

Exhibit D

Cheryl M. Jordan

vs

Illinois American Water Company

13-0124

OFFICIAL FILE

I.C.C. DOCKET NO. 13-0124

W. Jones Exhibit No. D

Witness _____

Date 7/19/13 Reporter _____

Exhibit 4

BEFORE THE ILLINOIS COMMERCE COMMISSION

Cheryl Jordan,

Complainant,

Case No. 13-0124

v.

Illinois-American Water Company,

Respondent.

ANSWER

COMES NOW Respondent Illinois-American Water Company (ILAWC) and for its Answer to the Complaint of Cheryl Jordan (Complainant) states as follows:

1. *For the billing period of May 12, 2011 – June 16, 2011 Illinois American Water billed me for 298000 gallons used for a total of \$3,441.16.*

ANSWER: ILAWC admits the allegations in Paragraph 1 of the Complaint.

2. *I am disputing these erroneous charges.*

ANSWER: ILAWC admits that Complainant is disputing the charges, but denies that the charges are erroneous.

3. *First, the house was not occupied from ___ to August 2011.*

ANSWER: ILAWC is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3 of the Complaint, and therefore denies the same.

4. *The water was shut off by Illinois American Water in December of 2010 by a company hired by Chase Mortgage to winterize it due to the house being placed on the market for sale.*

ANSWER: ILAWC admits that Complainant requested shut-off of the water on November 30, 2010. Further answering, ILAWC states that the note from its field service representative ("FSR") states that he: "Could not locate B-box to turn off water." Further

Winterized
01/21/10
2/14/10

answering, ILAWC states that it is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 4 of the Complaint, and therefore denies the same.

5. *On April 12, 2011 the water company came in to turn the water back on, then turned it off again at the same service call.*

ANSWER: ILAWC admits that on April 12, 2012 ILAWC went to Complainant's premises upon request to turn the water on. Further answering, ILAWC states that the note from its FSR states that he "found water on" and left it on. Further answering, ILAWC denies that it was requested to turn the water off again at the same service call or that it turned the water off again at the same service call.

6. *During the time that the house was unoccupied, there were no usage charges until the billing period in question.*

ANSWER: ILAWC admits that there was no water usage measured from the read date of September 13, 2010 to the read date of May 12, 2011; that there was water usage of 298 ccf measured on the read date of June 16, 2011; and that there was no water usage measured on the read dates of July 14, July 26, and August 11, 2011. Further answering, ILAWC states that a police reports states that copper pipes and a water softener had been stolen from Complainant's basement. Further answering, ILAWC denies each and every other allegation in Paragraph 6 of the Complaint.

7. *Also, there were usage charges the months following the billing period in question, until the house was again occupied in August 2011.*

ANSWER: ILAWC admits that there was water usage measured from the read date of September 14, 2011 to the present. ILAWC denies each and every other allegation in Paragraph 7 of the Complaint.

8. *Illinois American Water reviewed my case and responded in a letter date 9/9/2011 that they would process an adjustment to my bill for the amount of \$1,709.23. The basis for this adjustment was due to a "leak."*

ANSWER: ILAWC admits that it offered Complainant a 50 percent adjustment in the amount of \$1,709.23 because of the pipe theft and ensuing leak. Further answering, ILAWC states that a test showed that Complainant's meter was performing according to regulatory parameters. Further answering, ILAWC denies each and every other allegation in Paragraph 8 of the Complaint.

9. Except as expressly stated herein, ILAWC denies each and every other allegation contained in the Complaint.

10. As its First Affirmative Defense, ILAWC states that Complainant has failed to state a claim upon which relief can be granted, in that, according to ILAWC's tariff: "The quantity of water recorded by the meter shall be conclusive and binding upon both the Customer and the Company except when the meter is found to be out of order or inaccurate after being tested by the Company." ILL. C.C. No. 23, Original Sheet No. 10, 13(A).

WHEREFORE, Respondent Illinois-American Water Company prays that the Illinois Commerce Commission dismiss the Complaint with prejudice at Complainant's cost.

Respectfully submitted,

ILLINOIS-AMERICAN WATER COMPANY

By:


Kenneth C. Jones
Vice President - Legal
300 N. Water Works Drive
Belleville, IL 62223
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(618) 239-3222 (telephone)
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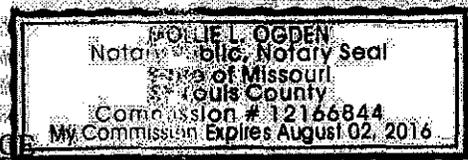
Verification

Kenneth C. Jones, Vice President-Legal for Illinois-American Water Company, being first duly sworn, deposes and states that he is familiar with the facts stated in the Answer of Illinois-American Water Company and that said facts are true and correct to the best of his knowledge, information and belief.


Kenneth C. Jones

Subscribed and sworn to before me this 4th day of March, 2013.


Notary Public



CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 4th day of March, 2013, a true and correct copy of the foregoing was filed and mailed electronically to:

Hon. Terrance Hilliard
Illinois Commerce Commission
160 N. LaSalle St., Ste. C-800
Chicago, IL 60601-3104
thilliard@icc.illinois.gov

Cheryl Jordan
5 Starwood Court
Bolingbrook, IL 60490
chemauj@sbcglobal.net

/s/ Kenneth C. Jones

BEFORE THE ILLINOIS COMMERCE COMMISSION

Cheryl Jordan,

Complainant,

v.

Illinois-American Water Company,

Respondent.

Case No. 13-0124

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ANSWER: ILAWC is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3 of the Complaint, and therefore denies the same.

4. *The water was shut off by Illinois American Water in December of 2010 by a company hired by Chase Mortgage to winterize it due to the house being placed on the market for sale.*

ANSWER: ILAWC admits that Complainant requested shut-off of the water on November 30, 2010. Further answering, ILAWC states that the note from its field service representative ("FSR") states that he: "Could not locate B-box to turn off water." Further

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ANSWER: ILAWC admits that it offered Complainant a 50 percent adjustment in the amount of \$1,709.23 because of the pipe theft and ensuing leak. Further answering, ILAWC states that a test showed that Complainant's meter was performing according to regulatory parameters. Further answering, ILAWC denies each and every other allegation in Paragraph 8 of the Complaint.

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Respectfully submitted,

ILLINOIS-AMERICAN WATER COMPANY

By:


Kenneth C. Jones
Vice President - Legal
300 N. Water Works Drive
Belleville, IL 62223
kenneth.jones@amwater.com
(618) 239-3222 (telephone)
(618) 236-1186 (telefax)

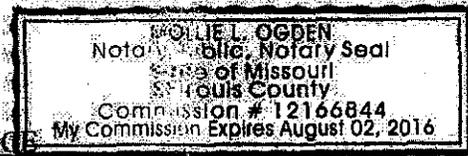
Verification

Kenneth C. Jones, Vice President-Legal for Illinois-American Water Company, being first duly sworn, deposes and states that he is familiar with the facts stated in the Answer of Illinois-American Water Company and that said facts are true and correct to the best of his knowledge, information and belief.


Kenneth C. Jones

Subscribed and sworn to before me this 4th day of March, 2013.


Notary Public



CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 4th day of March, 2013, a true and correct copy of the foregoing was filed and mailed electronically to:

Hon. Terrance Hilliard
Illinois Commerce Commission
160 N. LaSalle St., Ste. C-800
Chicago, IL 60601-3104
thilliard@icc.illinois.gov

Cheryl Jordan
5 Starwood Court
Bolingbrook, IL 60490
chemauj@sbcglobal.net

/s/ Kenneth C. Jones



Illinois American Water
 PO Box 94551
 Palatine, IL 60094-4551

For Service To: 5 Starwood Ct



000171 1 MB 0.387 0171/0171/000171 002 1 NCD1NP

CHERYL JORDAN
 572 CONSERVATORY LN
 AURORA IL 60502-8913

ACCOUNT NUMBER	09-0934399-8
AMOUNT DUE	\$34.85
DUE DATE	Jun 07, 2011
Amount Paid	

Please return this portion with check
 ▼ Payable to the address below ▼

ILLINOIS AMERICAN WATER
 PO BOX 94551
 PALATINE, IL 60094-4551



Customer Account Information

For Service To: Cheryl Jordan
 5 Starwood Ct
 Account Number: 09-0934399-8
 Premise Number: 09-0292738

Billing Period & Meter Information

Billing Date: May 17, 2011
 Billing Period: Apr 13 to May 12 (29 days)
 Next reading on/about: Jun 13, 2011
 Rate Type: Residential

Meter readings in current billing period:

Meter Number 084173065N is a 5/8-inch meter.
 Present-actual 254
 Last-actual 254
 1000G used 0
 Gallons used 0

No water used

Billing Summary

-----Prior Balance-----
 Balance from last bill
 Payments as of May 17, 2011. Thanks!
Total prior balance, May 17, 2011
 -----Current Water Charges-----
 Basic Service
 0.79% QIP Surcharge
 5/8" Fire Protection Charge
Total water charges, May 17, 2011
 -----Other Current Charges-----
 Vlg BlngBrk Storm Wtr Storage
Total other charges, May 17, 2011
 -----Taxes-----
 State Recovery Tax
Total taxes, May 17, 2011
 -----Total Current Charges-----
 -----TOTAL AMOUNT DUE-----

App. 12.2011
See chg to turn on water
 12.67
 .00
 12.67
 13.50
 .11
 6.55
 20.16
 2.00
 2.00
 .02
 .02
 22.18
\$34.85



Illinois American Water
 PO Box 94551
 Palatine, IL 60094-4551

For Service To: 5 Starwood Ct



013835 1 AT 0.362 1835/13835/001835 051 1 NCD3TA

CHERYL JORDAN
 572 CONSERVATORY LN
 AURORA IL 60502-8913

ACCOUNT NUMBER	09-0934399-8
AMOUNT DUE	\$3,476.01
DUE DATE	Jul 12, 2011
Amount Paid	

Please return this portion with check
 ▼ Payable to the address below ▼

ILLINOIS AMERICAN WATER
 PO BOX 94551
 PALATINE, IL 60094-4551



Customer Account Information

For Service To: Cheryl Jordan
 5 Starwood Ct
Account Number: 09-0934399-8
Premise Number: 09-0292738

Billing Period & Meter Information

Billing Date: Jun 21, 2011
Billing Period: May 12 to Jun 16 (35 days)
Next reading on/about: Jul 14, 2011
Rate Type: Residential

Meter readings in current billing period:

Meter Number 084173065N is a 5/8-inch meter.
 Present-actual 552
 Last-actual 254
 1000G used 298
 Gallons used 298000

Billing Summary

-----**Prior Balance**-----
 Balance from last bill
 Payments as of Jun 21, 2011. Thanks!
Total prior balance, Jun 21, 2011

-----**Current Water Charges**-----
 Basic Service 13.50
 Use (\$ 4.37730 x 298.00) 1,304.44
 0.79% QIP Surcharge 1 10.41
 Supply Chg-American Lake Water
 (\$ 5.02000 x 298.00) 1,495.96
 5/8" Fire Protection Charge 6.55
Total water charges, Jun 21, 2011 2,830.86

-----**Current Wastewater Charges**-----
 Blbrk Col&Trt (\$ 2.03000 x 298.00) 604.94
Total wastewater charges, Jun 21, 2011 604.94

-----**Other Current Charges**-----
 Vlg BlngBrk Storm Wtr Storage 2.00
 Late Payment Charge .52
Total other charges, Jun 21, 2011 2.52

-----**Taxes**-----
 State Recovery Tax 2.84
Total taxes, Jun 21, 2011 2.84

-----**Total Current Charges**-----

-----**TOTAL AMOUNT DUE**-----

\$34.85
.00
34.85
13.50
1,304.44
10.41
1,495.96
6.55
2,830.86
604.94
604.94
2.00
.52
2.52
2.84
2.84
3,441.16
\$3,476.01

Water Usage Comparison

