

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION
COMMISSION

For Commission Use Only:
Case: 13-0488

2013 AUG 26 P 12:43

FORMAL COMPLAINT

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

ORIGINAL

CHIEF CLERK'S OFFICE

Regarding a complaint by (Person making the complaint): Garfield Plaza Apts, LLC

Against (Utility name): Com Ed,

As to (Reason for complaint) Complaint # 2010-04798 was filed against Com Ed. Com Ed investigated agreed to adjust bill and contact customer - Customer was never contacted after the bill was finally adjusted in 2012 after continuous call from customer. Customer received notice via ~~Atty~~ in 2013 in _____ Illinois. No Com Ed Rep called. Customer Disagrees with Adjustment

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS: FOI Doc obtained to verify allegations

My complete mailing address is (include City) Garfield Plaza Apts, LLC, 222 N. Columbus #2010, Chgo 60601

The service address that I am complaining about is 414 W. Washington, Chgo IL 60624.

My home telephone is (312) 437-0224

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at (312) 437-0224

My e-mail address is _____ I will accept documents by electronic means (e-mail) Yes No

(Full name of utility company) Commonwealth Edison Co, ILL (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.

Ill Commercial Comm Title 83 Part 280

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.

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

Order Com Ed to Comply

with Title 83 part 260 - provide Customer with ^{verified} evidence to support amount claimed

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: _____
(Month, day, year)

Complainant's 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, Garfield Plaza Apts LLC, 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.

Petunia A. Amato, Mgr. Agent
Complainant's Signature

Garfield Plaza Apts LLC
Subscribed and sworn to before me on (month, day, year)

August 21, 2013

[Signature]
Signature, Notary Public, Illinois



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

FACTS IN SUPPORT OF ILLINOIS COMMERCE COMMISSION
FORMAL COMPLAINT # 2010- 04798

1. Garfield Plaza Apartments formerly at 411 W. Washington, Chicago, Illinois 60624 was to be a low income subsidized SRO single occupancy rehab project that was never completed do to lender bank's closure by the FDIC.
2. Garfield Plaza was a commercial customer of Commonwealth Edison Company, Illinois (Com Ed).
3. In 2008 Com Ed required GPA to pay \$12, 896.00 before transformers and smart meter service would be installed at the location. GPA paid this amount in \$2008 (payment documented), and installation was completed in December 2008.
4. Due to the Winter's bad weather the building was closed boarded after the December 2008 installation of service and opened periodically thru 2009. Power used after 2009 was for one ADT security keypad. There was canine security thru 2011 and no outside night lighting was used due to the dangerous neighborhood that attracted burglaries.
5. In early 2009 a Com ED engineer came to the location and changed "LUGS" on the Smart Meters. GPA was told that the LUGS installed in 2008 were the wrong size for the meters. After the LUGS were exchanged large unexplainable monthly bills were sent to GPA.
6. GPA called ComEd customer service to complain and requested that representative come out to inspect the bldg to confirm its condition, which was vacant, uninhabitable and boarded with no outlets or appliances installed on upper three floors). There were lights on first floor for boiler room and hallway.
7. Com Ed representatives came out and verified bldgs condition as un occupied, uninhabitable and boarded up.(FOI Report) and Com Ed replied to the 2010 ICC case that they would adjust GPA bill.

8. Numerous promises by Com Ed to adjust bill and speak with customers were never kept. A promises to get adjustment done was made to ICC rep by Com Ed. attorney. (On FOI Report).
9. **In violation of Title 83 part 280.** Customer was contacted in 2010 by Kita Dorsey who promised to test the meters, investigate complaint and to make adjustment if necessary and contact customer when it was done. Last telephone conversation with Ms. Dorsey confirmed GPA that service reps inspection of the premises confirmed the premises usage and that she would request accounting to make the adjustment and she would get back to me. Ms. Dorsey later left Com Ed in 2010. No one ever contacted GPA.
10. Customer called Com Ed customer service EVERY MONTH thru November 2011 asking for the results of the adjustment. This was necessary to keep the service from being disconnected due to robo disconnect calls that were generated monthly. **Customer calls for help was the only reason the service stayed on. No one ever got back to customer to this date!** GPA was told by rep removing account from disconnection to wait for adjustment before making a payment and adjustment would come within 30days before a new robo disconnection call would be generated. NO CALL FROM COM ED ACCOUNTING OR ADJUSTMENT NOTICE EVER CAME TO THIS VERY DATE! Meanwhile, the incorrect bills continued to accumulate with late payments and interest based on the faulty meters.
11. In 2012 customer was contacted by “Annette from ComEd to apologize for account being sent to collections and that GPA’s account would be taken out of collection. (verified in FOI Report.)
12. After call removing account from collection CPA has never been contacted by GPA customer service representative regarding the bill in any form. No letter, telephone call to customer was made.
13. Customer contacted ICC rep in 2012 to inform her that bill had still not been adjusted and that GPA wanted to go formal. GPA later

changed decision and decided to wait to see if “Annette” or somebody else would follow with her.

14. May 14, 2012 according to FOI Report. “ Annette called ICC rep and informed her that she was unable to write a formal bill for GPA. Then mysteriously a invoice was generated on May 30, 2012 and e-mailed to ICC only according to FOI information. This invoice was never sent to customer. This invoice is not verified by meter readings or other information. Just a typed document generated by someone at Com Ed after almost three years of requests by customer.
15. In May of 2013 after still no follow-up from Com Ed GPA called ICC and requested to make a formal complaint.
16. Com Ed via FOI Report admitted to ICC that they tested and replaced stuck defective meters.(did not give a date when this was done.) Meanwhile, without explanation after the 2010 complaint the bills for the bldg mysteriously monthly from as much as \$3,200.00 estimated to \$58.00 a month (estimated) (documented) with little or no change in usage not even pilot light for heat. The gas was turned off and the water pipes were drained to prevent freezing.
17. **Customer is contesting final estimated undocumented bill for \$11, 143.39 as a last minute effort by Com Ed to put a end to GPA’s claim that remained un-resolved since 2010. The average monthly bill all the time should have been \$58.00 per month with periodic variations thru 2009.**

GPA learned of final bill for \$11,143.37 in 2013 via attorney and ICC FOIA report. ICC rep called Patricia Smith Mgr and told her that Com Ed said that original bill was the final amount. Mgr asked for a Com Ed rep to contact her directly to discuss the bill. **GPA has had no contact with a Com Ed. customer service rep assigned to this case since Ms. Dorsey in 2010.**

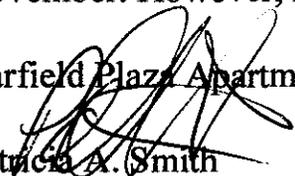
GPA is requesting Com Ed a public utility to comply with the rules and regulations of **ICC Title 83 part 280** to discuss this bill with customer provide, **PROOF OF USAGE BILLED**, a verified copy of records for the method and results of tests for the defective Smart Meters.

GPA would like the opportunity as provided in ICC Title 83 part 280 to communicate with a Com Ed customer service rep and to have this bill adjusted to a fair and reasonable amount based upon the verified usage and meter readings.

Lastly, no bill was ever generated to show the payment of \$12,896. (GPA has proof of payment made in 2008 to Com Ed). The new transformers that GPA was forced to pay for to get service were also for the benefit of Com Ed. The transformers that GPA paid for remain the property of Com Ed and are being used to enable Com Ed to bill other customers for their Smart Meters.

Thank you for your consideration and reading of this information.

Due to family medical reasons I cannot appear for hearing until late November. However, I do have documentation that I can send upon request.

 /
Garfield Plaza Apartment, LLC

Patricia A. Smith
Mgr/Agent