 11-0572
Bench Date: 02/16/12
Deadline: 08/08/12

MEMORANDUM

TO: The Commission

FROM: D. Ethan Kimbrel, Administrative Law Judge

DATE: January 30, 2012

SUBJECT: Jewel Turner
-vs-
Commonwealth Edison Company

Complaint as to inconsistent meter readings in Chicago, Illinois.

RECOMMENDATION: Enter Order dismissing the complaint without prejudice.

On August 8, 2011, Jewel Turner (“Turner” or “Complainant”) filed a complaint against Commonwealth Edison Company (“ComEd”, “Respondent” or the “Company”) with the Illinois Commerce Commission (“Commission”) alleging that the meter readings at his residence at 7622 South Paulina Street in Chicago, Illinois are inconsistent.

At the hearing held on October 7, 2011, the parties were unable to settle the dispute and the Company stated that it would file a motion to dismiss Mr. Turner’s complaint on or before October 28, 2011. Mr. Turner agreed that he would file his response to the motion to dismiss on or before November 14, 2011.

On October 18, 2011, the Company filed its motion to dismiss stating that based on its monthly readings from March 22, 2011 through September 19, 2011, this complaint is moot and that it has properly billed Mr. Turner for electric service for the Estimated Billing Period.

Mr. Turner failed to respond to ComEd’s motion to dismiss. On December 21, 2011, the ALJ granted the Company’s motion. On January 3, 2012, the ALJ served a Proposed Order on the parties, recommending that the complaint be dismissed. The parties were given until January 17, 2012 and January 24, 2012 to file their briefs and reply briefs on exception, respectively. No briefs on exceptions were filed. The record was marked “Heard and Taken” on January 30, 2012.

Accordingly, I recommend entry of the attached Order dismissing the complaint without prejudice.

DK:fs