

Response from Complainant, Dana Huhta, to the Motion to Dismiss by the respondent, Com Ed.

Case # 14-0761

Com Ed has wrongly stated in their Facts and Argument for dismissal that I, the complainant, installed concrete over my entire backyard. The concrete they are speaking of existed prior to my husband and I purchasing the property in March of 2014, and was in place when Com Ed originally ran service to the home in 1979. In addition, a fence already existed in the same exact location along the property line when we purchased the property, we just replaced it. In replacing the falling down fence we followed all requirements, calling Com Ed, At&T and having JULIE come out to mark the lines. We obtained a permit from Cook County to proceed with the work.

I have in no way violated the terms and conditions of service by "installing concrete across my entire backyard" as Com Ed has stated in their Argument for Dismissal. In addition, com Ed wrongly accuses me of violating the tariff by installing said concrete and a fence on property line. This is false as both existed prior to my husband and I purchasing the property located at 12958 S Meade in Palos Heights .

On or about Aug. 28th Com Ed's service department advised us they were going to fix the electrical service to our home and it would be at no charge to us. Their service technicians went on the neighbor's property without our knowledge and dug up his yard to repair the line. Since Com Ed states their policy is not to involve a 3rd party we assumed they must have gotten permission from the neighbor to do so. If they did not get permission to do the work then they violated their own policy and if they did then they violated it also, by involving him. Either way they obviously upset my neighbor and caused his complaint. The work was done on or about Aug 28th and the complaint was not until Sept 22nd, (25 days after the lines moved and encroached his property and com Ed fixed the damage they caused by replacing his sod). It is unclear whether or not Com Ed and the neighbor were in agreement as Com Ed will not disclose to me any information regarding discussions with my neighbor, the 3rd party in this situation. They will only advise me their policy is not to involve 3rd parties.

CONCLUSION

Based on the false facts and accusations Com Ed has made in their argument for dismissal, as well as their policy violation which directly caused the neighbors complaint, the root of this whole matter, I request we proceed with the hearing scheduled April 30th, 2015.

Dana Huhta

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CERTIFICATE OF SERVICE

Please take notice that on April 21, 2015 I, Dana Huhta, hereby certify that I did file the above and foregoing response to the Motion to dismiss with the Illinois Commerce commission list via certified U.S. Mail on April 13, 2015 and April 23, 2015 and served the persons identified on the docket's service list via electronic transmission on April 21, 2015.



Dana Huhta

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