

Control Number: 25778



Item Number: 28

Addendum StartPage: 1

Brett A. Perlman
Commissioner

Rebecca Klein
Commissioner

W. Lane Lanford
Executive Director



RECEIVED

02 MAY 21 AM 10:35

Public Utility Commission of Texas

25778

May 20, 2002

Shannon K. McClendon
Attorney & Counselor at Law
1302 Overland Stage Rd.
Dripping Springs, TX 78620

RE: Burton A. Utley's Informal Complaint Against AEP/CPL

Dear Ms. McClendon:

The Customer Protection Division waives the requirement of informal resolution and grants Burton A. Utley the right to present a formal complaint against AEP and/or CPL to the Commission.

Sincerely,

A handwritten signature in black ink that reads "Mike Renfro".

Mike Renfro
Director of Customer Protection

MR/ms

Cc: Mr. Randy Roper – AEPSC Regulatory Manager
Mr. John Williams – Clark, Thomas & Winters

25728

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MAY 17 2002

CUSTOMER PROTECTION

Shannon K. McClendon

Attorney & Counselor at Law

1302 Overland Stage Road
Dripping Springs, Texas 78620
(512) 264-3656
(512) 264-9122 facsimile

FACSIMILE TRANSMITTAL SHEET

TO:
PUC – Customer Protection
John Williams
Randy Roper

FROM:
Shannon K. McClendon

COMPANY:
PUC
Clark, Thomas & Winters
AEPSC

DATE:
17 May 2002

FAX NUMBER:
936-7003
474-1129
481-4588

TOTAL NO. OF PAGES INCLUDING COVER:
3

PHONE NUMBER:

PHONE NUMBER:
(512) 264-3656

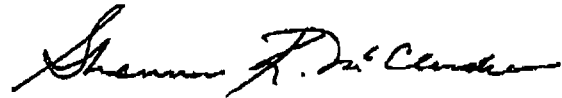
RE:
*Burton A. Utley's Informal
Complaint Against AEP/CPL*

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS

If you have questions or need additional information, please do not hesitate to contact me at the above address, telephone numbers, or e-mail address.

Sincerely,

A handwritten signature in black ink, appearing to read "Sherman R. DeClerck". The signature is fluid and cursive, with a large initial 'S' and 'D'.

cc: Randy Roper – AEPSC Regulatory Manager
John Williams – Clark, Thomas & Winters

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NOTES/COMMENTS

RECEIVED
02 MAY 21 AM 10:34
FILED CLERK

Shannon K. McClendon
Attorney & Counselor at Law

*1302 Overland Stage Road
Dripping Springs, Texas 78620
(512) 264-3656
(512) 264-9122 facsimile*

17 May 2002

Public Utility Commission of Texas
Customer Protection Division
P.O. Box 13326
Austin, Texas 78711-3326

VIA FACSIMILE (512) 936-7003

RE: *Burton A. Utley's Informal Complaint Against AEP/CPL*

Dear Complaint Division Director,

On behalf of Burton A. Utley, I am sending you this informal complaint. Burton A. Utley is a landowner adversely affected by the transmission line the Commission approved in Docket No. 21741. Specifically, Mr. Utley owns property which is traversed by the transmission line route.

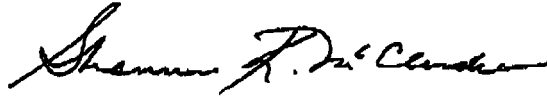
American Electric Power Company and Central Power and Light Company (AEP/CPL) knowingly and intentionally violated the Commission's final order and knowingly and intentionally continue to violate the Commission's final order. Such violations warrant the Executive Director to initiate an investigation and determine that administrative penalties should be imposed. Mr. Utley does not seek relief of administrative penalties as a private complainant, but instead seeks relief of an investigation by the Executive Director to impose penalties, including remediation.

Examples of violations include AEP/CPL clearing brush during wet conditions and during the avian peak-nesting season from March through August. See Ordering Paragraph 5, Final Order at 21. AEP/CPL has also violated the Commission's final order in several other respects, including, but not necessarily limited to, Ordering Paragraphs 2 and 3. The investor-owned utility is aware of the violations.

Some of several of Mr. Utley's issues were raised by at least two other landowners as informal complaints and a formal complaint. See, for example and additional information, Docket No. 25778.

If you have questions or need additional information, please do not hesitate to contact me at the above address, telephone numbers, or e-mail address.

Sincerely,

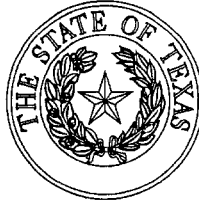
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cc: Randy Roper – AEPSC Regulatory Manager
John Williams – Clark, Thomas & Winters

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Commissioner

Rebecca Klein
Commissioner

W. Lane Lanford
Executive Director



Public Utility Commission of Texas

May 20, 2002

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Director of Customer Protection

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