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September 28, 2007

To the Honorable Common Council  
Of the City of Milwaukee  
Room 205 – City Hall

Re: Resolution relating to the claim of WE Energies (2006180255)  
C.I. File No.: 07-S-10

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation, with the following recommendation.

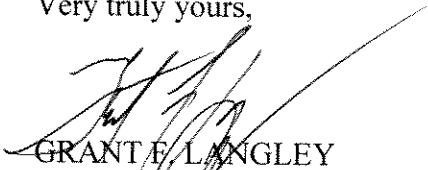
Claimant, WE Energies, by its representative Melody Erblich, Legal Services Department-P418, P.O. Box 1132, Milwaukee, WI 53201-1132 alleges that on December 7, 2006 their underground electric facility at North Edison Street and East State Street was damaged when the City of Milwaukee excavated. They claim damages in the amount of \$27,289.10.

Our investigation reveals that the Infrastructure Services Division records indicate that on December 7, 2006 Sewer Maintenance was excavating for a communications duct package at North Edison Street and East State Street. While they were removing concrete their back hoe struck and damaged the claimant's electric duct package. The


To the Hon. Common Council  
September 28, 2007  
Page 2

duct package was properly marked prior to the excavation. The claimant has agreed to accept a compromised settlement of \$21,831.28. Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend settlement of this claim and have enclosed an appropriate resolution for your convenience.

Very truly yours,



GRANT E. LANGLEY  
City Attorney



MICHAEL G. TOBIN  
Assistant City Attorney

MGT:beg  
Enclosure  
1029-2007-73:123860