

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE
COMMISSION
IN THE ILLINOIS COMMERCE COMMISSION

ORIGINAL

Thomas W. Coyle

Complainant,

v.

North Shore Gas Company

Respondent.

2014 DEC 18 A 11:02

CHIEF CLERK'S OFFICE

No. 14-0677

AMENDED COMPLAINT

In the interests of expediting this proceeding I am amending the complaint filed November 7, 2014 to reflect of the October 2014 renumbering of subsections in Section 280 of the Illinois Administrative Code, Title 83; and to set forth in more detail the specific sections of the Illinois Administrative Code, Title 83 I believe North Shore Gas Company (NSG, the Company) has failed to follow.

1. **Section 280.50 (c) (3)(B) Billing** : Bills rendered shall be itemized to clearly show The previous and current meter readings and the corresponding dates of those readings.

Complaint: On at least 2 occasions NSG changed the estimated readings from one bill to the next:

- a) The August 2013 bill showed an actual reading of 4824 on July 26 and an estimated reading on 4835 on August 26. The September 2013 showed an estimated reading of 4824 on August 26 and an actual reading of 4824 on September 26.
- b) The June 2014 bill showed an estimated reading of 6499 on June 25; the July 2014 bill showed a June 26 estimated reading of 6575.

2. **Section 280.90 Estimated Bills (b) (1), (3) and (6):** Actual readings of a customer's meter must be made at least every second billing period. When the utility's attempt to read the meter fails, it shall record the date, time of day, utility personnel involved, and reason for the failure. The record shall be retained for a period of two years. In addition, the utility must notify the customer in writing of the failure to obtain an actual reading.

If a utility issues two consecutive estimated bills to a customer, the utility shall contact the customer to resolve the reason for the consecutive estimated bills. The utility shall make a record of each effort to contact the customer.

Complaint: We never received any communication from NSG as required and NSG has not provided any evidence that it sent any written communication other than a letter dated July 31, 2014 advising me that the Company had been "unable" to take an actual meter reading in May and an adjusted bill was being issued.

- 3. Section 280.220 (i), (l) Utility Complaint Process** The customer must contact the utility and attempt to resolve the complaint directly with the utility before proceeding to the Commission's informal complaint process... If the customer requests a referral to a supervisor, the utility personnel shall note the account and make the referral the same day. Once a final answer is provided to the customer, and, if the customer indicates non-acceptance of the response:
- 1) The utility shall advise the customer of the right to appeal the utility's answer to the Commission's Consumer Services Division for an informal complaint;
 - 2) The utility shall provide the customer with the contact information for the Commission's Consumer Services Division.

Complaint: On August 7, 2014 I called NSG's office in an attempt determine how the bill adjustment mentioned in the July 31 letter and included in the July 30 bill had been calculated. NSG's representative said she would have to have someone else explain that to me and put me "on hold". I waited 58 minutes until after 5 PM and disconnected.

A day or two later, I again called NSG and was again transferred to "someone who could explain" the adjustment. This time I was on hold for 1 hour at which time the phone system disconnected.

At no time did anyone from NSG tell me about the ICC's informal complaint procedures. During one of the periods when I was waiting for someone to explain the bill adjustment to me I went online to the ICC's website and filed an informal complaint.

- 4. Section 280.230 (f) Commission Complaint Process** On August 21, 2014 Kevin Donahue of NSG's Customer Care Support Services and I communicated by telephone in response to my informal complaint. I stated I wanted an explanation of exactly how the adjusted bill was calculated because it appeared to me that all of the "unbilled gas" was billed at April costs. He said that was not the case and ultimately agreed to send me the meter readings used for the bill adjustment. (The meter readings data is attached as Exhibit A.) According to an ICC representative, NSG advised the Commission that the matter had been satisfactorily settled.

Complaint: When I reviewed the data sheet I assumed the data was grouped into months but wondered why the column headed "Account Balance" was the same (\$146.81) in each month. I called Mr. Donahue twice asking for an explanation and also for an explanation for how the meter readings were calculated. He never returned my calls.

- 5. Section 280.220 (g) Utility Complaint Process** No late fees may be assessed on any amount in dispute while the complaint remains unresolved.

Complaint: NSG has assessed late fees despite my payment of all currently due amounts.

- 6. Section 280.100 (d) Previously Unbilled Service** When the rates for service have varied, the utility shall issue the makeup billing amount calculated on a prorated basis to reflect the varying rates.

Complaint: NSG failed to consider historical usage and weather in calculating the prorated "adjusted bill". As pointed out in 1. Above, NSG arbitrarily changed the estimated June meter reading on the July bill and in so doing produced a usage that was only 23% of the July 2013 usage.

- 7. Section 500.210 Periodic Tests of Customer Meters and Section 500.220 Meter Tests Requested by Customers** Meters must be tested at least every ten years. Each utility furnishing metered gas service shall, without charge, test the accuracy of any meter upon request by the customer served through such meter, provided that the meter in question has not been tested by the utility or by the Commission within one year previous to such request.

Complaint: The actual meter readings on July 26, 2013 and September 25, 2013 were the same, indicating that no gas had been used even though our gas water heater functioned throughout that period and the furnace pilot light was lit. I made four attempts to determine the last time the meter serving our residence was tested. I never received an answer to my question about the last time the meter was tested.

Action I would like the Commission to take in this case:

1. Order NSG to produce evidence that the meter was tested after it failed to show any change in the meter reading between July 26, 2013 and September 25, 2013.
2. Order NSG to produce evidence of a written communication advising us of the meter's failure to produce an actual reading in May 2014.
3. Order NSG to issue a bill using the original June 2014 estimated meter reading, the July 2014 actual meter reading and the cost of gas in July 2014.
4. Order NSG to reverse the late fees, and credit my account for the \$1.62 collected on October 21, 2014.

THOMAS W. COYLE
THOMAS W. COYLE

I, Thomas W. Coyle, Complainant, first being duly sworn, state that the contents of this amended complaint are true to the best of my knowledge.

Thomas W. Coyle
Thomas W. Coyle

Date: 12/9/14

Subscribed and sworn/affirmed to before me on December 9, 2014

Rebecca Wiegold
Notary Public Illinois



610 Sunrise Ave

Account Number 8500007636421

Meter Number N139833

Issue Date	Read Date	Reading	CCF's	Bill Amount	# of Days	Reading Type	Due Date	Payment	Payment Date	Account Balance	Notes
								\$42.51	8/18/2014	\$104.30	Balance Due as of 8/21/2014
7/30/2014	07/30/2014	6585	10	\$37.51	35	Actual	08/21/2014	\$0.00		\$146.81	
7/30/2014	06/25/2014	6575	10	\$37.77	29	Estimate	08/21/2014	\$39.38	07/21/2014	\$0.00	
											This Bill was adjusted due to actual read on 7/30/2014
7/30/2014	06/25/2014	6499	-7	-\$34.38	29	Estimate		\$0.00		\$0.00	
6/27/2014	06/25/2014	6499	7	\$34.38	29	Estimate	07/21/2014	\$72.22	06/20/2014	\$0.00	
											This Bill was adjusted due to actual read on 7/30/2014
7/30/2014	05/27/2014	6492	-33	-\$67.22	32	Estimate		\$0.00		\$0.00	
7/30/2014	05/27/2014	6565	58	\$98.05	32	Estimate	08/21/2014	\$0.00		\$146.81	
5/29/2014	05/27/2014	6492	33	\$67.22	32	Estimate	06/20/2014	\$112.95	05/21/2014	\$0.00	
7/30/2014	04/25/2014	6507	104	\$178.03	30	Estimate	08/21/2014	\$0.00		\$146.81	
											This Bill was adjusted due to actual read on 7/30/2014
7/30/2014	04/25/2014	6459	-56	-\$107.95	30	Estimate		\$0.00		\$146.81	
4/29/2014	04/25/2014	6459	56	\$107.95	30	Estimate	05/21/2014	\$292.18	04/17/2014	\$0.00	
3/26/2014	03/26/2014	6403	230	\$287.18	29	Actual		\$0.00		\$0.00	

Bills recalculated based on actual reading from 3/26/2014 to 7/30/2014

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the Amended Complaint document by U.S. mail f to each of the parties of record in Ill.C.C. Docket 14-0677.

Dated at Lake Bluff, IL this ^{9th} day of December, 2014

Respectfully submitted,


Thomas W. Coyle
Complainant

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