



Public Service Commission of Wisconsin

Phil Montgomery, Chairperson
Eric Callisto, Commissioner
Ellen Nowak, Commissioner

610 North Whitney Way
P.O. Box 7854
Madison, WI 53707-7854

July 26, 2012

RECEIVED

JUL 30 2012

CITY OF WEST ALLIS
CLERK/TREASURER

Mr. Paul M. Ziehler
Administrative Officer and Clerk/Treasurer
City of West Allis
7525 W. Greenfield Ave.
West Allis, WI 53214

Re: Petition of Brett Healy for Declaratory Ruling to
Determine Allocation of Costs for Relocation of Utility
Structures for Milwaukee Streetcar Project

5-DR-109

Dear Mr. Ziehler:

Thank you for your letter dated July 12, 2012, with its accompanying Resolution from the city of West Allis. The materials have been forwarded to me for a response. Chairperson Montgomery is unable to respond because the Commission is conducting this matter as a contested case for which *ex parte* restrictions apply. These restrictions, set forth in Wis. Stat. § 227.50, prohibit a decision-maker from having contact during the proceedings with parties or other persons who have a substantial interest in the proceeding.

This matter is being addressed in Commission docket 5-DR-109. You can follow this proceeding by entering that docket number in the Commission's Electronic Regulatory Filing (ERF) system at: http://psc.wi.gov/apps40/ERF_public/Default.aspx.

The petitioners and intervenors are currently in the process of submitting briefs on the merits of the proceeding. Final briefs will be filed by mid-August. When the briefing is complete and the Commission has reviewed the submittals, it will schedule and duly notice an open meeting to discuss the record and make any determinations or findings. The Commission has not yet set a date for these deliberations.

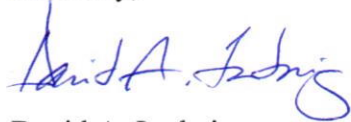
At this time the Commission's record for this proceeding is limited to filings from the petitioners and intervenors whom the Commission has admitted to its proceeding. Because West Allis is not a party, the Resolution that you mailed to the Commission cannot be part of its consideration.

When the Commission completes its review of the briefs it may afford an opportunity for others, such as West Allis, to submit additional information for the Commission's further consideration.

Mr. Paul M. Ziehler
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I appreciate your interest in this matter. If you have further questions you may contact me at (608) 266-5621.

Sincerely,

A handwritten signature in blue ink, appearing to read "David A. Ludwig". The signature is written in a cursive style with a large, looping initial "D".

David A. Ludwig
Deputy General Counsel

DL:00585017