

FORMAL COMPLAINT

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

2015 NOV 23 11:06
(llw)

CHIEF CLERK'S OFFICE

Regarding a complaint by (Person making the complaint): Philip B Whitcomb Attorney for Cheapst, LLC.
Against (Utility name): ComEd
As to (Reason for complaint) Failure by ComEd to refund \$3402³⁹ / 100 in payments made to ComEd for Electric service to accounts at 1134 N. Waller Ave Chicago, IL 60651. ComEd never provided service to three (3) units at this address since September 2014. Requests for refund denied by ComEd by letter dated September 30, 2015 in CHICAGO Illinois.

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My complete mailing address is (include City) 8880 S Ocean Dr Unit 704 Jensen Beach, FL 34957

The service address that I am complaining about is 1134 N. Waller Ave Chicago, IL 60651

My home telephone is (609) 577-1938

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at (609) 577-1938

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

(Full name of utility company) ComEd an Exelon 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.

After one year of delay ComEd has refused to refund payments made on Accounts where no service was provided by ComEd.

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.

ConEd has repeatedly failed to refund \$3402³⁹/₁₀₀ in payments made for electrical services billed but never provided to 3 units at 1134 N. Walker Ave, Chicago, Ill. See attached letters dated February 3, 2015, February 18, 2015, May 8, 2015, July 7, 2015, August 14, 2015, and September 30, 2015 for specific details concerning this Complaint and October 9, 2015

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

Order ConEd to pay refund of \$3402³⁹/₁₀₀ plus interest, costs, and penalties.

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 18, 2015
(Month, day, year)

Complainant's Signature: [Signature]

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

Philip B Whitcomb
Same as Complainant

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, Philip B Whitcomb, 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.

[Signature]
Complainant's Signature



Subscribed and sworn/affirmed to before me on (month, day, year) November 18, 2015

Patricia C. Hobbs
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.

October 9, 2015 Regarding 1134 Waller – 3 units, Chicago

Dear Ms. Widmer:

Your letter to my attorney Philip Whitcomb in no way serves as any kind of resolution to our dispute.

- If you look at the phone call record you will see that I made numerous attempts to have the meter read when the property was sold and to have someone there to provide access – Nobody showed up from ComEd!!! I am an out-of-state executor on the East Coast.
- I learned afterward that a determination had been made by ComEd that there was no reason to read the meter because there was no prior data to compare it to – you don't keep reading records past two years – it would have been so simple to compare the end reading to the initial reading when the service was initially requested. As you don't keep records going back you don't have that data. That was the reason we are in this mess.
- There was no doubt a reading when the service was requested by my deceased brother – had you looked carefully at the files you would have understood this was already discussed.
- There was no actual electrical service line running to the house which was discovered by me the executor – SO no actual electricity was ever delivered to the property during the period. Had you looked at the files you would have known this – ComEd has ALREADY acknowledged this fact and noted the need to establish new physical electrical service to the building by the new owner.
- The property was uninhabited during the entire duration of ownership so even if electricity was delivered which it was not – there was no one there, no heat on, and no appliances plugged in to utilize. This can be verified if it is really necessary although item 4 should be adequate proof enough – as the property was listed on the City of Chicago vacant property list.
- Comparison to electric readings on a property in which the electrical service was reconnected (check your records – it is all there) and where the property is occupied is in no way any kind of justification for denying us our refund which rightfully belongs to this estate. – Particularly given that ComEd in previous conversations and correspondence has acknowledged all of the above points and that a refund was due.

All of the above has been clearly stated to various parts of ComEd for well over a year and we have had employees at your company agree that we are owed a refund.

Your cursory, illogical, self serving and flawed analysis is at this time deeply offensive – to me and the heirs of my deceased brother – his widow from China and his two young children one of whom is autistic. I suggest you review your decision with all the facts in hand. I am writing directly as my attorney Philip Whitcomb is out of the country until early November at which time he will follow up with you. At the very least you people should be able to get your story straight. This is no way to run a business.

Sincerely,
Katherine Hensel