

**OFFICIAL FILE**  
**ILLINOIS COMMERCE COMMISSION** STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

**ORIGINAL**

Mary Madison :  
-vs- : 12-0410  
Commonwealth Edison Company :  
Complaint as to over-billing/charges :  
in Chicago, Illinois. : Served by US Mail

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**PLAINTIFF'S MOTION TO COMPEL RESPONSIVE ANSWERS TO INTERROGATORIES AND PRODUCTION OF DOCUMENTS**

Plaintiff, Mary Madison, by and through herself and pursuant to Title 83: PUBLIC UTILITIES, CHAPTER I: ILLINOIS COMMERCE COMMISSION, SUBCHAPTER C: ELECTRIC UTILITIES, Section 200.190 and 220 and the Federal power Act, hereby files her Motion to Compel Responsive Answers to Interrogatories and Production of Documents against the Defendant, Common Wealth Edison an Exelon Company (hereinafter "Com Ed") and as grounds states:

1. Plaintiff, Ms. Madison, filed a complaint against Com Ed for overbilling.
2. Ms. Madison served her Requests for Production and Initial Interrogatories to Defendant on October 4, 2013.
3. On November 1, 2013, Defendant provided insufficient responses to Plaintiff's Requests for Production and Initial Interrogatories, respectively. In addition to a "General Objection" to producing "information that it was burdensome, confidentiality would be breached, and that the information is readily accessible" and therefore responding to Plaintiff's specific requests by referring her to commonly found information pertaining to the Company's infrastructure and Operational practices that is not typically available to those except upon request or are utilized in the daily application of the scope of business, the

Defendant objected to providing clearly relevant information as irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, the relativity of burdensome to ethics, legality, and morality is not synonymous or in correlation to one another; matter of factly, it is a reproach to the matter at hand and continued evidence of Com Ed's lack of respect for the mandated laws and the consumer at large.

4. In spite of the current language and mandates housed within Title 83, The Federal Power Act and ANSI-American National Standard for Electrical Meters, Code for Electricity Meters (ANSI C12.1-2008) and ISO on the very same issues of overbilling, fiduciary obligations, Standard Operating Procedures, Fraud, and basic consumer right to know Defendant's agent and counsel continues to resist discovery efforts and has not responded to Plaintiff's requests verbally or in writing for responses to methods, protocols, and practices implored in this overbilling matter.

5. Further, it is untenable that Defendant continues to frustrate Plaintiff's discovery efforts, as well as, continues to intentionally and willfully suppress and eliminate evidence necessary to support overbilling and failure to comply with the current mandates of Title 83, The Federal Power Act, ANSI C12.1-2008 Code for Electricity Meters, as well as, the company's SOP (Standard Operating Procedures) and ISO; Defendant's counsel and agents are well aware of the requirement to answer the interrogatories and produce the documents requested, but willfully, intentionally and perpetually stalls discovery within these proceedings; while concurrently advancing their undue financial gain in other

judicial forums to receive undue monies for services not provided and/or already paid for.

6. When a motion to compel is granted, it is mandatory for this forum to require the party whose conduct necessitated the motion to be sanctioned and pay the moving party's reasonable expenses incurred. Defendant's objections to Plaintiff's requests and interrogatories on the basis that they are burdensome, confidentiality, and irrelevancy are completely improper because the discovery relates to Defendant's wrongful, excessive, strenuous, and deceptive overbilling practices for electric service that ultimately defraud consumers, as well as, being permissible under Title 83 and The Federal Power Act.

7. In an attempt to reduce further delay, a notarized waiver of rights to the anomaly of confidentially issues as it relates to requested information directly related to Plaintiff's account, see attached. (Exhibit A)

8. The Defendant should now be ordered to comply with the Interrogatories and Requests for Production discussed in detail below.

WHEREFORE, Plaintiff requests that this Court:

A. Enter an order requiring Defendant to answer Plaintiff's First Request for Production of Documents on or before November 28, 2013, or the earliest time prescribed by law, whichever comes first, as the requested information is information that is to be available upon request and/or is ordinary information utilized in the execution of day-to-day operation within the usual and customary business practices; and is necessary and germane to proving overbilling, that appropriate protocols and procedures were

intentionally and willfully not followed in regards to request for load calculations, site visits, meter readings, meter testing, meter results, authorized meter exchange, request for information regarding accounting, the intentional and willful disposal of meters as evidence of the meters accuracy and Operating Equipment Efficiency, logs and journals regarding service requests, etc..., as well as, the intentional misleading and misappropriation of information to this forum, as well as, other judicial forums, for the purpose of continuing to engage in deceptive business practices that are economically burdensome and taxing for the general public at large disallowing precedence's to be set that thwart such unconscionable behaviours that heinously, maliciously, and sadistically prey on the ineptness, inadequacies, and incompetency's of the general public's ability to access, interpret, and apply the rules and regulations as it relates to compliance and regulatory matters. Consumers being further remanded, to such unconscionable behaviours within this monopolistic niche, through the lack of access to subject matter experts, economic resources, and undue economic duress' that cause the relationship to one akin to a dictatorship, as there are no viable and real options in the market place. Leaving consumers at the mercy of such deceptive, manipulative, fraudulent and unconscionable behaviours that are economically burdensome and taxing to the consumer and the economy at large, while stifling the ability of the regulatory agencies to properly regulate, administer decisions, and set precedence's that further protect the interest of the general public that lack the general and basic

foreknowledge, aptitude, and ability to engage in in-depth fact finding that can make monumental decisions that serve the public interest. Therefore, it is my vehement and sincere request that this motion to compel be granted.

- B. Enter an order granting any other relief that this Court deems just.

Submitted By: Mary D. Madison



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Mary Madison  
1525 W. 79<sup>th</sup> St.  
Chicago, IL 60620  
773.297.9569

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on January 9, 2014, I, Mary D. Madison served a true and correct copy of the above and foregoing has been furnished by mail to the following party:

Mark L. Goldstein  
Attorney of Record  
For Common Wealth Edison  
3019 Province Circle  
Mundelein, IL 60060  
[MLGLAWOFFICES@aol.com](mailto:MLGLAWOFFICES@aol.com)

A handwritten signature in black ink, appearing to be 'Mary Madison', written over a solid horizontal line.

Mary Madison