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ROBERT J. BAUMAN

ALDERMAN, 4TH DISTRICT

December 1, 2008

Grant Langley, Esq.
City Attorney
City of Milwaukee
200 E. Wells St.
Milwaukee, WI. 53202

Dear Mr. Langley:

I am writing to request a legal opinion from your office regarding several matters raised in your letter to the undersigned dated November 26, 2008.

In that letter you assert that the City of Milwaukee could be exposed to damages if the Common Council fails to "timely consider" WE Energies' request that the City consent to the assignment of their rights and obligations under the wholesale water sale agreement with the City of Milwaukee to the City of Mequon.

I infer from this assertion, that the Common Council has the power to refuse to consent to this assignment so long as we "timely consider" the request in the form of a committee hearing and Common Council vote. In other words, you are advising us that our exposure to damages is a function of failing to conduct a hearing and holding a vote, not failing to consent to the assignment. Please advise accordingly.

Sincerely,

Robert J. Bauman
Alderman, 4th District

cc: Council Members