



Public Utilities  
Commission

RECEIVED DOCKETING DIV

2017 OCT 25 PM 3:54

17-2211-EL-LSS

Case Number

PUCO

Public Utilities Commission of Ohio

Attn: Docketing

180 E. Broad St.

Columbus, OH 43215

Formal Complaint Form

Sharon M. Felman

Customer Name (Please Print)

8720 Birchbark Drive

Customer Address

Cincinnati, OH 45249-2717

City

State

Zip

Against

2350-017721-7

Account Number

Customer Service Address (if different from above)

Duke Energy

Utility Company Name

City

State

Zip

Please describe your complaint. (Attach additional sheets if necessary)

Duke Energy insists on removing a large tree behind my home overlooking my deck and back of my house. Steven Holton, Transmission Forester, came out and noted to me he could see I had it checked and well pruned by Arbor Services forester, but he insisted it had to be removed. The chances of damage to my property removing it are great. He said he'd fix any damage. Duke Energy was told in the past not to spray herbicides on my property, but they did and ignored that I was homebound and ill with asthma. It cost me a great deal to fix up the mess they left behind my house. I fear they need to be stopped from more destruction.

Signature

513-489-1457

Customer Telephone Number

October 17, 2017

My complaint is against Duke Energy of Cincinnati, OH.

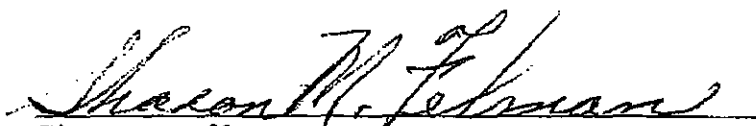
Duke Energy is negatively impacting the property values of our homes in Symmes Township and the City of Montgomery (which includes 180 single family homes, 3 apartment buildings and 31 condos). They are doing this by clear cutting and obliterating (vs trimming) all trees located within a 100 foot right-of-way under the Transmission wires.

My complaint is that Duke is failing to adhere to what is permissible in the language of the Grant of Easement (written in 1951) that is associated with these properties. They are also surpassing requirements by PUCO as described in: Section F (Right of Way Vegetation Management) of its ***Programs For Inspection, Maintenance, Repair and Replacement of Distribution and Transmission Lines 4901:1-10-27(E)(1)***

Citizens of Symmes Township and City of Montgomery would like PUCO to stop Duke from taking this excessive and unnecessary action to clear cut trees and we want PUCO to stop Duke Energy from using toxic herbicides on our properties.

Please see attached Grant of Easement.

Thank you,

A handwritten signature in cursive script, appearing to read "Sharon M. Lehman", written over a horizontal line.

Signature of homeowner

Customer of Duke Energy, Cincinnati, Ohio

MAIL, REG. 8th Ser. 82.

DEC-14-50

9 5 4 4 5

19:05 —  
Ella Rempler

0.

# GRANT OF EASEMENT

FOR AND IN CONSIDERATION OF One Dollar and other good and valuable considerations, the receipt whereof is hereby acknowledged, hereby grant unto The Cincinnati Gas & Electric Company, its successors and assigns, a right of way and easement of one hundred (100) feet in width, to construct, erect, operate, maintain, repair, replace and remove towers and all necessary and incidental wires, cables, anchors, grounding systems, counterpoises, fixtures and equipment for the transmission and distribution of electrical energy, ~~including but not limited to~~ and across the following described real estate ~~situate in Section 31, T. 1, E. 2, Synnias Township, Hamilton County, State of Ohio and being a tract of 45.11 acres, more or less, being Lot 1 of Samuel Arbuckle's Estate and being the same property conveyed to the grantor by deed dated April 27, 1899 and recorded in Deed Book 832, page 191, Hamilton County Recorder's Office.~~

The center line of the said 100 foot right of way and easement is described as follows:

Beginning at a point in the southeast corner of the above described property; thence in a westerly direction along the south boundary line of said property 203.0 feet to a point and the real place of beginning of the easement herein conveyed; thence from said real place of beginning in a northerly direction turning an angle of 90 degrees 36 minutes to the right 479.25 feet to a point; thence continuing in a northerly direction turning an angle of 3 degrees 17 minutes to the right 705.49 feet to a point; thence continuing in a northerly direction turning an angle of 2 degrees 6 minutes to the left 195.10 feet to a point in the center line of Fields-Ertel Road said point being 155.7 feet west of the northeast corner of said property measured along the center line of Fields-Ertel Road.



together with the right to cut, trim or remove any trees, overhanging branches or other obstructions both within and without the limits of the above described right of way and easement which in the opinion of the grantor's engineers may endanger the safety of or interfere with the construction, operation or maintenance of said system, the right to pile dirt, material and equipment on the surface during periods of construction and maintenance, and the right of ingress and egress over the above described property for the purpose of exercising the rights herein granted.

Said Company, its successors and assigns, shall pay all damages to growing crops, buildings and fences, caused by its employees, agents, licensees,

any house, building, structure or structure shall be erected within the limits of the above described right of way and easement by the grantor.....

No buildings or other structures  
hair or signs. Greater

...said right of way and easement in any manner not inconsistent with the rights herein conveyed to the grantee.

If the rights herein granted are not used, at least in part, within twenty-five years from the date of this instrument the same shall become void and shall revert to the then owners of the above described property.

Grantor, the S... full power to convey said right of way and easement and warrant... and will defend the same against all claims of...

PERSON: BOON 2455 PAGE 504  
WITNESS Wey hand this 17 day of           

signed and acknowledged in the presence of:

Charles Wallace  
Hurry Kasfir

Ellen M. Bunker

STATE OF Ohio Hamilton CO

Notary Public for the State of California  
 I do acknowledge the signing of the foregoing instrument to be her voluntary act and deed for the uses and purposes therein set forth.  
 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this 12th day of October, 1961.

IN TESTIMONY WHEREOF, I have hereunto set my hand and added my seal, at Hamilton, Ohio, this 14th day of May, 1953.

*Harry Kasfir*  
 Harry Kasfir, County Clerk, Hamilton County, Ohio.

FILED AT 2:14 PM  
 MAY 14 1953  
 HAMILTON COUNTY, OHIO

ARMED SERVICES HAMILTON ARMY AIR

My Com Dec 1 1957

From: Sharon Felner  
8720 Birchbark Drive  
Cincinnati, Ohio 45249-2717  
Docket number 17-2211-EL-CSS

This is a request for an Emergency Stop Cut  
Order on my property to keep Duke  
Energy from clear cutting a tree behind  
my house. Cutting to resume Oct. 30th.