

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

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

For Commission Use Only:  
Case: 15-0418

**ORIGINAL**

Regarding a complaint by (Person making the complaint): Victor J. Beaman

Against (Utility name): Direct Energy

As to (Reason for complaint) I was enrolled in their gas supplying program without my knowledge or consent. This is a obvious case of fraud.

in Chicago Illinois.

ILLINOIS COMMERCE COMMISSION  
2015 JUL - 8 A 10:57  
CHIEF CLERK'S OFFICE  
600044

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

My complete mailing address is (include City) 5109 W. Adams St. Chicago, IL 60644

The service address that I am complaining about is Same as above

My home telephone is Call [773] 895-5908

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at [ ] Same above

My e-mail address is \_\_\_\_\_ I will accept documents by electronic means (e-mail)  Yes  No

(Full name of utility company) Direct Energy # 1-866-670-6771 (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.  
Fraud

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

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.

Please clearly state what you want the Commission to do in this case:

**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: JULY, 3, 2015  
(Month, day, year)

Complainant's Signature: X Victor Beaman

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

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**

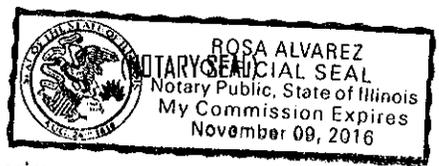
A notary public must witness the completion of this part of the form.

I, VICTOR BEAMAN, 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.

Victor J. Beaman  
Complainant's Signature

Subscribed and sworn/affirmed to before me on (month, day, year) JULY 3, 2015

R. Alvarez  
Signature, Notary Public, Illinois



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



**DATE: June 3, 2015**

**Complaint No: 2015-CONSC-00002871 – Victor Bearman**

**Account Number: 0500065686419 - Gas**

**COMPLAINT SUMMARY:**

Victor Bearman states Direct Energy switched his gas service without his authorization. He states he has complained to the company and discovered the telephone number used for the enrollment is not his number.

**SUMMARY OF INVESTIGATION:**

On January 7, 2015, a male who identified himself as Victor Bearman, completed a Third Party Verification (TPV) call to complete the enrollment for service at 5109 W Adams St, Chicago, IL 60644 (TPV call attached).

The gas supply was enrolled with door to door sales agent Dominique Roman with Credico who does not solicit exclusively for Direct Energy.

The gas account was enrolled on a fixed rate of \$0.569/Therm for 12 months with no early termination charge.

The terms and conditions were mailed to Mr. Bearman on January 7, 2015.

On January 12, 2015, Mr. Bearman contacted Direct Energy and stated he did not authorize the enrollment of his gas service with Direct Energy. The Customer Care agent explained the account was validly enrolled as per the Third Party Verification call. The agent submitted a cancellation request to the utility; the utility accepted the cancellation on January 14, 2015 with a cancellation effective date of January 13, 2015.

On April 7, 2015, Mr. Bearman contacted Direct Energy to inquire about the previous cancellation request and stated he received charges from Direct Energy on his monthly bill. At this time, the matter was escalated to the Office of the President Department for review.

Mr. Bearman's concerns were forwarded to our Sales Quality Team for further review. The sales team reported that the individual who was present at Mr. Bearman's residence identified himself as Victor Bearman. The sales agent did not determine that this individual was not Mr. Bearman until Mr. Bearman arrived at his residence. The individual agreeing to the service was not the decision maker. The sales agent advised Mr. Bearman at this time to call and cancel; as the Third Party Verification call had already been completed. The Sales Quality Team reported that coaching was provided to the sales agent to always let management know of these situations so that the sale can be canceled in-house, as well as making sure that they are talking to the actual decision maker.

During the investigation, we determined the drop request sent on January 12, 2015, was sent prior to receiving the utility's acceptance of the enrollment (they accepted the enrollment and the drop on the same day). The drop request failed and the utility continued to send reads, thus causing Mr. Bearman to receive charges from Direct Energy. Direct Energy recognized the error and mailed Mr. Bearman a reimbursement check in the amount of \$85.16 for billing cycles February 11, 2015 – March 12, 2015 and March 12, 2015 – April 13, 2015; the reimbursement is based on the difference in the rate billed and the utility rate. At this time, the analyst submitted a cancellation request to the utility; they accepted the cancellation and provided a cancellation effective date of April 16, 2015.

A complaint analyst spoke with Mr. Bearman on April 23, 2015 and provided the details of our investigation.

**COMPANY RESPONSE:**

Direct Energy can confirm a male who identified himself as Mr. Bearman's son completed the enrollment. Mr. Bearman's original request for cancellation was unsuccessful; a reimbursement was mailed in the amount of \$85.16. The account was effectively cancelled as of April 16, 2015.

A complaint analyst spoke with Mr. Bearman and provided our findings.

Direct Energy prides itself on maintaining a high level of customer service, and we regret anything that may be considered below satisfactory. If Mr. Bearman has any further questions regarding this resolution, he may contact us at 1-866-670-6771, and Direct Energy will be more than happy to discuss this resolution further.