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January 26, 2017

*mailed
1/31/17*

WE Energies
c/o Mary Ritenour, Claims Analyst
Claims, Room A145
P.O. Box 1132
Milwaukee, WI 53201-1132

RE: C.I. File No. 1029-2016-2554
Communication on behalf of WE ENERGIES

Dear Ms. Ritenour:

We have received your claim for the amount of \$1,392.09 in relation to the gas main damage that occurred on September 29, 2016 near 1037 South 5th Street.

Our investigation determined the area was hot lined and cleared the morning of September 28, 2016. On that day, city crews were working two blocks to the north on South 5th Street. There was a private contractor in the area, Lake West Remodeling, removing and filling the hollow walk area at the same location of the damage site. That contractor destroyed the existing hotline marks in the area of 1037 South 5th Street. On the following day, the city crew did check for hotline marks and found yellow gas marks running east and west along the center of the north walk of Washington Street along the building. The correct markings had been destroyed by Lake West Remodeling. The city crew had no way of knowing that Lake West Remodeling had destroyed the additional markings.

The damage to your gas main was not the result of any negligence of the City of Milwaukee and therefore the City is not legally liable for your damage. Accordingly, we are denying your claim.



WE Energies
c/o Mary Ritenour, Claims Analyst
January 26, 2017
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If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,



GRANT F. LANGLEY
City Attorney



KARI GIPSON
Investigator Adjuster

KBG:cdr

1029-2016-2554/236326