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BEFORE THE

ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
LINDA D. RICHARDSON) No. 13-0295
-VS-)
COMMONWEALTH EDISON COMPANY)
Complaint as to)
billing/charges in Chicago,)
Illinois)

Chicago, Illinois

October 17, 2013

Met, pursuant to adjournment, at

11:00 o'clock a.m.

BEFORE:

MS. HEATHER JORGENSON,
Administrative Law Judge

APPEARANCES:

Ms. Linda D. Richardson
1810, Mary Ann Lane
Country Club Hills, Illinois, 60478
appearing pro se;

Mr. Mark L. Goldstein
3019 Province Circle
Mundelein, Illinois 60060
and

Ms. Erin Buechler
440 S. LaSalle Street, Suite 3300
Chicago, Illinois 60605
appearing for Commonwealth Edison

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VERITEXT CHICAGO REPORTING COMPANY, by
ANNETTE BREWER
LICENSE NO. 084-004121

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1 JUDGE JORGENSEN: Pursuant to the direction
2 of the Illinois Commerce Commission, I now call
3 Docket 13-0295. This is Linda D. Richardson versus
4 Commonwealth Edison Company. This is a complaint as
5 to billing/charges in Chicago, Illinois.

6 Ms. Richardson, can you please
7 identify yourself for the record, name, address and
8 telephone number.

9 MS. RICHARDSON: Linda D. Richardson, 18110,
10 Mary Ann Lane, Country Club Hills, Illinois, 60478.
11 And my number?

12 JUDGE JORGENSEN: Yes.

13 MS. RICHARDSON: (708) 799-6469.

14 MR. GOLDSTEIN: For Commonwealth Edison
15 Company, Mark Goldstein, 3019 Province Circle,
16 Mundelein, Illinois, 60060. My telephone is
17 (847) 949-1340. With me this morning is Ms. Erin
18 Buechler, with ComEd, as well as with our witness,
19 Mary Ellen Fletcher.

20 JUDGE JORGENSEN: Ms. Richardson, I
21 understand that you are proceeding today without
22 counsel; is that correct?

23 MS. RICHARDSON: Yes, I am.

24 JUDGE JORGENSEN: This is an evidentiary

1 hearing. The process here is that the complainant
2 has the burden of proof and the burden of going
3 forward, so you need to establish evidence through
4 testimony or documentation supporting your claim.

5 After you enter your testimony or
6 documentation for the record, the company can then
7 cross-examine you or any witnesses you have. And
8 then the company will have a chance to present their
9 side of the case and you can cross-examine, question
10 any witness that they put forth.

11 After the company has presented what
12 they want to present, you can, if you so choose,
13 speak again or put on other witnesses to rebut
14 anything the company has to say.

15 Do you have any questions?

16 MS. RICHARDSON: No.

17 JUDGE JORGENSEN: All right. Ms. Richardson,
18 you can proceed in a narrative style since you are
19 speaking for yourself.

20 MR. GOLDSTEIN: Swear the witness?

21 JUDGE JORGENSEN: Yes, I'm sorry. Thank you,
22 counsel.

23 (WHEREUPON, the witness was duly
24 sworn.)

1 JUDGE JORGENSON: You may proceed.

2 LINDA D. RICHARDSON,
3 called as a witness herein, having been first duly
4 sworn, testified in the narrative as follows:

5 DIRECT TESTIMONY

6 MS. RICHARDSON: I am here for the
7 overchargement of -- from ComEd starting December of
8 2012. They put me on a budget plan of \$268 per
9 month, which I think that was exceedingly over my
10 income amount to afford to pay such a bill when I was
11 on a budget plan of \$16 per month. And they put me
12 on this budget due to the fact that they couldn't get
13 in my back to read my meter, so they took away the
14 \$16-a-month budget plan and put me on a
15 \$268-per-month budget plan which was unaffordable.

16 And I was trying to call them and
17 reason with them about this budget, and they were not
18 reasoning with me at all. This is what they were
19 saying it was going to be and this is what they stuck
20 at it to be up until maybe like May or June of this
21 year. And once the meters start being read, then
22 they start sendi2ng me a quarterly to the reading
23 which was a \$79.65 bill.

24 JUDGE JORGENSON: Okay, hold on. So in

1 December 2012 they were doing estimated.

2 MS. RICHARDSON: Starting December -- yeah,
3 they put me on a budget.

4 JUDGE JORGENSEN: Starting December?

5 MS. RICHARDSON: Yes.

6 JUDGE JORGENSEN: And this is a budget. It
7 was a payment plan through the ComEd?

8 MS. RICHARDSON: Yes.

9 JUDGE JORGENSEN: In December 2012?

10 MS. RICHARDSON: Yes.

11 JUDGE JORGENSEN: Okay. And it was estimated
12 readings. Do you know when they did an actual
13 reading?

14 MS. RICHARDSON: They came out like in --
15 when did they come out to do an actual reading? I
16 think it was like January when they came and did an
17 actual reading. But they still was charging me the
18 268 a month.

19 JUDGE JORGENSEN: Okay. And you claim the
20 268 a month charge is overcharging you?

21 MS. RICHARDSON: Yes.

22 JUDGE JORGENSEN: Is it your claim that you
23 did not use that much energy?

24 MS. RICHARDSON: No, I don't use that much.

1 JUDGE JORGENSEN: What kind of house do you
2 live in? Is it a house or an apartment?

3 MS. RICHARDSON: It's a house. It's just a
4 ranch, one level.

5 JUDGE JORGENSEN: And what's the square
6 footage of your house? Approximately how big?

7 MS. RICHARDSON: I have two bedrooms, a
8 living room, kitchen.

9 JUDGE JORGENSEN: Okay.

10 MS. RICHARDSON: And just a den area.

11 JUDGE JORGENSEN: Okay, you can proceed,
12 please. You brought documents or anything further
13 you want to say?

14 MS. RICHARDSON: What I am asking is that not
15 to be responsible for the \$268 that they had put me
16 on. That's more than I use. That's like paying
17 nearly three or four houses' lights on the block.

18 JUDGE JORGENSEN: So starting December, what
19 months were you charged -- what months were you
20 charged --

21 MS. RICHARDSON: From December up until like
22 June. Because this June reading --

23 JUDGE JORGENSEN: So December of 2012 through
24 June of 2013 you were charged \$268 a month?

1 MS. RICHARDSON: Yeah, I think it was up to
2 like June. I'm trying to see.

3 JUDGE JORGENSEN: Do you have any
4 documentation to what you were being charged?

5 MS. RICHARDSON: Yes, yes. It's here. And I
6 got a purse full of light bills as well --

7 JUDGE JORGENSEN: What are you --

8 MS. RICHARDSON: -- for what I was being
9 charged.

10 JUDGE JORGENSEN: Okay. You were saying
11 "this here." What are you referring to?

12 MS. RICHARDSON: Hm?

13 JUDGE JORGENSEN: When you said, "this here,"
14 what are you --

15 MS. RICHARDSON: No, I said, "yeah, I have it
16 here," light bills where I am being charged that
17 amount, and on this billing statement is showing
18 where I am being charged the 268.

19 JUDGE JORGENSEN: Okay. Hold on. Let me --
20 direct me to your billing statement. Is that in the
21 exhibits that were put here?

22 MR. GOLDSTEIN: That's her Exhibit 2, Judge.

23 JUDGE JORGENSEN: Okay. All right. I am
24 looking at what has been marked Complainant's Exhibit

1 2? Is that correct? This is your account activity
2 statement?

3 MS. RICHARDSON: Yes.

4 JUDGE JORGENSEN: Consisting of nine pages.
5 It appears the billing statement goes from April 14,
6 2011 through March 29, 2013.

7 MS. RICHARDSON: Well, on here it has -- it
8 has May on here of \$255.41. May 28 of 2013 to June
9 27, 2013 they were charging me 255.

10 JUDGE JORGENSEN: I'm sorry, which page are
11 you looking?

12 MS. RICHARDSON: No, she didn't make a copy
13 of this because she was saying it was the same thing
14 here. But something is missing off of here that's
15 here. And on here it's got until May of 2013 to June
16 27, 2013, \$255.41. So that's how come I said up
17 until June.

18 JUDGE JORGENSEN: I don't know what you are
19 looking at. So would you like to --

20 MR. GOLDSTEIN: Judge?

21 JUDGE JORGENSEN: Yes?

22 MR. GOLDSTEIN: Perhaps if you look at ComEd
23 Exhibit No. 1, the second sheet, you'll see -- I'm
24 sorry, the third sheet you'll see the 255.41 amount.

1 About three-quarters of the way down the page. You
2 see it's 268, 268, 268.

3 JUDGE JORGENSEN: I see that.

4 MR. GOLDSTEIN: And 255.41.

5 JUDGE JORGENSEN: Okay. Okay, I see. So you
6 are being charged those through -- okay.

7 And have you made any payments on
8 any electricity?

9 MS. RICHARDSON: No, because by it being, you
10 know, under investigation or in dispute, no, I have
11 not.

12 JUDGE JORGENSEN: Okay.

13 MS. RICHARDSON: And when I call them to talk
14 to them, they say it's nothing they can discuss with
15 me about my bill because it's under investigation.

16 JUDGE JORGENSEN: Okay. So you haven't paid
17 any money towards your electricity charges since --
18 including December --

19 MS. RICHARDSON: November 2012.

20 JUDGE JORGENSEN: Since November 2012. And
21 in November 2012 were you current?

22 MS. RICHARDSON: Yes.

23 JUDGE JORGENSEN: You can continue.

24 MS. RICHARDSON: And I never even used the

1 Liheap toward my lights. I never used them for my
2 lights. I only used them for my gas. They offered
3 this program to me. And if I had known I was going
4 to go through this, I wouldn't never accepted it.
5 Because I was always able to pay my light bill. My
6 lights never been turned off or I was not able to pay
7 my lights. And since I got on this program, it
8 caused me all this trouble that I am going through
9 now. And I cannot -- I'm not -- I don't plan to pay
10 \$2,000 for lights. I don't think I should pay \$2,000
11 for lights.

12 JUDGE JORGENSEN: When did you start Liheap
13 for your electric bill?

14 MS. RICHARDSON: July of 2011. And I paid
15 the \$16 every month up until November on time every
16 month. And prior to that I always paid my light
17 bill. They offered this to me.

18 JUDGE JORGENSEN: And starting in -- you say
19 you were on Liheap from July 2011 through November --

20 MS. RICHARDSON: 2012.

21 JUDGE JORGENSEN: 2012.

22 MS. RICHARDSON: Yeah.

23 JUDGE JORGENSEN: And after November 2012
24 were you still on Liheap?

1 MS. RICHARDSON: No, no. They -- well, it
2 was -- I was on there. That's what this Exhibit 3
3 form is. I was on there. But I was on there, them
4 telling me that I was on there for the budget that
5 ComEd had put me on. And they said they had nothing
6 to do with it because I was back and forth with
7 Liheap and with ComEd about that \$268 budget.

8 JUDGE JORGENSEN: Okay. So you did not
9 receive Liheap? What is this? I am looking at what
10 is marked as Complainant's Exhibit 3; is that
11 correct?

12 MS. RICHARDSON: Hm-hm. Yes.

13 JUDGE JORGENSEN: This looks like it's a --
14 from the -- it states: Final notice of missed
15 payments. Failure to bring your account current may
16 terminate your eligibility and enrollment in PIPP.

17 MS. RICHARDSON: Hm-hm.

18 JUDGE JORGENSEN: This consists of, for the
19 record, this consists of three pages.

20 MR. GOLDSTEIN: No, it's one page.

21 JUDGE JORGENSEN: Oh, one page. Okay. This
22 appears to be -- appears to be saying that if you do
23 not become current with your outstanding client
24 portions in full by May 10 of 2013, we will be

1 required to terminate your participation in PIPP:
2 Okay. So did you become current with your portions
3 or not? Or did they terminate your PIPP?

4 MS. RICHARDSON: No, I don't have \$800 to
5 pay. This was after they took me -- because of what
6 they took me off, when they came and did that \$268,
7 then they wanted me to pay, yes, \$821.

8 JUDGE JORGENSEN: Okay. Because the Liheap
9 and PIPP is administered through the Department of
10 DCO, Department of Economic and Community. I am not
11 stating that correctly, but -- so you don't know
12 whether or not you were terminated?

13 MS. RICHARDSON: Yeah, I am off now. Yeah, I
14 am terminated.

15 JUDGE JORGENSEN: You received a termination
16 notice other than this one?

17 MS. RICHARDSON: I don't have one with me.
18 If they did, I don't remember having one with me.
19 But, yeah, I am off now. Because the one that I have
20 now, I am only on there for the gas. I am not on
21 there for the lights. I just went back in July of
22 this year. So I am only on there for the lights.

23 JUDGE JORGENSEN: All right. So what is the
24 amount that to date that you claim you shouldn't be

1 paying and what you should be paying?

2 MS. RICHARDSON: Those months for that 268.

3 JUDGE JORGENSEN: So you claim you shouldn't
4 pay any of the 268?

5 MS. RICHARDSON: Well, not \$268 when that's
6 not normally my bill. My bill is normally about 40
7 or \$50 a month, not 268. But I was forced off the
8 other -- the \$16 a month by them.

9 JUDGE JORGENSEN: So you don't know -- you
10 don't have any other documentation of what you think
11 should be -- your bill should be or your usage should
12 be?

13 MS. RICHARDSON: Do I have any other
14 documentation?

15 JUDGE JORGENSEN: What other exhibits do you
16 have here that you --

17 MS. RICHARDSON: Of what my bill should be?
18 I was on the PIPP program up until then. I don't
19 have any bills from me back in 2010, 2009 or the
20 beginning of 2011 to show -- they could have a
21 printout of that. I don't have it. I only got it
22 from where they -- I was on this program and what I
23 was paying. I don't have anything prior to that.

24 JUDGE JORGENSEN: And the PIPP program, it's

1 funds that go toward your -- to pay your bill;
2 correct?

3 MS. RICHARDSON: Hm-hm.

4 JUDGE JORGENSEN: They --

5 MS. RICHARDSON: They tell you what you are
6 going to pay and then they say what they are going to
7 put toward it.

8 JUDGE JORGENSEN: Right. And what portions
9 were they putting towards your electric bill?

10 MS. RICHARDSON: I don't remember what their
11 part was because I don't have one of those. I don't
12 know what they said they were putting. I have to
13 look at one of these.

14 JUDGE JORGENSEN: Because if I understand
15 correct, the \$16 you say is what you were paying
16 towards your portion of the bill and then you were
17 receiving funds from Liheap to cover the rest of the
18 bill; is that correct?

19 MS. RICHARDSON: I guess. You know, like I
20 say, I never -- I never used this before for my
21 lights. I never did this before. And then when I
22 got assistance with the gas, it was like just the one
23 time when the bill is kind of high and I -- I never
24 was on a month-to-month thing with no assistance and

1 never was on it with the ComEd. I'm trying to see
2 what's up here. And I don't have one of those
3 letters that they send you telling you what they
4 would pay and what you would have to pay. But I know
5 it's -- I thought it would be on the bill that they
6 pay and what you have to pay.

7 JUDGE JORGENSEN: Okay. Well, starting in
8 December 2012, you were responsible for your entire
9 portion of your electric bill; is that correct?

10 MS. RICHARDSON: Starting what?

11 JUDGE JORGENSEN: You were not receiving any
12 other assistance to pay towards portions of your
13 electric bill starting in December 2012?

14 MS. RICHARDSON: I don't know what they were
15 doing. All I know I was told I had to pay 268. I
16 don't think the PIPP was paying anything.

17 JUDGE JORGENSEN: Okay.

18 MS. RICHARDSON: And this all comes from they
19 couldn't get in my back to read the meter. That was
20 the only reason that they did what they did to me.
21 It was no other reason but "We couldn't get in the
22 back to read your meter," so this is the budget they
23 put me on, not considering my income or other things
24 that's considered in my life. It's just what they

1 wanted for me because they couldn't get in the back
2 to read the meter.

3 JUDGE JORGENSEN: Okay. But they did -- do
4 you know if their -- what dates they actually did do
5 an actual meter reading?

6 MS. RICHARDSON: Well, you had them to come
7 out you said June, July and August, I think, to do
8 the actual reading. And then they did an actual
9 reading I think like around January. See, January
10 29, it says on here regular company -- the rest of it
11 says estimated. And then they did one, a regular one
12 January. And then the other regulars was April, May,
13 June they did a reading and then the months you were
14 telling them.

15 JUDGE JORGENSEN: Okay. And earlier you
16 said --

17 MS. RICHARDSON: But they still bill me 268
18 even though they have got regular reading back in
19 January. But they still bill me 268.

20 JUDGE JORGENSEN: Was the 268 part of a
21 payment plan for --

22 MS. RICHARDSON: No, I was never on a payment
23 plan.

24 JUDGE JORGENSEN: Okay.

1 MS. RICHARDSON: That was a budget pay plan
2 that they wanted me on to pay my bill. That was a
3 regular bill every month of 268. And they call that
4 they budget.

5 JUDGE JORGENSEN: You can continue with
6 anything else you want to say or --

7 MS. RICHARDSON: Hm?

8 JUDGE JORGENSEN: You can continue with
9 anything you want to say or put forth as your
10 evidence.

11 MS. RICHARDSON: I mean I don't know what
12 else to say. It's just that I don't feel that I was
13 responsible -- I should be responsible for \$268 a
14 month bill. And they billed -- they came out and did
15 a reading in January and they still charge me 268.
16 And you see they charged me 255 up until, what was
17 that? June.

18 JUDGE JORGENSEN: And you are saying that you
19 did not use that much electricity?

20 MS. RICHARDSON: No, ma'am, no.

21 JUDGE JORGENSEN: And is it your -- are you
22 claiming that there was a problem with the meter?

23 MS. RICHARDSON: No, it's not. They had
24 someone to come out and test the meter and

1 everything. And the meter was working fine on what
2 the meter person said.

3 JUDGE JORGENSEN: Okay. When did they come
4 out and test the meter?

5 MS. RICHARDSON: I think that might have been
6 like June.

7 JUDGE JORGENSEN: All right. You have a
8 couple other exhibits that you put up here. Did you
9 want to describe or discuss anything about these
10 other exhibits?

11 MS. RICHARDSON: I don't know which ones you
12 are referring to.

13 JUDGE JORGENSEN: I just have what you put up
14 here. I have what has previously put forth before me
15 is Complainant Exhibit 1.

16 MS. RICHARDSON: Okay, this is what I got the
17 printout from. Exhibit 1 is the printout that I got
18 from Liheap stating how much my budget plan was when
19 they put me -- whoever was responsible -- because
20 when you go and get on the budget, you take them a
21 copy of your bill. So they had to look at the
22 reading and so forth then to determine what I should
23 be paying. Because you have to take your bill.

24 JUDGE JORGENSEN: Okay.

1 MS. RICHARDSON: So ComEd didn't determine at
2 that point that my budget should be 268. They agreed
3 to \$16.

4 JUDGE JORGENSEN: Can you direct me to where
5 it's saying what your payment should be?

6 MS. RICHARDSON: At the bottom. It says 16,
7 16, 16 from April 2012, July 2012. Then it's got --
8 okay, May 18 it' got 218. And they got over there
9 2012 16. I don't know where they come from with the
10 2013 16. 2013 16.

11 JUDGE JORGENSEN: Is this --

12 MS. RICHARDSON: This one, Exhibit 1 at the
13 bottom of this printout that I got from the Liheap.

14 JUDGE JORGENSEN: I am looking at this, and
15 it looks like the primary vendor on this is Nicor
16 Gas. So was this \$16 payment for your gas?

17 MS. RICHARDSON: No. It should have been --
18 no. I paid \$32 for gas. And I called her at ComEd,
19 and she said this was for the ComEd. And it does say
20 on here Nicor Gas and it should have been for ComEd.
21 But I wasn't paying ComEd \$16. I was paying -- I
22 mean Nicor \$16. I was paying ComEd \$16. I was
23 paying 32 to Nicor.

24 JUDGE JORGENSEN: Okay. Complainant's

1 Exhibit 1 consists of three pages.

2 Is there anything else you want to
3 direct to my attention regarding your Exhibit 1?

4 MS. RICHARDSON: No, there isn't anything
5 else on 1.

6 JUDGE JORGENSEN: Okay. Is there anything
7 else you want to direct to my attention on
8 Complainant Exhibit 2, which is the ComEd Account
9 Activity Statement previously discussed?

10 MS. RICHARDSON: Just showing the dates that
11 what I was paying as far as the \$16 and where they
12 started the 268. And, again, they did that because
13 they couldn't get in the back to read my meter. And
14 as I was speaking earlier in these hearings, that I
15 live alone and I am ground level and my back is
16 locked. That's why they couldn't get back there.
17 But no one never brought anything to my attention
18 that they trying to read it or sent me anything
19 saying to read it and to send it back in to them.

20 JUDGE JORGENSEN: And Complainant Exhibit 4,
21 which appears to be a one-page document, PIPP
22 Application 41474, your current PIPP enrollment
23 details.

24 MS. RICHARDSON: Because you asked if I was

1 still on the program or not. And this is the letter
2 that I was receiving telling me that I was going to
3 be cancelled off. And this has to do with, yeah,
4 with ComEd and with the Nicor. And this is when
5 ComEd put me on the budget of 268. And the client --
6 the client portion was 218. And you were asking if
7 they were still paying anything. So if you're
8 looking at ComEd, they said 268. And the monthly
9 benefit was going to be \$50, and the client portion
10 was 218.

11 JUDGE JORGENSEN: Okay. And the client
12 portion would be what you pay?

13 MS. RICHARDSON: Yes, 218 a month. And I
14 guess PIPP was going to pay \$50. And that just go
15 back to you asking me if they was still paying
16 anything or not.

17 JUDGE JORGENSEN: Any further documents or
18 statements you want to make or enter?

19 MS. RICHARDSON: And so I had been calling
20 when this all took place, I was calling Liheap to
21 cancel me off the budget plan with he ComEd. And
22 then I was calling, they said they couldn't do it,
23 that ComEd had to do it. Then when I call ComEd,
24 ComEd will tell me they couldn't do it, that PIPP had

1 to do it, Liheap had to do it. So I was back and
2 forth. So finally around March is when -- March or
3 April is when CEDA finally cancelled me off that
4 budget, because I wanted to go to a regular billing
5 amount opposed to this budget amount that they had me
6 on for this \$268 and I be responsible for 218. But
7 they never did it. They didn't do it up until July
8 when I got the bill. What, the August reading for
9 the \$65. And they kept billing me the same thing
10 even though I thought I was cancelled off.

11 JUDGE JORGENSEN: So you are saying then in
12 July you went to a regular billing of 2013?

13 MS. RICHARDSON: Yes, of 2013. Wasn't that
14 what showed on here when they came out? And they did
15 a reading. And my bill was then --

16 JUDGE JORGENSEN: When did you call to
17 cancel?

18 MS. RICHARDSON: I think around -- well, I
19 had been calling since January to take it off but
20 they was sending me back and forth. One will say
21 they don't do it, then the other --

22 JUDGE JORGENSEN: Who is "they"?

23 MS. RICHARDSON: CEDA.

24 JUDGE JORGENSEN: Okay.

1 MS. RICHARDSON: And then it was ComEd. And
2 then some people will tell me ComEd, well, they can't
3 discuss anything because I had it under this
4 investigation and stuff. But I was asking to be
5 cancelled off that budget and they said they couldn't
6 do it; CEDA had to do it. CEDA told me they couldn't
7 do it; ComEd had to do it. So I was back and forth
8 on the phone for a few months until March or April
9 when Liheap CEDA went on and canceled me, but then
10 ComEd was still charging me that 268.

11 JUDGE JORGENSEN: So you are saying you were
12 still under the CEDA PIPP funding until July or April
13 of 2013?

14 MS. RICHARDSON: No. Around March or April.

15 JUDGE JORGENSEN: March or April?

16 MS. RICHARDSON: Yeah. Because I told them
17 to cancel.

18 JUDGE JORGENSEN: Of 2013?

19 MS. RICHARDSON: Yeah.

20 JUDGE JORGENSEN: You were still on and
21 receiving PIPP --

22 MS. RICHARDSON: Yes.

23 JUDGE JORGENSEN: -- for electricity?

24 MS. RICHARDSON: Well, I guess they were

1 paying them that portion they said that they would
2 pay, this \$50, I guess. I don't know what was going
3 on.

4 Well, up until, okay, June the 27th,
5 because that last bill for 255 ended June 27 of 2013.
6 And then when they did the reading, they sent me a
7 bill for \$79. And then the July bill to August was
8 \$65. So I was -- they was still billing me that
9 budget even though I canceled it around March or
10 April with CEDA. But they still was billing me that
11 budget from them for the 268, 268 and 255. And
12 I should have -- my portion should have only been
13 218, not 268. But they were billing me 268. And
14 it's stating on here that CEDA was supposed to pay
15 them 50 of that 268. But they was still billing me
16 the 268, even though I cancelled it around March or
17 April. I think it was more like March when I
18 cancelled, when they finally cancelled me off that --
19 off that PIPP program.

20 JUDGE JORGENSON: Okay.

21 MS. RICHARDSON: And then they continued to
22 bill me the budget. But each agency was saying they
23 don't have nothing to do with it. And just this
24 whole ordeal is unfair on my behalf. That's just

1 what I feel and think. And that they were just being
2 very harsh with me and not sympathetic at all and
3 still not being sympathetic for wanting me to pay
4 \$2,000 for them for something I didn't use, don't use
5 and shouldn't have been responsible for because I did
6 not agree to this budget plan. I could have said no
7 at that point and not been on their budget. But they
8 forced this budget on me and refused to cancel it.

9 JUDGE JORGENSEN: Okay. Did you want to move
10 any of your exhibits into evidence in the record?

11 MS. RICHARDSON: Move them?

12 JUDGE JORGENSEN: Do you want to have them as
13 part of the record as evidence on the record?

14 MS. RICHARDSON: Yes.

15 JUDGE JORGENSEN: Any objection?

16 MR. GOLDSTEIN: I have no objection.

17 JUDGE JORGENSEN: Therefore, for the record,
18 I will admit Complainant's Exhibit 1, 2, 3 and 4.

19 (WHEREUPON, Exhibit Nos.
20 Complainant 1-4 were admitted into
21 evidence.)

22 JUDGE JORGENSEN: Is there anything further
23 you want to state for your case?

24 MS. RICHARDSON: No more than I just said,

1 that I feel this is being hash, it was not being
2 sympathetic and it was not being right, and I didn't
3 have a choice in this matter whether I wanted to pay
4 this or could afford to pay this.

5 JUDGE JORGENSEN: Okay. If you have nothing
6 further to say right now, Mr. Goldstein will have an
7 opportunity to cross-examine you.

8 MR. GOLDSTEIN: I have just a question or
9 two, Judge.

10 JUDGE JORGENSEN: Yes?

11 MR. GOLDSTEIN: And the first question is in
12 the form of a hypothetical.

13 CROSS-EXAMINATION

14 BY MR. GOLDSTEIN:

15 Q. Ms. Richardson, let's assume for the sake
16 of argument that as of today your bill that you owe
17 ComEd is zero, okay? Is it your position that you
18 believe that on a going-forward basis for November,
19 December of this year and so on and into 2014 that
20 you should be paying ComEd \$16 a month for electric
21 service?

22 A. That's up to ComEd if they want to put me
23 back on that budget. But as you mentioned earlier to
24 me, that I would never see \$16 again budgets, then

1 how I feel I would be responsible for my actual
2 usages every month for my light bills.

3 MR. GOLDSTEIN: I have nothing else.

4 JUDGE JORGENSEN: Do you want to say anything
5 in response to this question?

6 MS. RICHARDSON: No, I have no more.

7 JUDGE JORGENSEN: Okay.

8 Mr. Goldstein, you may proceed.

9 MR. GOLDSTEIN: Yes. I would like to call
10 Mary Ellen Fletcher and have her sworn and proceed
11 with examination.

12 (WHEREUPON, the witness was duly
13 sworn.)

14 MARY ELLEN FLETCHER,
15 called as a witness herein, having been first duly
16 sworn, was examined and testified as follows:

17 DIRECT EXAMINATION

18 BY MR. GOLDSTEIN:

19 Q. Ms. Fletcher, please state your full name
20 for the record and spell your last name.

21 A. Mary Ellen Fletcher, F-l-e-t-c-h-e-r.

22 Q. And what is your current position with
23 ComEd?

24 A. Senior business analyst in the billing

1 department.

2 Q. And how long have you been a senior
3 business analyst with ComEd?

4 A. Three years.

5 Q. And how long have you been employed by
6 ComEd?

7 A. Twelve years.

8 Q. And could you describe what other titles
9 you've held at ComEd?

10 A. Besides being a senior business analyst,
11 I've also been a work planner with ComEd. Previous
12 to that I was an accountant with parent company
13 Exelon.

14 Q. And could you describe in general what
15 your duties and responsibilities are as a senior
16 business analyst?

17 A. I am responsible for investigating and
18 analyzing customers' bills, analyzing billing orders,
19 analyzing our billing clerks' work, run inquiries and
20 reports.

21 Q. And as part of your position with ComEd,
22 do you have access to the company's books and records
23 that are kept in the ordinary course of ComEd's
24 business?

1 A. Yes.

2 Q. And the two exhibits that you are going
3 to present in this hearing, these are business
4 records of Commonwealth Edison kept in the ordinary
5 course of its business?

6 A. Yes.

7 Q. And are you familiar with
8 Ms. Richardson's account that's the subject of this
9 complaint proceeding?

10 A. Yes.

11 Q. And you read -- have you read
12 Ms. Richardson's complaint and heard her testimony
13 this morning?

14 A. Yes, I have.

15 Q. And can you describe in general what you
16 believe Ms. Richardson's complaint is?

17 A. Ms. Richardson feels that ComEd is
18 overcharging her for electricity.

19 Q. And let me show you what's been marked as
20 Commonwealth Edison Exhibit No. 1. Do you have that
21 in front of you?

22 A. Yes, I do.

23 Q. ComEd Account Activity Statement. And
24 this is for Ms. Richardson's account, is it not?

1 A. Yes, it is.

2 Q. And could you describe in general what
3 the account activity statement is?

4 A. The account activity statement is a
5 summary of the customer's billing history that
6 includes all debits, credits, deposits, late charges.
7 Basically anything billed to the account. This
8 particular account activity statement is for the
9 account belonging to Linda Richardson for service at
10 18110 Mary Ann Lane, Country Club Hills, Illinois,
11 ComEd account ending in 77055. This shows all
12 billing from September 2011 to September 2013. That
13 statement is October 4, 2013, and it contains three
14 pages.

15 Q. And this is a Commonwealth Edison
16 business record, is it not?

17 A. That is correct, yes.

18 Q. And let's start at page 1 of the account
19 activity statement. If you have that in front of
20 you?

21 A. Yes.

22 Q. And you see that that account was billed
23 for service from September to October 2011? Do you
24 see that?

1 A. Yes.

2 Q. And what was that amount?

3 A. The actual bill amount, \$21.20.

4 Q. And could you describe what, going down
5 on that page, what actually occurred with respect to
6 the account history for Ms. Richardson's account?

7 A. Okay. Starting with November 28, 2011,
8 Ms. Richardson started her budget billing. Okay.
9 Just the line before that, on November 18, 2011, she
10 received a PIPP benefit of \$3. Her actual bill was
11 \$21.20. The charge amount was \$19. And PIPP paid --
12 the PIPP benefit was \$3.

13 Q. And going down that page, it shows what
14 the regular bills were and what the PIPP payments
15 were and so on and so forth?

16 A. That's correct.

17 Q. Now let's turn to -- first of all, let's
18 find out exactly what the current balance is on the
19 account. If you have that in front of you?

20 A. The balance due current is \$2,044.20.

21 Q. And could you explain for us how the
22 balance got to that particular level?

23 A. Okay. First of all, I will explain what
24 PIPP benefits are. PIPP benefits stands for

1 percentage, income, payment plan. Customers pay a
2 certain percentage of their monthly income for their
3 utilities.

4 Then I can explain budget billing.

5 Ms. Richardson is on budget billing. Budget billing
6 is a program that allows customers to pay their
7 monthly bills in prearranged amounts. It is intended
8 to level out seasonal charges. The amount of each
9 bill is calculated using the customer's annual base,
10 the actual dollar amount charged to a service premise
11 during the previous 12 months. Every six months the
12 budget bill amount is reviewed. Every 12 months the
13 credit/debit deferred balance is applied to that
14 account. This balance is a difference between the
15 actual bill amount and the budget bill amount. The
16 credit/debt then can be rolled over and included in
17 the next recalculation of the budget bill or applied
18 to the very next bill.

19 Q. And you are aware, are you not, that
20 there were certain estimated readings of
21 Ms. Richardson's account; is that right?

22 A. That's correct.

23 Q. And can you explain how that process
24 works, based when there's an actual reading as it

1 relates to Ms. Richardson's account? And in doing so
2 could you also refer to what has been marked as ComEd
3 Exhibit No. 2.

4 A. Okay. In Exhibit No. 2, which is
5 Ms. Richardson's select meter reading history,
6 there's several columns on the document detailing the
7 date of the read, whether it was an actual read,
8 actual read means regular company, or whether it was
9 estimated which would state "estimated reading."
10 Okay. It also shows the date the read was taken, the
11 total usage. It also shows the account number of the
12 meter number. You will see several estimated
13 readings; meaning that ComEd meter tech could not
14 gain access to the meter.

15 In looking at Ms. Richardson's meter
16 reading history, in a 24-month period a meter tech
17 was not able to gain entry to the meter due to locked
18 gate, that was 13 times; dog, which was three times;
19 one time refused access, and four times not home.

20 On January 31, 2012, ComEd was able
21 to obtain an actual reading. Using that reading and
22 the last prior actual reading of June 28, 2010, ComEd
23 was able to re-bill the usage totaling 16,027
24 kilowatt hours at 28 kilowatt hours per day.

1 Q. So could you describe, essentially, how
2 ComEd determined that 28 kilowatt hours per day
3 usage?

4 A. ComEd billing took the reading of 42,959,
5 which was the regular company reading from January
6 31, 2012, less the last prior actual reading of June
7 28, 2010, which was 26,932 kilowatt hours. Subtract
8 that. That came to a total of 16,027 kilowatt hours.
9 Divided that by 19 months of estimated usage, coming
10 to 28 kilowatt hours per day.

11 Q. And so the adjustment that was made to
12 Ms. Richardson's bill was based upon an
13 underestimation of the billing for those months in
14 question?

15 A. Yes.

16 Q. And how did this adjustment then affect
17 Ms. Richardson's budget billing?

18 A. Because the amount of the actual usage
19 was adjusted, the budget bill amount increased due to
20 actual usage based on the regular readings obtained
21 on June 28, 2010 and the regular reading of January
22 31, 2012.

23 Q. And is it correct that Ms. Richardson is
24 no longer on the budget plan?

1 A. That's correct. Ms. Richardson's budget
2 was stopped on 6/21/13.

3 Q. Now, in Ms. Richardson's statement this
4 morning, she said that she never received any notice
5 about not being able to gain access to her property.
6 Is this accurate?

7 A. No.

8 Q. And how did you determine that it was not
9 accurate?

10 A. Okay. On January 16, 2013, customer
11 relations sent Ms. Richardson a letter. And the
12 notation here: Sent the customer letter explaining
13 that we have multiple estimated reads and to assist
14 with providing instruction to gain access to the
15 meter to avoid estimated reads.

16 Q. And what does that tell you with respect
17 to ComEd's attempt to gain actual readings of
18 Ms. Richardson's meter?

19 A. Without being able to get an actual read,
20 all the billers can do would be to estimate the
21 reads. ComEd has a policy that after four estimated
22 reads, they send the customer a letter explaining
23 that we've gotten four continuous estimated reads and
24 requesting the customer to please call with the

1 ability to have our meter reader come out and be able
2 to access the meter to get an actual reading.

3 Q. And you have, in the course of preparing
4 for this hearing today, you've gone back into the
5 company's books and records and looked at the
6 notations made by the meter readers with respect to
7 reading Ms. Richardson's meter, did you not?

8 A. Yes, I did.

9 Q. And the figures that you provided as part
10 of your direct testimony regarding ComEd attempts to
11 read Ms. Richardson's meter you previously testified
12 to are based upon reviewing the records of ComEd with
13 respect to what meter reader notations were made and
14 attempts were made to read her meter; correct?

15 A. That's correct.

16 Q. And, finally, Ms. Fletcher, the budget
17 billing program that ComEd has, is this based upon
18 income, or how is it based?

19 A. Let me read to you the explanation of
20 budget billing: Budget billing is a program that
21 allows residential, commercial and industrial
22 customers to pay their monthly bills in pre-arranged
23 amounts. It is intended to level out seasonal
24 charges. The amount of each bill is calculated using

1 the customer's annual base. Annual base means the
2 actual dollar amount charged to a service point or
3 premise during the previous months.

4 Q. And how would that be applied to
5 Ms. Richardson's bill as it exists today?

6 A. What our billers will do is they will
7 review Ms. Richardson's bills and usage every six
8 months based on whether there were regular reads and
9 then adjust the bill accordingly. What a biller did
10 was, when she was able to see that a regular read was
11 obtained on January 31, 2012, she then went back to
12 look to see when the last regular read was, which was
13 on June 28 in 2010, and then calculated what the
14 usage was at 28 kilowatt hours per day, and then
15 canceled and re-billed Ms. Richardson based on what
16 her actual usage was.

17 JUDGE JORGENSEN: This is January 2012?

18 MS. RICHARDSON: January 31, 2012 we received
19 a regular reading. Previous to that, it was June 28
20 of 2010.

21 JUDGE JORGENSEN: And which one was the 268
22 -- was that also under budget billing?

23 MS. RICHARDSON: That's correct.

24 BY MR. GOLDSTEIN:

1 Q. Could you explain why there is a
2 difference between the \$268 budget billing that
3 occurred on page 3 of ComEd Exhibit 1 and the \$255.41
4 budget billing that's shown thereafter?

5 A. The \$268 is divided out by the amount of
6 months that the full dollar amount the person is
7 billed, which was the \$2,044. And 255 is what the
8 last balance was.

9 Q. Finally, I think for the record,
10 Ms. Fletcher, you ought to explain the PIPP program.

11 A. Okay. PIPP stands for Percentage Income
12 Payment Plan. A customer must income qualify at
13 below 150 percent of poverty level. The customer
14 must also have an active account and must not be
15 disconnected. Qualified customers may receive a
16 monthly benefit pledge amount up to \$150 per month in
17 total for gas and electric service. If a customer
18 has an outstanding balance owed at the time of the
19 application, the balance will be transferred to the
20 arrearage reduction plan or prepayment preprogram
21 arrearage and 1/12 will be forgiven for each on-time
22 customer monthly payment up to a thousand dollars a
23 year. And then a customer's account is then enrolled
24 in a budget bill payment plan.

1 Q. And you described how the budget bill
2 payment plan works?

3 A. That's correct.

4 Q. And how it's managed every three or six
5 months, have you not?

6 A. That's correct.

7 MR. GOLDSTEIN: I have nothing else of the
8 witness. I would move into evidence ComEd Exhibits 1
9 and 2.

10 JUDGE JORGENSEN: Any objection,
11 Ms. Richardson, to the admission of those two
12 exhibits?

13 MS. RICHARDSON: Yes.

14 JUDGE JORGENSEN: What is your objection?

15 MS. RICHARDSON: My objection is I heard her
16 statement June of 2010 --

17 JUDGE JORGENSEN: Right now we are just --
18 whether or not -- the question is whether or not to
19 admit these documents into evidence. That's what I
20 am asking.

21 MS. RICHARDSON: Are they to be admitted?

22 JUDGE JORGENSEN: Yes, into evidence. That's
23 the question. Do you have any objection to these
24 being admitted as evidence?

1 MS. RICHARDSON: Yes. Yeah, but I mean are
2 they correct? I mean from what she was stating --
3 reading off, is it correct? No.

4 JUDGE JORGENSEN: Okay. So you are saying
5 the ComEd account activity statement and this other
6 document regarding the select meter reading
7 history --

8 MS. RICHARDSON: Yeah.

9 JUDGE JORGENSEN: -- is not correct?

10 MS. RICHARDSON: I mean what she was stating
11 as far as a dog. I don't have a dog. And who's to
12 say that they were actually coming to my house?

13 JUDGE JORGENSEN: You'll have an opportunity
14 cross examine the witness.

15 MS. RICHARDSON: So, yes, they can be used as
16 evidence, yes.

17 JUDGE JORGENSEN: Okay. I am going to admit
18 ComEd Exhibit 1 and 2 into evidence.

19 (WHEREUPON, ComEd Exhibit Nos. 1-2
20 were admitted into evidence.)

21 JUDGE JORGENSEN: Okay. Ms. Richardson, do
22 you have any questions for this witness,
23 Ms. Fletcher?

24 MS. RICHARDSON: Yes.

1 CROSS-EXAMINATION

2 BY MS. RICHARDSON:

3 Q. I mean my question is why are you going
4 back to 2010 when we are at -- talking about what
5 started in 2012?

6 A. We went --

7 Q. December of 2012.

8 A. We went back to 2010 because that was the
9 prior regular reading. The last regular reading we
10 received. In between June 28 of 2010 and 1/31 of
11 2012, all the readings were estimated. To be able to
12 get you an actual reading to show your actual usage,
13 the only thing we can do is go from a regular reading
14 to a regular reading.

15 Q. When did I move in? Where is your record
16 at to show when I moved in there?

17 A. I don't have a record.

18 Q. I wasn't living there in June 2010 nor
19 July.

20 A. I do not have --

21 Q. -- of 2010?

22 A. I do not have a record of when she moved
23 in.

24 Q. And I don't have a dog. And who's to say

1 that they are actually coming there to read my meter
2 and I was -- I refused them? Why would I refuse them
3 to read my meter? I have nothing to hide. So why
4 would I refuse them -- if they came there and I was
5 there, they got back there in my fence --

6 JUDGE JORGENSEN: Ms. Richardson, you will
7 have an opportunity to make a statements. Again, do
8 you have any questions for this witness?

9 MS. RICHARDSON: I mean I don't know what
10 questions to ask. I just got statements to make. I
11 don't have anything in particular to ask her, no.

12 JUDGE JORGENSEN: For this witness?

13 Any redirect?

14 MR. GOLDSTEIN: If I may confer with the
15 witness.

16 JUDGE JORGENSEN: Sure.

17 MR. GOLDSTEIN: Just one or two questions,
18 Judge, on redirect.

19 REDIRECT EXAMINATION

20 BY MR. GOLDSTEIN:

21 Q. Ms. Fletcher, looking at ComEd Exhibit 1,
22 page 3 in particular, could you tell us when ComEd
23 did the re-billing of Ms. Richardson's account, how
24 far back they went to do the re-billing?

1 A. From 12/21/12 to 1/11/13.

2 Q. Or approximately 11 or 12 months?

3 A. 11 to 12 months, correct.

4 Q. And so ComEd did not go back to 2010 to
5 do the re-billing; is that right?

6 A. That's correct.

7 MR. GOLDSTEIN: I have nothing else.

8 JUDGE JORGENSEN: Okay. Ms. Richardson, did
9 you have anything further you would like to say?

10 MS. RICHARDSON: Yeah. When you go to apply
11 for the PIPP program, all she read off that sheet is
12 not what they explain to you at that point in time.
13 They don't tell you that -- I mean it's -- I thought
14 it was due to a percentage of your income. But all
15 this, up to a thousand dollars, then you go --
16 whatever this other stuff she read, who's responsible
17 for that? The client or the persons that helping you
18 pay the bill, assisting you with it? Is PIPP
19 responsible for that thousand dollars example she was
20 using or is the client responsible? Because they
21 don't explain -- they don't tell you that about
22 anything you are responsible for. They just put you
23 on a budget thinking that be it.

24 JUDGE JORGENSEN: When did you move into this

1 place?

2 MS. RICHARDSON: August 26, 2010.

3 JUDGE JORGENSEN: You moved in August 26,
4 2010 to the property at 18110 Mary Ann Lane?

5 MS. RICHARDSON: Yes.

6 JUDGE JORGENSEN: Anything further?

7 MS. RICHARDSON: That and it still remains
8 that, and she is saying all this difficulty that they
9 were having to get into my back, still no one still
10 sent anything stating that I can write the reading
11 myself to be sent in if -- you know, no one never
12 stated that to me or gave me that opportunity as
13 well. And I was in school from November of 2011
14 full-time five days a week until May of 2013. So I
15 was never at home. I was in school all day. I went
16 to the Institute of Technology, practical nursing
17 program, downtown Chicago. So I was at school every
18 day from November of 2011 until May of 2013. So I
19 wasn't at home. And that was the reason they
20 couldn't get me during the day because I don't get
21 home till like 5:30, 6 o'clock in the evenings.

22 JUDGE JORGENSEN: Understand. Are you
23 currently doing your own readings and sending them in
24 or --

1 MS. RICHARDSON: Well, no, I am not. Because
2 the last time they came, they got back there. The
3 three times you had them to do it, they were able to
4 read it. And no one else came since that I'm aware
5 of. So they are not consistent with their readings
6 like they're stating. Sometimes somebody might come,
7 then they don't come. So they haven't been since,
8 what, August, July or August. No one came to read
9 the meter anymore. No notices were left, nothing
10 saying that they were there trying to get in. And
11 I've been out of school now. I don't normally leave
12 home until like 1:00 or 2:00 o'clock in the
13 afternoons.

14 JUDGE JORGENSON: Anything further?

15 MS. RICHARDSON: No.

16 JUDGE JORGENSON: Mr. Goldstein?

17 MR. GOLDSTEIN: Yes, I would just point out,
18 Judge, that with respect to Ms. Richardson's
19 knowledge of what type of program she was on with
20 respect to PIPP payments and the budget plan, it's
21 explained in large measure on her own Exhibits 3 and
22 4. And we made every attempt we could in possibly to
23 try to resolve this for her, both at the status
24 hearings and this morning, and we were unsuccessful.

1 I think that's all we have to say.

2 With respect to the complaint, I
3 think that Ms. Fletcher has explained the PIPP
4 program, the budget payment plan, and the fact that
5 there's approximately a \$2,000 balance on Ms.
6 Richardson's account and how that was obtained.

7 JUDGE JORGENSON: Okay. Each side has had
8 their opportunity to present their case. The
9 procedure from here is that I review the evidence
10 that you have provided to me. I will issue a -- I
11 will also review the transcript from the court
12 reporter once that is available. And I will issue a
13 proposed order and that will be sent to you. Once
14 the proposed order is sent to you, you will have the
15 opportunity to, if you disagree with portions of the
16 proposed order, to write a brief on exceptions -- or
17 statement on exceptions to the proposed order. And
18 usually I give two weeks after issuing a proposed
19 order for you to write your comments on exceptions.
20 And then after that, there could be reply comments on
21 exceptions. Usually about a week after that if you
22 would like to reply to comments as made. Once we
23 have gone through the comments on the proposed order,
24 everything will go to the Commissioner's and the

1 Commissioner -- the Commission will have a little
2 vote on and issue the final order.

3 Any questions on that?

4 MS. RICHARDSON: No.

5 JUDGE JORGENSEN: Okay. There being nothing
6 further for the record, I will go ahead and mark the
7 record order taken.

8 (Hearing adjourned at 12:33 p.m.)

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CERTIFICATE
OF
CERTIFIED SHORTHAND REPORTER

I, ANNETTE BREWER a Certified
Shorthand Reporter of the State of Illinois, CSR
License No. 84-4121, do hereby certify that I
stenographically reported the proceedings had at the
hearing, as aforesaid, and that the foregoing
transcript is a true and accurate record of the
proceedings had therein.

IN WITNESS WHEREOF, I do set my hand
at Chicago, Illinois, this 25th day of October, 2013.

ANNETTE BREWER
CSR No. 84-4121