

FILE

19-0160-EL-CSS

Ohio Public Utilities Commission

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

Formal Complaint Form

Heather Wright
Customer Name (Please Print)

2034 River Dr
Customer Address
Maineville OH 45039
City State Zip

Against

5730-0127-225
Account Number

Duke Energy
Utility Company Name

/
Customer Service Address (if different from above)
/ City State Zip

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

- Attached:
- ① Emergency stop order
 - ② Complaint
 - ③ Easement

RECEIVED - DOCKETING DIV
2019 JAN 22 AM 9:55
PUCO

RECEIVED
JAN 22 REC'D
Service Monitoring & Enforcement Department

[Signature]
Signature
513.324.8020
Customer Telephone Number

This is to certify that the images appearing are an accurate and complete reproduction of a hard file document delivered in the regular course of business.
Technician A Date Processed 1/22/19

180 East Broad Street
Columbus, Ohio 43215-3793

Updated September 22, 2017
(614) 466-3016
www.PUCO.ohio.gov

Attention PUCO:

I request an emergency stop cut order for clear-cutting all trees and shrubs in the 150 foot utility easement the Duke Energy has on my property until my complaint can be acted on by the PUCO.

Please understand, I have no objection to trimming of trees by Duke Energy, however I object to the total destruction of all trees located within the easement. Because clear cutting could commence as early as Monday, January 21, 2019, this may be sooner than my complaint can be acted on by PUCO.

Heather Wright

1.19.19

513-324-8020

January 19, 2019

My complaint is against Duke Energy of Cincinnati, OH.

Duke Energy is negatively impacting the property values and quality of life of our home in Deerfield Township. They are doing this by clear cutting and obliterating (versus trimming) all trees located within a 100 foot right-of-way under the transmission wires.

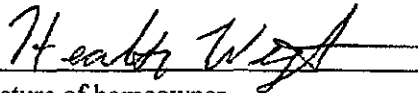
My complaint is that Duke is failing to adhere to what is permissible in the language of the Grant of Easement (written in 1961) that is associated with this property. There is a distinct difference between maintenance (trimming trees near the lines) versus Duke Energy's management (clear cutting anything and everything). 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)*

My easement was clear cut in early 2011 and this practice left my property decimated. We are dealing with long term erosion issues, decreased property value and a mess of invasive species. This radical clear cutting by Duke was done for their convenience, as none of the trees were anywhere near their transmission lines and beyond their rights at the time. Since this time Duke Energy has misled and lied to PUCO and the Public Utility Commissioner about their submitted revisions.

I 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 any property. Duke Energy overstepped their rights in 2011 and I am asking PUCO to stop Duke from inflicting further harm on my property, my family and my neighbors.

Please see attached Grant of Easement.

Thank you,



Signature of homeowner

Customer of Duke Energy, Cincinnati, Ohio

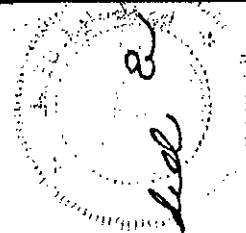
9294

TRANSFER NOT NECESSARY.

Jessie J. Smith
AUDITOR, WARREN COUNTY, OHIO

RECEIVED *March 28 1962*
TIME *9:20 AM*
RECORDED *March 28 1962*
VOL. *322* PAGE *527*
FEE *2.00*

PEARL GPK:K:K
Warren County Recorder, Lebanon, O.



E. C. H. Luedel

APPROVED:

GRANT OF ELECTRIC RIGHT OF WAY

KNOW ALL MEN BY THESE PRESENTS, THAT:

Glenn Allen and Helen Allen, husband and wife.

_____ in consideration of One Dollar (\$1.00) to them paid by The Cincinnati Gas & Electric Company (Grantor), the receipt of which is hereby acknowledged, do(es) hereby grant and convey unto the said The Cincinnati Gas & Electric Company, its successors and assigns forever, a right of way and easement for lines for the transmission and/or distribution of electric energy for any and all purposes for which electric energy is now, or may hereafter be used, together with the right to construct thereon all towers, poles, structures, and appurtenant wires, cables, anchors, grounding systems, counterpoises, communication circuits, equipment and all other apparatus and fixtures necessary or incidental to the use of said right of way and easement and add to the number of wires, cables, anchors or other incidental equipment; and the right to construct, reconstruct, erect, operate, repair, maintain, use, remove or replace said facilities, subject to the conditions hereafter contained, in, upon, over, under and through the following premises:

Situate in Deerfield Township, Warren County, Ohio.

and being Lots No. 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89 and 90 on the Fosters Park Subdivision as recorded in Plat Book 2, pages 238 and 239 of the Plat Records of Warren County, Ohio and that part of vacated River Drive lying between the above named lots, and being the same premises conveyed in a Warranty Deed recorded in Deed Book No. 290, page 157 of the Deed Records of the aforesaid County.

Said electric transmission and/or distribution lines shall be located on said premises within a strip of land one hundred fifty feet (150') in width, the centerline of said strip of land shall be approximately along the following course:

Beginning at a point in the west line of said Lot No. 75 and 30 feet south of the northeasterly line thereof; thence southeastwardly crossing said Lots No. 75, 76, 77, 78, 79, 80, 81, 82, 83 and 84 and that part of vacated River Drive, 250 feet, more or less, to a point in the east line of said Lot No. 84, 0.8 feet south of the north line of said Lot No. 84.



Said Grantor(s) and Grantee further agree, each with the other, as follows:

1. That said Grantor, its successors and assigns, by its employees and agents, shall have the right of ingress and egress over the right of way and the adjoining premises of Grantor(s) to construct, reconstruct, repair, maintain, use, or remove its said facilities or parts thereof, and to cut, trim and remove or otherwise control such trees, undergrowth or overhanging branches or other obstructions, both within and without the limits of its right of way and easement, as, in the opinion of such Grantee, may now or at any time hereafter interfere with the construction, use, maintenance or successful operation of said facilities and/or the transmis-

Glenn Allen and Helen Allen, husband and wife, per Record Vol 471 P 574 to accompany warranty of easement to

6. That the Grantor(s), for themselves and their heirs, executors, administrators and assigns, covenant(s) with said Grantor, its successors and assigns, that they are the true and lawful owner(s) of said premises and ha ve full power to convey the rights hereby conveyed and that they do warrant and will defend the same against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor(s) ha ve hereunto subscribed their name(s) this 1 day of Oct, 19 61.

Signed and acknowledged in the presence of:

Grantor(s):

Charles J. Jones
Martha J. Jones

Glenn Allen
Glenn Allen
Helen Allen
Helen Allen

STATE OF OHIO, COUNTY OF WARREN, SS:

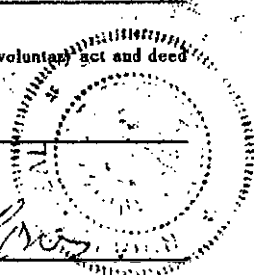
BE IT REMEMBERED, that on the 1 day of Oct in the year of our Lord One Thousand Nine Hundred and Sixty-one, before me, the subscriber, a Notary Public in and for said County, personally came Glenn Allen and Helen Allen

the Grantor(s) in the foregoing instrument, and acknowledged the signing thereof to be their voluntary act and deed for the uses and purposes therein mentioned.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on the day and year last aforesaid.

CHARLES J. JONES, Notary Public
In and for Greene, Montgomery, Warren, Clinton, Fayette, Madison and Clark Counties, Ohio
My Commission Expires Sept. 29, 1963

Charles J. Jones



This instrument was prepared and approved by Carl H. Lindell 19 61.

102
RECEIVED
TIME
RECORDED
FILE
WARREN
AUDIT
FRA