

Formal Complaint Statement

To Whom It May Concern

I, **Richard Clayton**, to the best of my knowledge and recollection on this day, **August 13, 2012** do hereby state the following.

On or about the month of February of **2011**, I called Common Wealth Edison and Watt Spot with concerns about estimated KWH on a bill I had received for the month of January 2011. I observed a COMED representative probe my meter on Thursday January 20, 2011. When I received my bill for this probe I noticed that it was Estimated and not Actual reading. I called Comed only to be told that no one read my meter, otherwise it would show on the computer which it did not. After arguing with the girl for 2 minutes I requested a supervisor. While I was waiting for the Comed supervisor to come on line, I called the Watt Spot line on my cell phone. In a effort to correct the bill to the actual reading, although it was not high was around the normal usage. After back and forth call for about two hours between Comed, Watt Spot and myself, I was assured that it would be corrected and that I would not receive any other estimated bills.

By the Preponderance of the Evidence from the statement above Comed and the Watt Spot (Real Time Pricing Program) were aware and had knowledge of errors of the program and equipment.

Now comes the complaint that Comed and all Associates, Subsidiaries and Departments failed to act in a reasonable and adequate manner to investigate and correct any issues with the equipment including but not limited to Digital Output Meters, scanning equipment, probes, etc. and or all computer systems monitoring the Hourly and Daily usage of such meters etc.. As a result of the Inaction of Comed and Subsidiaries the following occurred:

- 1.) On **Saturday, December 17, 2012** at approximately 1:17 p.m. Ryne, my normal meter guy probed my meter for the December bill, yet I never received a bill for that probe. I went ahead and sent \$100.00 electronically through my bank on or around January 10. At this point I expected to have a credit on the January bill since the HAVC unit had not been turned on because the unseasonably warm weather. On or about Monday January 20, 2012 at approximately 1:10 p.m. Ryne probed my meter. At this point I stopped him and asked him why he was here on Saturday last month which he denied. When I informed him that I had four people who witnessed his being here on that particular day his face turned red and he had no comment. But he did admit to probing the meter for the month of December 2011. At this time, I informed him that I had better receive a bill for January, at this point he stated

that he had been probing the meter as he was suppose to and had no idea why I did not get a bill the way I should have.

- 2.) On January 25, 2012 I received two bills, one issued on January 24, and one issued on January 25, 2012. The January 24th bill was estimated **1631 kwh**, and the January 25th bill was estimated at **1894 kwh**.

Up to this point my highest ever Actual Kwh usage since the time I acquired this account was **1560 kwh** used. At this time I called Comed and was told by the representative that there was no reading for December or January. Then she proceeded to tell me not to worry about it. At which time I said I was worried about it because it was double and triple what it should be, and that I talked to Ryne the guy who read the meter and that it should not be happening. At which time she proceeded to explain to me that when they probed the meter in February it should all work itself out. I then told her if that was the case I was going to pay the rest of the December bill which came to a amount of \$26.58 and that I want to dispute both December and January bills in question and that I would not be paying for the January estimated bill until after the February meter probe. I also informed her that they need to figure out why this was happening since I am enrolled in the RTPP. Also that I had better not be charged late charges. I would be expecting to have credits for the Over billing in December that I had paid. And she assured me that my account would not be affected in any way until they checked the meter. When I asked when that would happen and I was told the next billing period. I asked why wait that long, because I would be behind two months at that point. I was told there is nothing she could do about it until they came and probed the meter again.

- 3.) On or about February 20th 2012 myself and one witness observed and talked to Ryne after he probed the meter. Once again he stated he uploads the readings into Comed's system from his handheld and it is out of his hands at that point. On or about February 22nd I received an Estimated bill for February for 900 kwh which was lower but still incorrect. On February 23rd I called Comed I talked to Jacklin and told her I wanted to dispute the bills for December, January and February and that I wanted a written statement from Comed stating this. She refused and said that Comed did not send out these statements of Dispute. I told her I wanted the actual readings for the three month prior, once again I was told they did not have readings. I asked why my meter is being probed every month but there are no Actual Readings. At which point she said she could not answer that. I told her I wanted someone out here to check this meter ASAP. She stated she would make a note of it on the account. I asked her when would they have someone out here? I was told during the next meter read window. I then told her I want to be transferred to someone in authority who could fix this problem. I was then put on hold and disconnected after 15 minutes. After being disconnected I called Watt spot, who monitors the daily meter usage and had them look up this account. I do not remember the lady's name but she did look up the account usage for the past three months and agreed with me that something was wrong, at this point she notified her supervisor, who's name I do not have, who also agreed something was wrong. (All calls are recorded by Comed and should back up

these statements.) At this point the RTPP representative at Watt Spot said this is a Comed billing issue and she could connect me directly to supervisor of that department, and once again, I sat on hold for approximately a half hour before being disconnected.

- 4.) On March 1st 2012 I shut down the HAVC because of the unusually mild weather which prompted neither heating nor cooling.
- 5.) On or about March 21st 2012 Ryne once again showed up to probe the meter, when I asked him if he was testing the meter or just taking a reading, he stated he was just taking a reading. When I received a bill it showed the actual usage of 798 kwh which is about normal without the HAVC running. This bill totaling \$86.02 and was paid in full.
- 6.) On or about March 22nd 2012 I received this statement:
In response to your inquiry regarding your electric service from Jan.20,2012 to Feb.20,2012, a Comed field representative visited your residence on March 21,2012 and obtained a meter reading. We have analyzed your account using the new meter reading and have determined that you were billed correctly. If you have not already done so, please pay the full amount due on your bill. We appreciate your business and make every effort to provide the best possible service to our customers. If you have any questions or need further assistance with your inquiry, please feel free to contact us at 1800-Edison-1. Sincerely, Comed. Also it showed a previous balance of the disputed bills at \$250.20 plus late charges. Although nothing had been done by Comed to correct those bills.
- 7.) Multiple times between March 23rd and April 12th I repeatedly called Comed and informed them that I still wanted to dispute those bills and to quit charging me late fees, but I was told by numerous people that they determined I owed it and it had to be paid and that they did not have to remove any late charges. During these calls I was hung up on, told that I did not talk to or see the meter reader or else they would have reading, and I Quote the (“Computer Said”) it is correct. At this point I am irate and disgusted at Comed’s Handling of this situation. It becomes apparently clear to me at this point that this style of customer service where the customer has to be wrong and that Comed could not possibly have made a mistake is rampant within the Company, which leads me to believe that it is vetted in the training. It also becomes apparently clear that Comed, its Associates, Subsidiaries, Departments have no intention of investigating to determine why the bill is unreasonably high which is a clear violation of Administrative code **Title 83 section 280.105 (a)**.
- 8.) Comed Willfully and Maliciously violated **Title 83-III Adm. Code Sections 280.160 (a)(b)(c)** in that Comed failed to assign personnel that were authorized to resolve the complaint. When I refused to accept the initial assessment Comed made in March 2012, Comed failed to notify me of my rights to have the problem reviewed by the Commission and did not furnish a telephone number or address for the Consumer Assistance Section of the Illinois Commerce Commission.
- 9.) On April 13th 2012 I took it upon myself to file an Informal Complaint with

the Illinois Commerce Commission against Common Wealth Edison of Illinois with the hope that we could resolve this issue. **Annette** from Customer Relations from Comed called, at which point I explained to her what was going on. I also told her I was not disputing use of electricity but the amount of kwh Comed was claiming I used. At this point She asked me what I would like Comed to do. I responded by stating that I wanted all the actual reads for the months in question. She proceeded to explain to me that they did not have any actual readings because the "Computer" rejected them. At this point I said "whether the computer rejected them or not there has to be a record of the readings somewhere." She stated there was no record of those reading, so at this point it is obvious that Comed does not have the reading I requested for one of the following reasons "Equipment Malfunctions, Computer Program Malfunctions or glitches etc., Incompetent Meter Technicians, or Comed is being Deceitful and Misleading in not turning over the records. At this point in the conversation I decided to change my tact and informed her that if I could not have the actual reading then this is what I will accept to settle this matter, I told her to pull the account, and come up with an average of kwh used of the life of the account and apply those to the months in question. A couple hours later she called me back and proceeded to give me numbers that had no bearing on what we were discussing. I asked her where she got those numbers She told me she took the previous 4 months bills (Dec. Jan. Feb. March) the 3 disputed and 1 Actual and added them together and divided by 4 and the bills were correct according to her calculations. I told her no they were not, you can't just take the last four months, and you can't include the disputed amounts. I explained to her that she had to start from the beginning of the account take all those kwh used up to Nov.16 2011 and divide by the number of months you added together and that gives you the average kwh usage. At this time, she informed me that We (Comed) only go back two years. At which point I'm like yeah, that is exactly two years this month April 2010 to April 2012. I told her that was the only way I would pay the bill if it was averaged correctly, otherwise send me the actually readings, at which point she tried to intimidate me by telling me that she was going to report to the ICC that I was being uncooperative. I then informed her to take a close look at my account that I always paid on time or early. I never had any problems until now and that Comed screwed up and I am not paying for someone else's mistake. I went on to say in no uncertain terms that Comed has meter readers who read the meters yet you have no record of those readings Comed has customer service people saying it will fix itself, Comed has supervisors hanging up, the one's that don't hang up are rude and refuse take initiative to correct the problem, and you tried to cut me off every time I tried to explain something but if I do that to you I was uncooperative and you were going to report me to the ICC. I also informed her that Comed had just informed me that the meter was working properly. I informed her that until she had solutions and a reasonable estimate as I had explained to her before not to call me back until she had that information. Sometime in the next week she called to explain things to me that she had determined that the reason I kept

seeing my meter being probed but no readings was because of Daylight Savings Time. I asked her what daylight savings time had to do with my meter, she said the Meter doesn't account for daylight savings time so they could not get a reading.. She also informed me that because of this that the "computer" rejected the readings that were taken for those months. This all after I was informed for three months straight that no one was out here because if there was there would be readings. At this point I asked what she intended to do about that since that made it obviously clear there was something wrong. She stated nothing the computer says you owe so therefore you have to pay the bill. I said, let me see if I understand this correctly, what I'm hearing you say is that there is an error on your end but because the computer says these are the amounts then I have to pay for your screw up. She said no that's not what we are saying Comed is saying the computer is correct and you have to pay it. I ask this is the same computer that rejected the reading right? She replied yes. So then I asked her how the computer determined I owe this amount , she asked what I meant by that and I ask if there was a program on the computer that commutates based on previous usage or anything. She replied not that she knew of. Once again I asked how did those numbers get into the computer and she replied someone put them in there. I said, so you are telling me someone physically put those numbers into the computer. Her reply, YES! At this point I asked who that someone was and she said she did not know. I firmly told her that she needed to find who that someone was and that we all need to be on the call together. She replied that I was being abusive and uncooperative and that she was going to call Mary. I asked who was Mary and she informed me that was my ICC representative. I was unaware that I had a representative at this point, but I told her that was a good idea get her on the phone right now. She then started to make excuses why she would have to hang up and call me back after she talked to Mary. I said no I would stay on hold as long as it takes I have all day and a fresh battery in my phone. She then said Mary might not be in her office. I said I will stay on hold while you check to find out. She put me on hold for about 15 seconds which is not enough time, even with quick dial, for the phone to ring and connect to voice mail to determine that someone is not in their office. She then came back on the phone and said Mary was not in her office and that she would need to call me back later after she spoke with Mary. I never received any other communications from Annette.

10.) On April 24th 2012 I called Annette in Customer Relations to get the fax number and promptly faxed over 6 pages of the Real Time Pricing records with the kwh usage that were incorrect that were being disputed with notes and comments as to why so she could see with her own eyes since she had claimed she did not have access to those records.

11.) On April 19th 2012 I received a bill showing the amount due at \$257.76 which included two late charges. The original \$2.35 late charge and another late charge of \$5.21. The next day April 20 I received a call from a meter technician that he was in route to my residence to exchange my meter for a new one. When I asked him why he was doing that now after Comed had determined that the meter was functioning properly one month earlier, he stated

that the meter could not be tested on site. The meter needed to be taken to a Comed site to be tested. Approximately one hour after he exchanged the meter, Ryne the normal meter reader, came by and read the new meter. At this point, I asked Ryne why is it that you are here reading a new meter that only had an hour of usage on it. He stated once again, he did not know, his job was just to read the meter. So I explained and showed him everything that was going on with the disputed bills. At this point he stated to me that he would testify to the fact that he read the meter all the months in question, if it came to that.

- 12.) On May 4th 2012 I received an **Estimated bill for 1203 kwh**. Plus the still disputed amounts from the previous bills with a total of \$367.82 due **May 29th 2012** once again I had to call Comed to dispute another bill.
- 13.) On **May 18th 2012** I received another bill for \$367.82 with a due date of **June 11th 2012**.
- 14.) On **May 24th 2012** I received another bill with the kwh from April 21st 2012 showing **Actual reading of 1203 kwh** and another kwh amount for an **Actual read for May 17th 2012 showing 839 kwh**. These two kwh were added together and I was promptly billed for the total amount of kwh that had been added together although 1203 kwh were accounted for on the previously disputed bill hence the double billing. There was no amount showing the Actual monthly charge for the May 17th 2012 usage of **839kwh**. Also included in this bill was another \$11.17 in late charges. It showed a total amount due of **\$579.73** It is clear to me at this point that Comed is Willfully and Maliciously trying to distort the facts of the bills by double billing and not showing the charges only for 839 kwh. I once again called Comed and told the person that answered the phone that I want the double billing fixed because they had already billed the 1203 kwh on a previous bill. I was told by the customer service person that it was a WattSpott (RTPP) problem not Comed's and I was put on hold immediately and transferred to the WattSpott line. Once I explained what was happening with this account and they pulled up my Wattspott record again they informed me that yes something was wrong with the account again that it was a billing issue with Comed. I explained to her that I had been lied to, hung up on, and berated by Comed about these bills and every time someone tried to transfer me to billing I got cut off. So she told me she would stay on the line until she connected me directly to a billing supervisor, which she did. Once I got the supervisor on the line, I started to try to explain what was going on once again and was promptly cut off by her trying to explain to me how Comed works. I cut her off and told her that once she pulled up my account while I was explaining what was going on with these bills and what I wanted then I would let her explain if there was anything to explain. I told her first and foremost that any unpaid bills up to this point I was disputing because Comed's numbers did not add up. The second thing I wanted from her was a bill for 839 kwh actual read from May. The third thing I wanted to know was why every time I was transferred to billing I was cut off. She explained to me that customers are not allowed to communicate directly with billing that you had to go through a supervisor in order to talk to someone in billing. When I asked why is that when I had been calling about a billing issue for 6 months.

She said she did not know why I was not transferred through. I also informed her that I believe Comed was intentionally distorting the bills in order to send out a disconnect notice thereby forcing me to pay the bill. She stated that she would look into the 839 kwh bill and correct it.

- 15.)After I informed Comed that Ryne would be willing to testify as to the fact that he had read the meter each and every month in question Comed promptly removed him from this route. When I asked new meter technician where Ryne was, he stated that Ryne was no longer with the company. When I informed him that Ryne was willing to testify in all my complaint, he stated that I think that he is just in another position with the company.
- 16.)On June 20th 2012 I received an **Actual reading of 975 kwh** with a total amount of \$78.31 which is paid in full.
- 17.)On June 22nd 2012 I received a corrected bill for **Actual reading of 839 kwh** with a total of \$85.86 due which is paid in full.
- 18.)On July 20th 2012 I received a bill for **Actual reading of 1378 kwh** which equals \$134.63 which is paid in full. Also on this bill is a total \$516.10 plus more late charges for bills that are still in dispute.
- 19.)On July 26th 2012 I received a Disconnect Notice from Comed although all undisputed bills have been paid on time and in full, even though no resolution had been met about all undisputed amounts

Summary:

I have come to the conclusion that Comed Subsidiaries and all Departments have Willfully and Maliciously violated numerous sections of the Illinois Administrative Code. Including but not limited to 280.170, 280.75, 280.76, 280.80, 280.105, 280.130, & 280.160 in that they had knowledge of and failed to investigate and promptly correct problems associated with RTPP program and equipment. Comed has also Willfully and Maliciously altered bills to show inaccurate data in an effort to collect undue revenues. Comed Willfully and Maliciously misinformed myself (Richard Clayton) in an effort to thwart my efforts in having this matter resolved, so as to not take responsibility or fault for their mistakes. Comed Willfully and Maliciously supplied misleading and untrue information in an effort to stop and or dismiss my legitimate complaint against the company in that they purposely and with malice did not inform me of my rights under the Administrative Law of Illinois. Comed Willfully and Maliciously physically entered inaccurate data into the billing system in an effort to collect undue funds.

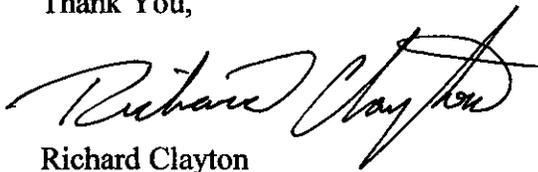
As a result of Comed's Willful, Intentional, & Incompetent ability to deal with these issues they have Disrupted and Interfered with my Quality of Life by causing Unnecessary and Undue Stress.

I, Richard Clayton, seek the following relief:

- 1.) All bills in question to be calculated to the previous years kwh usage at this years rate for that usage.
- 2.) Account restored to good standing as was the case before these issues.
- 3.) Any and all late charges to be removed.
- 4.) Any and all collections whether internal or external included but not limited to Collection Agencies, Credit Reports etc. be restored to previous status.
- 5.) For the Malfunction Equipment Systems and Employees etc. to be corrected and or regulated properly in order to insure that this problem does not occur going forth for myself and any other customer of this company.
- 6.) A Written statement from Comed stating that all issues have been corrected to myself and for public record.

I, Richard Clayton, do hereby state that the above statements are True and Correct to the best of my knowledge. This day August 14 2012.

Thank You,

 8-14-2012
Richard Clayton

Subscribed and sworn to before me

this 14 Day of August, 2012
County of DuPage, State of Illinois.

Notary Public Sieglinde M. Liller

