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ILLINOIS COMMERCE COMMISSION

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2013 APR 22 P 12: 57

CHIEF CLERK'S OFFICE

FORMAL COMPLAINT

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

For Commission Use Only:
Case: 13-0303

ORIGINAL

Regarding a complaint by (Person making the complaint): ERIC D. LEANER

Against (Utility name): Commonwealth Edison Company

As to (Reason for complaint) Damage to my property by Commonwealth Edison Employee + refusal to honor claim for reimbursement as well as claim for food spoilage caused by damage to said property. Com Ed was called to my house for service, damaged my equipment, told me I had to fix it since it is my equipment + denies any responsibility for causing fuel damage.
in Chicago Hazel Crest Illinois.

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My complete mailing address is (include City) 3440 Golfview Drive Hazel Crest, IL 60429

The service address that I am complaining about is 3440 Golfview Drive Hazel Crest, IL 60429

My home telephone is [708] 206-0412

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at [312] 466-3856

My e-mail address is ericleaner@yahoo.com I will accept documents by electronic means (e-mail) Yes No

(Full name of utility company) Commonwealth Edison Company (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.

Section 16-125 (f) of Illinois Public Utilities Act (220 ILCS 5/16-125e)

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.

Handwritten notes and stamps at the top right of the page.

See attached statement - ERIC D. LEANER

Please clearly state what you want the Commission to do in this case: Please have Com Ed reimburse me for the loss they caused.

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: 4/17/2013 (Month, day, year) Complainant's Signature: [Handwritten 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, Eric D. Leaner, 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.

[Handwritten Signature] Complainant's Signature



Subscribed and sworn/affirmed to before me on (month, day, year) April 17, 2013

[Handwritten Signature] Lydia Urdiales, Notary Public, Illinois

(NOTARY SEAL)

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

- 1) When I came home Friday August 3, 2012 I noticed that it was warm in my house. When I investigated, I noticed my Air Conditioner was not operating. Other lights in my house were working so I called Four Seasons, the installer of my AC unit.
- 2) The technician arrived (Miguel Rivas) He inspected the separate AC electrical box and found no issues. He then came to the basement and tested the electricity coming in to circuit breaker box. He determined that only 120 was feeding into my house and advised me to call Commonwealth Edison (ComEd) to fix the problem because one of my 110 lines was not working..
- 3) I called ComEd and put a service call in at approximately 8:30 PM that evening. Please note that at the time I put the call in, I had "some" lights working in my house and when the Technician and I walked to the back of my house to look at the A/C electrical box, there was no visible damage to my raceway box.
- 4) I followed up with ComEd several times via cell phone to check the status of my service call that evening and I finally got a response around 10:45 PM that ComEd expected my problem to be addressed by 11:30 PM that evening. I arrived home after midnight to a house without "any" power.
- 5) I placed several calls to ComEd throughout the early morning hours with no additional status given. I spoke to a person each time. I finally got a call from a different area at ComEd, I think dispatch, around Noon on Saturday August 4th, and he said that there should have been a note left on my door by the ComEd technician (there was not one left) but I needed a new raceway box installed before ComEd could restore my power.
- 6) I then went on the hunt for an electrician. I found one (Mark from Hurley Electric) that could come out that same day (8/4) and he arrived around 4:00 PM. When he looked at my raceway box, he said something to the effect of wow, someone could have been killed here. When I explained that when I was there last evening with the A/C guy and there was no damage to that raceway box, he immediately said ComEd had to have had an accident here. There were burn marks on the left side of my raceway box. You could actually see fused parts coming through the box from the "spark/explosion" that had occurred. He said that someone had to touch a hot wire to the side of this box while the electricity was on.
- 7) Because it was too late in the day to get parts, he agreed to do the job on Monday. Monday at 7:00 AM he came out to do the work. He called and ruled out that a small animal had crawled inside the box and with certainty said it had to be ComEd who caused this damage. I paid him for the work \$840.00 for parts, labor, and travel.
- 8) I promptly submitted a claim to ComEd on 8/9/2012 for 908.26 (840 + 68.26 food loss due to outage).
- 9) I ran into one of my neighbors in casual passing, he said, "did Joe tell you that the ComEd guy almost killed himself behind your house the other night?" I then talked to Joe Brown (a different neighbor) a few days later and now have a statement from him stating that, "I spoke with a gentleman who identified himself as a ComEd employee. The gentleman said "I was almost electrocuted back here." I then informed him that he had blown the electricity in the two units next to Mr. Leaner. The Commonwealth Edison employee came over to inspect our electrical box and told me that a fuse had been blown, so he replaced the fuse."
- 10) I received a response on August 30 (from Karen Whirity) that ComEd had received my claim and they needed time to investigate. I left several messages with Ms. Whirity (voicemail) over the next month or so and she finally called me back to tell me that they had mailed me a letter denying my claim back in September. She said that their findings show that that is my property and the ComEd technician said he caused no damage to my property.
- 11) After I received the letter I called the Citizens Utility Board (CUB) (Inquiry 202454) to report what had transpired. The CUB reached out to the ComEd Claims Dept Review Committee and that committee said that the CUB inquiry was resolved. They determined that "...there was no negligence on the part of ComEd." The CUB suggested that I file a formal complaint with you (ICC) so here we are.