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State investigation: ComEd should pay for outages

Prolonged outages that at one point left more than 800,000 people in Northern Illinois without power during last summer's storms were not unpreventable acts of God, but were caused by years of neglect of equipment and lack of tree-trimming by ComEd, according to a report from the Illinois Attorney General's office.

If the Illinois Commerce Commission agrees with the AG's findings the utility could be required to pay claims to people who lost refrigerated food and suffered other damages because of outages.

The Tribune reported in October that the ICC has never held ComEd liable for damages in extreme outages -- defined as those that leave more than 30,000 customers without power for at least four hours and could have been prevented.

ComEd, a unit of Chicago-based Exelon Corp. has maintained that storm-related outages cannot be prevented because they are caused by nature.

In a statement, ComEd said: "Last summer's wave of storms were among the worst in decades and we understand the frustration that 2.5 million outages can cause for the customers who experienced them. We also understand that even though ComEd's system reliability and outage restoration performance compares favorably on a national basis, our customers are seeking a stronger response." The utility also said it was looking to add technology to improve its service.

The attorney general's report, filed Thursday with the ICC, shows that it investigated ComEd's infrastructure in 12 towns and uncovered decrepit utility poles, equipment choked by vegetation and dangerous conditions related to transformers that haven't been replaced since the 1950s, carrying loads far beyond their designed capacity and outdated technology that aids in the spread of outages and makes them more difficult to repair.

"The singular root cause for the very large number and very long duration of outages experienced by ComEd's customers is clear and evident neglect of its distribution facilities over the past 20 years," the AG's office said in testimony included in its report.

"Regardless of whether the outages are caused by one or several sources," he said, "when so many people are out of service at the same time and outage times drag into days, customers and municipalities suffer losses that should be compensated."

ComEd has two weeks to respond to the report. There is no deadline set for the ICC to decide on the waiver application.

Electricity Pricing Areas - Jan 31, 2012 February

On-Peak	Per kWh
Cinergy	\$.03063
PJM West	\$.03901

ComEd Average Day Ahead LMP Electric Price

Time Period	Average per Kwh
Jan 1 - Jan 31, 2011	\$.03871
Feb 1 - Feb 28	\$.03581
March 1- Mar 31	\$.03668
April 1 - April 30	\$.03448
May 1- May 31	\$.03954
June 1 - June 30	\$.03851
July 1 thru July 31	\$.05170
Aug 1 - Aug 31	\$.04064
Sep 1 - Sep 30	\$.03058
Oct 1- Oct 31	\$.02968
Nov 1- Nov 30	\$.02816
Dec 1 - Dec 31	\$.02971
Jan 1 - Jan 30 2012	\$.03048

Weather Tonight: A few showers early, then clouds lingering overnight. Low 37F. Winds WNW at 10 to 20 mph. Chance of rain 30%. **Wed:** Partly cloudy. High 46F. Winds WNW at 5 to 10 mph. **Tomorrow night:** Partly to mostly cloudy. Low near 35F. Winds WNW at 5 to 10 mph. **Thursday:** A few passing clouds, otherwise generally sunny. High 48F. Winds WNW at 5 to 10 mph. **Friday:** A few clouds. Highs in the upper 40s and lows in the upper 30s. **Saturday:** Cloudy. Highs in the mid 40s and lows in the upper 30s.

