OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

ORIGINAL

For Commission Use Only:
Case: 12-0625

FORMAL COMPLAINT

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

Regarding a complaint by (Person making the complaint): ONYX DISTRIBUTION & SERVICES, LLC, FRANCIS J. BOMHER, MGR

Against (Utility name): COMMONWEALTH EDISON

As to (Reason for complaint) PLEASE SEE ATTACHED LETTER

ILLINOIS COMMERCE COMMISSION
2012 NOV 20 A 11:27
CHIEF CLERK'S OFFICE

in CHICAGO Illinois.

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My complete mailing address is (include City) 2444 W. 16TH ST, SUITE 4R, CHICAGO, IL 60608

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

My ~~home~~ CELL telephone is [630] 854.6172

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at [312] 421.6699 x 7014

My e-mail address is FBOMHER@ONYXDISTRIBUTION.COM I will accept documents by electronic means (e-mail) ☒ Yes ☐ No

(Full name of utility company) COMMONWEALTH EDISON, AN EXELON CO (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.

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 LETTER

Please clearly state what you want the Commission to do in this case:

HELP US GET RELIEF FROM UTILITY BILL

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: 11/15/12 (Month, day, year)

Complainant's Signature: [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, FRANCIS J. BOMHER, 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.

[signature]
Complainant's Signature

Subscribed and sworn/affirmed to before me on (month, day, year) 11/15/12.

[signature]
Signature, Notary Public, Illinois

NOTARY PUBLIC OFFICIAL SEAL STATE OF ILLINOIS
LUIS ROMERO
MY COMMISSION EXPIRES
APRIL 7, 2014

(NOTARY SEAL)

NOTE: Failure to answer all of the questions on this form may result in this form being returned without processing.

Icc207/07

Onyx Distribution & Services, LLC
2444 W. 16th St, Suite 4R
Chicago, IL 60608
312-421-6699

November 15, 2012

Illinois Commerce Commission
527 E. Capital Ave
Springfield, IL 62701

Re: Formal Complaint

ICC:

I have managed this company, Onyx Distribution, for 2 ½ years. We have always paid all of our utility bills on a timely basis and actually had those all set up for auto pay so as not to be late or miss a payment. We never missed a payment in 2 ½ years. Starting in mid September of 2012 we started receiving additional bills from Commonwealth Edison with a different account number dating back to October 2010 for past due payments. When I called they told me to wait until I receive all the bills before they could talk to me. I waited and received the final bill the middle of October. The total of the bills was $5,464.79 which they said we owed for past due electric service.

Upon further conversation and knowing that this company has operated in this same exact space since July of 2006, we found that Commonwealth Edison found that there was a meter in the building that they had never billed. They knew somebody was using the service but they never bothered to find out who it was. 6 years later they come out and say the meter is for our space and we should have been paying this all along. We have no way of knowing the accuracy of that determination and really little way of challenging it. In conversations with your organization we were advised that they can bill us up to 2 years in arrears. We don't feel like we should be responsible for all of these past due bills.

We reviewed all the bills and have paid the current bill for service. We still do not really know that the meter is for our space and have really no way of verifying that. The landlord has not provided any help in the process. We understand mistakes are made in every business including our own. If in fact this meter is ours we will pay the bills going forward. We don't feel like we should be responsible for the utility companies 6 year oversight even though they are billing us for only 2 of the 6 years.

We'd like the ICC to help us seek relief from this onerous bill. We are a small business and this additional $5,464.79 bill would put a real hardship on our business. We'd also like some independent verification that this meter is for our business. This is a large building with many tenants. Thank you very much for your consideration. Regards,

Onyx Distribution & Services, LLC

Francis J. Bomher
It's Manager