

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

COMMONWEALTH EDISON
COMPANY,

Complainant,

No. 13-0469

vs.

GRACE BIBLE CENTER,

Respondent.

The videotaped deposition of VICKIE BELL,
taken in the above-entitled cause, before
CHERYL L. SANDECKI, Certified Shorthand Reporter
of the State of Illinois, on August 8, 2014, at
20 South Clark Street, Chicago, Illinois,
pursuant to notice, commencing at 9:31 a.m.

REPORTED BY: CHERYL L. SANDECKI, CSR, RPR
LICENSE NO.: 084-03710
JOB NO.: 5423

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18 Commission.

19 Also Present: Ms. Nicole Nocera, Exelon
20 Mr. Stephan Hoog, Videographer
21
22
23
24

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1 THE VIDEOGRAPHER: This is Stephan Hoog
2 representing Kruse International Court Reporters
3 and Litigation Services, Chicago, Illinois. I'm
4 the operator of this camera.

5 We are on record August 8th, 2014. The
6 time is 9:31 a.m., as indicated on the video
7 screen.

8 This is the videotaped deposition of
9 Vickie Bell. We are at 20 South Clark Street,
10 Chicago, Illinois.

11 This case is captioned Commonwealth
12 Edison Company versus Grace Bible Center, Case
13 Number 13-0469.

14 Will the attorneys please identify
15 themselves for the video record.

16 MR. HARVEY: Appearing for the staff of the
17 Illinois Commerce Commission, Matthew L. Harvey,
18 H-A-R-V-E-Y, 160 North LaSalle Street, Suite
19 C-800, Chicago, Illinois 60601.

20 MR. TAMBURELLI: Appearing for the deponent
21 on behalf of her for the purposes of her
22 deposition only Adam Tamburelli,
23 T-A-M-B-U-R-E-L-L-I.

24 MR. MOORE: Appearing on behalf of Grace

1 Bible Center, Stephen Moore of the law firm of
2 Rowland & Moore LLP.

3 MR. KRAUS: Ken Kraus appearing on behalf of
4 Commonwealth Edison Company.

5 MR. RIPPPIE: Glenn Rippie, Rooney, Rippie &
6 Ratnaswamy LLP -- and you can get the spelling
7 off the card -- also on behalf of Commonwealth
8 Edison.

9 THE VIDEOGRAPHER: The court reporter today
10 is Cheryl Sandeck with Kruse International.

11 Would you swear in the witness?

12 (Witness administered an oath.)

13 VICKIE BELL,
14 having been first administered an oath, was
15 examined and testified as follows:

16 EXAMINATION

17 BY MR. KRAUS:

18 Q. Good morning, Ms. Bell.

19 A. Good morning.

20 Q. Would you please state your name for
21 the record?

22 A. Vickie Bell.

23 Q. And are you employed by Grace Bible
24 Center?

1 A. Yes.

2 Q. So the volunteers' role in the program
3 is to take the bills from the utilities, mail
4 them to the participant, make a note about the
5 bill. Anything else?

6 A. We may have to type letters to the
7 participants when they fall behind, general
8 correspondence to the participants.

9 And -- now are you asking strictly
10 about the utilities for the volunteers or does
11 the volunteer do anything else?

12 Q. I want to know what else the volunteers
13 do in the Utility Assistance Program.

14 A. Basically, that's it.

15 Q. Who is the person or people that call
16 the utility companies to open an account?

17 A. It depends. I have.

18 Q. You have?

19 A. I have.

20 Q. Who else calls the utility companies to
21 open an account?

22 A. Either of the other two may.

23 Q. Ms. Daley or Ms. Baker?

24 A. Yes.

1 Q. Anybody else do that?

2 A. No.

3 Q. Just you three?

4 A. Yes.

5 Q. And when you call -- and let's just
6 limit this to ComEd for the moment.

7 When you call ComEd, what do you tell
8 them?

9 A. That I like to start service, give them
10 the address and whatever other questions they
11 may ask.

12 Q. Do you recall any of the questions they
13 ask?

14 A. They ask the date that you want it
15 effective, have you had service before. And
16 they see that you have -- you have existing
17 service, evidently. I don't know how ComEd
18 programs work -- I mean how they do it on their
19 end.

20 But they can tell that you -- you know,
21 they have your name in the system already.

22 Q. Whose name?

23 A. Grace Bible Center because that's the
24 name the service is under.

1 Q. So it's your understanding from talking
2 to the people at ComEd they recognize --

3 A. Yes.

4 Q. You have to let me finish my question.

5 A. I'm sorry.

6 Q. It's okay. It's kind of an unnatural
7 thing. I think most people commonly -- I'm not
8 insulting you or anything, but I do it all the
9 time myself. Most people insult -- not insult,
10 interrupt other people all the time. In fact,
11 I'm pretty bad at it myself.

12 I can't let people finish their
13 sentence because I think I know what they are
14 asking and I start answering it right away. So
15 it's hard, I realize that.

16 So let me start over. Based on your
17 conversations with ComEd, your understanding is
18 they recognize Grace Bible Center as an existing
19 customer already?

20 A. Yes.

21 Q. Based on those conversations, do you
22 think ComEd understands that Grace Bible Center
23 has service at the address you are calling them
24 about?

1 MR. TAMBURELLI: Objection. It calls for
2 speculation.

3 You can answer if you understand.

4 THE WITNESS: I really don't. Can you repeat
5 that?

6 BY MR. KRAUS:

7 Q. Yeah. I'm just trying to find out
8 whether -- you said that when you called ComEd
9 they already know Grace Bible is a customer
10 because of something they tell you, right?

11 A. Yes.

12 Q. My question is: Do they know the
13 address you are -- do they seem to know the
14 address you are calling about?

15 A. No.

16 Q. Okay. When you -- so when they ask you
17 if you have had service before, what's your
18 answer?

19 A. Yes.

20 Q. Because Grace Bible has a number of
21 accounts, right?

22 A. Yes.

23 Q. Do you ever tell ComEd who is living at
24 the location you are seeking service for?

1 A. No.

2 Q. Why not?

3 A. Because Grace Bible Center will be the
4 one paying the bill.

5 Q. Okay.

6 MR. TAMBURELLI: If I can interrupt you just
7 for a second, and I apologize. I should have
8 done this at the beginning. But do you have an
9 appearance on file with the ICC?

10 MR. KRAUS: Yes.

11 MR. TAMBURELLI: So you are representing the
12 ICC in --

13 MR. KRAUS: Not the ICC.

14 MR. TAMBURELLI: I'm sorry, ComEd in the ICC
15 case?

16 MR. KRAUS: Correct.

17 MR. TAMBURELLI: Okay.

18 BY MR. KRAUS:

19 Q. So when you are calling ComEd to open
20 an account, you are calling on behalf of one of
21 Grace Bible's parishioners?

22 A. Yes.

23 Q. And trying to get them service at their
24 residential location?

1 A. Yes.

2 Q. But you are telling ComEd it's a Grace
3 Bible account?

4 A. It is.

5 Q. So that's a yes?

6 A. Yes.

7 Q. Let me shift just a little bit here.

8 Where is your -- do you have an office
9 at Grace Bible Center?

10 A. Yes.

11 Q. Where is -- where is your -- what's the
12 address of your --

13 A. The physical address?

14 Q. Yes.

15 A. Is 250 East St. Charles Road. And
16 that's Villa Park, 60181.

17 Q. Does Grace Bible Center have any other
18 offices?

19 A. No.

20 Q. Any other places that Grace Bible
21 meets?

22 A. Yes.

23 Q. Where does it meet?

24 A. It meets at various locations. Every

1 A. Yes.

2 Q. That could be for bible study or
3 community meetings or just to increase church
4 membership?

5 A. Yes.

6 Q. Is the topic of these meetings ever the
7 Utility Assistance Program itself?

8 A. No.

9 Q. Or is that ever discussed there?

10 A. No.

11 Q. Do you take donations at this meeting?

12 A. No.

13 Q. Where does that happen, just at church?

14 A. Only at church. Only on Sundays at
15 church.

16 Q. Getting back to the participants in the
17 Utility Assistance Program, those are residents
18 that are -- or locations that are either owned
19 or rented by the participant, right?

20 A. Yes.

21 Q. Grace Bible Center doesn't own or rent
22 those locations?

23 A. No.

24 Q. And once a participant signs up in the

1 participant?

2 A. From the participant.

3 Q. Okay. So they provide you with an
4 address?

5 A. Yes.

6 Q. Okay. And do you know when you sign
7 them up whether they have been living there
8 before they told you that or not?

9 A. No.

10 Q. So you don't know how long they have
11 been living at the location they gave you?

12 A. No.

13 Q. Could be a day? Could be a year?

14 A. That's correct.

15 Q. What do you do if the participant moves
16 during their participation in the program?

17 MR. TAMBURELLI: Objection. Foundation.

18 BY MR. KRAUS:

19 Q. You can answer.

20 A. It depends. I mean, I think you have
21 to be a little bit more specific.

22 Q. Well, what are the variables that
23 you --

24 A. The variables are that they can move

1 without notifying us, then we may not know to
2 just ask for the service to be disconnected.
3 They may tell us they are moving and we request
4 the service disconnected. They may not tell us
5 and we may not know for a while that nobody is
6 there until it's time for us to attend a meeting
7 at their home or contact them if we can't get
8 them.

9 And at that point we request a service
10 disconnect.

11 Q. So if you know that someone who is in
12 the program has moved, do you ask ComEd to turn
13 off the power?

14 A. Yes.

15 Q. And if you learn that after the fact,
16 you do it -- you tell ComEd to turn off the
17 power as soon as you learn about it?

18 A. Yes.

19 Q. Do you tell the participants in the
20 program when they are seeking membership that
21 they should let you know if they are moving?

22 A. Yes.

23 Q. How did you get your job as -- what is
24 it again, executive, what, administrator?

1 of?

2 A. No.

3 Q. What do you know about the criteria for
4 a participant to be enrolled in the Utility
5 Assistance Program?

6 A. They must be disconnected. They must
7 have sought other alternatives to getting their
8 service restored, meaning CEDA, LIHEAP, FEMA,
9 any -- wherever you can get assistance from.

10 Q. So some other --

11 A. Some other entity or other programs
12 where when they come to Grace Bible Center when
13 no one else will help them.

14 Q. What are the -- are there any other
15 criteria?

16 A. They must be able to make monthly
17 payments, make their monthly -- to pay their
18 monthly bills that ComEd sends to them. And
19 then they must hold monthly meetings once a
20 month at their homes.

21 Q. Any other requirements?

22 A. They -- they must attend a service at
23 least once a month.

24 Q. At the church?

1 A. At the church.

2 Q. Any other requirements?

3 A. Those are the only ones that I
4 remember.

5 Q. Is it a requirement of membership in
6 the program to have a certain size past due
7 balance owed to ComEd?

8 A. No.

9 Q. Just be disconnected?

10 A. Just disconnected as far as I know.

11 Q. What about any donations, is that
12 required?

13 A. We -- we ask for a donation. But it's
14 not necessary. They -- we dis -- we do start
15 service for people without the donation.

16 Q. And what is the amount of the donation
17 that you request?

18 A. It varies. Typically, I will just say
19 typically, it's 50 percent or 52 percent. It
20 varies.

21 Q. Okay.

22 A. As I say, some people they don't -- you
23 know, they don't have to pay anything. It
24 depends on they -- the board meets and

1 determines their circumstance.

2 Q. And when you say a typical donation
3 request at 50 percent, that's 50 percent of
4 what?

5 A. Of whatever they say their last bill
6 was or prior bill or what -- you know, what
7 ComEd told them they need to get the service on.

8 Q. So you ask them for 50 percent of
9 whatever ComEd asks them to pay to get the power
10 back on?

11 A. What -- we go by their word, yes.

12 Q. Okay. So you asked them for a donation
13 of 50 percent of what they say ComEd wants to
14 get the power turned back on?

15 A. Yes.

16 Q. And -- and how often does the
17 participant make a donation? What percentage of
18 the participants, roughly?

19 MR. TAMBURELLI: Objection. Foundation.

20 THE WITNESS: I would say 40 to 50 percent.

21 BY MR. KRAUS:

22 Q. 40 to 50 percent are able to make the
23 donation that you request?

24 A. Yes.

1 have them sign?

2 A. No.

3 Q. You said earlier that the potential
4 participants have to be able to make a certain
5 amount of monthly payments; is that right?

6 A. I said they have to be able to make
7 whatever their monthly payment is, yes. We ask
8 them are you -- do you have resources to make
9 your monthly payment. They must be able to make
10 a payment, otherwise we can't help them because
11 we can't continue to pay it for them.

12 Q. Is there any number of monthly payments
13 that they have to make consecutively?

14 A. Can you be more specific?

15 Q. Well, some of the documents we have
16 seen in this case, we have seen documents to
17 minimum numbers of payments that a participant
18 has to make to Grace Bible Center. Is there a
19 minimum number?

20 A. There is a minimum -- there is a
21 minimum number of payments for them to make in
22 order for us to pay the remaining balance of
23 their bill, yes.

24 Q. What is that number?

1 A. That's -- they have to make ten
2 payments.

3 Q. And if they make the ten payments, then
4 what does Grace Bible Center do?

5 A. The ten payments must be consecutive on
6 time payments. Once they make that, we pay the
7 entire bill off, their old balance off for them.

8 Q. And has that ever happened?

9 A. Once that I know of.

10 Q. Once in the history of the program?

11 A. Yes.

12 Q. How many participants has Grace Bible
13 Center had in the history of the program?

14 MR. TAMBURELLI: Objection. Foundation.

15 THE WITNESS: I don't know.

16 BY MR. KRAUS:

17 Q. Are there any records of that?

18 A. Some.

19 Q. Where are those records?

20 A. Literally, literally, they are in the
21 office. And at -- and I want to reiterate,
22 that's only some of the records and that was
23 because we moved.

24 Q. Before the move, did you have all the

1 MR. TAMBURELLI: Objection. Foundation.

2 If you know.

3 THE WITNESS: The -- the records that are in
4 our possession are in the -- in the office.

5 BY MR. KRAUS:

6 Q. Where are they in the office?

7 A. In a file cabinet.

8 Q. And these are written records?

9 A. Yes.

10 Q. Paper?

11 A. Yes.

12 Q. Are there any electronic records?

13 A. No, no. I'm trying to start doing it
14 that way because of the things being lost.

15 Q. So were you involved in the move that
16 you just mentioned?

17 A. Yes.

18 Q. What was the nature of the move? What
19 was happening?

20 A. We were evicted from our church
21 building for nonpayment of rent. And it was a
22 sudden move. We had members helping to move,
23 box up things. And people were taking things in
24 their car.

1 ambiguous as to size.

2 BY MR. KRAUS:

3 Q. The number of pieces of paper.

4 A. The only thing I can go by is the
5 information that you requested. If I go by that
6 list of those names and as I started trying to
7 pull the information from that list, the ones
8 that were there versus the ones that are not
9 there, I would say about half.

10 Q. What list are you referring to?

11 A. The data request that asks for each
12 participant's name, address and information like
13 that.

14 Out of the list, when we originally
15 processed the data request, it lists all of
16 these locations. And then as the data request
17 asked for more specific details on these
18 addresses, months later, recently, after the
19 move, I'm looking and then a lot of those
20 addresses I don't have those files. So that's
21 what I go by.

22 Q. Okay. The addresses you are talking
23 about, were those part of the data requests to
24 you?

1 that"?

2 A. That's stated in the disclaimer that's
3 online when they do the application.

4 Q. So the online application says that
5 they are required to donate?

6 A. Yes.

7 Q. But in practice you only get a donation
8 40 or 50 percent of the time; is that right?

9 A. Yes.

10 Q. And the next sentence says "a donation
11 is not for the bill." Does that mean you don't
12 use the donation to pay the bill to ComEd?

13 A. We do use the donation for the bill.
14 However, they are told initially the bill -- I
15 mean, the percentage that they donate initially
16 is not put directly -- immediately on the bill
17 because it's helped to further the program. And
18 they agree -- I mean -- they agree, each
19 individual participant agrees that Grace Bible
20 Center is allowed to use the percentage that
21 they give to, you know, to further the utility
22 program.

23 And when they don't make a payment, we
24 step in, we make the payments. But it's a

1 A. They -- they check off whatever
2 documents that they received, you know, that's
3 in it -- it should be everything that's in this
4 packet that's checked.

5 Q. So it's a way of making sure that the
6 participant has signed everything they are
7 required to for admission to the program?

8 A. That's correct.

9 Q. Let's turn to the next page. Do you
10 recognize this page, which is headlined "Watch
11 Care" and it's got a dark block --

12 A. Yes.

13 Q. -- of text. What is this?

14 A. It's the disclaimer that's on the web
15 page.

16 Q. Okay. So this is a page that
17 participants in the UAP have to review and sign?

18 A. Yes.

19 Q. The first paragraph ends with this
20 statement "we negotiate with the utility
21 companies using leverage with our name or names
22 and/or participating affiliates to restore
23 service." Do you see that?

24 A. Yes.

1 Q. Do you know what that means?

2 A. I don't know.

3 Q. Did you write that?

4 A. I typed it.

5 Q. Who told you to type that?

6 A. The pastor.

7 Q. And do you see in the next paragraph
8 that the disclaimer on the web page says that
9 the donation is tax deductible at the end of the
10 year?

11 A. Yes.

12 Q. Do you know if that's true?

13 A. It is.

14 Q. How do you know that?

15 A. Because at the end of the -- when --
16 every participant at the end of the year that
17 they signed up, they received a tax deductible
18 receipt.

19 Q. What makes the receipt tax deductible?

20 A. Because when they give the percentage
21 or whatever, any donation that they give, they
22 get a receipt at the end of the year for
23 their -- the amounts that they gave.

24 Q. Is that on some Internal Revenue

1 payments, do you see that?

2 A. Yes.

3 Q. So this is sort of an older --

4 A. Yes.

5 Q. When Ms. Johnson enrolled in November
6 of 2011, the requirement was six consecutive
7 payments, right?

8 A. Yes.

9 Q. Does any of this help you recall when
10 the Utility Assistance Program began?

11 A. Maybe 2010. Maybe 2010, 2011.

12 Q. Okay. Okay. Let's turn to the next
13 page. It's page handwritten No. 14. It's
14 called "Affidavit No. 3." Do you see that?

15 A. Yes.

16 Q. This affidavit appears to say that the
17 participant has to pay the bill seven days
18 before the ComEd due date; is that right?

19 A. Yes.

20 Q. Is that sort of the normal practice?

21 A. It was requested.

22 Q. In other words, you wanted them to give
23 you the money ahead of time?

24 A. In enough time to get the bill to you.

1 MR. TAMBURELLI: I'm sorry?

2 MR. KRAUS: You mean to ComEd.

3 THE WITNESS: That's what I mean, I'm sorry,
4 to ComEd.

5 BY MR. KRAUS:

6 Q. That's okay. And when you -- when this
7 affidavit says "I will be subject to
8 disconnection immediately for not doing that,"
9 do you know what that means?

10 A. It means that if you don't pay your
11 bill, you are subject to disconnection.

12 Q. Okay. In other words, ComEd may shut
13 you down if you don't pay? Is that what it
14 means?

15 A. No, no. It means we may request you
16 disconnect if you don't pay.

17 Q. So if you don't follow our rules, we
18 may shut it off ourselves?

19 A. No.

20 Q. No?

21 A. We have to request that ComEd
22 disconnect service if we are not receiving
23 payments.

24 Q. Right. So if they don't pay you in

1 enough time under your rules, you might call
2 ComEd and say please disconnect the account?

3 A. That never happened.

4 Q. Okay. But ultimately you are the --
5 Grace Bible Center is the one that decides
6 whether to call ComEd and say we want to
7 disconnect the account?

8 A. Yes.

9 Q. Okay. Let's look -- turn to the next
10 page. It has a handwritten number of 15 and it
11 says "Affidavit No. 4." Do you see that?

12 A. Yes.

13 Q. Now, this affidavit refers in the
14 second line to "an old bill is set aside." Do
15 you see that?

16 A. Yes.

17 Q. Do you know what that's talking about?

18 A. The payments, they are -- their service
19 is under Grace Bible Center. They make their
20 monthly statements every month. We don't do
21 anything with the old bill until they have
22 reached the number of payments that's required
23 and at that time we pay off the old bill.

24 Q. Okay. So the old bill is their

1 sermon, you know, like a lesson, then we would
2 videotape the sermon.

3 Q. Okay. You don't leave equipment at the
4 people's houses or --

5 A. No, no.

6 Q. -- store anything there?

7 A. No.

8 Q. Do you know where Pastor Simmons is?

9 A. No. He is on sabbatical leave.

10 Q. Do you know when that ends?

11 A. No.

12 Q. So you can't get in touch with him?

13 A. No.

14 Q. Do you know if he is in the western
15 hemisphere?

16 A. I have no idea. I don't know. I'm not
17 privileged to that.

18 MR. KRAUS: Anything else? That is it for
19 us.

20 MR. TAMBURELLI: I just have one quick
21 question. And I think you have already
22 testified to this. I just want to -- I want to
23 make it clear for the record.

24