

CHAIR

- PUBLIC WORKS COMMITTEE
- HISTORIC THIRD WARD ARCHITECTURAL REVIEW BOARD

VICE CHAIR

- FINANCE & PERSONNEL COMMITTEE

**MEMBER**

- ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
- STEERING & RULES COMMITTEE
- BOARD OF HARBOR COMMISSIONERS
- HISTORIC PRESERVATION COMMISSION
- HOUSING TRUST FUND ADVISORY COMMITTEE

ROBERT J. BAUMAN
ALDERMAN, 4TH DISTRICT

August 26, 2011

Mr. Phil Montgomery
Chairperson
Public Service Commission of Wisconsin
610 N. Whitney Way
P.O. Box 7854
Madison, WI. 53707-7854

Dear Chairperson Montgomery:

I am writing with regard to the recent correspondence to your office from Senator Wanggaard that has been reported in various media. This letter raises some interesting and far reaching policy questions regarding the relationship between regulated utility companies and municipalities and other government entities in situations where those utility companies occupy the public right-of-way.

As you know, long standing custom and practice as well as legal precedent has governed the relationship between utility companies and municipalities where a public works project requires utility work. It appears that Senator Wanggaard seeks to question these long standing arrangements and precedents and perhaps alter these arrangements and precedents through legislation, regulation or PSC decision or rule making.

If this is the case, it is important to point out that my 40,000 constituents in the City of Milwaukee would also want to be heard on future public works projects in Racine County which may impact their utility rates. I am sure that there are many public works projects in Racine County or other suburban communities that my constituents will not use or benefit from to the same extent that Racine County residents may not use or benefit from public works projects in the City of Milwaukee. For example, I can think of many suburban highway and freeway projects, which have generated significant utility relocation costs, which my constituents, especially those who do not own automobiles, do not use or benefit from. Taxpayers of the City of Milwaukee should not be required to pay for the local transportation desire of Racine County or any other suburban county.

Perhaps Senator Wanggaard is right and we should be looking at a new legal arrangement that provides ratepayers in one community with legal standing to object

Mr. Phil Montgomery
August 26, 2011
Page 2

to and/or block public works projects in another community or perhaps all public works projects that could affect a utility's costs should be put to a referendum of all ratepayers. Perhaps the PSC should hold hearing and approve all public works projects in the State of Wisconsin that could conceivably affect a utility rate.

Thank you for your consideration of this matter and I will look forward to your policy recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Bauman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Robert J. Bauman
Alderman, 4th District

cc: Commissioner Ellen Nowak
Commissioner Eric Callisto