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April 4, 2014

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

Re: Communication from WE ENERGIES (2014260648)
C.I. File No. 1048-2014-412

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary and Legislation with the following recommendation.

Claimant WE Energies alleges Milwaukee Water Works caused damage to the gas service at 7628 West Palmetto Court due to pulling the gas service out of the ground. WE Energies has submitted a claim for damages in the amount of \$6,133.22.

Milwaukee Water Works reports there was a water main break at 7640 Palmetto Court. The department contacted Diggers Hotline to mark the underground facilities, and a distribution crew responded to complete the repairs to the main. The distribution supervisor investigated the site and determined the gas service was more than 18 inches from the mark and not within acceptable limits.

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Milwaukee Water Works followed standard procedures and took the appropriate action to repair the water main break. Since the gas service was not properly marked, the City would not be liable. Accordingly, we recommend this payment be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

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Assistant City Attorney

KBG:cdr

Enclosure

1048-2014-412/202032