

For Commission Use Only:

Case: 10-0249

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

FORMAL COMPLAINT

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

RECEIVED

Regarding a complaint by (Person making the complaint):

MAURICE F. OTTENWELLER

Against (Utility name):

CENTRAL ILLINOIS LIGHT COMPANY

As to (Reason for complaint)

UNLAWFUL ENTRY AND UNNECESSARY
CUTTING OF 30 YEAR OLD HARD MAPLE TREES

in BRIMFIELD Illinois.

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My mailing address is

5319 No. PROSPECT RD. PEORIA, IL 61614

The service address that I am complaining about is

137 So. JEFFERSON ST. BRIMFIELD, IL.

My home telephone is

(309) 688 6847

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at

[] SAME

My e-mail address is _____

I will accept documents by electronic means (e-mail) Yes No

(Full name of utility company) AMEREN ILCO
to the provisions of the Illinois Public Utilities Act.

(respondent) is a public utility and is subject

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.

UNKNOWN

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?

Yes No

CHIEF CLERK'S OFFICE
2010 MAR 3 11:07
ILLINOIS COMMERCE COMMISSION

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.

ATTACHED NOTE #1

Please clearly state what you want the Commission to do in this case:

ATTACHED NOTE #2

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: MAR. 29, 2010 Complainant's Signature Maurice Attenweiller
(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

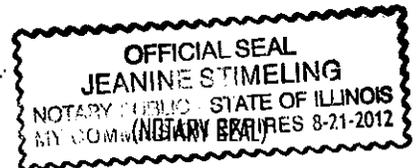
A notary public must witness the completion of this part of the form.

I, Maurice Attenweiller, 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.

Maurice Attenweiller
Complainant's Signature

Subscribed and sworn/affirmed to before me on (month, day, year) March 29, 2010

Jeanine Stimeling
Signature, Notary Public, Illinois



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

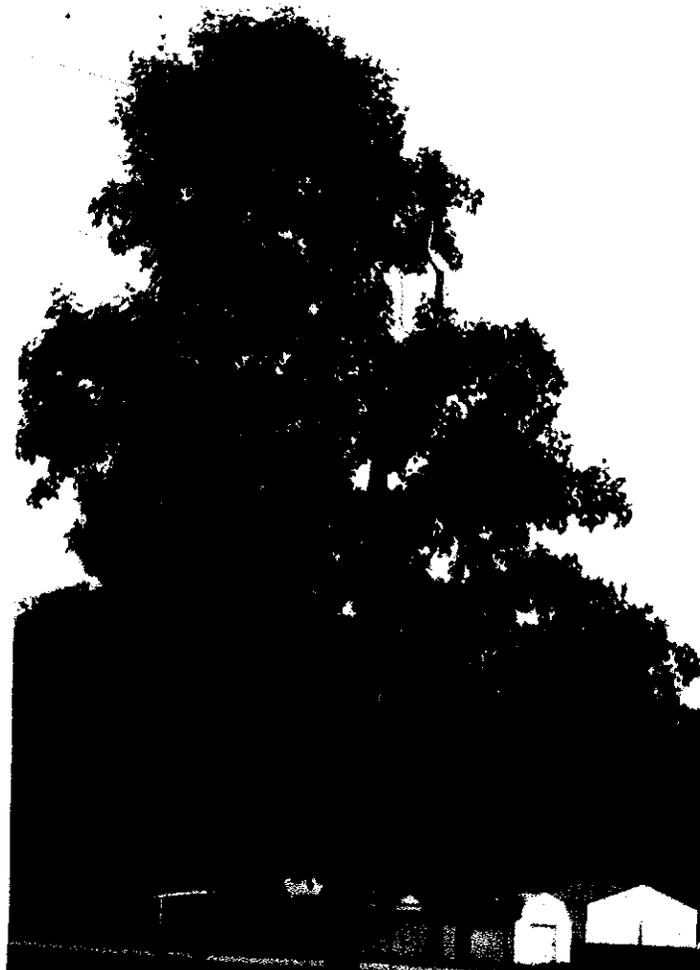
Attached Note #1

Sometime in March 2009, Ameren /Cilco's contractor entered my locked property without any notification or permission at Brimfield, Illinois and cut the entire sides out of two 30 year old Hard Maple trees. As shown on the enclosed drawing, the branches did not extend or threaten the overhead power lines.

Attached Note #2

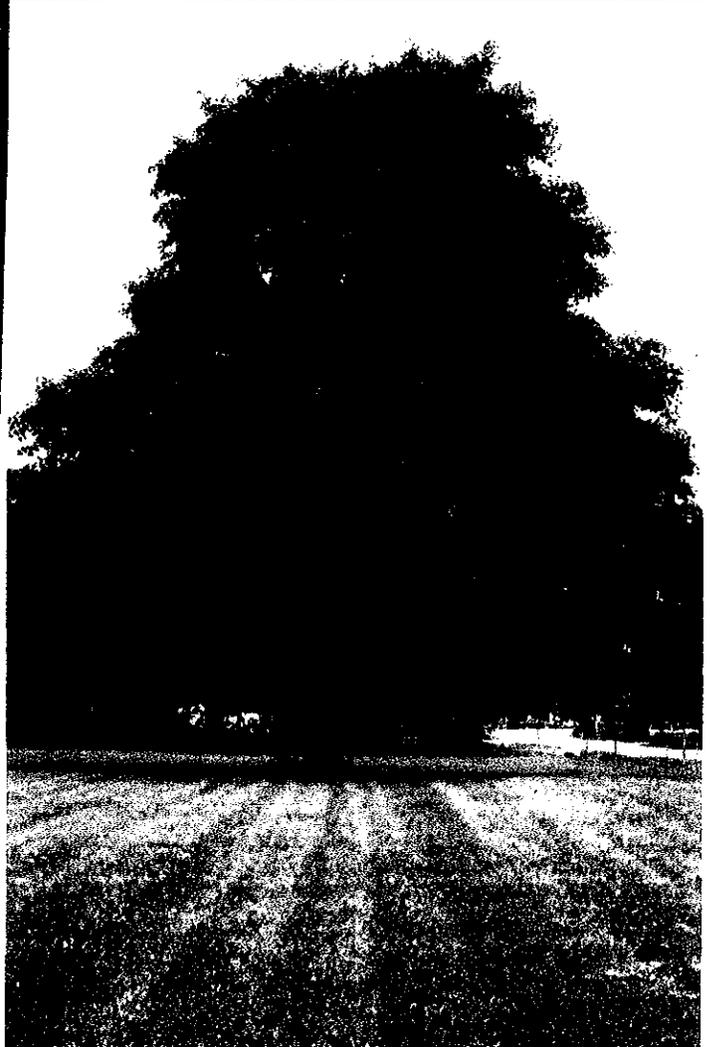
I requested that the utility company or their contractor remove and replace the subject trees with reasonable replacements of comparable size and quality or make an equal cash settlement for my loss if the trees are irreplaceable.

JULY 2009



MAY 2009

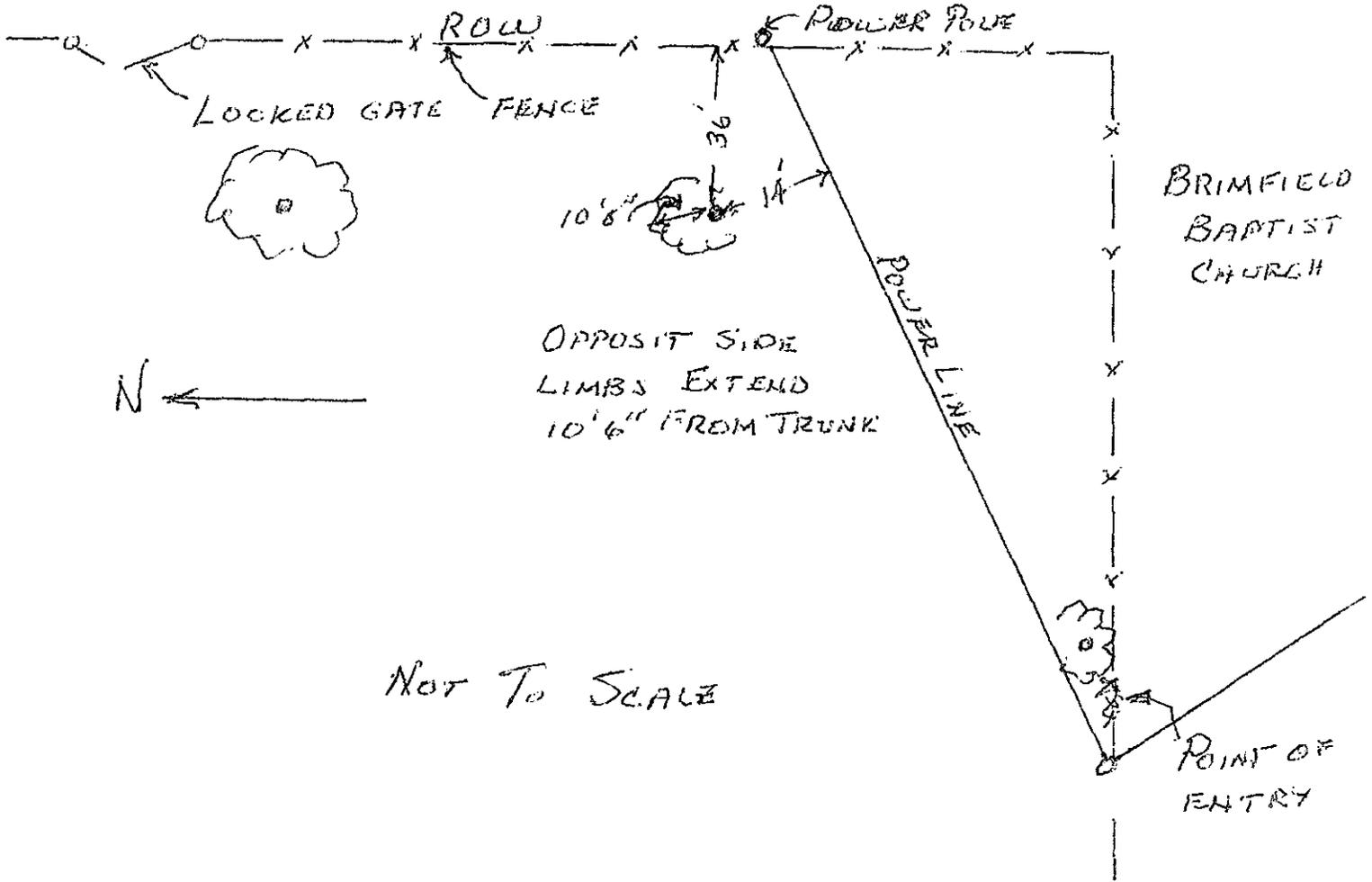
POINT OF ENTRY



ADJACENT TREE - PLANTED SAME DAY

PROPERTY OWNED BY
MAURICE (SAM) OTTENWILLER
5319 N. PROSPECT RD.
PEORIA, IL 61614
(309) 688 6847

COUNTY ROAD - BRIMFIELD B-TOP



NOT TO SCALE

Terry N. Tate
Superintendent Vegetation Management
Ameren
300 Liberty St.
Peoria, IL 61602
309-693-4629

Mr. Sam Ottenweller
5319 N. Prospect Rd.
Peoria, IL 61614

July 9, 2009

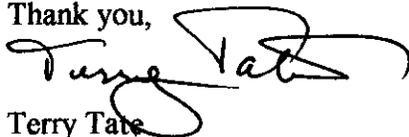
Dear Mr. Ottenweller;

Re: meeting on 5/28/09

Sometime in the winter of 2008/2009, Ameren contractor tree crews cleared trees from an overhead line that cross your property. As a result of this maintenance, you expressed concern over the manner in which two Norway maples were trimmed. These trees were trimmed on one side of the tree in a fairly typical line clearance pruning manner. Some of the limbs were removed back to the main trunk of the tree. This was a judgment call made by the crew on site. This may have been done because there were no lateral limbs of sufficient size on the intruding limb to prune back to. We instruct crews to always prune back to a lateral as opposed to leaving a stub branch that will ultimately die. After viewing the trees and meeting with you at your request, I would like to propose an offer to you for the dissatisfaction you have towards the pruning done on the two hard maples.

I would recommend not removing either tree. The trees are still healthy and viable species. The side of the tree pruned back from the wires will fill in with resurgent growth beginning this year. I would offer to provide a gift certificate from a local nursery for \$300. This would be equivalent to what Ameren provides in replacement tree agreements with municipalities. You would still have your trees and be able to acquire additional landscaping for your property. If you are in agreement with this offer, please contact me at the number above.

Thank you,



Terry Tate



State of Illinois
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Ill. 62701
Attn. Kevin Hecker
Consumer Services Division

Dear Kevin,

Thank you for your interest in my problem with CILCO's tree trimmer operations. Mr. Tate's timely reply to your commission wasn't the same as his response to me.

I don't think his offer of a \$300 gift certificate would go very far in removing And replacing the two trees in question.

I'm including in this correspondence, my Drawing, pictures of the subject Trees, other trees planted the same day, a copy of the easement agreement (10 ft On Centerline), and Mr. Tate generous offer.

In review, the contractor entered my locked property without any notification And through an adjoining property without their permission. Mr. Tate denied that They used a bucket truck and said they probably climbed the tree to do the trimming. I've never have seen a tree trimmer climb a tree, only a tree remover.

I have no idea what you or the Commission can do to help resolve this complaint, But what ever help or advise would be greatly appreciated.

Thanking you in advance for your help, I remain

Truly Yours,

Maurice (Sam) Ottenweller
5319 N. Prospect Rd.

Peoria, Ill 61614
(309) 688 6847