

FILE

NC

Ohio

Public Utilities Commission

17-2316-B-CSS

Case Number

Public Utilities Commission of Ohio
Attn: Docketing
180 E. Broad St.
Columbus, OH 43215

Formal Complaint Form

Marc Wahlquist
Customer Name (Please Print)

9429 E. Kemper
Customer Address

Loveland OH 45140
City State Zip

Against

36700734239
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)

See attachments

RECEIVED-DOCKETING DIV
2017 NOV -7 PM 3:17
PUCO



Signature

(513) 444-7594

Customer Telephone Number

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician DWV Date 11/7/17

October 27, 2017

My complaint is against Duke Energy of Cincinnati, OH.

Duke Energy's plan to clear cut the vegetation under their transmission lines in Symmes Township will negatively affect the property value of my home. In the past they have trimmed the trees back which has maintained the safety and reliability of the lines as well as the appearance of my property and its monetary value.

My complaint is that Duke is not complying with what the original language in the Grant of Easement allows. I have attached a copy of the Grant written in 1951. They are also grossly surpassing the 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).

I respectfully request that PUCO stop Duke from executing this excessive and destructive plan to clear cut all trees and remove all vegetation in their right of way. I would also ask that PUCO stop Duke from using toxic herbicides on my property as I am sure the run off of those herbicides will wash into Polk Run creek which is the border of my property and drains into the Little Miami River.

Respectfully,

Marc Wahlquist
customer of Duke Energy, Cincinnati, Ohio
Resident of Symmes Township
9429 E Kemper Rd
Loveland, OH 45140
(513)444-7594

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 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, in, on, over, through, under, across and across the following described real estate situate in Section 31, T 4, E.R. 2, Synmes 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 grantee'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, teams or trucks in exercising the rights herein granted.

No buildings or other structures shall be erected within the limits of the above described right of way and easement by the grantor, her heirs or assigns. Grantor, her heirs or assigns, shall have the right to cultivate the land within the limits of 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, her heirs or assigns, full power to convey said right of way and easement and warrant and will defend the same against all claims of persons.

BOOK 2455 PAGE 504

WITNESS my hand this 12 day of October, 1952

signed and acknowledged in the presence of:

Charles J. Wallace
Harry Kasfir

Ella M Rempler

STATE OF Ohio Hamilton COUNTY, ss: Ella M Rempler Personally appeared before me, a Notary Public in and for said County,

who acknowledged 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, 1952

Notary Public, Hamilton County, Ohio
Harry Kasfir
My Com. Exp. Oct. 1, 1953