

**OFFICIAL FILE**  
**ILLINOIS COMMERCE COMMISSION**  
**FORMAL COMPLAINT**

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

For Commission Use Only:  
Case: 14-0704

**ORIGINAL**

Regarding a complaint by (Person making the complaint): D & G Real Estate

Against (Utility name): Mid American Energy Company

As to (Reason for complaint) See attached "Reason For Complaint"

ILLINOIS COMMERCE  
COMMISSION  
2014 NOV 26 AM 11:26  
CHIEF CLERK'S OFFICE

in East Moline Illinois.

**TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:**

My complete mailing address is (include City) D & G Real Estate, 1201 -7th Street, East Moline, IL

The service address that I am complaining about is 1201 - 7th Street, East Moline, IL 61244

My home telephone is [ ] -

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at [309] 755-4866

My e-mail address is dgrealestate@att.net I will accept documents by electronic means (e-mail)  Yes  No

(Full name of utility company) Mid American Energy Company (respondent) is a public utility and is subject to the provisions of the Illinois Public Utilities Act.

In the space below, list the specific section of the law, Commission rule(s), or utility tariffs that you think is involved with your complaint.

83-11.Adm.Part 410.130, 410.130(e)

Have you contacted the Consumer Services Division of the Illinois Commerce Commission about your complaint?  Yes  No

Has your complaint filed with that office been closed?  Yes  No

N/A

Please state your complaint briefly. Number each of the paragraphs. Please include time period and dollar amounts involved with your complaint. Use an extra sheet of paper if needed.

See Attached Reason For Complaint

Please clearly state what you want the Commission to do in this case: Complainant requests the Commission to grant a waiver to Complainant, from the requirements of Section 410.130, which would permit Complainant to continue operation of its industrial site, with separate sub-metering for each tenant, so that separately metered consumption shall not be required as the basis for billing each occupant of the individual leased unit as a separate customer.

**NOTICE:** If personal information (such as a social security number or a bank account number) is contained in this complaint form or provided later in this proceeding, you should submit both a public copy and a confidential copy of the document. *Any personal information (Social Security Number, Driver's License Number, Medical Records, etc.) contained in the public copy should be obscured or removed from the document prior to its submission to the Chief Clerk's office. Any personal information contained in the confidential copy should remain legible. If personal information is provided in your public copy, be advised that it will be available on the internet through the Commission's e-Docket website.* The confidential copy of any filing you make, however, will only be available to Commission employees. If you file both a public and confidential version of a document, clearly mark them as such.

Today's Date: November 21, 2014  
(Month, day, year)

Complainant's Signature: By Cornelia M. Dowsett  
D & G Real Estate  
Cornelia M. Dowsett, Member Manager

If an attorney will represent you, please give the attorney's name, address, telephone number, and e-mail address.

William T. Phares  
4500 Kennedy, Drive, East Moline, IL 61244  
wtp@phareslaw.com 309,796-1070

When you finish filling out this complaint form, you need to file the original with the Commission's Chief Clerk. When filing the original complaint, be sure to include one copy of the original complaint for each utility company complained about (referred to as respondents).

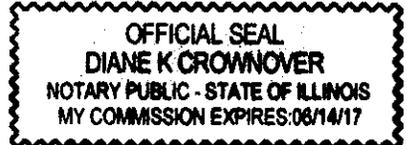
**VERIFICATION**

A notary public must witness the completion of this part of the form.

Cornelia M. Dowsett, Member Manager  
I, of D & G Real Estate, Complainant, first being duly sworn, say that I have read the above petition and know what it says. The contents of this petition are true to the best of my knowledge.

Cornelia M. Dowsett

Complainant's Signature  
Cornelia M. Dowsett, Member Manager  
of D & G Real Estate  
Subscribed and sworn/affirmed to before me on (month, day, year) November 21, 2014



Diane K. Crowover  
Signature, Notary Public, Illinois

(NOTARY SEAL)

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

## REASON FOR COMPLAINT

1. D & G Real Estate is an Illinois general partnership, (D & G) organized in 1976. D & G is the owner of an industrial site at 1201 – 7<sup>th</sup> Street, East Moline, Illinois, upon which is located multiple buildings, with numerous industrial and commercial tenants. Each tenant is assigned a sub-meter for both gas and electric usage.
2. D & G receives a monthly bill from MidAmerican Energy Company (Mid American) for gas and electric usage for the entire facility, which is described as “the Gross Billing.” MidAmerican has installed and operated “master meters”, to measure gas and electric usage for the entire facility, that are read by MidAmerican on a monthly basis.
3. Within the D & G facility, sub-meters have been installed by D & G, for each tenant. These sub-meters are not located or designated by the tenant, since tenants and the space they occupy, tend to change regularly. D & G manually reads each sub-meter every month.
4. On a monthly basis, the exact Gross Billing charge for gas service and electric service, as determined and billed by Mid American, is then prorated and billed by D & G to each tenant on the basis of the tenant’s exact utility usage, as reflected by the sub meter. There is no “upcharge” to the tenant.
5. D & G has been advised by MidAmerican that the Illinois Commerce Commission has adopted rules which prohibit the use of sub-metering to charge tenants for natural gas or electric usage measured by sub-meters. The specific prohibition is set forth at the Administrative Code, Title 83, Section 410.130 entitled “Separate Metering.” Section 410-130 does provide, at 410.130(e), a waiver provision, whereby any applicant for utility service who is refused master metered service by an entity, and who has exhausted his remedies in the informal complaint process, may file a formal complaint with the Commission seeking a waiver from the requirements of Section 410.130, alleging that the long run benefits of separate metering are outweighed by the associated costs, or that separate metering would otherwise be impractical or unreasonable.
6. Attached hereto is a study as prepared by Tri-City Electric Co., reflecting a cost estimate in the amount of \$386,974, to furnish labor, material, equipment and supervision to install the electrical portion of the projects required for the installation of separate metering through-out the D & G facility. In addition, since the electrical service is installed in concrete floor boxes throughout the plant, the cost of concrete removal and construction would be substantial.
7. Complainant requests the Commission to grant a waiver from the requirements of Section 410.130, on the basis that the long term benefits of separate metering through-out the D & G industrial facility, are far outweighed by the estimated cost of \$386,974, for the electrical portion of the entire contract, required for installation of separate metering, which is in addition to the cost of installation of concrete floor boxes.