



CITY OF MILWAUKEE  
2006 MAY 19 PM 3:10  
RONALD D. LEONHARDT  
CITY CLERK

May 17, 2006

Milwaukee City Clerk  
200 East Wells St.  
Room 205  
Milwaukee, WI 53202

**RE: CI File No: 06-S-55**

To Whom It May Concern:


We recently received a response from the City Attorney in a letter dated April 24, 2006 (postmarked, May 1, 2006-copy attached), Miller Compressing Company would like to request a hearing on the City's decision to deny our claim, as stated in a letter dated January 23, 2006.

You denied our claim stating, "Since you failed to advise the City of the cable location, it cannot accept liability in this matter". The City of Milwaukee arranged for and provided the services to hotline the area they were going to dig in. Daily conversations occurred between our Mr. Darren Engbring and me with the onsite City Crew lead man, Vic Brodzik. We discussed where the City would dig within the hot lined area so we could move the scrap piles that were in the way of their excavation.

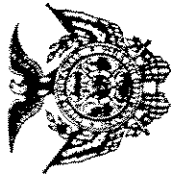
Unable to find the sewer, the City Crew then excavated in an area where there were no scrap piles, at least 50 feet away from the original area where the excavation began. This new area was not hot lined by the City. They never told us they were going to excavate in an area outside the hot lined area. We were never asked about any lines outside of the original hot lined area. There was no scrap piled in this new area. Thus, they did not have to ask us to move anything before excavating or discuss the new excavation area.

In addition, a Miller Compressing Company representative did not approve covering the unfinished splicing job, contrary to your statement in the claims denial.

Please notify me of the hearing date.

Yours truly,  
  
Henry Semerda  
Miller Compressing Company  
Facility Manager

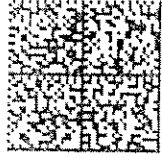
2006 MAY 19 PM 3:33  
OFFICE OF  
CITY ATTORNEY  
CITY OF MILWAUKEE  
RECEIVED



**CITY OF MILWAUKEE**  
**OFFICE OF CITY ATTORNEY**

800 CITY HALL  
200 EAST WELLS STREET  
MILWAUKEE, WISCONSIN 53202-3551

**ADDRESS CORRECTION REQUESTED**

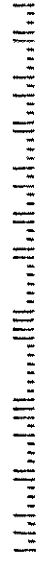


PRESORTED  
FIRST CLASS



02 1A  
0004332110 MAY 01 2006  
\$ 00.293  
MAILED FROM ZIP CODE 53202

53201 53201





CITY OF MILWAUKEE

2006 FEB 16 10:34

RONALD D. LEONARD  
CITY CLERK

January 23, 2006

City Clerk  
ATT: CLAIMS  
200 E. Wells St., Room 205  
Milwaukee, WI 53202-3567

To Whom It May Concern:


During the Spring/Summer of 2005 several crews from the Milwaukee Department of Public Works were on Miller Compressing Company property in search of a sewer line. Miller Compressing personnel worked with the DPW crew leader Vic Brodzik providing access to needed areas and drawings of our facility. During the estimated three weeks of work in various locations the manholes and sewers were located. However, while searching for a manhole the crew uncovered a buried phone cable that supplies communication to our East yard location. The crew excavated before checking with Miller Compressing personnel.

Miller Compressing contacted CC&N a contractor that provides communication services to our Company to repair the damage. On the first day, the damage was repaired, but not completed. The DPW crew covered the repair and again damaged the repair. Miller Personnel had A. Zangerle, Inc., who was on site dig up the location again and CC&N completed the repairs.

Please find a copy of CC&N invoice #91354 in the amount of \$3,107.17 and photo's of referenced damaged cabling.

My apologies for not informing your Department within the 120 days of the event, but the internal paperwork was misplaced until our Accounting Department discovered it during our year-end closings. Should you have any questions regarding this matter, please contact me at 414-290-6549. Thank you.

Sincerely,

  
Hank Semerda  
Miller Compressing Company

Enclosures

HS;jt

SUPPLIER CC&N CONFIRM TO \_\_\_\_\_ P.O. # 051230 INI AG  
 NORMAL REPAIR \_\_\_\_\_ DATE ORIGINATED 7/5/05  
 EARLY REPLACEMENT \_\_\_\_\_ DATE ORDERED \_\_\_\_\_  
 CORRECTIVE ACTION TAKEN \_\_\_\_\_ DATE REQUIRED \_\_\_\_\_  
 QUANTITY USED PER YEAR \_\_\_\_\_ DATE RECEIVED \_\_\_\_\_  
 AREA \_\_\_\_\_ MACHINE \_\_\_\_\_ ACCT. NUMBER 115  
 COMPT. BID \_\_\_\_\_ ACCD. NO. \_\_\_\_\_ PROJ. NO. \_\_\_\_\_ TAX STATUS \_\_\_\_\_ EX  NEX

QTY.	PART DESCRIPTION OR SERVICE TO BE PERFORMED	PRICE EA.	TOTAL PRICE
1.	1 Repair phone cabling to East Yard	\$3107.12	\$3107.12
2.	accidentally dug up & cut by City of Milwaukee DPW		
3.			
4.	Hank S to get City to reimburse cost		
5.	Copy of Invoice sent to Hank 7/5 AG		
6.			
7.			
8.			
9.			
10.			
11.			
12.			

ACCOUNTING

DELIVERED TO \_\_\_\_\_ APPROVED BY TC REQUESTED BY AG



Let The Future In.

P.O. BOX 686326  
MILWAUKEE, WI 53268-6326

OFFICE (262) 523-0299  
FAX (262) 523-0393  
www.ccnfuture.com

ORIGINAL  
INVOICE  
NO.

91354

PAGE 1

B  
I MILLER COMPRESSING  
L ATTN: BARBARA JORDAN  
L 1640 WEST BRUCE STREET  
MILWAUKEE WI 53204  
T  
O

J 541401C  
O MILLER COMPRESSING  
B RANDY GOSH - 414.397.7690  
1640 WEST BRUCE STREET  
N MILWAUKEE, WI 53204  
O

INVOICE DATE	INVOICE NO.	CUSTOMER NO.	PAYMENT TERMS	PURCHASE ORDER NO.
06/29/05	91354	MIL427	NET 30-DAYS	

QUANTITY	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
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DUG OUT THE CUT CABLES (100-PAIR AND 25-PAIR). SPLICED TWO ENDS OF EACH WITH A 20-FOOT SECTION OF 300-PAIR CABLE. THE ENCLOSURES ARE NOT FILLED AT THIS TIME IF ACCESS IS NEEDED FOR CORRECTIONS. TROUBLE SHOT FOUR PHONES - CORRECTED SPLICE. MILLER COMPRESSING DUG OUT SPLICE CASES, THE HOLE HAD BEEN PREMATURELY FILLED BY MDPW. FILLED FINISHED SPLICE CASES WITH EPOXY. INFORMED RANDY THAT THEY COULD BACK FILL AND ALL THE PHONES ARE WORKING.

LABOR

5.00	HR	BOB BACHLEITNER	55.0000	275.00
5.50	HR	TOM MAES	55.0000	302.50
7.00	HR	TOM MAES - OT	82.5000	577.50
3.00	HR	MATT GREUEL	55.0000	165.00
3.00	HR	MATT GREUEL - OT	82.5000	247.50

TOTAL LABOR..... 1,567.50

MATERIAL

1.00	EA	SPLICE KIT	1350.0000	1,350.00
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TOTAL MATERIAL..... 1,350.00

OTHER

FREIGHT 24.90

CONTINUED



P.O. BOX 686326  
MILWAUKEE, WI 53268-6326

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06/29/05	91354	MIL427	NET 30 DAYS	

QUANTITY	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
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TOTAL OTHER.....

MILWAUKEE COUNTY SALES TAX

24.90  
164.77

GROSS	RETAINAGE	TAX	NET AMOUNT
2,942.40	.00	164.77	3,107.17







