

1 STATE OF ILLINOIS  
2 ILLINOIS COMMERCE COMMISSION

3 IN THE MATTER OF: )  
4 JALEH BANAEI )  
5 Petitioner, )  
6 vs. ) No. 13-0463  
7 NORTHERN ILLINOIS GAS COMPANY )  
8 d/b/a NICOR GAS COMPANY )  
9 Respondent. )

10 Complaint as to treatment of illegal taps, discontinuance  
11 of service in Evanston, Illinois.

12 Met, pursuant to notice at 11:00 a.m. on February 10, 2014

13 BEFORE:

14 MR. JOHN RILEY, Administrative Law Judge

15 APPEARANCES:

16 CHILTON, YAMBERT, PORTER, by  
17 MR. PAUL PADRON  
18 2000 South Batavia Street  
19 Second Floor  
Geneva, Illinois 60134  
Phone: (630) 262-4000

20 On behalf of NICOR Gas;

21 ALSO PRESENT: Ms. Kyra Mitchell (NICOR Gas)  
22 Ms. Jaleh Banaei (pro se)

23

24

25

1 JUDGE RILEY: Pursuant to the direction of the  
2 Illinois Commerce Commission, I call Docket 13-0463.  
3 This is a complaint by Jaleh Banaei --

4 Did I pronounce that correctly?

5 MS. BANAEI: Jaleh Banaei, yes.

6 JUDGE RILEY: -- versus Northern Illinois Gas  
7 Company d/b/a NICOR Gas Company as to treatment of  
8 illegal tap, discontinuance of service in Evanston,  
9 Illinois.

10 Ms. Banaei, you are appearing without a  
11 counsel at this point; is that correct?

12 MS. BANAEI: Yes.

13 JUDGE RILEY: Be advised that you may have an  
14 attorney appear on your behalf at any time during this  
15 proceeding or any future proceedings; however, they  
16 would have to take the record as it has been developed.  
17 We wouldn't be able to go back and start all over again.

18 And would counsel for NICOR enter an  
19 appearance, please.

20 MR. PADRON: Paul Padron, P A D R O N. My address  
21 is 2000 South Batavia Avenue, Second Floor, Geneva,  
22 Illinois 60134. And with me is Kyra Mitchell, K Y R A,  
23 Mitchell from NICOR gas.

24 JUDGE RILEY: Thank you.

25 And, Ms. Banaei, let's -- what -- You've

1 stated in your complaint that back almost a year --  
2 well, about ten months ago that a CEDA was payment made  
3 of \$598?

4 MS. BANAEI: Your Honor, may I start with saying  
5 that I am here to prove to you beyond a reasonable doubt  
6 by document that on June 26, 2013 my gas was  
7 disconnected as a result of retaliation. How can I  
8 prove it to you?

9 You know, if you look at the -- And if you  
10 look at the -- this October 17, 2013, notice of the  
11 filing, you know, by replying support of NICOR motion.  
12 And if you look at Ms. Kyra Mitchell's affidavit -- And  
13 this is the second affidavit. On the first one, when  
14 she provided -- which is the same thing she say, that  
15 she overlooked my payment, and basically it was mistake.  
16 And then she provided second affidavit. And here it's a  
17 yes. Jaleh Banaei has paid \$243.

18 And in this affidavit -- By the way, she  
19 claimed that she is very familiar with -- She is the  
20 supervisor for customer relation and quality. She is  
21 very familiar with my case, study all the document. And  
22 this is the second one under the sworn affidavit under  
23 the law.

24 JUDGE RILEY: Why did you say this was retaliation?

25 MS. BANAEI: I will prove it to you. If you look

1 at No. 7 here, it say, on May -- May 22, 2013,  
2 complainant called NICOR twice to determine the  
3 outstanding balance on her account. Complainant was  
4 then informed that there was \$74 -- Complainant was also  
5 notified that her account was under investigation for  
6 possible self-restoration as the meter read shows gas  
7 usage on her account. So, your Honor, don't you think  
8 that if NICOR, at May 22nd, if there's -- I am an  
9 architect -- If there is 1 percent of a chance of a  
10 self-restoration and a danger, this -- We are talking a  
11 gas, a gas who can put the whole block on fire. Don't  
12 you think that they should have shut me out then and not  
13 on June 26? According to this affidavit, from the  
14 supervisor under oath, these people were aware of  
15 May 22nd that there is a possibility of me playing --  
16 messing around.

17 And according to this letter -- according to  
18 this addition here, they have sent me this letter that,  
19 due to the potential for public endangerment and the  
20 property damage, so it is not something they can. So  
21 these people, way before disconnect me on June 26, they  
22 are aware of the danger and all these things. So it  
23 wasn't about the safety. So --

24 Okay. It wasn't about the money, too.  
25 Because if you look at this document here, your Honor,

1 at 6/20- -- they send me -- the only bill they send from  
2 the before, was the bill which says issue date, 6/28.  
3 And everything was paid before that -- 598 by NICOR.  
4 The previous bill is 838; 240 I paid; 590 pay NICOR  
5 ba- -- paid; so the previous bills is zero. Okay? And  
6 the only thing, at 6/28, it says total amount due by  
7 7/22. This 193 is that, their fee for the illegal tap  
8 and also some usage when they come on 6/26. And they  
9 said, okay. There are minor usage; but they are not  
10 asking for that money until July 22nd. So basically it  
11 wasn't about the money because the money wasn't due on  
12 6/26. And it wasn't about the danger.

13 So it was about the comment that I made, as I  
14 explain in my first letter when I say to supervisor, you  
15 know, it just came out of my mouth that, wait a minute.  
16 You guys buy the oil, you know, last time, water --  
17 water, and then they paid so much. Okay? I said it,  
18 yeah. But it wasn't about the money and it wasn't about  
19 the safety, because money wasn't even due.

20 And if NICOR Gas say, "Okay. The money was  
21 due," your Honor, on 6/26 -- By the way, they  
22 disconnected on 6/25, but I didn't know because -- until  
23 the water get cold on 6/26, and then my tenant informed  
24 me. So on 6/26, I am calling NICOR and I am begging  
25 them, "Tell me, how much, do you want me? This is a

1 rental property. I just want my gas come back. How  
2 much?" They are not telling me. They say because we  
3 read it and, you know, we don't know it and until --

4 And here, I have the proof to you, your Honor.  
5 I have proof to you. 2/6 they read my meter, bill issue  
6 date -- Because they were saying we can't tell you until  
7 bill is issued. 2/6 they have read; 2/6 issue.

8 1/7 reading, the first one is previous --  
9 1/7 reading, bill issue date, 1/7. And reading 12/5,  
10 bill issued 12/5. Their excuse was because the bill is  
11 not issued, we cannot say. Why they read it 6/25? And  
12 6/26 I said, just give me a number -- 500 or 600. I go  
13 get the title loan to my car, pay you guys. Just tell  
14 me how much. And on 27th day, still, your Honor they  
15 don't give me the number.

16 And in 27th -- this is the handwriting of the  
17 ICC employee -- I am so sorry. Where is the -- Okay. I  
18 have to put it like this, and I print it like that.  
19 Okay. This is the handwriting, your Honor, of  
20 Ms. Omaira on 6/27. By the way, just before Omaira  
21 called, I called and I was talking to supervisor.  
22 Mr. Supervisor, could you tell me just how much you  
23 want? And then she is here, still didn't tell me; and  
24 then Omaira talked to supervisor. He immediately gave  
25 the number -- you know, this number. I didn't have this

1 bill at that time, this number. That's why I wrote it  
2 here. He immediately told, 193; and Omaria sau, "Give  
3 me your debit card and paid," and they still didn't want  
4 to connect. But Omaria said, wait a minute. This is  
5 the disconnection. You have all the money. Okay.  
6 There is a rental property. There is a child on  
7 handicap in the building. Then they gave an appointment  
8 for 6/29, 8:00 o'clock in the morning.

9 I did not go to Ms. Omaria to file a  
10 complaint. If you look, your Honor, I did not even file  
11 my complaint until 7/29, one month later. I went  
12 because I was miserable because they disconnected me.  
13 They were fully paid. I was willing to pay them more.  
14 I just didn't want the tenant bang on my door. The  
15 child screamed behind my door. I just wanted my gas  
16 come back and I was willing to do everything.

17 JUDGE RILEY: Now, are you the owner of the  
18 building?

19 MS. BANAEI: I am the owner of property. And, your  
20 Honor, I paid \$7,000 to put this girl out.

21 JUDGE RILEY: To put --

22 MS. BANAEI: I evicted my tenant because for two  
23 days of gas disconnection, she caused me \$7,000. I was  
24 scared to death because this woman during the previous  
25 eviction, year and a half, and the owner of the property

1 lost his property; and it was without any reason. And  
2 the reason I took her -- that she told me, that it was  
3 my landlord's fault. She showed me all the damages in  
4 her property, say, there was the damages she did. And  
5 the owner of property at that time was in Israel, and he  
6 wasn't here; and the secretary was new and I was stuck  
7 with this evil woman. And I was -- When I find out what  
8 happened, the owner called me. I was so scared and I  
9 was so careful with her. And that is why I was -- I  
10 asked NICOR, and I say to myself, I go get the title  
11 loan to -- I was begging NICOR to tell me what they  
12 want. And, you know, your Honor, I knew, that's why I  
13 went to IIC [sic]. I did some research. Where am I  
14 going to do? I can talk to these people and I hear  
15 laughing in the background; so they wanted to punish me.

16 JUDGE RILEY: What was the -- You said there was --  
17 the gas was disconnected a second time. They  
18 disconnected it the first time?

19 MS. BANAEI: The first time it was on May 2nd, and  
20 I didn't have problem with that. It was okay. I didn't  
21 pay, but I immediately jump on it.

22 JUDGE RILEY: You got the CEDA payment in and that  
23 restored your service?

24 MS. BANAEI: And I took her off it. And I took  
25 her --

1 JUDGE RILEY: And you think the second  
2 disconnection on June 26th was for retaliation simply  
3 because of --

4 MS. BANAEI: Exactly, your Honor --

5 JUDGE RILEY: -- a remark you had made?

6 MS. BANAEI: -- for retaliation because I prove it  
7 to you. It wasn't about the safety. They themselves --

8 JUDGE RILEY: I understand.

9 MS. BANAEI: -- claim that you had the gas for one  
10 month. Shouldn't a gas, if there is a possibility be  
11 disconnected immediately?

12 JUDGE RILEY: Right.

13 MS. BANAEI: So even Mr. Padron, over the phone,  
14 when I say, "Wait a minute, Mr. Padron. After I paid  
15 for a month, they still didn't come to restore my gas."  
16 Mr. Padron, with all due respect, told me, because they  
17 knew you had the gas, that's why they didn't come.

18 JUDGE RILEY: Because the gas had already been  
19 restored?

20 MS. BANAEI: Because you already the gas, that's  
21 why.

22 JUDGE RILEY: NICOR was saying you had already been  
23 self-restored?

24 MS. BANAEI: No. They restore it on May 6th.

25 JUDGE RILEY: All right.

1 MS. BANAEI: They restore it. And then I say --  
2 And I raised the issue of the safety with Mr. Padron.  
3 Oh, okay. Because, your Honor, that is what is  
4 happened.

5 On -- Okay. On August 26 -- August 26 -- If  
6 you will allow me to put one, two, three, four, five --  
7 where is six -- seven, eight, and this is the -- Okay.  
8 This is the first answer and this one. August 26th,  
9 which is this one. If you look at the August 26th, your  
10 Honor, No. 7, NICOR records show that the complainant  
11 called NICOR on 5/22 to have the gas --

12 THE COURT REPORTER: I'm sorry. The complainant,  
13 what?

14 MS. BANAEI: NICOR records show that the  
15 complainant called NICOR on 5/22 to have her gas service  
16 restored, at which time, complainant was informed she  
17 needed to pay the remaining balance of the \$74 to have  
18 her service restored. Okay? And we are talking 7/22.  
19 At that point, your Honor, I had this bill.

20 JUDGE RILEY: Was the service cut to the entire  
21 building?

22 MS. BANAEI: Yes, your Honor.

23 JUDGE RILEY: And is the service still out?

24 MS. BANAEI: No. I have service now.

25 JUDGE RILEY: Service --

1 MS. BANAEI: Because I went to Omaira, said talk to  
2 supervisor.

3 JUDGE RILEY: Okay.

4 MS. BANAEI: Tell me how much --

5 JUDGE RILEY: When was it restored?

6 MS. BANAEI: 5/29.

7 JUDGE RILEY: Well, no. It was disconnected a  
8 second time on June 26th.

9 MS. BANAEI: Yes.

10 JUDGE RILEY: Was it restored after --

11 MS. BANAEI: I'm sorry. 6/29.

12 JUDGE RILEY: Okay.

13 MS. BANAEI: I'm very sorry, 6/29.

14 JUDGE RILEY: Then it was restored almost --

15 MS. BANAEI: They weren't telling me --

16 JUDGE RILEY: -- three days later?

17 MS. BANAEI: Yes. They weren't telling me  
18 anything. I came to ICC.

19 JUDGE RILEY: Right.

20 MS. BANAEI: I did some research. What am I going  
21 to do? These people are laughing. They don't give me  
22 any --

23 JUDGE RILEY: Okay. I understand that. But I  
24 don't understand, what is your complaint if the service  
25 has been restored? Do you have an outstanding bill

1 right now?

2 MS. BANAEI: Okay. I have an outstanding bill  
3 right now because I have lost \$7,000.

4 JUDGE RILEY: Okay.

5 MS. BANAEI: And other painful things they have  
6 done to me is that they also have 500-dollar deposit.  
7 So even if I go get the help, it is very, very hard for  
8 me, you know, to -- Because right after the temperature  
9 get 32, they are going to disconnect me again. While I  
10 may be able to make it, your Honor, by just a regular  
11 bill, they have put the deposit. Please -- Please, look  
12 at this -- 457-dollar deposit. They have done that  
13 intentionally.

14 JUDGE RILEY: What date is that?

15 MS. BANAEI: This is my latest bill, your Honor,  
16 1,300. If this deposit, which right now 300 of this  
17 bill is a deposit and \$100 is that illegal tap. If  
18 \$400 can come out of this bill, with the help from CEDA  
19 and some from myself, I can make it; but they  
20 intentionally put -- And they get added every month. So  
21 this is three times -- three month added. And then they  
22 are going to have another two month. They have done it  
23 to hurt me. So there is no way for me, after losing  
24 \$7,000, I will be able to make this. But --

25 JUDGE RILEY: Okay. Let me just interrupt you a

1 second here.

2 Mr. Padron, can you shed some light on this?

3 MR. PADRON: I'll try my best. And since we're not  
4 at a hearing right now --

5 JUDGE RILEY: Right.

6 MR. PADRON: -- I'm going to speak very informally  
7 and just speak directly to you, Ms. Banaei, if that's  
8 okay. I really feel like the -- your complaint aside,  
9 all right, just from a legal standpoint, your complaint  
10 aside, I feel like the reason you're so upset is because  
11 you feel that you've been retaliated against, that you  
12 feel that NICOR is singling you out and trying to make  
13 your life --

14 MS. BANAEI: I'm very sorry. I don't feel. The  
15 reason I'm so upset, because I have become assured of  
16 it.

17 MR. PADRON: All right. So you're -- I'm correct  
18 in what I just said. Okay? The thing that you -- I  
19 can't implore to you enough, NICOR has 2.3 million  
20 customers. We don't single out people. We don't -- We  
21 don't have time. No one has time. You think that this  
22 is an intentional retaliation? It's not. It's not.

23 Now, I understand that there was, you know, an  
24 error in the first affidavit. I understand that. Okay?  
25 But the reality is, you were shut off because your gas

1 turned back on and NICOR didn't do it. And I'm not  
2 saying you did it and I'm not saying that someone you  
3 know did it, but somebody did it and it wasn't NICOR.

4 MS. BANAEI: It's referred to me. But, Mr. Padron,  
5 didn't I prove to you that the safety wasn't -- wasn't  
6 an issue and the payment was an issue. At the end --  
7 Mr. Padron, please just tell me, at the end, what did  
8 NICOR got? \$193. Couldn't they just send me -- a  
9 letter to me that this is a bill. This is your illegal  
10 tap. They come and disconnected me, and then they send  
11 me a bill. Something they just got money for it,  
12 couldn't they just send me a letter: This is an illegal  
13 tap and this is the fee. You must pay this amount. You  
14 have disconnected and this is the illegal tap. We  
15 believe you have done it without even talking to me and  
16 anything. They did their own -- This is the money you  
17 have to pay. Okay?

18 They were aware that is this a rental. Do you  
19 know how many time I talk, you know, to supervisor?  
20 They knew it's -- They knew there is a sick child. They  
21 knew that there is a handicap. They knew they did it  
22 one time before, and they knew how much it mattered to  
23 me.

24 And it wasn't about the safety. What would be  
25 the harm to send me a letter, "This is the bill you have

1 to pay. This is the tap you have to pay, otherwise, we  
2 disconnect you." And how come after disconnection --  
3 Why do you think I came to ICC? I didn't come to file a  
4 complaint. I did that one month later. It was this  
5 place who told me, you can file a complaint. I -- I  
6 came for my gas to come back because I was so miserable.  
7 So they -- Even when I wanted to pay, they say we have  
8 to wait until the bill come out. And I just proved to  
9 Judge Riley that it always come the same day. They read  
10 bill issue me the same day. Why is it that we are --  
11 They did it on 25th, and we are in the 27th, and they  
12 are not telling me how much they want. And what  
13 happened?

14 I call before Omaria called. Why is it they  
15 told her? How do you think my gas came back 29? On  
16 27 in an afternoon, up to the 12:00 o'clock, I am  
17 arguing, having this back. I came -- It took me an hour  
18 and a half from Evanston to here. Then I came; and  
19 before I call Omaria, just because I wanted to try for  
20 myself, they still didn't. Omaira called. They are  
21 playing. Omaira said, what --

22 MR. PADRON: Who is -- I don't know who Omaira is.

23 MS. BANAEI: Judge Riley knows.

24 JUDGE RILEY: No. I'm afraid I don't.

25 MS. BANAEI: One of the employee of you, Omaira

1     Figueroa.

2                     And that one, the payment on my bill, is her  
3     handwriting.

4             JUDGE RILEY:   That name may be on the Commission  
5     calendar or the Commission --

6             MS. BANAEI:   160 North LaSalle, Chicago.  This is  
7     Ms. Omaira Figueroa; and she's the employee of ICC, and  
8     this is her handwriting.  And I gave my -- This is not  
9     mine.  And this is done on 27 -- 6/27.  And I gave my  
10    debit card.  And I said, "Omaira, I just don't  
11    under-" -- "Here is my card.  Whatever they want, take  
12    it.  Take it."

13            MR. PADRON:   Can I finish?

14            MS. BANAEI:   Yes.  Go ahead.

15            MR. PADRON:   I don't mean to cut you off, but --

16            JUDGE RILEY:   Please, go ahead.

17            MR. PADRON:   I'm trying to tell that this isn't a  
18    personal thing.  Okay?  And you were shut off for a  
19    self-restore.  Okay?  And I'm sorry there was some lag  
20    time between a meter reader.  And just so you know the  
21    process, a meter reader goes out and they read the  
22    meter; and they don't -- they don't know if it's on or  
23    off or whatever.  They just read the meter, and then  
24    they put in their number and it goes into a system,  
25    because we have 2.3 million dollar -- 2.3 million

1 customers. So sometimes they read it wrong, sometimes,  
2 you know, whatever. But we have 2.3 million customers  
3 so --

4 MS. BANAEI: That is the second part, that you  
5 yourself restore it. I have another defense about --  
6 That wasn't my self-restoration on May 6. And you just  
7 yourself right now say --

8 MR. PADRON: Ma'am --

9 MS. BANAEI: Look, your supervisor has made a  
10 mistake in an affidavit --

11 MR. PADRON: No, I did- --

12 MS. BANAEI: Mr. Padron, after my document under  
13 her hand come to you --

14 MR. PADRON: Ma'am, this is why. This is why --

15 MS. BANAEI: No. May I finish?

16 MR. PADRON: No. No.

17 MS. BANAEI: It wasn't just her.

18 JUDGE RILEY: All right. Let's go off.

19 (Discussion off the record.)

20 MR. PADRON: Ma'am, let me just tell you real  
21 quick, there are a lot of phone calls with you and  
22 NICOR. There's a -- Yes, there's a long history. And  
23 what happens is, you get excited and then you say  
24 things --

25 MS. BANAEI: So you are blaming me?

1 MR. PADRON: No.

2 JUDGE RILEY: All right.

3 MR. PADRON: No, ma'am, I'm not. I'm saying,  
4 though, that that's the reason why we missed that, is  
5 because there was a lot. And we're going through a lot,  
6 and we have a lot to do. And --

7 MS. BANAEI: Mr. Padron --

8 MR. PADRON: -- it doesn't --

9 MS. BANAEI: -- the fir- -- I am talking about the  
10 first one, which was this thing that you provided.

11 MR. PADRON: The first --

12 MS. BANAEI: That was motion to dismiss. Oh, yeah.  
13 You haven't much talked then. It's an affidavit from  
14 Ms. Kyra Mitchell --

15 MR. PADRON: Right --

16 MS. BANAEI: -- under oath. She's a supervisor.

17 MR. PADRON: -- which we corrected.

18 MS. BANAEI: She's familiar.

19 MR. PADRON: And we filed --

20 MS. BANAEI: Wait a minute.

21 MR. PADRON: We filed a corrected affidavit.

22 MS. BANAEI: Wait a minute. And then my document  
23 was not only under her hand -- all this bill payment and  
24 everything. We are not talking 20-dollar payment  
25 missing or 40-dollar. We are 240-dollar payment. You

1 missed that, under oath, and you as an attorney. That  
2 is a big payment to NICOR.

3           At 6/26, I have a feeling -- I have -- At  
4 6/26, when they disconnected me, I didn't owe a penny,  
5 and that ruined my life. I had another important case  
6 in my love that was messed up. And I had 7- -- That is  
7 the reason. Shame on NICOR. They send me a bill and  
8 they ask for deposit. They are -- I had money in my  
9 bank and I am at zero because of the \$7,000 for  
10 eviction. All the document is here. And you just say,  
11 we -- what is it -- we misread that? What is it? We  
12 missed 240-dollar payment. So what -- We oversight  
13 that. Maybe you're -- What is it, your guy oversight  
14 coming and -- That is what Ms. Figueroa told me --  
15 Omaira, that I have an experience that sometimes the  
16 technician go connect, miss something --

17           MR. PADRON: The commission?

18           MS. BANAEI: The technician who go to --

19           MR. PADRON: Oh, the technician.

20           MS. BANAEI: She told me sometimes that technician  
21 goes and connect, but it has happened before, but then  
22 it get lost in -- You know, it has happened before.

23           JUDGE RILEY: Ms. Banaei, I'm just wondering if you  
24 would listen to Mr. Padron for -- uninterrupted for a  
25 few minutes. He may be able to explain to you what --

1 just exactly what's going on here. I think he's been  
2 trying to do that.

3 Mr. Padron, did you --

4 MR. PADRON: I am.

5 JUDGE RILEY: Yeah. Okay. Let Mr. Padron finish  
6 his remarks and see if it doesn't --

7 MS. BANAEI: But I'm very sorry --

8 JUDGE RILEY: -- come clearer to --

9 MS. BANAEI: -- Honorable Judge. Mr. Padron was  
10 constantly say we have 2 million, you know, customer,  
11 and we have nothing against you; and that was an  
12 oversight. Something which has turned my life upside  
13 down right now. For me, \$7,000, you know, is lots of  
14 money.

15 I went to get help from CEDA the first time.  
16 That means I have financial problem. Do you know, your  
17 Honor, what I went through to provide this  
18 \$7,000 because this woman caused her previous owner to  
19 lose her condo -- his condo.

20 JUDGE RILEY: I don't know --

21 MS. BANAEI: So it's just that, we apologize, we  
22 made a mistake. We have nothing against you. We are  
23 nice people. Bye. It's not like that, Mr. Padron.  
24 It's not like that.

25 JUDGE RILEY: Mr. Padron, please.

1           MR. PADRON: Okay. I'll make this as clear and as  
2 concise and as brief as possible. Okay? This is not  
3 retaliation. We did not turn you back on on May 6th.  
4 We didn't. Someone else did. I'm sorry that you've had  
5 problems with this account. I'm sorry that it came to  
6 this point, but you can't blame NICOR for something that  
7 it didn't do especially when it's a self-restore.  
8 Again, I'm not saying you did it.

9           MS. BANAEI: Could you answer me?

10          JUDGE RILEY: Let him finish, please.

11          MR. PADRON: Let me finish.

12          JUDGE RILEY: Please.

13          MR. PADRON: I'm not saying you did it. Okay? But  
14 what I'm saying is that -- Fine. We don't have a video  
15 or pictures of someone standing outside your house with  
16 a mask on turning your gas on, but if NICOR were to turn  
17 you back on, you would have had to schedule the  
18 appointment. Okay? And I know there's some ambiguous  
19 language in those phone calls that I transcribed, that I  
20 gave to you, that we listened to, that Judge Riley can  
21 listen to you and -- you know, I know that. I  
22 understand that. But at no point did they say or you  
23 say, "All right. We're coming on May 6th. Yes, we're  
24 coming on May 6th to turn you on." That's the first  
25 part. The second part is, that that means that someone

1 at NICOR -- they have to put in an order to the other  
2 department for them to go turn on your service. That  
3 order was never made. So that would mean that this  
4 other department just magically, telepathically know  
5 that they have to go to your house to restore your gas.  
6 And then on top of it, they note when they turn on the  
7 gas. So all of those impossible things would have had  
8 to happen. And you're talking about beyond a reasonable  
9 doubt. And I don't mean to -- We're not talking about  
10 beyond a reasonable doubt. It's -- We're talking  
11 about --

12 MS. BANAEI: That's my point of view.

13 MR. PADRON: And that's fine. But what I'm saying  
14 is, it's a preponderance of the evidence. It means  
15 what's more likely than not that happened. And what I'm  
16 telling you is that we didn't turn you on. So if you  
17 didn't turn -- I'm not saying you did. Your tenant, who  
18 is this evil person who are telling me that caused all  
19 these problems with previous landlords and everything --  
20 I don't know who did it, but it wasn't us, and I'm not  
21 saying it was you; but you were turned on.

22 MS. BANAEI: Mr. Padron, could you answer this  
23 complaint about the disconnection on 6/26?

24 MR. PADRON: Yes.

25 MS. BANAEI: This is my complaint.

1 MR. PADRON: Yes.

2 MS. BANAEI: And it's about the disconnection on  
3 6/26.

4 MR. PADRON: So on --

5 MS. BANAEI: Could you tell me why NICOR  
6 disconnected my service on 6/26?

7 MR. PADRON: Because you were self-restored.

8 MS. BANAEI: Uh-huh. Okay. Because what did you  
9 get at the end? What did you get at the end when you  
10 came on 6/29 to put me back? What did you get? Money,  
11 yeah? You got the money.

12 JUDGE RILEY: Did NICOR restore the service after  
13 6/26?

14 MR. PADRON: Yes.

15 MS. BANAEI: Yes.

16 JUDGE RILEY: Oh, okay.

17 MS. BANAEI: What did you get? Money, 193 -- The  
18 honey money. You got money. Okay?

19 MR. PADRON: Ma'am -- Ma'am --

20 MS. BANAEI: Why did you disconnected me?

21 MR. PADRON: Ma'am --

22 MS. BANAEI: Just send me a letter. You knew how  
23 it wrecked my life. Send me a letter, you are  
24 self-restored. We have our own investigation. You are  
25 self-restored. Pay this money or we come and

1 disconnect. Because I could see -- Even after  
2 disconnection, why do you think I came to ask this lady  
3 to beg me [sic]. I ask everybody, "Help me. Somebody  
4 help me."

5 MR. PADRON: And they couldn't.

6 MS. BANAEI: Huh?

7 MR. PADRON: And they couldn't. You were calling.  
8 You were begging --

9 MS. BANAEI: No. No.

10 MR. PADRON: -- them to help you. There's a  
11 freezing child, a child who's going to be sick --

12 MS. BANAEI: I tried. They told me ICC is the only  
13 one who can help you. And this lady is a witness. She  
14 can be called in a future court. I said I want Omaira.  
15 And then she told me you can complain. She told me  
16 about the -- I said that is later. Send me -- Look at  
17 this.

18 MR. PADRON: Here, wait. Ma'am -- Ma'am --  
19 Ms. Banaie, let me -- Here, we're not at a hearing right  
20 now, so let me just finish. Okay? I've been trying to  
21 finish and you won't let me.

22 MS. BANAEI: No. No. No. I asked you a question.

23 MR. PADRON: Please.

24 JUDGE RILEY: Please, let him finish.

25 MR. PADRON: So let me finish now, because

1 obviously I can't get anywhere trying to tell you what's  
2 going on. All right?

3 MS. BANAEI: No, because you know what my point  
4 is --

5 MR. PADRON: So let me -- let me --

6 MS. BANAEI: -- that's why.

7 MR. PADRON: -- just finish. I'm only going to  
8 move from right now forward. How are we going to solve  
9 this? All right. Right now, forward. Okay?

10 MS. BANAEI: Uh-huh. That is a better --

11 MR. PADRON: Okay.

12 MS. BANAEI: -- deal right now.

13 MR. PADRON: Okay. We're not going to pay for your  
14 attorney for the eviction. I'm sorry. We're not.  
15 If -- We'll give you back the money you were charged.  
16 If you really -- If this will -- If this will make this  
17 thing go away, we'll give you back the money you were  
18 charged for the self-restore.

19 MS. BANAEI: Is that the only thing I can get, your  
20 Honor?

21 JUDGE RILEY: Well, it depends --

22 MS. BANAEI: At one point, they suggested me we can  
23 credit you on your account.

24 Mr. Padron, am I right or not?

25 MR. PADRON: Yes. If there was --

1 MS. BANAEI: We can credit you \$3,000 --  
2 MR. PADRON: No.  
3 MS. BANAEI: -- on your bill. Are you denying  
4 that?  
5 MR. PADRON: Hold on. This is what I'm telling --  
6 MS. BANAEI: And then you be -- you can cash it as  
7 a check, you want that \$3,000. That was her suggestion.  
8 MR. PADRON: Ma'am, let me tell you what the deal  
9 is.  
10 MS. BANAEI: I didn't even agree to this, your  
11 Honor.  
12 JUDGE RILEY: All right.  
13 MR. PADRON: I never said I was going to give you  
14 \$3,000.  
15 MS. BANAEI: You said NICOR will credit me \$3,000.  
16 MR. PADRON: No. Hold on.  
17 MS. BANAEI: No. No. No. Yes or no, Mr. Padron?  
18 JUDGE RILEY: He's saying no.  
19 MS. BANAEI: I am a -- I am not attorney so I say  
20 it exactly as it is. I am -- I am architect. I write  
21 the size of the beams and column exactly as it should  
22 be, the same way I thought -- Did you or did you not  
23 told me that \$3,000 NICOR I can mediate, make a  
24 settlement, and we put 3,000-dollar credit. I said,  
25 "Would they give it to me?" You say no. They will

1 credit it on your gas bill, but then you yourself can  
2 cash it. Yes or no, Mr. -- I have no idea.

3 MR. PADRON: Ma'am -- Ma'am --

4 MS. BANAEI: Yes or no?

5 MR. PADRON: -- you said you wanted \$3,000 to  
6 settle. That's what you told me.

7 MS. BANAEI: I said, what is -- I only told you --

8 MR. PADRON: Hold on. Let me finish.

9 MS. BANAEI: -- what is my difficulty?

10 MR. PADRON: No. I said, what will make this  
11 settle? What do you want?

12 MS. BANAEI: Uh-huh.

13 MR. PADRON: And you said you wanted \$3,000.

14 MS. BANAEI: And then what did you say after that?

15 MR. PADRON: And then I said I can't give you  
16 \$3,000.

17 MS. BANAEI: Uh-huh.

18 MR. PADRON: Right?

19 MS. BANAEI: But what did you do after that?

20 MR. PADRON: Hold on. If there was an error --

21 MS. BANAEI: Uh-huh.

22 MR. PADRON: -- and NICOR shut you off for the  
23 wrong reason or you were owed some money because there  
24 was an error and they overcharged you some amount --

25 MS. BANAEI: Mm-hmm.

1           MR. PADRON:  -- then they could credit your  
2 account --

3           MS. BANAEI:  Okay.

4           MR. PADRON:  -- that amount.

5           MS. BANAEI:  Okay.  Judge, that is fine.

6                    Okay.  So if there is error, don't you  
7 think -- I am not talking about the second -- May 2nd.  
8 I am talking on 6/26.  Don't you think that the NICOR  
9 cut my gas by error and --

10          MR. PADRON:  No.

11          MS. BANAEI:  No.  No.  No.  May 2nd didn't put me  
12 through this misery.

13          MR. PADRON:  I didn't say May.

14          MS. BANAEI:  May 2nd didn't put me through this  
15 misery.

16          MR. PADRON:  It was June 26th.

17          MS. BANAEI:  June 26 caused --

18          MR. PADRON:  And I'm saying no.

19          MS. BANAEI:  -- this problem.

20          MR. PADRON:  I'm saying no.  We shut you off  
21 validly on June 26th.  That's what I'm saying.

22          MS. BANAEI:  And why?

23          MR. PADRON:  Because you were self-restored.

24          MS. BANAEI:  Uh-huh.  So you cut when the people  
25 are self-restored.  Why?

1 MR. PADRON: What?

2 MS. BANAEI: Why did you do it? For why? For  
3 safety you did it, yeah?

4 MR. PADRON: Well, you self-restored. You broke  
5 the law.

6 MS. BANAEI: No. Two -- Two -- Yeah, for two  
7 reason -- one for safety. Why should --

8 MR. PADRON: The reason -- The reason --

9 MS. BANAEI: No. No. No. Why should you cut me?  
10 Why should you cut me?

11 MR. PADRON: You broke the law.

12 MS. BANAEI: Uh-huh. Why should you cut me? Get  
13 the money and come and connect me. Can you --

14 MR. PADRON: Well, you broke the law.

15 MS. BANAEI: I broke the law?

16 MR. PADRON: We turned you off. We charged you an  
17 amount. You paid it. We turned you back on --

18 MS. BANAEI: Uh-huh. Uh-huh.

19 MR. PADRON: -- three days later.

20 MS. BANAEI: Okay. So you got the money and you  
21 did it?

22 MR. PADRON: Yes.

23 MS. BANAEI: Uh-huh. Okay. Couldn't you just send  
24 a letter to me and say, you are self-restored. You owe  
25 this money and --

1 MR. PADRON: We did send you a letter.

2 MS. BANAEI: No. What I'm saying --

3 MR. PADRON: Yeah, we did sent you a disconnection  
4 letter and we sent you --

5 MS. BANAEI: No. I'm saying --

6 MR. PADRON: That letter you just read to the  
7 Judge.

8 MS. BANAEI: On 6/26, you did not send me anything.  
9 You just disconnected me. Here it is. And the bill  
10 came a few days after on -- what is it -- I even  
11 received the bill and everything on --

12 This is the date, your Honor, 6/28.

13 I receive it three, four days after.

14 MR. PADRON: Okay.

15 MS. BANAEI: And this money is not even due until,  
16 you know, sometimes after, on the bottom of it.

17 Bill here, your Honor, say -- you see, it  
18 says, due -- total amount due by 7/22. So it was wasn't  
19 even due.

20 And that is what is bothering me. If NICOR  
21 wants to discuss the safety, which they don't say how  
22 dangerous it is, they knew -- one month they knew. And  
23 there is a possibility on all this.

24 JUDGE RILEY: What did --

25 MS. BANAEI: Your Honor, I have to get some water

1 because --

2 JUDGE RILEY: Okay.

3 MS. BANAEI: -- I have a blood sugar problem. I'm  
4 sorry.

5 JUDGE RILEY: Okay. Let's go off the record for a  
6 moment.

7 (A short break was had.)

8 JUDGE RILEY: Mr. Padron, were you ...

9 MR. PADRON: So I think where we're at right now,  
10 again, trying to look toward the future as to how we're  
11 going to resolve this is, we have one of two ways we can  
12 resolve it. The Judge will tell you this himself. We  
13 can either proceed to a hearing and then let the Judge  
14 make a ruling or we can resolve it ourselves.

15 It's my position, after looking at all this  
16 stuff, that what the ICC can award you, what -- that  
17 anything they can give you, right, is an error on a  
18 bill. Okay? It's my position that the rules indicate  
19 that the ICC cannot mandate that NICOR pay you  
20 attorney's fees for an eviction case. Okay?

21 So the issue that's here is the billing of  
22 turning you off, whether or not we turned you off  
23 properly. We feel we turned you off properly. And I'm  
24 sorry that there was -- I'm sorry that there's been  
25 problems and everything. And I'm sorry that you have --

1 I'm sorry you're behind on your payment right now.

2 MS. BANAEI: But who put me behind the payment?

3 MR. PADRON: Well, anyway -- regardless. So the  
4 issue is, like I said, we feel that you were validly  
5 disconnected. And even if you weren't, if -- if we were  
6 to proceed to hearing and Judge Riley said, "You know  
7 what? That \$150 or whatever it is that you guys charged  
8 Ms. Banaei for self-restoration, that was improperly" --  
9 "that was improperly assessed against her, improperly.  
10 You need to pay her that" -- "credit her that money."  
11 Fine. I'm telling you right now, we'll do that right  
12 now. Okay? We'll do that right now. We'll give you  
13 back whatever we charged you for the self-restoration.

14 And then as far as -- as the law is concerned,  
15 the matter is over in front of Judge Riley. So I'm  
16 trying to tell you that -- Let me give you what I can  
17 right now so we can finish this.

18 MS. BANAEI: Yeah. Okay. So, Mr. Padron, with all  
19 due respect, you only have heard 20 percent. You have  
20 haven't heard all the proof I have against -- that it  
21 was NICOR --

22 MR. PADRON: And we're not --

23 MS. BANAEI: -- came and connect --

24 MR. PADRON: And we're not --

25 MS. BANAEI: -- and my conversation with Kim and

1 everything. Although you try to turn it and have your  
2 own interpretation when you were file, when you were  
3 referring to the Kim, while it was very clear. I have  
4 an very accurate --

5 And thank you very much for the \$150. I don't  
6 want it. Because when I filed the complaint, one of  
7 your own supervisors call me and say, "Why don't you" --  
8 Don't continue; withdraw or something. We give that you  
9 120-something back or something. And I will go ahead.  
10 The \$153 -- is nothing.

11 What I want from you is a letter of an  
12 apology, that we made a mistake and disconnect you on  
13 6/26. And at this point, I want to -- I find something.  
14 Remember, I was looking for something when I got  
15 started. This is beyond reasonable doubt.

16 This is Mr. Padron writing referring to  
17 Ms. Kyra. So NICOR records show that the complainant  
18 called NICOR on 5/22 to have her gas service restored.  
19 Okay? At which time, complainant was informed that she  
20 needed to pay the remaining balance of the \$74 to have  
21 her service restored -- by referring to Kyra. Okay?

22 At that point, I already, your Honor, received  
23 this bill -- bill issue date, 5/15. I receive it 18th.  
24 And in this bill issue date, I owe, you know -- although  
25 there was some time for it -- but I owe much more than

1 this \$74. And that was in the case; I brought it up in  
2 my writing. They would have restored my service with  
3 the \$74, as they claim, but I say -- because I already  
4 had this bill and I owe another \$240 -- but I say to  
5 myself, look, these people are saying, you know, \$74 at  
6 that time. They are not going to connect me; a littler  
7 later, badgering me and are asking for the 240 because  
8 this bill is issued -- 747 minus \$75, 672, you know; and  
9 then \$500, 600 was paid by the -- You know, they  
10 considered that. So 250 I had -- I had this bill in  
11 front of me. I say, let's wait.

12 A little later, your Honor, on 6/6, I paid  
13 these people -- instead of \$74 that they want to have me  
14 restore, I pay them \$240 and they still didn't restore  
15 me. What is this? They said here is a clear.  
16 According to Nida (phonetic), they just want \$74 to have  
17 it restored.

18 JUDGE RILEY: I'm still not sure which dates you're  
19 referring to. You were disconnected in early May.

20 MS. BANAEI: Mm-hmm.

21 JUDGE RILEY: NICOR says you were self-restored.

22 MS. BANAEI: Mm-hmm.

23 JUDGE RILEY: And they disconnected you again on  
24 June 26th?

25 MS. BANAEI: Yes.

1 JUDGE RILEY: And then you made a payment or for  
2 whatever reason -- then NICOR restored your service?

3 MS. BANAEI: On 29.

4 JUDGE RILEY: Right. And you want an apology from  
5 NICOR for having disconnected you in May because you're  
6 saying --

7 MS. BANAEI: No. No. No. On 6/26, that is  
8 what --

9 JUDGE RILEY: Oh, I'm sorry. On June 26th?

10 MS. BANAEI: On June 26th.

11 JUDGE RILEY: And NICOR said the reason that  
12 they -- that they discontinued your service at that time  
13 is because they found you had been self-restored.

14 MS. BANAEI: Uh-huh.

15 JUDGE RILEY: And they were perfectly within their  
16 own rules and regulations to do that.

17 MS. BANAEI: Uh-huh. But why is it, your Honor,  
18 that when I wanted to pay them, they didn't take the  
19 payment? Why should I come to Omaira?

20 JUDGE RILEY: No. What payment -- What amount and  
21 what date were you --

22 MS. BANAEI: Uh-huh. 6/25 they disconnected me,  
23 your Honor.

24 JUDGE RILEY: All right.

25 MS. BANAEI: Please, you tell me. 6/26 I become

1 aware by the banging on my door. I called them and I  
2 say, "Okay. What do you want? What is it you want me  
3 to give you, money? Just name" -- "name the price.  
4 Name your price. What else can I do?" Okay. They  
5 don't tell me how much they want.

6 JUDGE RILEY: But the service was restored on the  
7 29th by NICOR.

8 MS. BANAEI: By NICOR, thanks to Ms. Omaira and  
9 ICC.

10 JUDGE RILEY: Well, I don't think it was because of  
11 Ms. Figueroa, I really don't. I don't think anyone  
12 would have that authority at the Commission to simply  
13 direct NICOR to restore your service.

14 MS. BANAEI: No. She contacted. I said,  
15 Ms. Omaira, this is my problem. This is a rental  
16 property. There is a banging on my door. I am willing  
17 to pay. They are not taking the payment.

18 JUDGE RILEY: What is it that you want out of this  
19 docket right now? What -- What -- What is your -- What  
20 relief are you seeking?

21 MS. BANAEI: I am seeking the relief that NICOR  
22 accept that they illegally disconnect me on 6/26,  
23 because on May 3rd -- on May 6th, they connect it  
24 themselves. And I have proof about that.

25 JUDGE RILEY: So you're saying that it was not

1 self-restored?

2 MS. BANAEI: It wasn't self-restored. And look  
3 what these people did.

4 JUDGE RILEY: But NICOR's records are going to show  
5 precisely the opposite.

6 MS. BANAEI: No. No. No. I have to open it up.  
7 I have to turn -- bring all the transcript and  
8 everything.

9 JUDGE RILEY: Bring --

10 MS. BANAEI: Show you the transcript, and you will  
11 see that NICOR themselves have done that.

12 JUDGE RILEY: And Mr. --

13 MR. PADRON: He has the transcript.

14 MS. BANAEI: Okay. Now, do you want me to go over  
15 the transcript?

16 JUDGE RILEY: What transcript?

17 MS. BANAEI: The transcript of my conversation with  
18 NICOR. Okay?

19 Okay. We go --

20 MR. PADRON: Why don't you refer to the page?

21 MS. BANAEI: No. Why don't we -- Why don't we --  
22 Uh-huh. At the beginning -- Okay. No. It is fast.  
23 It's going to be -- Good afternoon. The other two --  
24 And I am --

25 MR. PADRON: Ma'am, I don't know where you're -- I

1 don't know what you're looking at.

2 MS. BANAEI: Kim -- Kim.

3 MR. PADRON: What page is it?

4 MS. BANAEI: Exhibit C.

5 MR. PADRON: Exhibit C?

6 MS. BANAEI: Yes.

7 MR. PADRON: Okay.

8 JUDGE RILEY: Is there a page number?

9 MS. BANAEI: Yes. Page 1 of 5, page 2 of 5.

10 Okay. We'll start with page 1 on No. 20 and

11 it will be very fast.

12 Okay. And did you let them know that your

13 service is already off?

14 BANAEI: Yes.

15 NICOR: Okay.

16 BANAEI: I have tenant in the building. There is a

17 children in the building. Everybody has got cold. We

18 can't go to school. We can't go to work.

19 NICOR: Okay. Okay.

20 BANAEI: We are all sick.

21 NICOR: Okay. So we have to wait for the LIHEAP

22 payment to come in.

23 THE COURT REPORTER: For which payment?

24 MS. BANAEI: We have to wait for the LIHEAP

25 payment --

1 MR. PADRON: LIHEAP.

2 MS. BANAEI: Uh-huh.

3 NICOR: (Continuing.) -- LIHEAP payment to come in.  
4 So I know that you say that they are not answering their  
5 phone.

6 BANAEI: Yeah, that might take long time that you  
7 receive. Uh-huh.

8 Here. Now -- Now, your Honor, I am in the  
9 agency community service, which is like a branch of  
10 LIHEAP on the North Side. The two first employee of  
11 NICOR I am telling, and that is when I say -- really  
12 drive me nuts. The two first are telling me no. It  
13 should be after the payment is received by the NICOR.  
14 And this about the May 3rd. This is -- They say -- This  
15 is May 3rd. I have gone and I have been qualified by  
16 the LIHEAP, that they pay me \$600. I have done my  
17 75-dollar good faith payment and it is the instruction  
18 of that office -- the local office of -- LIHEAP tell me,  
19 go call the LIHEAP and do -- just following their  
20 instruction step by step.

21 When I talk to the first and second agent,  
22 they are telling me that it has -- the money actually be  
23 paid. Why the very knowledgeable man, who processed my  
24 application and everything over there, is telling me no,  
25 it is not that they should receive the money. It

1 should -- when we -- when it is processed, the payment,  
2 you are guaranteed. There is a guarantee that the money  
3 be paid to the -- to the NICOR.

4           And it makes sense to me, too, because it --  
5 That's why I keep calling because I can't understand, a  
6 family of how -- They have children, husband and wife  
7 are working to make it, children are going to school.  
8 The payment comes in a month. Some misfortunate  
9 happen -- unfortunate happen in their life, they get  
10 qualified. Why should they wait for a month? Their  
11 whole life get upside down. It doesn't make sense. To  
12 my logic, doesn't make sense. To -- The representative  
13 of the LIHEAP tell me no. After the payment is -- the  
14 payment that they are going to get is processed. And  
15 there are a couple of other people in that community  
16 local office who tell me they have had this problem.  
17 From the time they came to local office, they got  
18 qualified -- one of them say 24 hours, the other one say  
19 48 hours. That's why I keep calling because, to my own  
20 logic, it doesn't make sense. And Kim answered finally  
21 me.

22           But at the beginning, she said payment, and I  
23 opened it up and it -- Well, as soon as they put -- as  
24 soon as NICOR, as soon as they get start to process the  
25 payment. And Mr. Padron many time referred to the

1 payment, why Kim is very clear, so does the  
2 representative in that, so does the other two, three  
3 people their gas connected. Process the payment is not  
4 the payment. With us, it pops out on your account.

5 And see, your Honor, how detail I get. And  
6 then we -- you know, as soon as we see that --

7 BANAEI: Even if it is -- Even if it is not paid,  
8 but as long as they just inform they are going to pay  
9 then, you know, you come and connect me, yes?

10 NICOR: Right.

11 She is saying right. Yeah, we.

12 As soon as we see that on the account -- As  
13 soon as they start processing it -- The processing is  
14 different than a payment. Okay?

15 So when it comes up -- And then I get to --  
16 Okay. How long does it take from the time they process  
17 a promise payment, it pop up on your account? And she  
18 clearly tell me, one to two days.

19 These are all the things that the guy in that  
20 local office is also saying; so does the other people.  
21 That's why I keep calling, to start your account for  
22 you. So we just have to wait to do that.

23 BANAEI: Oh.

24 Because it takes a long time until they  
25 actually pay it. But what you are saying is as long as

1 they just say that they are going to pay -- How many  
2 time should I --

3 NICOR: Right. Yeah.

4 BANAEI: Okay.

5 JUDGE RILEY: Okay. I've got a good -- Again,  
6 what -- what relief are you seeking?

7 MS. BANAEI: The one that Mr. Padron told me over  
8 phone is very fair -- a letter of apology that they, by  
9 mistake -- Your Honor --

10 JUDGE RILEY: No. Miss, we've been over this.  
11 Their disconnection of you in May of 2013 was for a  
12 valid reason.

13 MS. BANAEI: No, it wasn't, your Honor.

14 JUDGE RILEY: And they're --

15 MS. BANAEI: They connect it themselves. Because I  
16 have to go over rest of it. These people connected --  
17 connected themselves. Your Honor, if the supervisor has  
18 made a mistake, \$243, don't you think that the  
19 technician also might have made it? This is from  
20 Omaira. I have no idea. She told me, no, it has  
21 happened before. They go, they do a report. It get  
22 lost.

23 JUDGE RILEY: NICOR is like most other utilities;  
24 they're huge corporations. They have --

25 MS. BANAEI: That's why they made the mistake.

1           JUDGE RILEY:  -- millions of customers and  
2 thousands of employees, great big corporate buildings  
3 with multiple divisions.  And occasional mistakes are  
4 going to be made.  They happen everywhere.

5           MS. BANAEI:  Mm-hmm.

6           JUDGE RILEY:  It happens in government.  It happens  
7 in utilities.  It happens in --

8           MS. BANAEI:  So does with the connection, your  
9 Honor.

10          JUDGE RILEY:  But there's nothing deliberate about  
11 it.  There's nothing vindictive about it.

12          MS. BANAEI:  I'm not saying deliberate.  I said  
13 they made a mistake.  Because there is -- There has no  
14 reason for me.  I follow all the avenue.  I was waiting  
15 for these people, and I had the gas.  Why should I do  
16 that?  They didn't know they were -- They have done it a  
17 second time, too.  And that is even -- Believe me, if  
18 they didn't do the second time, this wouldn't, you  
19 know --

20          JUDGE RILEY:  Mr. Padron, what was the reason for  
21 the first disconnection in May?

22          MR. PADRON:  I think you were confused when Judge  
23 Riley was just saying that we validly turned you off on  
24 May 2nd.  You're not contesting that we validly shut you  
25 off on May 2nd, the first shutoff?

1 MS. BANAEI: Yes. I am not talking about the  
2 shutoff.

3 MR. PADRON: That's what he was referring to.

4 MS. BANAEI: I am telling -- I am telling that you  
5 connect it yourself.

6 MR. PADRON: Ma'am --

7 JUDGE RILEY: Okay. There's a word on impasse  
8 there, because you're saying that NICOR reconnected you  
9 after the May disconnection. And they're --

10 MS. BANAEI: On May 6th.

11 JUDGE RILEY: And they're saying that your building  
12 was self-restored, not necessarily by you, but by  
13 someone. And you, as the owner of the building and the  
14 name on the account, are held responsible for that.

15 MS. BANAEI: Nobody did it, your Honor.

16 JUDGE RILEY: And they -- That was the reason for  
17 the second disconnection. And then it was validly  
18 reconnected on --

19 What was it, June 29?

20 MR. PADRON: Correct.

21 MS. BANAEI: Your Honor, not me. The people in my  
22 building, as long as this girl was crook -- but she  
23 wasn't the type to go and play --

24 JUDGE RILEY: But this is all -- But this is all  
25 irrelevant as to who- --

1 MS. BANAEI: No. No. No.

2 JUDGE RILEY: -- whoever this other person was.

3 MS. BANAEI: What I'm saying -- You are saying  
4 other people. No, it wasn't. It was NICOR themselves  
5 who connected it. And then, you know what? They  
6 disconnect me the second time. If I didn't make that  
7 comment, they would have not dis- -- They waited, your  
8 Honor. This -- As I told you, it is not about the  
9 money. And it -- At that point, it wasn't about the  
10 money and it wasn't about the safety. It was to first  
11 get all the winter bills -- all the winter big bills,  
12 because after that, on 6/26, it wasn't much of a money,  
13 \$100. They already read that. The guy who come on  
14 6/25 -- I became aware 6/26 -- he said, there are not  
15 much of a gas use. Okay. They weren't concerned with  
16 that 93-dollar self-restoration. See, because they knew  
17 I haven't done it. And there was a little gas. So the  
18 guy, dispatch said, there's not much of a gas. Shut it  
19 off. Winter is over. She has paid \$240. NICOR has  
20 paid \$600, \$75 good faith. We are going to give it to  
21 her. Okay?

22 JUDGE RILEY: What does this tend to prove?

23 What -- What --

24 MS. BANAEI: Retaliation. Shut your mouth. Don't  
25 mess with us. How dare you to say that we buy the

1 water, you know, the gas less than the water -- water,  
2 you know. It was -- It was a supervisor and he even  
3 hang up on me. So they just waited to get the winter  
4 bill, and then here it is, you know. They knew that it  
5 still cause a big mess when the tenant cannot get the  
6 shower or something. That was the reason.

7 JUDGE RILEY: Mr. Padron, what can NICOR offer the  
8 complainant in a way of a settlement, if anything?

9 MS. BANAEI: Mr. Padron, I'm not a --

10 JUDGE RILEY: Please -- Please, let me hear his  
11 answer.

12 MS. BANAEI: I'm sorry.

13 MR. PADRON: We will remove all -- Pardon me. We  
14 will remove all charges related to the self-restoration  
15 even though -- I'll leave it at that. That's what we  
16 will do. We will remove and credit you all the charges  
17 associated with the self-restoration.

18 MS. BANAEI: This is what you told me nine months  
19 ago, remember? I say no.

20 JUDGE RILEY: And that's NICOR's position.

21 MR. PADRON: Yes.

22 JUDGE RILEY: That's what NICOR's position --  
23 Ms. Banaei, you're entitled to your day in court.  
24 You're entitled to come back for a full evidentiary  
25 hearing. Whatever it is you're going to try and prove

1 with regard to retaliation, I think you've got a very,  
2 very difficult job on your hands, I really do. And I  
3 have to tell you very freely, you don't have a lot of --  
4 there's not a large chance of you prevailing in an  
5 evidentiary hearing, if that's what -- if that's what  
6 the relief is that you seek. Even if you did prove that  
7 they -- what they did was retaliatory, what other  
8 relief -- what good would that do you?

9 MS. BANAEI: The most important things to me -- The  
10 most important thing, as much as I have a financial  
11 problem, is that a letter from NICOR that on 6/26 we  
12 made a mistake, that is the most important thing to me.

13 MR. PADRON: Ma'am -- Ma'am, I'm not going to  
14 tell -- I can't send you a letter saying that on 6/26 we  
15 made a mistake because we didn't. I can send you a  
16 letter saying I'm sorry that this --

17 MS. BANAEI: No.

18 MR. PADRON: -- that, you know, you had to go  
19 through whatever, but --

20 MS. BANAEI: No, Mr. Padron. One month before that  
21 NICOR knew that there is a possibility of  
22 self-restoration. I can take that to lots of places,  
23 that wasn't NICOR concerned why -- the whole block go on  
24 fire, with the possibility? So they -- the reason you  
25 were comfortable because you -- you connected me.

1 MR. PADRON: No.

2 JUDGE RILEY: No. NICOR has repeatedly stated they  
3 did not -- they did not --

4 MS. BANAEI: It is not --

5 JUDGE RILEY: -- they did not do that reconnection.

6 MS. BANAEI: It is not what they say. It is a  
7 document. I just show you that they are aware --

8 MR. PADRON: Ma'am --

9 JUDGE RILEY: That's not proof of anything.

10 MS. BANAEI: -- that one month before, there is a  
11 possibility of a self-restoration. If there is a  
12 possibility of self-restoration, why you didn't, you  
13 know, disconnect --

14 JUDGE RILEY: What NICOR -- What NICOR is saying is  
15 what they do know is that they -- it was not NICOR --

16 MS. BANAEI: It wasn't NICOR.

17 JUDGE RILEY: -- that restored your service.

18 MS. BANAEI: So isn't it dangerous, your Honor?

19 JUDGE RILEY: Well, yes, it would be dangerous.

20 MS. BANAEI: Uh-huh. So why they didn't take --

21 JUDGE RILEY: That's -- I can't answer that.

22 MS. BANAEI: Because they know.

23 JUDGE RILEY: I can't answer that, but --

24 MS. BANAEI: No. Obviously NICOR doesn't want the  
25 block go on fire. It be on the newspaper and

1 everything. So --

2 JUDGE RILEY: Self-restoration can be a very  
3 dangerous situation.

4 MS. BANAEI: Very dangerous. Why they didn't  
5 disconnect immediately? Okay?

6 Because you knew you have done it.

7 JUDGE RILEY: Well, please -- please let him  
8 answer.

9 MR. PADRON: Ma'am, I can't stress to you,  
10 2.3 million customers --

11 MS. BANAEI: What do you want me --

12 JUDGE RILEY: Please. Please.

13 MR. PADRON: -- in the entire state of Illinois.  
14 It's unfortunate. I wish they had come out the next day  
15 and maybe we wouldn't be here. I don't know. But the  
16 reality is, there was a self-restoration and we got to  
17 it when we got to it. And that's --

18 MS. BANAEI: You got to it when you got to it?

19 MR. PADRON: Yes.

20 MS. BANAEI: That's it?

21 MR. PADRON: Yes, that's it.

22 MS. BANAEI: Mr. Padron, it is very easy for NICOR,  
23 after it gets --

24 MR. PADRON: No, it's not easy.

25 MS. BANAEI: -- all the winter money, just make an

1 order, go disconnect.

2 MR. PADRON: That's what I'm --

3 MS. BANAEI: It was very easy for NICOR to do it,  
4 and they did it. Okay?

5 And by the way, these are the people, your  
6 Honor, I had a house -- I had a house, I told you, at  
7 1822 Dodge. Your Honor, you have to hear that. This  
8 was my rental property.

9 JUDGE RILEY: Right. I understand.

10 MS. BANAEI: Out of NICOR mistake, I lost that  
11 house. The tenant -- This is Evanston, very liberal  
12 city. The tenant didn't have the money, called NICOR,  
13 there is a leak. Okay? After it's gas leak.

14 MR. PADRON: Are we talking about this case?

15 MS. BANAEI: Hold on.

16 The building, 1822 Dodge -- The building got  
17 shut down. Finally, I gave the building to the bank.  
18 Just --

19 MR. PADRON: I don't mean to cut you off, ma'am --

20 MS. BANAEI: Just -- Just before that, it was  
21 proven by an expert, there was never a leak in that  
22 building. You have no idea what these people have done  
23 to me --

24 MR. PADRON: Ma'am --

25 MS. BANAEI: -- how bad they are.

1 MR. PADRON: Ma'am --

2 JUDGE RILEY: Now you're saying that NICOR made a  
3 mistake at some other --

4 MS. BANAEI: I lost my house because --

5 JUDGE RILEY: Well, I --

6 MS. BANAEI: -- of NICOR, believe it --

7 JUDGE RILEY: They made a mistake --

8 MS. BANAEI: -- because of technician.

9 JUDGE RILEY: -- at some other house; therefore,  
10 they're making a mistake here?

11 MS. BANAEI: No. No. What I'm saying is that, the  
12 extent of it, that is why I became so determined to do  
13 something about these people. These people just do  
14 whatever. I don't know what --

15 JUDGE RILEY: No.

16 MS. BANAEI: -- was happening between that female  
17 girl in the coach house of 1822 Dodge and your  
18 technician, but I am not going to put up with this. I  
19 have worked very hard to become an architect. I do my  
20 work accurately. You don't see any document, "I  
21 apologize for any mistake," especially under oath and  
22 stuff like that. You have made a mistake. I could have  
23 let you first -- you know, you blaming me for the first  
24 one go, but not the 6/26. I have lost all my money. I  
25 have -- I am sick. I go to Cook County Hospital because

1 of all this mistake. What is it that people make a  
2 mistake? We have -- How simple, we oversight that.  
3 That's it. How simple? Under oath, a statement from  
4 supervisor and, you yourself, who is studying my  
5 document, we oversight that.

6 JUDGE RILEY: Where do we go from here? That's  
7 what I want to know.

8 MS. BANAEI: I want -- The first thing I want -- or  
9 I continue with this thing -- a letter of apology that  
10 on 6/26, by mistake --

11 JUDGE RILEY: That's not going to happen, no.

12 MS. BANAEI: But you are saying --

13 JUDGE RILEY: NICOR had -- Counsel for NICOR has  
14 said that.

15 MS. BANAEI: Okay. Yeah. But they are saying here  
16 with the payment of \$74 they would have -- Your Honor,  
17 they are saying they know what the situation is. Okay?  
18 This is the time. This is 5/22 when they are saying  
19 that there is a possibility of self-restoration and  
20 stuff like that. On 5/22, they are saying that there is  
21 a possibility you have connected gas and all these  
22 things, but if we get \$74, we get it restored on a  
23 computers and all these things and your problem will go  
24 away. I don't know if I explain it very well. In an  
25 other affidavit --

1 JUDGE RILEY: But what does this -- all of this  
2 tend to prove? That's what I'm saying. What --

3 MS. BANAEI: What I'm saying is that this is an  
4 another mistake they did. And with payment of \$74, you  
5 know, they could have had my problem go away. By the  
6 way, it's just the same. That's why I waited a little  
7 bit and I paid 243, because I said these people don't  
8 even recognize their own bill.

9 JUDGE RILEY: I'm still not certain where we go  
10 from now -- from this point.

11 MS. BANAEI: Okay. I just said it one time. I  
12 want a letter of apology that you made a mistake or I  
13 will continue with that. And I want 3,000-dollar credit  
14 on my NICOR gas bill.

15 JUDGE RILEY: And what Mr. Padron has said, the --  
16 NICOR's position that they will credit you for the  
17 amount of the --

18 MR. PADRON: Self-restoration.

19 JUDGE RILEY: -- self-restoration, and that's --  
20 we're at an impasse right there.

21 MS. BANAEI: And then they charge it later to the  
22 gas bill.

23 JUDGE RILEY: Well, what I'm -- My question is: Do  
24 you want to go to hearing --

25 MS. BANAEI: Yes, I want to go.

1 JUDGE RILEY: -- on what you've --

2 MS. BANAEI: These people have done a lot to me,  
3 and enough is enough.

4 JUDGE RILEY: And there's no way I could dissuade  
5 you by saying that it's going to be very difficult for  
6 you to prove your -- prove your --

7 MS. BANAEI: I think I can.

8 JUDGE RILEY: -- to prove that you --

9 MS. BANAEI: I can, your Honor.

10 JUDGE RILEY: You're essentially proving  
11 retaliation.

12 MS. BANAEI: Reckless act.

13 JUDGE RILEY: You're alleging retaliation.

14 MS. BANAEI: Reckless act, no regard for -- Your  
15 Honor, I wasn't the only one. And you know what? As I  
16 prove, I want to say what they did get finally, just --  
17 just a little money, near \$200. So it wasn't about the  
18 safety. It wasn't even about the money --

19 JUDGE RILEY: All right.

20 MS. BANAEI: -- because I was willing to give it to  
21 them. Why is it that your employee didn't take my  
22 credit card on 6/26 and was laughing behind --

23 JUDGE RILEY: Well, that's --

24 MS. BANAEI: Your Honor, why do you think I came to  
25 this lady?

1 JUDGE RILEY: I understand that. I understand.

2 MS. BANAEI: When you put all this together, you  
3 will see that they -- they wanted to keep me in a state  
4 of disconnection. That is what they wanted because they  
5 knew the amount of harm it can cause --

6 JUDGE RILEY: I --

7 MS. BANAEI: -- and it did.

8 JUDGE RILEY: -- caution you again. It's going to  
9 be very, very difficult for you to prove that in  
10 evidentiary hearing with the documentation you have  
11 there.

12 MS. BANAEI: No. I can prove it, your Honor. I  
13 can prove it.

14 JUDGE RILEY: But if you do want your day in court,  
15 you're more than entitled to it.

16 MS. BANAEI: Yes, I do.

17 JUDGE RILEY: That's all I can --  
18 Counsel, that's all I can --

19 MS. BANAEI: Your Honor, all you --

20 JUDGE RILEY: Because we've been over and over and  
21 over this.

22 MS. BANAEI: Your Honor, all you -- if you were in  
23 my shoes, would you just get the \$100 and -- the  
24 \$100 that you are sure. It will be added \$300.

25 JUDGE RILEY: There's no possibility that I can

1 answer that because I'm not in your position.

2 MS. BANAEI: No. But you see it.

3 JUDGE RILEY: My circumstance is irrelevant.

4 MS. BANAEI: But you see -- you see what is going  
5 on.

6 JUDGE RILEY: Yes, I do.

7 MR. PADRON: Well -- And I mean, I don't want to be  
8 cold, if you will. Okay? But the reality is, is that,  
9 I think I have every right now to say that we're going  
10 to credit you. Regardless of whether or not you want it  
11 or not, we're going to credit you all the charges for  
12 the self-restoration, and then I'm going to move for  
13 summary judgment because what you want, the ICC cannot  
14 give you. You want \$3,000 for an eviction? The ICC  
15 can't give you \$3,000 for an eviction.

16 MS. BANAEI: Mr. Padron, what I want in the very  
17 bottom of my heart is continue with this case and prove  
18 my point. Either I win or I don't. You don't know me.

19 MR. PADRON: Okay.

20 MS. BANAEI: You don't know me. I am not that much  
21 the money person, I am not. The day -- The day, on  
22 6/26 and 6/27, I say, I get loan on my car. My tenant  
23 should not -- I don't want this shouting in the  
24 building. There is the shout -- screaming in the yard  
25 and stuff like that. To me, integrity, righteousness,

1 these sort of things are more important. If -- If I  
2 didn't that type of a person, I wouldn't have studied  
3 architecture.

4 MR. PADRON: All right.

5 MS. BANAEI: There was very other field I could  
6 have studied. I could go work for a Mary Kay and make  
7 ten times of the money I make right now, hundred times  
8 of the money I make right now. To me, there are other  
9 things which is important. What I want to continue,  
10 either you accept or you don't. I continue. To me what  
11 is more important is my background, my resume, what is  
12 about me in a computer here and there not money. Okay?

13 JUDGE RILEY: All right.

14 MS. BANAEI: But I am willing to cut it short for  
15 you guys. Okay? That letter doesn't change. Okay?  
16 That letter stay. You don't give me any money. You  
17 give me a letter. Don't give me penny. Okay? Just  
18 give me a letter, you made the mistake on 6/26.

19 MR. PADRON: Ma'am --

20 MS. BANAEI: That is what I want.

21 MR. PADRON: Ma'am, we didn't make a mistake.

22 MS. BANAEI: Judge --

23 JUDGE RILEY: You're asking them to admit to  
24 something that did not occur.

25 MS. BANAEI: Okay. Okay. I can prove it.

1 JUDGE RILEY: All right.

2 MR. PADRON: With what?

3 MS. BANAEI: I can prove it.

4 MR. PADRON: With what?

5 MS. BANAEI: With all I have, with everything I  
6 have.

7 MR. PADRON: Well, this is everything you have,  
8 right?

9 MS. BANAEI: No. No. There are a lot more.

10 MR. PADRON: There's a lot more?

11 MS. BANAEI: Yeah, but it's enough.

12 JUDGE RILEY: Ms. Banaei, if we do go to hearing, I  
13 want you to be able to come in. You're going to have to  
14 proceed first as you are the complainant.

15 MS. BANAEI: Mm-hmm.

16 JUDGE RILEY: And you are going to have to lay out  
17 your case exactly what it is that you intend to prove,  
18 what Commission rules or what Illinois statutes have  
19 been broken or violated. And you're going to have to  
20 bring all of the documentation with you that would tend  
21 to prove what your case is. And as of right now, what  
22 you're saying is that you simply want to establish that  
23 there was some kind of retaliation against you, that  
24 NICOR made a mistake in the disconnection --

25 MS. BANAEI: Mm-hmm.

1 JUDGE RILEY: -- on 6/26. Again, I'll say, just to  
2 make the record clear for, I believe, the third time,  
3 you're going to have a very difficult time proving that.  
4 So please bear that in mind.

5 MS. BANAEI: Mm-hmm. Yeah.

6 JUDGE RILEY: That's --

7 MS. BANAEI: Why do you think, your Honor, I have  
8 it -- Because I came to this lady only to pay. Why do  
9 you think I came all the way from Evanston to this lady  
10 to pay? Why they wouldn't take money if this wasn't  
11 retaliation?

12 JUDGE RILEY: Well, you don't pay the Commission.  
13 This woman, you say, works for the Commission, right?

14 MS. BANAEI: I ask her, please help me. These  
15 people don't tell me how much. She didn't get it from  
16 the agent. Finally, she say to the supervisor --

17 JUDGE RILEY: All right.

18 MS. BANAEI: -- that you must tell me,  
19 disconnected -- you disconnected. You want money. This  
20 lady is miserable. It's a rental property. What more  
21 proof do you want that this wasn't a retaliation? Why  
22 should I come -- Again, I proved to you I did not  
23 complain until 7/29. Okay?

24 JUDGE RILEY: But you're speculating that it was  
25 retaliation. And Mr. Padron has already pointed out --

1 MS. BANAEI: Your Honor -- Your Honor --

2 JUDGE RILEY: -- that NICOR is a huge operation and

3 it takes them a long time --

4 MS. BANAEI: Okay.

5 JUDGE RILEY: -- to get to different --

6 MS. BANAEI: There is -- Your Honor, there is a

7 revenge in a personal -- You have lots of people,

8 especially the people who became a supervisor and --

9 JUDGE RILEY: I don't think revenge --

10 MS. BANAEI: -- and then they think they're on the

11 top of the world.

12 JUDGE RILEY: -- has anything to do with it.

13 MS. BANAEI: Your Honor, I assure to you that I

14 didn't complain until 7/29. Do you know how difficult

15 it is for me to come find a parking space?

16 JUDGE RILEY: I understand.

17 MS. BANAEI: Why do you think -- And I will -- This

18 lady will tell you, I came to pay. That is her own

19 hand- -- I only came to Omaira to pay to have my service

20 connected. Why is it that they weren't telling me?

21 Because they say, your bill is not -- has gone to this

22 and that. And I'll show you the previous bill. The day

23 of the reading is the same of the -- If I was -- You see

24 what? When I came to Omaira, I was saying it, but I

25 didn't have it because this bill issued on -- I didn't

1 have it. This bill issued --

2 JUDGE RILEY: Right. We've been all through this,  
3 Ms. Banaei. This is what you would -- are going to  
4 bring back to the hearing as your evidence. And the  
5 only thing I can think of doing right now is that if  
6 you're not willing to accept NICOR's offer, that we just  
7 set a date for hearing and then --

8 MS. BANAEI: Yes, but --

9 JUDGE RILEY: -- we'll reconvene for evidentiary  
10 hearing.

11 MS. BANAEI: But, your Honor, I am -- you told me  
12 that it is very difficult.

13 JUDGE RILEY: I think it will be, yes.

14 MS. BANAEI: So -- So I just want you, as a fair  
15 judge, tell me, why is it that they weren't taking money  
16 because --

17 JUDGE RILEY: I don't know.

18 MS. BANAEI: Uh-huh.

19 JUDGE RILEY: I don't know.

20 MS. BANAEI: Mm-hmm.

21 JUDGE RILEY: That's something that I hope would  
22 come out at hearing.

23 MS. BANAEI: Now, your Honor, if your gas service  
24 would get disconnected and you wanted it to come back,  
25 what do you do? You just say, give me the number.

1 JUDGE RILEY: I would go back to NICOR and say,  
2 "How much do you want from me to restore service?"

3 MS. BANAEI: Uh-huh. And then if they tell you,  
4 "We can't until" -- "Please go to department A to B to  
5 C."

6 JUDGE RILEY: Well, that's --

7 MS. BANAEI: That once you show that -- your other  
8 bill and say you read it on 25. You must have it.

9 JUDGE RILEY: Well, when they shuffle you from  
10 department to department, it's because they're a very  
11 large corporation and they have a lot of --

12 MS. BANAEI: Uh-huh.

13 JUDGE RILEY: -- different divisions and --

14 MS. BANAEI: But, your Honor --

15 JUDGE RILEY: -- different people handle --

16 MS. BANAEI: -- let's say --

17 JUDGE RILEY: -- different aspects of it.

18 MS. BANAEI: Let's say you don't have a gas, and  
19 your own child is bothering you, your wife is bothering  
20 you --

21 JUDGE RILEY: Well, that's --

22 MS. BANAEI: -- your tenant is bothering you. So  
23 it is very urgent for you to have a gas. And you are  
24 seeing all the previous bill and you said, lady, why  
25 can't you give me the number?

1                   Because the bill is not issued.

2                   Then you are saying, wait a minute. You read  
3 it yesterday, 25th. According to everything, your bill  
4 is issued. Then they say, no, it is not issued. Then  
5 you say, why. Then you hear laughing in the background.

6           JUDGE RILEY: Well, that's irrelevant. I mean --

7           MS. BANAEI: Your Honor, you are saying that I am  
8 willing to pay you, NICOR, whatever you want. Give me  
9 the number. If they don't give it to you, okay, and  
10 then you go do research around, because everybody is  
11 yelling at you --

12          JUDGE RILEY: But --

13          MS. BANAEI: -- okay? And you are willing to pay  
14 and they don't. Then what conclusion do you get, your  
15 Honor? They don't want to do it for me.

16          JUDGE RILEY: But this is all evidence of what?  
17 This is --

18          MS. BANAEI: This is very good evidence. Why do  
19 you take -- You ask this lady. At that point, when I  
20 came, it wasn't about the complaint. It was about, that  
21 they are not taking -- She hold my credit card and she  
22 said, "I can't."

23                   I said, "Omaira, go ahead. I don't care for  
24 that."

25          JUDGE RILEY: Does this individual work for the

1 Commission?

2 MS. BANAEI: Your Honor, this is 160 North LaSalle.

3 JUDGE RILEY: Then yes?

4 MS. BANAEI: Omaira is your employee.

5 JUDGE RILEY: What was she doing with your credit  
6 card?

7 MS. BANAEI: I gave it to her.

8 JUDGE RILEY: For what purpose?

9 MS. BANAEI: To talk to these people, "You pay it,  
10 Omaira."

11 JUDGE RILEY: No. The Commission would never do  
12 anything like that.

13 MS. BANAEI: This is -- She did. This is her  
14 handwriting. She talked to supervisor. She say, "I  
15 know a super-" -- She talked to --

16 JUDGE RILEY: Well, what happened was, she was just  
17 a conduit then through which you made that payment.

18 MS. BANAEI: She was a witness. Because I say  
19 that, "You are also a witness, Omaira."

20 JUDGE RILEY: Then what does it --

21 MS. BANAEI: They gave this -- They gave this  
22 number.

23 JUDGE RILEY: So that amount of -- that amount  
24 money was paid, 190- --

25 MS. BANAEI: They paid --

1 JUDGE RILEY: Right.

2 MS. BANAEI: -- the same day by my credit card --

3 JUDGE RILEY: What date was that?

4 MS. BANAEI: Okay. 6/27.

5 JUDGE RILEY: And service was restored on 6/29.

6 MS. BANAEI: Yes. She arrange an appointment for  
7 me, your Honor.

8 JUDGE RILEY: Then what is the complaint?

9 MS. BANAEI: The complaint is that, why on 6/26 you  
10 disconnected me and why you didn't take a payment from  
11 me?

12 JUDGE RILEY: We're in a loop right now. We've  
13 been over the same thing over --

14 MS. BANAEI: It's very clear.

15 JUDGE RILEY: We've been over -- at this for well  
16 over an hour.

17 MS. BANAEI: Your Honor, this is very simple.

18 JUDGE RILEY: I understand.

19 MS. BANAEI: Omaira had my service back. I  
20 couldn't get anywhere. That's why I'm saying, it is  
21 retaliation. Imagine, your Honor --

22 JUDGE RILEY: Okay.

23 MS. BANAEI: -- put yourself for a few seconds in  
24 my shoes. Please, take money. Please, take money.  
25 Please, give me appointment.

1 JUDGE RILEY: I understand. I understand. But,  
2 again, to prove it is retaliation, I just don't know how  
3 you're going to do it.

4 MS. BANAEI: When, your Honor, people want -- What  
5 is -- What do you want? People, what -- NICOR Gas --

6 JUDGE RILEY: We -- We --

7 MS. BANAEI: What do you want to have my service  
8 back?

9 JUDGE RILEY: We need to set a date for hearing.

10 MS. BANAEI: Yes.

11 JUDGE RILEY: You're not going to accept NICOR's  
12 offer?

13 MS. BANAEI: Your Honor, you tell me I don't have a  
14 good case. I'm telling you --

15 JUDGE RILEY: Okay.

16 MS. BANAEI: -- what do you want to have it back?  
17 We want money. Okay. How much?

18 JUDGE RILEY: We need --

19 MS. BANAEI: Your bill has to be issued. Why my  
20 bill hasn't issued? You came yesterday according to --

21 JUDGE RILEY: We need to set a date for hearing.

22 Mr. Padron, Ms. Banaei, we're at February 10.  
23 I have --

24 MR. PADRON: I'm thinking either March 17th, it's a  
25 Monday or March 31st. It's also a Monday.

1 MS. BANAEI: Can it be end of the March, your  
2 Honor. I'm very sick. I go to Cook County Hospital.

3 JUDGE RILEY: Okay. That's fine. March 31st?

4 MR. PADRON: That's fine.

5 JUDGE RILEY: Yeah, we can do that.

6 MR. PADRON: Is that all right with you, Kyra?

7 JUDGE RILEY: And make that for 10:00 a.m.

8 MR. PADRON: Okay.

9 JUDGE RILEY: And that will be for evidentiary  
10 hearing.

11 And, Ms. Banaei, you recall that I said that  
12 you were going to have to go first and to proceed with  
13 your evidence, witnesses, and allege any -- whatever  
14 violations you think there may have been of Commission  
15 Rules or the Illinois Public Utilities Act.

16 So if there's nothing further, then we are  
17 recessed and we will reconvene on March 31st at  
18 10:00 a.m., and we will continue this matter for  
19 hearing. Thank you very much.

20 MR. PADRON: All right. Thank you.

21 MS. BANAEI: Thank you, your Honor.

22 (Which were all the proceedings  
23 had at this time in the  
24 above-entitled cause.)

25

1 STATE OF ILLINOIS )  
2 ) SS.  
3 COUNTY OF COOK )  
4

5 Kim A. Kocimski, being first duly sworn, on  
6 oath says that she is a Certified Shorthand Reporter  
7 doing business in the City of Chicago, County of Cook  
8 and the State of Illinois;

9 That she reported in shorthand the proceedings  
10 had at the foregoing hearing;

11 And that the foregoing is a true and correct  
12 transcript of her shorthand notes so taken as aforesaid  
13 and contains all the proceedings had at the said  
14 hearing.

15  
16

17 \_\_\_\_\_  
18 KIM A. KOCIMSKI, CSR

19 CSR No. 084-004610

20 SUBSCRIBED AND SWORN TO  
21 before me this 20th day of  
22 February, A.D., 2014.

23 \_\_\_\_\_  
24 NOTARY PUBLIC

25