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BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
Sanctuary of Faith,)
)
Complainant,)
)
-vs-)
) No. 15-0533
Commonwealth Edison Company,)
)
Respondent.)
)
Complaint as to insufficient)
Refund amount in Chicago,)
Illinois.)

Chicago, Illinois
March 9, 2016

Met pursuant to notice at 11:00 a.m.

BEFORE:
GLENNON P. DOLAN, Administrative Law Judge.

1 APPEARANCES:

2 MS. FRANCINE ANDERSON
3 1013 Des Plaines Avenue, Suite 203
4 Forest Park, Illinois 60130
5 (708) 209-1450

6 Appearing pro se;

7 GRAHAM & GRAHAM LLP, by
8 MS. REBECCA A. GRAHAM
9 115 South LaSalle Street, Suite 2600
10 Chicago, Illinois 60603
11 (312) 505-8154

12 Appearing on behalf of
13 Commonwealth Edison Company.

14 ALSO PRESENT:

15 Aaron Jiménez, Commonwealth Edison Company

16 SULLIVAN REPORTING COMPANY, by
17 Brad Benjamin, CSR
18 License No. 084-004805
19
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22

1 JUDGE DOLAN: By the direction of authority of
2 the Illinois Commerce Commission, I call Docket
3 No. 15-0533 Sanctuary of Faith versus Commonwealth
4 Edison Company, a complaint as to billing charges in
5 Chicago, Illinois, to order.

6 Will the parties please identify
7 themselves for the record.

8 (No response.)

9 JUDGE DOLAN: You, please, identify yourself
10 for the record, Ms. Anderson.

11 MS. FRANCINE ANDERSON: I'd like her to go
12 first.

13 MS. GRAHAM: Okay. On behalf of Commonwealth
14 Edison Company, Rebecca Graham, 115 South Lasalle
15 Street, Suite 2600, Chicago, Illinois 60603. My
16 telephone number's (312) 505-8154. And with me this
17 morning is Aaron Jiménez From ComEd.

18 MS. FRANCINE ANDERSON: And who is he?

19 MS. GRAHAM: A representative of ComEd.

20 MS. FRANCINE ANDERSON: And his title? Can he
21 speak for himself?

22 MR. AARON JIMÉNEZ: Business analyst.

1 MS. FRANCINE ANDERSON: Who?

2 MR. AARON JIMÉNEZ: The official title is
3 business analyst, and I'm here at all of the hearings
4 or most of the hearings dealing with the formal
5 complaints. I guess I'm sort of the liaison between
6 outside counsel and ComEd to hopefully resolve these
7 issues.

8 MS. FRANCINE ANDERSON: A business analyst?

9 MR. AARON JIMÉNEZ: And we spoke on the phone a
10 couple of times when this was first filed.

11 MS. FRANCINE ANDERSON: Okay. I need to know
12 who I'm talking to. I'm Francine Anderson, Secretary
13 of the Sanctuary of Faith.

14 JUDGE DOLAN: Please give your address and
15 phone number, please.

16 MS. FRANCINE ANDERSON: My home address is 1013
17 Des Plaines Avenue, Suite 203, Forest Park, Illinois
18 60130, home number (708) 209-1450.

19 JUDGE DOLAN: Let the record reflect there are
20 no additional appearances.

21 Okay. A conversation took place off
22 the record concerning this matter, and the

1 complainant did ask to be on the record for this
2 conversation. So we will reiterate our conversation
3 that we had off the record, which I indicated to you
4 that since the Sanctuary of Faith is a not-for-profit
5 corporation, it is required in the State for Illinois
6 for it to be represented by an attorney.

7 MS. FRANCINE ANDERSON: And what ruling are you
8 quoting?

9 MS. GRAHAM: There's a case called Stone Street
10 Partners, I think is the case name.

11 JUDGE DOLAN: It is.

12 MS. GRAHAM: I don't have the citation.

13 JUDGE DOLAN: It is actually through the --
14 it's actually in the Illinois Supreme Court right
15 now.

16 MS. FRANCINE ANDERSON: Okay. So that is not
17 law, it's a court ruling.

18 MS. GRAHAM: Court ruling is law.

19 MS. FRANCINE ANDERSON: No court ruling isn't
20 law.

21 MS. GRAHAM: Yes, it is. I went to law school.

22 MS. FRANCINE ANDERSON: Legislatures make law.

1 MS. GRAHAM: Legislatures make law, but there's
2 also a thing called case law. This is case law.

3 MS. FRANCINE ANDERSON: Okay. Well, this is
4 not Illinois --

5 MS. GRAHAM: It's Illinois --

6 MS. FRANCINE ANDERSON: -- legislative law.

7 MS. GRAHAM: Well, it's Illinois case law.

8 MS. FRANCINE ANDERSON: It's a case law --

9 MS. GRAHAM: Well --

10 JUDGE DOLAN: All right. It's --

11 MS. FRANCINE ANDERSON: May I ask, also, this
12 gentleman's name?

13 MR. AARON JIMÉNEZ: It's Aaron Jiménez.

14 MS. FRANCINE ANDERSON: Aaron Jiménez? A --

15 MR. AARON JIMÉNEZ: I can give you my card.

16 MS. FRANCINE ANDERSON: Okay, Jiménez.

17 And you said I spoke with you?

18 MR. AARON JIMÉNEZ: Correct.

19 MS. FRANCINE ANDERSON: What did we talk about?

20 MR. AARON JIMÉNEZ: This case.

21 MS. FRANCINE ANDERSON: What did we say? I
22 mean, what was the conversation about? Because I

1 don't recall your name.

2 MR. AARON JIMÉNEZ: I'd have to look at my
3 notes.

4 MS. FRANCINE ANDERSON: You're te analyst?
5 You're the analyst? So what did we say? What was
6 the conversation about?

7 JUDGE DOLAN: All right. You know what, you
8 can talk to him after the hearing.

9 MS. FRANCINE ANDERSON: Okay.

10 JUDGE DOLAN: We're here for the hearing.

11 MS. FRANCINE ANDERSON: Okay. But you -- no,
12 he's here to represent.

13 JUDGE DOLAN: Well, he's here. Yes, he's here
14 as a representative for Commonwealth Edison.

15 MS. FRANCINE ANDERSON: Right. And I want to
16 know -- he's here to do what, since he cannot discuss
17 what we talked about? So what is he here to do?

18 JUDGE DOLAN: He rep -- if you two worked out a
19 settlement --

20 MS. FRANCINE ANDERSON: We did not work out
21 a --

22 JUDGE DOLAN: -- Mr. Jiménez --

1 MS. GRAHAM: He's got the settlement authority.

2 JUDGE DOLAN: Mr. Jiménez would be here to
3 represent ComEd's interests.

4 MS. FRANCINE ANDERSON: Okay. That's -- thank
5 you.

6 JUDGE DOLAN: That's all he is. He's there --

7 MS. FRANCINE ANDERSON: Well, I need to know.
8 He said I spoke to him. I wanted to know.

9 But I want to put it on the record
10 that we're not stopping because -- we're not stopping
11 here, and if you choose to not want to hear this,
12 we're taking this further. Because if Illinois
13 cannot do it properly, and we know how Illinois can
14 be, we're just taking it as far as we can take it.

15 JUDGE DOLAN: You can take it as far as you
16 want to take it.

17 MS. FRANCINE ANDERSON: We're not allowed --

18 JUDGE DOLAN: But we have to have a formal
19 hearing here --

20 MS. FRANCINE ANDERSON: You --

21 JUDGE DOLAN: -- before you can go any further.

22 MS. FRANCINE ANDERSON: You can choose -- you

1 can choose to go forward with this case.

2 MS. GRAHAM: Well, Judge, we have a Motion to
3 Dismiss that's been pending since November. As you
4 know, there was supp --

5 JUDGE DOLAN: That you were supposed to file a
6 Response to.

7 MS. GRAHAM: Yeah. There was supposed to be a
8 Response --

9 MS. FRANCINE ANDERSON: We did --

10 MS. GRAHAM: Excuse me.

11 There was supposed to be a Response
12 filed January, I think, 13 of this year --

13 JUDGE DOLAN: Uh-huh.

14 MS. GRAHAM: -- by an attorney, pursuant to
15 Illinois law. And since --

16 MS. FRANCINE ANDERSON: Illinois case law.

17 MS. GRAHAM: -- since Sanctuary of Faith does
18 not --

19 MS. FRANCINE ANDERSON: Please say "Illinois
20 case law."

21 MS. GRAHAM: Case law, whatever. It's still
22 law.

1 MS. FRANCINE ANDERSON: You know, because I'm
2 going to be taking this to the legislators.

3 MS. GRAHAM: That's more than fine.

4 MS. FRANCINE ANDERSON: So take it to -- say
5 "case law."

6 MS. GRAHAM: But Sanctuary of Faith, which is a
7 not-for-profit corporation, has failed to retain
8 counsel. We have that Motion to Dismiss pending. I
9 don't see any point in moving forward with this until
10 either Sanctuary of Faith gets an attorney --

11 MS. FRANCINE ANDERSON: Well, we're going to
12 get an attorney since you said it's case law. I
13 checked with legislative law, and it's not there.

14 JUDGE DOLAN: All right.

15 MS. FRANCINE ANDERSON: So now you're making a
16 distinction between the case law --

17 JUDGE DOLAN: No, you're making the
18 distinction --

19 MS. GRAHAM: No.

20 JUDGE DOLAN: -- between the case law.

21 MS. FRANCINE ANDERSON: Well, okay. But I said
22 it's not in the legislative law. Therefore, ComEd

1 said, and you varied it's case law, that a judge
2 made. So now we're looking at case law, and we got
3 to review that. And I need --

4 JUDGE DOLAN: It's called -- the Illinois
5 Appellate Court made this decision.

6 MS. FRANCINE ANDERSON: Okay. But I'm looking
7 at what the legislators, how they chose to have ICC
8 regulate ComEd.

9 JUDGE DOLAN: That's right.

10 MS. FRANCINE ANDERSON: The legislators are in
11 charge of having ICC come --

12 MS. GRAHAM: No. ICC is still --

13 MS. FRANCINE ANDERSON: Okay. Let me finish.

14 So I looked at legislative law and did
15 not find that we had to have an attorney. Okay? Now
16 you want to come and quote case law, which, as you
17 know, I'm not an attorney.

18 MS. GRAHAM: Yes.

19 MS. FRANCINE ANDERSON: So you want to put
20 forth the case law, so now I need to take that back.

21 MS. GRAHAM: We have a Motion to Dismiss
22 pending. If you were to get an attorney --

1 MS. FRANCINE ANDERSON: I don't --

2 MS. GRAHAM: -- you would have the right to
3 respond, but you have to do it through an attorney
4 pursuant to the law.

5 MS. FRANCINE ANDERSON: Well, since you
6 mentioned case law because I personally reviewed, and
7 I had others to review the legislative law --

8 MS. GRAHAM: Well, I'm pretty sure that I
9 said --

10 MS. FRANCINE ANDERSON: -- who created ICC.

11 MS. GRAHAM: I'm pretty sure that I cited this
12 case in the motion.

13 MS. FRANCINE ANDERSON: So I would like a
14 continuance because now we're dealing with case
15 law --

16 MS. GRAHAM: Well, Judge, I would --

17 MS. FRANCINE ANDERSON: -- instead of
18 legislative law.

19 MS. GRAHAM: I'm fine with a continuance, but I
20 would suggest that we should have an appearance filed
21 by an attorney on behalf of Sanctuary of Faith before
22 we proceed. Otherwise --

1 MS. FRANCINE ANDERSON: Well, we'll do what's
2 necessary.

3 MS. GRAHAM: Excuse me.

4 Otherwise, we're wasting our time.

5 MS. FRANCINE ANDERSON: We're not wasting our
6 time because you're wasting our money.

7 JUDGE DOLAN: All right.

8 MS. FRANCINE ANDERSON: At least -- and let
9 me say --

10 JUDGE DOLAN: Okay.

11 MS. FRANCINE ANDERSON: Can I say this, Judge?

12 I have asked the Attorney General's
13 Office to request the -- ComEd's records.

14 JUDGE DOLAN: Fine.

15 MS. FRANCINE ANDERSON: So they're in the
16 process of doing just that so we can prove that we
17 paid this bill so we can get our money back, because
18 that's the bottom line of this.

19 I don't -- I'm not an attorney. Okay?
20 But I need my records, as you mentioned, to prove
21 that we paid these bills.

22 MS. GRAHAM: You have more --

1 MS. FRANCINE ANDERSON: So that's --

2 MS. GRAHAM: You have the right to proceed with
3 this hearing --

4 MS. FRANCINE ANDERSON: Let me say this.

5 MS. GRAHAM: -- if you hire an attorney. No
6 one's --

7 MS. FRANCINE ANDERSON: Let me say this.

8 You mentioned last time that we had no
9 bills to prove that we paid. Okay? That's what you
10 said. And you -- that's when you wanted the Motion
11 to Dismiss because we had no proof. So I asked the
12 Attorney's General's Office to request of ComEd the
13 bills since December of 205 [SIC]. So they're in the
14 process of doing that.

15 Once these bills are presented, I hope
16 and pray, Judge Dolan, that we can get our money
17 back.

18 JUDGE DOLAN: Okay.

19 MS. FRANCINE ANDERSON: So that's where I'm at.

20 JUDGE DOLAN: All right. Well, I will tell
21 you, though, that by statute of the Illinois Commerce
22 Commission, under the Public Utilities Act, a utility

1 is only required to keep the law -- keep the bills
2 for two years.

3 MS. FRANCINE ANDERSON: Oh, I understand that.

4 JUDGE DOLAN: And they're not going to have
5 going back to 2005.

6 MS. FRANCINE ANDERSON: Well, they had -- they
7 had -- you know what, Dolan -- Attorney Dolan?

8 JUDGE DOLAN: No, I'm a judge.

9 MS. FRANCINE ANDERSON: Judge Dolan. Mr. Fred
10 Thornton (phonetic) from ComEd, when I made this
11 initial -- when they made this initial discovery on
12 6/24/15 -- ComEd made this initial discovery.

13 JUDGE DOLAN: Okay.

14 MS. FRANCINE ANDERSON: And I asked
15 Mr. Thornton how far these records went back in which
16 we were paying on this erroneous, bogus account that
17 was attached to our building. And he told me. I
18 didn't know this because we were faithfully paying.
19 We had no issue with ComEd until it was discovered by
20 ComEd that this meter --

21 JUDGE DOLAN: I understand, ma'am.

22 MS. FRANCINE ANDERSON: Okay. So we asked Mr.

1 Fred Thornton from ComEd, he was able, since 6/15 --
2 6/24/2015, he was able to go back ten years.

3 So you're saying that ComEd doesn't
4 have records for ten years. This gentleman was able
5 to go back ten years, and he told us that the meter
6 was established on 12/27/05. So they do have access.

7 MR. AARON JIMÉNEZ: I will say we do have some
8 records that go back as far as meter, just being --

9 MS. GRAHAM: When it was initiated.

10 MR. AARON JIMÉNEZ: When it was initiated.

11 So we'll have -- if we have a meter
12 that was retired, it would say that it was first
13 installed in this date and closed out. But as far as
14 billing information, we don't have that.

15 MS. FRANCINE ANDERSON: But it was not closed
16 out until we closed it out, and that was since
17 June 24, 2015.

18 Do you have the date when it was
19 closed out?

20 MS. GRAHAM: Well, we would exchange discovery
21 once you hire an attorney, and we would go through
22 the process.

1 MS. FRANCINE ANDERSON: Well, I do know that it
2 was still -- we have the latest bill. Do you need
3 that? Because we have the last bill that was in --

4 MS. GRAHAM: No.

5 MS. FRANCINE ANDERSON: Okay. Well, it wasn't
6 closed out until we closed it out, and that was back
7 last year.

8 JUDGE DOLAN: All right. Before we go any
9 further since, again, you need an attorney to
10 proceed --

11 MS. FRANCINE ANDERSON: Okay. Well, we'll
12 pursue --

13 JUDGE DOLAN: How much time do you need?

14 MS. FRANCINE ANDERSON: Give me another 60
15 days.

16 JUDGE DOLAN: No. I can give you 30 days. I
17 have a one-year deadline on this.

18 MS. FRANCINE ANDERSON: One year deadline?

19 JUDGE DOLAN: Yes. Cases have to be resolved
20 one year from when you file it.

21 MS. FRANCINE ANDERSON: Well, we haven't been a
22 year.

1 JUDGE DOLAN: I know. But I still have to have
2 a hearing.

3 MS. FRANCINE ANDERSON: Well, we expect to
4 resolve this one way or the other.

5 JUDGE DOLAN: All right. I tell you what, I'll
6 give you 30 days. If you need more time at that
7 point, let me know.

8 MS. FRANCINE ANDERSON: Well, I know I do
9 because it's a lot going on with us. I do know that.
10 There's a lot going on with us. That's why I need
11 another 60 days. And I know how attorneys feel about
12 this small --

13 MS. GRAHAM: But you've already had since
14 November. So --

15 MS. FRANCINE ANDERSON: Excuse me. Excuse me.

16 And since I've read the legislation
17 law, which does not require an attorney, and now
18 you're presenting case law. So now I need to share
19 this with the attorneys who I've spoken with.

20 JUDGE DOLAN: That's fine. You can share it
21 with anybody you want to speak to.

22 MS. FRANCINE ANDERSON: Okay. That's what I'm

1 saying.

2 I need to go back and say this to my
3 people. We got to get all this. I have no issues of
4 following the law as if -- in contrast to ComEd. So
5 make this just a simple resolution, give us our money
6 back that we paid and just don't -- seems to me that
7 ICC can extrapolate based on what ComEd did pay us
8 for two years that we should know how much this bill
9 would be. And you gave us \$681 for 30 -- \$681.37
10 for two years, so every two years, \$681, I would like
11 that amount.

12 JUDGE DOLAN: Again, ma'am, I just indicated to
13 you that we're not going to proceed on the merits.

14 MS. FRANCINE ANDERSON: Okay. So that's what
15 just what I'm saying. All I want is our money.

16 JUDGE DOLAN: So the new date, I will give you
17 up until the first week in May.

18 MS. FRANCINE ANDERSON: Okay. I appreciate it.

19 And what date is that, sir?

20 JUDGE DOLAN: How does May 3rd look?

21 MS. FRANCINE ANDERSON: Okay.

22 MR. AARON JIMÉNEZ: Is that for an appearance

1 to be filed or the next status?

2 MS. FRANCINE ANDERSON: That's a continuance
3 because I have to want to -- I have to now go back
4 and say what she just told me, the attorney for
5 ComEd, she told me they're following case law.

6 MR. AARON JIMÉNEZ: I was asking the Judge.

7 MS. GRAHAM: Judge, I'd just like to say that
8 having another status is kind of a waste of time if
9 she hasn't hired an attorney yet. I mean, we have to
10 come down --

11 MS. FRANCINE ANDERSON: And I have to come down
12 here too.

13 MS. GRAHAM: -- and have the same discussion.
14 So --

15 MS. FRANCINE ANDERSON: I have to come here
16 too.

17 MS. GRAHAM: We would prefer -- we would
18 prefer, with all due respect, that an attorney file
19 an appearance before we -- he has to come back
20 another status to go over this again.

21 MS. FRANCINE ANDERSON: Well, I need to find
22 an attorney. I need to find an attorney.

1 MS. GRAHAM: I understand that.

2 MS. FRANCINE ANDERSON: And you know what, my
3 time is just as precious and valuable as yours. And
4 matter of fact, you're getting paid, I'm not.
5 Not-for-profit.

6 MS. GRAHAM: This is your complaint. So...

7 MS. FRANCINE ANDERSON: Okay. Well, you're
8 getting paid to represent ComEd. I'm not getting
9 paid to represent the church.

10 MS. GRAHAM: It's a waste of --

11 MS. FRANCINE ANDERSON: So my time is -- it's
12 not a waste of my time and it's not a waste of your
13 time.

14 MS. GRAHAM: It's a waste of my client's money,
15 and what I would like to do maybe make May 3rd --

16 MS. FRANCINE ANDERSON: No, it's a waste of my
17 money.

18 MS. GRAHAM: May 3rd, the deadline --

19 MS. FRANCINE ANDERSON: Because my client pays
20 you.

21 MS. GRAHAM: May 3rd the deadline for an
22 appearance to be filed, and then we could have a

1 status shortly thereafter.

2 MS. FRANCINE ANDERSON: Okay. That's fine.

3 May 3rd?

4 JUDGE DOLAN: All right. I'll do that. I'll
5 just make May 3rd as a deadline for you to find an
6 attorney.

7 MS. FRANCINE ANDERSON: Okay.

8 JUDGE DOLAN: And then I will entertain their
9 motion to dismiss if I don't hear from you within
10 that period.

11 MS. FRANCINE ANDERSON: That's fine. That's
12 fine.

13 MS. GRAHAM: Thank you, Judge.

14 MS. FRANCINE ANDERSON: And how about the
15 information that the Attorney General may give to me?
16 Would that help solve this case? Because that's what
17 ComEd said. We have no bills to prove that you paid.

18 JUDGE DOLAN: Well, when you get this
19 information from the Attorney General's, you share it
20 with Ms. Graham and Mr. Jiménez, and they will let
21 you know whether or not it's going to resolve your
22 case.

1 MS. FRANCINE ANDERSON: That's fine. I
2 appreciate it.

3 JUDGE DOLAN: So this will be entered and
4 continued generally.

5 MS. GRAHAM: Thank you, Judge.

6 MR. AARON JIMÉNEZ: Thank you, Judge.

7 SINE DIE.

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