

**OFFICIAL FILE  
ILLINOIS COMMERCE COMMISSION**

For Commission Use Only:  
Case: 09-0218

**FORMAL COMPLAINT**

Illinois Commerce Commission  
527 E. Capital Avenue  
Springfield, Illinois 62701

**ORIGINAL**

Regarding a complaint by (Person making the complaint): Julie Watson

Against (Utility name): Ameren IP

As to (Reason for complaint) Request for utility pole to be moved into  
legal easement located on the lot

in Galesburg Illinois.

ILLINOIS  
COMMERCE COMMISSION  
2009 APR 28 A 10:09  
CHIEF CLERK'S OFFICE

**TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:**

My mailing address is 1090 Knox Hwy 25, Galesburg, IL 61401

The service address that I am complaining about is 1041 Northwood Drive, Galesburg, IL 61401

My home telephone is [309] 343-8337

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at [309] 335-1116

My e-mail address is julie@lakebracken.com I will accept documents by electronic means (e-mail)  Yes  No

(Full name of utility company) Ameren IP (respondent) is a public utility and is subject to the provisions of the Illinois Public Utilities Act.

In the space below, list the specific section of the law, Commission rule(s), or utility tariffs that you think is involved with your complaint.  
\_\_\_\_\_  
\_\_\_\_\_

Have you contacted the Consumer Services Division of the Illinois Commerce Commission about your complaint?  Yes  No

Has your complaint filed with that office been closed? Complaint #12009-04168  Yes  No

Please state your complaint briefly. Number each of the paragraphs. Please include time period and dollar amounts involved with your complaint. Use an extra sheet of paper if needed.

(See attached paper)

Please clearly state what you want the Commission to do in this case: I would like the commission to direct Ameren IP to move the utility pole into their current easement at their expense.

**NOTICE:** If personal information (such as a social security number or a bank account number) is contained in this complaint form or provided later in this proceeding, you should submit both a public copy and a confidential copy of the document. Any personal information contained in the public copy should be obscured or removed from the document prior to its submission to the Chief Clerk's office. Any personal information contained in the confidential copy should remain legible. If personal information is provided in your public copy, be advised that it will be available on the internet through the Commission's e-Docket website. The confidential copy of any filing you make, however, will only be available to Commission employees. If you file both a public and confidential version of a document, clearly mark them as such.

Today's Date: April 27, 2009 Complainant's Signature: Julie Watson  
(Month, day, year)

If an attorney will represent you, please give the attorney's name, address, telephone number, and e-mail address.

When you finish filling out this complaint form, you need to file the original with the Commission's Chief Clerk. When filing the original complaint, be sure to include one copy of the original complaint for each utility company complained about (referred to as respondents).

**VERIFICATION**

A notary public must witness the completion of this part of the form.

I, Julie Watson, Complainant, first being duly sworn, say that I have read the above petition and know what it says. The contents of this petition are true to the best of my knowledge.

Julie Watson  
Complainant's Signature

Subscribed and sworn/affirmed to before me on (month, day, year) April 27, 2009.

Gretchen A. Fitch  
Signature, Notary Public, Illinois



(NOTARY SEAL)

**NOTE:** Failure to answer all of the questions on this form may result in this form being returned without processing.

1. June 2008-After the passing of my in-laws we decided we would like to tear down the existing house at 1041 Northwood Drive and build a home more suited to standards governed in the ADA guidelines. Included in the design would be a attached garage, allowing for ease of access to a home built on a steep hillside lot. We hired Bruner, Cooper and Zuck to do a topography of the land and obtained the Plat of the land done by Schrader and Associates in the early 1970's. This is the most current plat of the existing property.
2. Our builder used both surveys to plot the location of our new construction, noting the utility pole marked on the Topography and the Utility easement noted on the plat. Due to the elevation extremes of our lot, there was little choice as to where the home needed to be built in order to accommodate an attached garage. We were instructed by Julie Cone, of AmerenIP to remain 5 feet away from the existing utility pole (this was assuming the pole was in an easement of 10 feet).
3. December 2008- After tear down and the subsequent rebuild, first of the basement and then the attached garage, we began realizing that although we maintained our given distance of 5 feet from the utility pole, the lines going across the lot were going to be too close to the garage roof.
4. Jan 2009- March 2009-We began several calls to Julie Cone, attempting to have this situation resolved. We were told that we were in violation of their easement and thus were responsible for paying for the company to move the pole and lines. They maintained that they had a "double easement" on the lot which covered the location of their utility pole and their gas line. We requested multiple times to have copies of this "double easement" sent to our home, but never did receive anything but the one easement that is filed in the recorder's office and also platted. We did however receive a bill prior to any personal contact or discussion. The bill we received to move the location of the pole and the lines was \$4053.69. It was not until I filed a informal complaint with the ICC that AmerenIP engineers agreed to meet directly with us at the construction site. We went to Schrader and Associates and obtained a blown up version of the plat giving exact lot measurements. Using the lot markers marked during the topography, Ameren engineers and their right-a-way agent along with my husband measured to the utility pole. All parties present agreed that the pole was nowhere near the 20 foot utility easement. At this time I offered to split the cost of moving the pole into the legal easement between AmerenIP and myself. I was told that AmerenIP cannot offer customers' deals like the one I suggested.
5. April 9, 2009 Ameren responded to my informal complaint continuing to allege that moving the pole was our sole financial responsibility. After once again offering to split the cost of the move and once again being turned down, I have no choice but to file this formal complaint.