

FORMAL COMPLAINT

ILLINOIS
COMMERCE COMMISSION

ORIGINAL

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission
527 East Capitol Avenue

JAN 14 10 18 AM '02
CHIEF CLERK'S OFFICE

Springfield, Illinois 62794-9280

For Commission Use Only:

Case

02-0034

Regarding a complaint

by William Rader
(Person making the complaint)

against NICOR
(Utility name)

as to transfer balances discharged in my son's bankruptcy
to my business accounts.
(Reason for complaint)

in Rockford Illinois.

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My mailing address is 6021 11th Street, Rockford, Illinois 61109

The service address that I am complaining about is ~~6035~~ ⁶⁰²¹ 11th Street, ~~6007~~ ⁶⁰²¹ 11th Street
Rockford, Illinois 6021

My home telephone number is [815] 874-2226

Between 8:30 a.m. and 5:00 p.m. weekdays I can be reached at [815] 874-2226

NICOR *(Full name of utility 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 which you think are involved with your complaint.

See attached complaint

Have you contacted the Consumer Affairs Division of the Illinois Commerce Commission about this complaint? Yes X No

Has your complaint filed with that office been closed? Yes X No

Please state your complaint briefly. Number each of the paragraphs. Please include any specific time period and dollar amounts involved with your complaint. Use an extra sheet of paper, if needed.

See attached complaint.

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

See attached complaint.

Date: 12/02
(Month, day, and year)

Complainant's signature William Rader

If you will be represented by an attorney, please give the attorney's name, address, and telephone number.

To be determined.

You need to file the original and three copies of this form with the Commission and also provide the Commission one copy for each utility complained about (referred to as respondents).

VERIFICATION

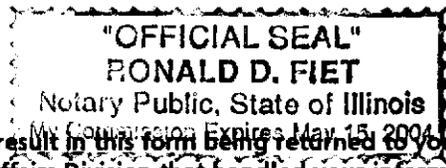
A notary public must watch you fill out this part of the form.

I, William Rader, 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.

William Rader
(Signature)

Subscribed and sworn/affirmed to before me this 8th day of JANUARY, 2002

Ronald D. Fiet
Notary Public, Illinois



NOTE:
Failure to answer all of the questions on this form may result in this form being returned to you without processing. If you have questions, please call the counselor in the Consumer Affairs Division that handled your informal complaint.

Complaint from William Rader attached to ICC filing.

NICOR is billing me at my business addresses for bills that were my son's and his business' that were discharged in bankruptcy. The facts are:

The parties involved:

- Rockford Greenhouse, Inc. [officers-Curt Rader and Ron West]
 - Curt Rader, individually
 - Bill Rader, individually
 - Rockford Garden Center, Inc.[Curt Rader]
- ☞ Rockford Greenhouse operated at two locations, West State Street, Rockford and Williams Street, Rockford, Account No. 8-06-21-3323-9.
- ☞ Rockford Greenhouse was sued in two separate collection cases, 99 SC 39 Livingston Seed Company v. Rockford Greenhouse, Inc. and 99 L 4 Ball Seed Company, a corp. v. Rockford Greenhouse, Inc. The court ordered on December 13, 1999, in both cases that Rockford Greenhouse, Inc. turn over all assets to the two plaintiffs and cease existing and operating.
- ☞ Curt Rader, individually, assumed the liability for the unpaid gas bills for the two locations of Rockford Greenhouse, Inc., account no. 8-06-21-3323-9.
- ☞ In an effort to help his son, Bill Rader, obtained financing for Curt to assist in paying the debt of Rockford Greenhouse, Inc. In exchange for obtaining the financing, the two properties, W. State Street, Rockford and Williams Avenue, Rockford, were transferred to Bill Rader, individually. At the time of the transfer, both properties were closed.
- ☞ **Curt Rader, individually, filed bankruptcy, case no. 99 B 53470, with the discharge of debt order entered February 2, 2000, which included NICOR Gas Account No. 8-06-21-3323 9. Attached are copies of court documents that show NICOR was listed as an unsecured creditor in the amount of \$21,451.13 as of the filing of the Schedule F, January 18, 2000. Additionally, Schedule H states that Rockford Greenhouse, Inc. is a codebtor.**

NICOR produced statements for Rockford Greenhouse, Account 08-06-21-3323-9, which coincidentally shows accounts receivable adjustments around the time that Bill Rader sent his letter to NICOR. I have asked for an explanation of these entries from NICOR, and have been given none.

- ☞ On February 22, 2000, Bill Rader notified NICOR Gas that he was the owner of the two properties, and that they would be reopened as Rockford Garden Center, Inc. At that time he requested that NICOR "establish a new account under the corporation Rockford Garden Center, Inc." He also stated that all future bills be **mailed** to him at his Minit Mart, 6935 11th Street, Rockford. At no point in his notification to NICOR does he offer to assume, individually or otherwise, liability for any debt for Rockford Greenhouse, Inc., Rockford Garden Center, Inc., or Curt Rader, individually.
- ☞ On September 19, 2000, NICOR Gas sent a Final Notice Prior to Disconnection to Rockford Garden Center, Inc. at Bill Rader's Minit Mart address of 6935 11th Street, Rockford, account no. 8-09-01-8596 1. The invoice is for \$25,055.01. To the best of our knowledge, Bill Rader has timely paid all invoices for natural gas service provided by NICOR (Northern Illinois Gas) for at least the past 20 years to his Minit Mart.
- ☞ NICOR has also shut off the gas service to another of Bill Rader's businesses, Club 51, Account No. 8-18020-1991-2, which just happens to be in the amount of \$34,087.45. Which is almost exactly the amounts of the invoices that were "transferred" from Rockford Greenhouse. NICOR refuses to produce any evidence to substantiate their egregious acts.
- ☞ Both the Williams Avenue, Rockford and West State Street, Rockford properties were non-operational from prior to February 22, 2000 through and after the date of the Final Disconnection Notice, September 19, 2000. Therefore, there would be no gas service to invoice. To the best of our knowledge, NICOR Gas has never filed liens against these properties.
- ☞ Rockford Garden Center, Inc. was not established until April 13, 2001.

Therefore, based on this information, any debt that was incurred by Rockford Garden Center, Inc., Rockford Greenhouse, Inc. or Curt Rader, individually, is not the legal responsibility of Bill Rader, and he has not assumed the liability. Please immediately re-establish service of natural gas to the Minit Mart, 6935 11th Street, Rockford and to Club 51, 6021 11th Street, Rockford. Additionally, we have been trying to resolve this matter with NICOR since May of 2001. We ask that NICOR pay all attorney's fees incurred in this matter. They have disregarded Federal Law in failing to recognize a discharge in bankruptcy and attempting to strong arm another individual for the funds.