

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Mildred Smith :
-vs- : **11-0540**
Commonwealth Edison Company :
: :
Complaint as to billing/charges in :
Chicago, Illinois. :

RESPONDENT'S MOTION TO DISMISS

Now comes the Respondent, Commonwealth Edison Company ("Respondent" or "ComEd"), by and through its attorney, Mark L. Goldstein, and files this Motion to Dismiss With Prejudice the Formal Complaint filed by the Complainant, Mildred Smith ("Ms. Smith"), with the Illinois Commerce Commission ("Commission") on July 25, 2011, and in support thereof, states, as follows:

1. Ms. Smith's Complaint alleges that she is being improperly billed for switched meter electrical service at 6018 South St. Lawrence, Chicago, Illinois ("Property").
2. Ms. Smith's requested relief is that her electric charges be corrected.
3. Ms. Smith has requested and received from ComEd a deferred payment arrangement (DPA") and ComEd has adjusted her Property account as indicated by the Account History attached as ComEd Group Exhibit 1.
4. Ms. Smith's Property electric account shows a zero balance.
5. With Ms. Smith's entry into the DPA, her Property account balance at zero, all matters in dispute in this complaint have been resolved, the complaint is moot and should be dismissed with prejudice.

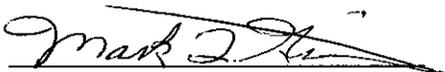
CHIEF CLERK'S OFFICE

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ILLINOIS COMMERCE
COMMISSION

WHEREFORE, the Respondent, Commonwealth Edison Company, respectfully requests that the Complaint filed by Mildred Smith on July 25, 2011 be dismissed with prejudice.

Respectfully submitted,
Commonwealth Edison Company

By: 
Mark L. Goldstein, Its Attorney

Mark L. Goldstein
3019 Province Circle
Mundelein, IL 60060
(847) 949-1340

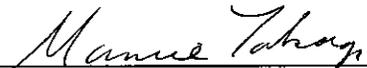
VERIFICATION

ERIN BUECHLER, being first duly sworn on oath, states that she is a Senior Administrator in the Regulatory and Governmental Affairs Department of Commonwealth Edison Company, that she has read the foregoing Respondent's Motion to Dismiss and that said Motion is true and correct.


Erin Buechler

Subscribed and Sworn to before me

this 11th day of May, 2012


Notary Public



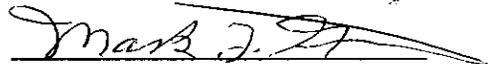
CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2012, I served Respondent's Motion to Dismiss by causing a copy to be placed in the U. S. Mail, first class postage affixed, addressed to each of the parties indicated below:

Ms. Elizabeth A. Rolando
Chief Clerk
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

Ms. Mildred Smith
6018 S. St. Lawrence
Chicago, IL 60637

Mr. Douglas E. Kimbrel
Administrative Law Judge
Illinois Commerce Commission
160 N. LaSalle St., Ste. C-800
Chicago, IL 60601


Mark L. Goldstein