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BEFORE THE  
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF: )  
 )  
PETER R. FLETCHER )  
 )  
vs. ) No. 11-0144  
 )  
COMMONWEALTH EDISON COMPANY )  
 )  
Complaint as to )  
billing/charges in )  
Lisle, Illinois. )

Chicago, Illinois  
June 27, 2012

Met pursuant to notice at 2:00 p.m.

BEFORE:

Leslie Haynes, Administrative Law Judge

1 APPEARANCES:

2 ROONEY RIPPPIE & RATNASWAMY, LLP, by  
3 MR. CARMEN L. FOSCO & MS. CAITLIN SHIELDS  
4 350 West Hubbard Street  
5 Suite 600  
6 Chicago, Illinois 60654  
7 (312) 447-2800  
8 Appearing for ComEd;

9 MR. MARK L. GOLDSTEIN, P.C.,  
10 3019 Province Circle  
11 Mundelein, Illinois 60060  
12 (847) 949-1340  
13 Appearing for ComEd;

14 MR. JOHN SAGONE & MS. KELLY ARMSTRONG  
15 160 North LaSalle Street  
16 Suite C-800  
17 Chicago, Illinois 60601  
18 (312) 814-2908  
19 Appearing for ICC Staff witnesses;

20 MR. PETER R. FLETCHER  
21 6092 Angel Lane  
22 Lisle, Illinois 60532  
Appearing pro se;

MR. BRAD KLEIN  
35 East Wacker Drive  
Suite 1600  
Chicago, Illinois 60601  
(312) 795-3746  
Appearing for ELPC.

21 SULLIVAN REPORTING COMPANY, by  
22 Julia C. Kurtis, CSR

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I N D E X

<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-</u> <u>direct</u>	<u>Re-</u> <u>cross</u>	<u>By</u> <u>Examiner</u>
None					

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
None		

1           JUDGE HAYNES: Pursuant to the direction of the  
2 Illinois Commerce Commission, I now call  
3 Docket 12-0365. This is Illinois Commerce Commission  
4 on its own motion versus Commonwealth Edison Company,  
5 Investigation of Rate BESH, Rider POGNM and General  
6 Terms and Conditions, as well as Docket 11-0144, a  
7 complaint of Peter R. Fletcher versus Commonwealth  
8 Edison Company.

9                       May I have the appearances for the  
10 record, please, starting with ComEd.

11           MR. FOSCO: Your Honor, in Docket 12-0365,  
12 Carmen L. Fosco and Caitlin Shields, Rooney Rippie &  
13 Ratnaswamy, appearing on behalf of Commonwealth  
14 Edison Company. Our address is 350 West Hubbard  
15 Street, Suite 600, Chicago, Illinois 60654.

16           MR. GOLDSTEIN: In the Peter Fletcher versus  
17 ComEd complaint case, for Commonwealth Edison  
18 Company, Mark L. Goldstein, 3019 Province Circle,  
19 Mundelein, Illinois 60060. My telephone number is  
20 (847) 949-1340, and with me this afternoon is Erin  
21 Buechler of ComEd.

22           JUDGE HAYNES: Thank you.



1 understanding that you do -- you would like to  
2 participate in the investigation; and, for that  
3 reason, I understand that you would like to have the  
4 dockets consolidated; is that correct?

5 MR. PETER R. FLETCHER: That is correct.

6 JUDGE HAYNES: Okay. Is there any objection to  
7 consolidating the dockets?

8 Okay. Hearing none, then Dockets  
9 12-0365 and 11-0144 are consolidated.

10 And before we get into the schedule,  
11 the ELPC -- you filed a petition to intervene;  
12 correct?

13 MR. KLEIN: That's correct, in 12-0365.

14 JUDGE HAYNES: Okay. Is there any objection to  
15 the petitioner intervening?

16 MR. GOLDSTEIN: I have none.

17 MR. FOSCO: None, your Honor.

18 JUDGE HAYNES: Hearing none, the ELPC's  
19 petition to intervene is granted.

20 Okay. And the -- I think the parties  
21 have agreed that rather than filing testimony and  
22 having evidentiary hearing, that it will be verified

1 comments and the following schedule is adopted.

2 MR. FOSCO: Your Honor, just one --

3 JUDGE HAYNES: Sure.

4 MR. FOSCO: -- clarification.

5 We have not agreed to waive hearing  
6 yet.

7 JUDGE HAYNES: Okay.

8 MR. FOSCO: I don't know -- and I think maybe  
9 we'll address that after all comments are in.

10 JUDGE HAYNES: Okay.

11 MR. FOSCO: I mean, there may be a need for  
12 cross-examination, but we'll consider waiving at the  
13 time.

14 JUDGE HAYNES: Okay. But you want to see -- so  
15 the parties have agreed to file comments and then  
16 we'll see if you waive hearing?

17 MR. FOSCO: Uh-huh.

18 JUDGE HAYNES: Okay.

19 MR. GOLDSTEIN: And I might add, Judge, that  
20 you may want testimony after seeing the comments.

21 JUDGE HAYNES: Okay. Okay. That's a good  
22 clarification. Thank you.

1                   So this will be the schedule for the  
2    comments:

3                   ComEd will file initial comments on  
4    August 24th. The interveners and Staff will file  
5    initial comments on October 26th, and ComEd's reply  
6    comments will be filed November 28th; and after all  
7    of the comments are filed, I will either issue a  
8    proposed order or I will call a status hearing or  
9    perhaps a party will file a motion requesting  
10   additional hearings; and, of course, at any time if  
11   someone feels the need for a status hearing, you can  
12   definitely bring that to my attention, and that is  
13   always a possibility.

14                   And there's nothing else.

15                   MR. FOSCO: Just one clarification. You might  
16    have stated this, but the comments are to be verified  
17    as to factual matters.

18                   JUDGE HAYNES: Verified as to factual matters,  
19    yes.

20                   MR. PETER R. FLETCHER: Would you explain what  
21    that means.

22                   JUDGE HAYNES: Well, if you file -- I don't

1 know if the filings were verified in your complaint  
2 case, but there would be a piece of paper and you can  
3 pull it up and -- and you have to get it notarized  
4 and verified that the facts are true and correct.

5 MR. FOSCO: It would generally be if there were  
6 factual assertions in your comments rather than  
7 legal. You would basically be filing an affidavit  
8 saying those are true and correct in -- in the  
9 comments.

10 JUDGE HAYNES: Anything else?

11 MR. FOSCO: I have nothing else, your Honor.

12 JUDGE HAYNES: Okay.

13 MR. SAGONE: Nothing from Staff.

14 JUDGE HAYNES: Okay. Any questions? No.

15 Okay. Then I will continue this  
16 generally.

17 Thank you.

18 (Whereupon, the above-entitled  
19 matter was continued  
20 generally.)

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