

July 9, 2004

SBC - Risk Management Office
Attn: Debbie Griffiths, Risk Manager
2140 Davidson Road, Floor 1
Waukesha, WI 53186

RE: SBC (25200404-50-0033)
C.I. File No: 04-S-152

Dear Ms. Griffiths:

This office is in receipt of your claim in the amount of \$2,612.00, relating to damage to your buried cable on April 10, 2004 at 210 West Garfield Avenue.

Our investigation reveals the Milwaukee Water Works (MWW) repaired a water main break in the area of 210 West Garfield Avenue on the subject date. The MWW records reflect they called in an emergency locate request to Digger's Hotline at 11:45 a.m. The repair crew arrived on scene sometime around 1:30 p.m. The crew chief noted the utilities had not been marked yet and a second request for marking was made. The supervisor noted a SBC representative did arrive on scene and noted the area was clear of SBC facilities. The repair crew then began their repair activity after receiving a response from all of the underground utilities. The SBC cable was then struck in the course of the repair activity. The site supervisor then indicated a different SBC representative arrived on scene and claimed they had not been notified to mark their facilities. The MWW followed normal and customary procedures in this matter, and as such the City cannot accept liability. Accordingly, we are denying your claim.

SBC Risk Management
July 9, 2004
Page 2

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

GRANT F. LANGLEY
City Attorney

ROBERT M. OVERHOLT
Investigator Adjuster

RMO:beg
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