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December 2, 2025

To The Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

RE: Communication from AT&T (AMER-25-202411-50-0071)
C.I. File No. 2025-001948

Dear Council Members:

AT&T submitted a claim for damages to underground facilities in the amount of $33,059.88, which occurred on November 27, 2024, at South Kinnickinnic Avenue & East Rusk Avenue.

This notice of claim was filed on October 6, 2025. Wis. Stat. § 893.80(1d)(a) requires that a notice of circumstances of a claim be served within 120 days after the happening of the event given rise to the claim. This service of notice is untimely.

We have completed our investigation into this matter with Milwaukee Water Works (MWW). Our investigation determined that (MWW) crews responded to and made repairs to a 6-inch water main near S. Kinnickinnic Avenue. During excavation activities, a crew hit and damaged AT&T's underground utilities because the underground utility cable was mismarked by more than 18 inches from the drilling excavation site.

MILWAUKEE

It is our position that the city is not liable for damages due to mismarking of the utility. Because AT&T failed to meet the statutory timeline, and underground utilities were improperly marked outside the standard minimum requirement, we recommend the claim be denied.

Very truly yours,

EVAN C. GOYKE
City Attorney

NAOMI E. SANDERS
Deputy City Attorney

ECG/NES/cdr

Enclosures

2025-001948/