



An Exelon Company

OFFICIAL FILE

GLENBARD OFFICE
1N423 SWIFT ROAD
LOMBARD, ILLINOIS 60148
630-424-5706

ICC DOCKET NO. 11-0790
Watson Complaint
Exhibit No. 1

Witness _____

Date 8-29-12 Reporter D. Demski Date: 12/21/2009

RWE MANAGEMENT CO
515 W 65TH STREET
WILLOWBROOK, IL 60527

For Electrical Service To:
1010 COLLEGE AVE
WHEATON, IL

Enclosed please find a copy of your Customer Work Agreement.
To ensure prompt processing of your agreement please do the following:

- Review, sign and date the Customer Work Agreement.
- Return the signed copy of the agreement and payment of **\$8,404.29** in the enclosed envelope, to my attention.

Work cannot proceed until we have received the signed document with your remittance and a call to 1-866-NEW-ELEC (1-866-639-3532) letting us know your electrician has completed work and passed required municipal government inspections. Upon approval by our Company, one copy of the document will be returned to you for your records.

If this contract is not returned within 30 days, it will be cancelled.

You may make payments on the ComEd website or by phone. A \$3.50 Bill Matrix, Inc. convenience fee will apply to each electronic payment transaction.

By Internet go to: <<https://paymentscomed.billmatrix.com/>>

By Phone, call: 1-800-588-9477 (English & Spanish)

If you have any questions concerning this or any other Commonwealth Edison matter, please call 1-800 Edison 1.

Sincerely,

Enclosures

MARY LABOSKE
FIELD REPRESENTATIVE

CUSTOMER WORK AGREEMENT

PL#: 454151

CWA#: WD090675 R:0000

Date: 12/21/2009

RWE MANAGEMENT CO ("Customer") and ComEd ("Company") agree that the Company will furnish at the Customer's expense the labor and materials necessary to do the work for the Customer on or adjacent to the Customer's premises at 1010 COLLEGE AVE, WHEATON, IL 60187, described below.

CUSTOMER WORK AGREEMENT - CUSTOMER WORK ORDER

CHARGES FOR REQUESTED INSTALLATION	\$8,404.29
TOTAL CUSTOMER CHARGE	\$8,404.29

The Customer agrees to pay to the Company the sum of **\$8,404.29**, payment in full due prior to beginning of Company work.

The charges listed in this contract are for performing the work identified herein under normal field conditions. If abnormal field conditions are encountered and additional labor and materials are required to complete the work, or if the scope of work is altered, ComEd reserves the right to collect, and the owner agrees to pay, additional money to cover the increased costs.

The sketch, if any, attached hereto is hereby made a part of this Agreement and expressly designates ownership of the facilities referred to.

The Total Customer Charge reflects the scope of work described in this Customer Work Agreement that will be performed by the Company. This does not include charges for the relocation or removal of equipment owned by others, such as cable television or communication companies, that are attached to the Company's poles. It is the Customer's responsibility to contact these other companies to schedule the relocation or removal of their equipment from the poles. These companies will bill the Customer separately for the work they must perform.

Work will be done during the Company's regular working hours, unless otherwise specified.

This Agreement shall be void if not accepted by the Customer within thirty days from date submitted.

Transformers and metering equipment installed in conjunction with this work, shall in all cases, remain the property of the Company.

In the event the work covered by this Agreement cannot be completed within one year from the above date as a result of delays on the part of the Customer or because the Company has been denied access to the premises, the charge to the Customer shall be recomputed based on the level of costs prevailing at the time of completion of the work as stipulated in the Company's General Company Order No. 25.

This agreement is subject to the provisions of the Company's Schedule of Rates and Information and Requirements for Electric Services as on file with the Illinois Commerce Commission.

FOR THE COMPANY:

MARY LABOSKE

Submitted By

Accepted By

Signature

Print Name

FOR APPLICANT:

Accepted By

Signature

Print Name

Official Capacity

Account Number: 8423003014

Work Task Number: 0684840901

Payment Stamp

Mail Bills To: **RWE MANAGEMENT CO**
515 W 65TH STREET
WILLOWBROOK, IL 60527



An Exelon Company

July 12, 2010

DANIEL WATSON
1010 COLLEGE AVE
WHEATON, IL 60187

Account No. 0839027020

Dear Mr. Watson,

I am the ComEd representative in charge of all Formal Illinois Commerce Commission complaints. Pursuant to your complaint, I have reviewed the charges and the work performed on the ComEd facilities in order to provide you with OSHA safe body clearances.

In order to provide your workers with OSHA safe body clearance (10 feet), ComEd had to de-energize the line. In order to de-energize the line, a new switching point was needed. The work you were charged for was to install the new switch and do the switching to de-energize the line.

ComEd previously relocated the overhead electric facilities next to your building in order to meet National Electrical Safety Code clearance (7.5 feet) at no cost to you. This pole line is located at the edge of a public Right of Way (alley roadway) and ComEd cannot move the pole line and wires farther out away from your building into the public right of way without impeding traffic flow in the alley.

Call
Wheaton

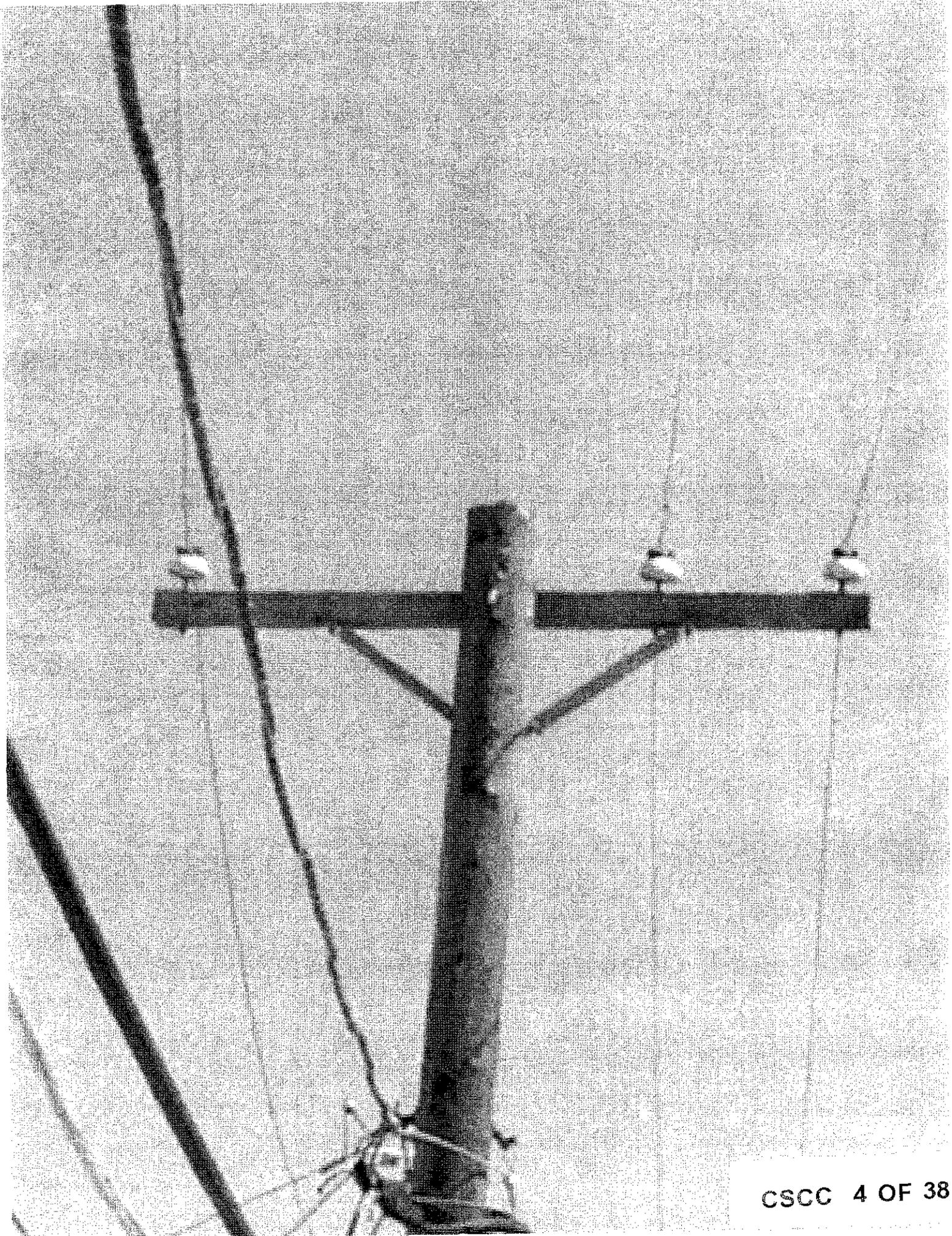
ComEd is a public utility governed by the Illinois Public Utilities Act and is subject to the regulation of the Illinois Commerce Commission. Pursuant to a ComEd tariff approved by the Commission, ComEd is entitled to charge you for the switch work performed in order to provide your workers with OSHA clearances.

ComEd's Tariff Sheet No. 156 of General Terms and Conditions (see attached) states in part: "For a situation in which there is a change in the retail customer's operation, construction, or property, which in the judgment of the Company makes the relocation of the Company's distribution facilities necessary, the Company relocates such facilities in accordance with the provisions for providing nonstandard services and facilities."

ComEd's tariff addresses the situation in this case and requires the retail customer to pay for the relocation of ComEd facilities. In this case, the relocation of the facilities was done via a switch to de-energize the line in order to provide your workers with OSHA clearances.

Respectfully yours,

Monica Merino
ComEd
Regulatory & Governmental Affairs
Monica.Merino@comed.com
Tel. 312-394-3866
Enclosures



232B1

PART 2. SAFETY RULES FOR OVERHEAD LINES

232B1

Table 232-1

FT

Vertical Clearance of Wires, Conductors, and Cables Above Ground, Roadway, Rail or Water Surfaces⁽²⁾

(Voltages are phase to ground for effectively grounded circuits and those other circuits where all ground faults are cleared by promptly de-energizing the faulted section, both initially and following subsequent breaker operations. See the definitions section for voltages of other systems. See Rules 232B1, 232C1a, and 232D4.)

Nature of surface underneath wires, conductors, or cables	Insulated ⁽¹⁾ communication conductors and cable; messengers; surge-protection wires; grounded guys; neutral conductors meeting Rule 230E1; supply cables meeting Rule 230C1	Noninsulated communication conductors; supply cables of 0 to 750 V meeting Rules 230C2 or 230C3	Supply cables over 750 V meeting Rules 230C2 or 230C3; open supply conductors, 0 to 750 V	Open supply conductors, over 750 V to 22 kV	Trolley and electrified railroad contact conductors and associated span or messenger wires ⁽¹⁾	
	(ft)	(ft)	(ft)	(ft)	0 to 750 V to ground (ft)	Over 750 V to 22 kV to ground (ft)

Where wires, conductors, or cables cross over or overhang

1. Track rails of railroads (except electrified railroads using overhead trolley conductors) ⁽²⁾⁽³⁾⁽⁴⁾	23.5	24.0	24.5	26.5	22.0 ⁽⁵⁾	22.0 ⁽⁵⁾
2. Roads, streets, and other areas subject to truck traffic ⁽⁶⁾	15.5	16.0	16.5	18.5	18.0 ⁽⁵⁾	20.0 ⁽⁵⁾
3. Driveways, parking lots, and alleys	15.5 ⁽⁷⁾⁽⁸⁾	16.0 ⁽⁷⁾⁽⁸⁾	16.5 ⁽⁷⁾	18.5	18.0 ⁽⁵⁾	20.0 ⁽⁵⁾
4. Other land traversed by vehicles, such as cultivated, grazing, forest, orchard, etc. ⁽⁹⁾	15.5	16.0	16.5	18.5	—	—
5. Spaces and ways subject to pedestrians or restricted traffic only ⁽⁹⁾	9.5	12.0 ⁽⁹⁾	12.5 ⁽⁹⁾	14.5	16.0	18.0
6. Water areas not suitable for sailboating or where sailboating is prohibited ⁽⁹⁾	14.0	14.5	15.0	17.0	—	—
7. Water areas suitable for sailboating including lakes, ponds, reservoirs, tidal waters, rivers, streams, and canals with an unobstructed surface area of ⁽⁹⁾⁽¹⁰⁾						
a. Less than 20 acres	17.5	18.0	18.5	20.5	—	—
b. Over 20 to 200 acres	25.5	26.0	26.5	28.5	—	—
c. Over 200 to 2000 acres	31.5	32.0	32.5	34.5	—	—
d. Over 2000 acres	37.5	38.0	38.5	40.5	—	—
8. Public or private land and water areas posted for rigging or launching sailboats	Clearance above ground shall be 5 ft greater than in 7 above, for the type of water areas served by the launching site					

Where wires, conductors, or cables run along and within the limits of highways or other road rights-of-way but do not overhang the roadway

9. Roads, streets, or alleys	15.5 ⁽¹¹⁾⁽¹²⁾	16.0 ⁽¹¹⁾	16.5	18.5	18.0 ⁽⁵⁾	20.0 ⁽⁵⁾
10. Roads in rural districts where it is unlikely that vehicles will be crossing under the line	13.5 ⁽¹¹⁾⁽¹²⁾	14.0 ⁽¹¹⁾	14.5 ⁽¹¹⁾	16.5	18.0 ⁽⁵⁾	20.0 ⁽⁵⁾

(continued on next page)



FW: 1010 E. College Ave, Wheaton, IL - College Station Cat Clinic Monday, December 13, 2010 8:04 AM
From: "Jason Sanderson" <jason@rwemanagement.com>
To: "Dan Watson" <dmw@collegestationcat.com>

WE HAVE MOVED! BELOW IS OUR NEW ADDRESS, PHONE NUMBER, AND FAX

Jason R. Sanderson
 RWE Management Co.
 16 W 361 S. Frontage Rd. Suite 106
 Burr Ridge, IL 60527

Office: 630-734-0883
 Fax: 630-734-0884
 Cell: 630-632-0883
 E Fax: 270-682-0883
www.rwemanagement.com

From: Jason Sanderson [mailto:jason@rwemanagement.com]
Sent: Wednesday, December 30, 2009 8:08 AM
To: 'kenneth.cicirale@ComEd.com'
Subject: RE: 1010 E. College Ave, Wheaton, IL - College Station Cat Clinic

We appreciate your help.

Jason R. Sanderson
 RWE Management Co.
 515 W. 65th Street
 Willowbrook, IL 60527

Office: 630-353-0883
 Fax: 630-353-0884
 Cell: 630-632-0883
 E Fax: 270-682-0883
www.rwemanagement.com

From: kenneth.cicirale@ComEd.com [mailto:kenneth.cicirale@ComEd.com]
Sent: Wednesday, December 30, 2009 7:59 AM
To: jason@rwemanagement.com
Subject: RE: 1010 E. College Ave , Wheaton , IL - College Station Cat Clinic

5/29/09

Jason:

I spoke with Darryl Johnson who should have spoken with you yesterday. The work is scheduled to begin today. Please let myself and Darryl know if this does not take place. I will be following up with our Construction Foreman this afternoon.

CSCC 6 OF 38

I apologize for the delay, feel free to contact me if you need anything else.

Thanks,
Yasmin El-Tigani

-----Original Message-----

From: Jason Sanderson [mailto:jason@rwemanagement.com]
Sent: Monday, August 10, 2009 3:20 PM
To: Topps, Curtis D:(ComEd); El-Tigani, Yasmin A:(ComEd)
Cc: 'Bob Edwards'
Subject: RE: 1010 E. College Ave- Wheaton IL

Curtis & Yasmin

Curtis,



I emailed and called you a week ago Thursday and haven't gotten a returned message or call. I just left you another message today. Are you not the person I need to be talking with? As I stated in my email on July 30th we need to address this issue ASAP.

Yasmin,

Can you provide me with a supervisor Curtis Topps ? There is a number listed on his voicemail for Kelly (his supervisor), but when I dial the number the voicemail message is not Kelly. I need to keep this project moving, since our misunderstanding regarding the work on the existing lines.

Thanks,

Jason R. Sanderson
RWE Management Co.
515 W. 65th Street
Willowbrook, IL 60527

Office: 630-353-0883
Fax: 630-353-0884
Cell: 630-632-0883
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www.rwemanagement.com

From: Jason Sanderson [mailto:jason@rwemanagement.com]
Sent: Thursday, July 30, 2009 8:42 AM *
To: Curtis Topps (curtis.topps@comed.com)
Cc: 'Bob Edwards'; 'Yasmin.Eltigani@ComEd.com'
Subject: 1010 E. College Ave- Wheaton IL

Curtis,

Attached is our new meter service application. We are preparing to build a new animal hospital at the above referenced project. Currently the existing College Station Cat Clinic only occupies 1010

CSCC 7 OF 38

Ken

From: Jason Sanderson [mailto:jason@rwemanagement.com]
Sent: Tuesday, December 29, 2009 10:48 AM
To: Cicirale, Kenneth C.:(ComEd); Laboske, Mary K.:(ComEd)
Cc: bob@rwemanagement.com; El-Tigani, Yasmin A.:(ComEd); Lotz, Beverly R.:(ComEd)
Subject: RE: 1010 E. College Ave , Wheaton , IL - College Station Cat Clinic

Ken & Mary,

I still don't have a date on when these lines are getting moved. Mary is trying her best to get this coordinated with the foreman but I still don't have a date. We did our part and came up with over \$8,000 to pay for the outage. We are now waiting for Com Ed to do their part and move the lines off our property and schedule the outage. Can anyone help?

Jason R. Sanderson
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Willowbrook, IL 60527

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www.rwemanagement.com

From: kenneth.cicirale@ComEd.com [mailto:kenneth.cicirale@ComEd.com]
Sent: Monday, December 14, 2009 11:09 PM
To: jason@rwemanagement.com
Cc: bob@rwemanagement.com; Yasmin.Eltigani@ComEd.com; beverly.lotz@ComEd.com
Subject: RE: 1010 E. College Ave , Wheaton , IL - College Station Cat Clinic

Jason:

This is the first I am learning of your situation. We will do whatever we need to meet your needs. I will talk to all ComEd stakeholders and ensure that this is properly addressed.

Ken

From: Jason Sanderson [mailto:jason@rwemanagement.com]
Sent: Monday, December 14, 2009 8:58 AM
To: El-Tigani, Yasmin A.:(ComEd); Lotz, Beverly R.:(ComEd); Cicirale, Kenneth C.:(ComEd)
Cc: 'Bob Edwards'
Subject: 1010 E. College Ave , Wheaton , IL - College Station Cat Clinic

All,

Com Ed is now responsible for stopping our job. We tried very early in the planning phase of this project to

CSCC 8 OF 38

resolve the issue of Com Ed's lines our client's property. Com Ed didn't get the lines relocated correctly now we are waiting with no end in site. We are now getting the excuses of storm duty. We were more than cooperative when this was your problem. Now your problem has become our problem again. Who do we need to call to get answers? We started with Curtis Topps who decided not to call me back two weeks ago. Then after calling Curtis supervisor Ron we were informed it wasn't Curtis responsibility and that Mary would be helping us but she was off Monday so we would meet Tuesday. Then Tuesday Mary couldn't meet because Yasmin wasn't available. Then we meet on Wednesday and I was told I would know more on Thursday. Thursday I am informed by Mary that Bev would be contracting me. On Friday I called Mary and was informed that she couldn't get a hold of Bev, and here is Monday and I am no further along at resolving this issue than I was two weeks ago when I called Curtis. In fact we are no further along than a year ago when we started working with Yasmin. With the job now being put on hold, all the work done to date on resolving this issue is wasted. We feel like a ping pong ball being knocked around by Com Ed. This might be hard for such a big company to understand but everyday matters during the winter month. We need action and we need it now. Please call to discuss.

Jason R. Sanderson
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No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.427 / Virus Database: 270.14.108/2566 - Release Date: 12/15/09 07:52:00

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No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.431 / Virus Database: 270.14.123/2592 - Release Date: 12/29/09 07:47:00

**FW: 1010 E. College Ave, Wheaton IL**

Monday, December 13, 2010 8:04 AM

From: "Jason Sanderson" <jason@rwemanagement.com>**To:** "Dan Watson" <dmw@collegestationcat.com>**WE HAVE MOVED! BELOW IS OUR NEW ADDRESS, PHONE NUMBER, AND FAX**

Jason R. Sanderson
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From: Jason Sanderson [mailto:jason@rwemanagement.com]**Sent:** Monday, December 14, 2009 11:03 AM**To:** 'Yasmin.Eltigani@ComEd.com'**Cc:** 'kenneth.cicirale@comed.com'; 'beverly.lotz@comed.com'; 'Bob Edwards'**Subject:** 1010 E. College Ave, Wheaton IL

Yasmin,

I was told I would have a call back in 1 hour that was at 9:18. It's been a 1-1/2 and still nothing. Based on our conversation it's clear the two departments aren't clear what Com Ed is doing to help fix this problem. If Mary and you cannot figure this out so we can get this fixed then I need someone else to help out. It was my understanding that Ken was Bev's manager but after talking with you I am not sure Ken can help. I need to speak with the whoever manages both New Business and Regional Engineering. Your refusal to provide me with this contact is putting me at another stand still with Com Ed. Just so everyone understands New Business is saying it's a Regional Engineering issue and Regional Engineering says it's a New Business issue. Can you understand why I would want to speak with the person who manages these two departments? I have never had to contact the FCC or write certified letters with return receipts to Com Ed. I am not trying to make threats however I am determined to get this resolved. I am not sure where to go from here but I will keep climbing the Com Ed ladder until someone can provide answers. Our project is stopped, and I can't get any answers from Com Ed. Please provide me with the Ken's supervisor or the Vice President who is responsible for these two departments.

Thanks,

Jason R. Sanderson
RWE Management Co.
515 W. 65th Street
Willowbrook, IL 60527

CSCC 10 of 38



FW: 1010 E. College Ave- Wheaton IL

Monday, December 13, 2010 8:04 AM

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To: "Dan Watson" <dmw@collegestationcat.com>

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From: Jason Sanderson [mailto:jason@rwemanagement.com]

Sent: Monday, August 10, 2009 3:20 PM

To: Curtis Topps (curtis.topps@comed.com); 'Yasmin.Eltigani@ComEd.com'

Cc: 'Bob Edwards'

Subject: RE: 1010 E. College Ave- Wheaton IL

Curtis & Yasmin

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Subject: 1010.E. College Ave- Wheaton IL



Curtis,

Attached is our new meter service application. We are preparing to build a new animal hospital at the above referenced project. Currently the existing College Station Cat Clinic only occupies 1010 College Ave. The owners purchased the property to the east, 1012 College Ave, and have since consolidated the two lots to make way for a new bigger facility that will be built on both lots. To date we have disconnected the electrical service at 1012 in preparation to demolish the existing structure. We also have been working with Yasmin Eltigani of Com Ed regarding a pole which is encroaching our client's property. There was a misunderstanding and we thought this pole was going to be relocated by the end of July, however Yasmin was waiting for us to contact the New Business department regarding our new service prior to coordinating the pole relocation. We are hoping this pole relocation can now get expedited following this email which includes the following document:



Meter Application
Site Engineering Drawings
Plat of Consolidation
Electrical Drawings

Please let me know if there is any other information which might help expedite this process.

Yasmin,

I spoke with the New Business this morning and they informed me that Curtis Topps would be my contact. Can you now move forward with the pole relocation? Curtis's information is as follows:

Phone: 630-691-4356
Fax: 708-410-5026
Email: curtis.topps@comed.com



Yasmin El-Tigani
Phone (630) 424-5647

I will follow this email up with a call to both of you.

Thanks,

Jason R. Sanderson
RWE Management Co.
515 W. 65th Street

CSCC 12 OF 38

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Monday, December 13, 2010 8:04 AM

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E Fax: 270-682-0883
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From: Jason Sanderson [mailto:jason@rwemanagement.com]**Sent:** Thursday, August 20, 2009 12:42 PM**To:** 'Yasmin.Eltigani@ComEd.com'**Cc:** 'bob@rwemanagement.com'; Curtis Topps (curtis.topps@comed.com)**Subject:** RE: 1010 E. College Ave- Wheaton IL

Yasmin,

We want a supervisor's name. This is ridiculous. We emailed all the documentation to you and Curtis on 7/30/09. It's been 3 weeks and no progress has been made. I spoke with Curtis last week and he told me he was going to be our engineer. So now we lost 3 weeks, and still have no direction. On 8/10/09 I emailed you and asked for Curtis's supervisor and didn't get a response. We have had our communication problems in the past we Com Ed. I don't know how to be any clearer. Please provide the supervisors name. When I spoke to Curtis last week he didn't think I had sent my load letter, which is very frustrating since I had sent it two weeks prior to talking with him last week.

I look forward to getting the requested information.

Jason R. Sanderson
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CSCC 13 OF 38