

FILED

OCT 04 2017

INDIANA UTILITY REGULATORY COMMISSION

STATE of INDIANA



INDIANA UTILITY REGULATORY COMMISSION
101 WEST WASHINGTON STREET, SUITE 1500 EAST
INDIANAPOLIS, INDIANA 46204-3419

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APPEAL OF CONSUMER AFFAIRS DIVISION'S)
DECISION CONCERNING THE TREE TRIMMING)
PRACTICE BY DUKE ENERGY INDIANA, LLC) CAUSE NO. 44952
AND TOWNSEND TREE SERVICE)
)
RESPONDENT: DUKE ENERGY INDIANA, LLC)

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following Entry to be made:

Please be advised that Brad Pope, the Administrative Law Judge presiding over this proceeding, received from the Commission's General Counsel, Beth E. Heline, an ex parte communication from Ms. Kelly Feiock, the Petitioner in the above-captioned Cause. On August 31, 2017, Ms. Feiock emailed her Response to Respondent's Answer ("Response") concerning matters in this proceeding. This communication was also sent to Respondent's attorneys and the Office of Utility Consumer Counselor's attorney assigned to this Cause. However, it was not properly filed with the Commission through its online database as prescribed by the Commission's General Administrative Order 2016-2. Furthermore, the Response was submitted after the August 1, 2017 reply deadline as ordered by the Commission's July 11, 2017 Docket Entry granting Respondent's June 20, 2017 Motion for Extension of Time.

On October 3, 2017, the Response and subsequent emails between Ms. Feiock and Mrs. Heline were sent to Mr. Pope. The entire text of the Response and email correspondence is attached to this Docket Entry. Disclosure of this written communication is being tendered to the record pursuant to 170 IAC 1-1.5-6.

IT IS SO ORDERED.

James D. Atterholt
James D. Atterholt, Chairman

Brad J. Pope
Brad J. Pope, Administrative Law Judge

October 4, 2017
Date

Pope, Brad

From: Heline, Beth E.
Sent: Tuesday, October 03, 2017 9:52 AM
To: Kelly Feiock
Cc: Pope, Brad
Subject: RE: IURC 44952 - Kelly Feiock

Ms. Feiock,

I apologize for the delay. The Administrative Law Judge Aaron Schmoll, who had been assigned to this case, left the Indiana Utility Regulatory Commission ("Commission") for another position around the time of the submission of your response, and unfortunately your response did not get uploaded into the Commission's database at that time.

Administrative Law Judge Brad Pope, who is copied on this email, was recently assigned to this case. I have forwarded your email to him, and he will make sure your response is included in the case file. You may contact him if you have any purely procedural questions; otherwise, feel free to contact me.

Thank you.

Beth E. Heline

General Counsel

Indiana Utility Regulatory Commission

101 W. Washington St., Suite 1500 East

Indianapolis, IN 46204

Direct line: (317) 232-2092

Fax #: (317) 232-6758

Email: bheline@urc.in.gov

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If you have received this e-mail transmission in error, please reply to the sender, so that the Indiana Utility Regulatory Commission's Office of General Counsel can arrange for proper delivery, and then please delete the message from your inbox. Thank you.

From: Kelly Feiock [mailto:kellyfeiock@gmail.com]

Sent: Monday, October 2, 2017 11:26 PM

To: Heline, Beth E.

Subject: Fwd: IURC 44952 - Kelly Feiock

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Beth,

Would you please tell me the status of this case? Nothing has posted to the IURC web site since July, including my response sent Aug. 31.

Thank you,

Kelly Feiock

Begin forwarded message:

From: Kelly Feiock <kellyfeiock@gmail.com>

Date: August 31, 2017 at 7:25:10 PM EDT

To: <rhelmen@oucc.in.gov>, <infomgt@oucc.in.gov>

Cc: <[kelley.karn@duke-energy.com](mailto:kelly.karn@duke-energy.com)>, <melanie.price@duke-energy.com>, <steven.moss@duke-energy.com>, "Heline, Beth E." <BHeline@urc.IN.gov>, <Paula.Roseman@duke-energy.com>

Subject: IURC 44952 - Kelly Feiock

Please see attached **PETITIONER, KELLY FEIOCK, RESPONSE TO RESPONDENT'S ANSWER** filed with the IURC today, August 31, 2017.

Kelly Feiock
2763 Mount Tabor Rd.
New Albany, IN 47150
502-291-9697 - telephone
kellyfeiock@gmail.com

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

APPEAL OF CONSUMER AFFAIRS)
DIVISION'S DECISION CONCERNING THE)
TREE TRIMMING PRACTICE BY DUKE)
ENERGY INDIANA, LLC AND TOWNSEND) CAUSE NO. 44952
TREE SERVICE.)
)
PETITIONER: KELLY FEIOCK)

PETITIONER, KELLY FEIOCK, RESPONSE TO RESPONDENT'S ANSWER

Comes now KELLY FEIOCK ("Petitioner") for her Response to the Answer filed by Duke Energy Indiana, LLC ("Respondent") states:

I. RESPONSE TO INTRODUCTION

A. RESPONDENT CLAIMED: On August 13, 2016, Petitioner filed a Consumer Complaint with the Consumer Affairs Division. (Attachment 1.) The initial description of the Complaint was that Duke Energy Indiana cut the tops off of two trees nowhere near its power lines. The Consumer Complaint was assigned number 118290.

RESPONSE: The initial complaint actually stated: *"The contractor for Duke Energy cut off the TOPS of two of my trees, which were nowhere near the power lines. The work they did was excessive and likely killed one of my trees, a persimmon, which produces fruit for my family. They removed more than 25% of the tree without contacting me.*

I called both the Duke Energy Vegetation Management phone number at 866-385-3675, and the contractor Mike Blackford at Townsend Tree Service at 812-406-3771. Nobody answered at either number, so I left voicemail for both, and neither has called me back." (Attachment 1)

B. RESPONDENT CLAIMED: The CAD Analyst closed the Complaint on October 27, 2016, finding “no violation.” She advised the Petitioner that the “utility has to have clearance of the wires to possible [sic] prevent outages and public safety issues.” (Attachment 14.)

RESPONSE: Although the CAD Analyst closed the complaint on October 27, 2016 citing public safety issues, she failed to research and respond to each of the Petitioner’s complaints. She did not address:

1. Respondent removed 25% of trees without contacting Petitioner.
2. Respondent did not return Petitioner’s phone call within 3 days of initial complaint.
3. CAD Analyst claimed public safety issues allowed extensive trimming, yet did not ask Respondent to provide explanation or proof of such safety issues.
4. CAD Analyst exhibited lack of knowledge regarding 170 IAC 4-9 when she stated to Petitioner on telephone that one newspaper advertisement was the only communication required from Respondent to Petitioner.

C. RESPONDENT CLAIMED: On October 31, 2016, Petitioner requested a Director Review of the Analyst decision raising three new issues (1) that Duke Energy Indiana’s contractor did not have legal authority to trim trees on her property; (2) that the Petitioner did not receive in person notice; and (3) Petitioner did not receive a return call within three business days of the utility receiving a customer’s inquiry. (Attachments 15, 17.)

RESPONSE: Petitioner had already reported violations of 170 IAC 4-9-4 and 4-9-10 in her initial complaint. The CAD Analyst was not aware of these vegetation management standards, therefore Petitioner provided specific citations for the Director’s Review.

D. RESPONDENT CLAIMED: The Director did not reverse the Analyst’s finding, but on one of the new issues raised, the Director did find that Duke Energy Indiana violated 170 IAC 4-9-10(b) in that it “did not contact [Petitioner] within three (3) business days of receiving [] her dispute.” (Attachment 29.)

RESPONSE: Again, the original complaint DID state Petitioner contacted both Duke Energy and Townsend Tree Service, and neither party ever returned her phone call. The Director DID reverse the resolution in part, acknowledging that Respondent violated 170

IAC 4-9-10(b), yet she failed to obtain proof from Respondent regarding other claims (Attachments 1, 18, 29 and Exhibit A).

1. The Director did not obtain an explanation from Respondent why extensive trimming (topping of two trees and 25% loss of limbs from two trees) was done without the Petitioner's consent. Respondent claimed the trimming was not excessive, yet failed to provide the name of or a statement from the "Vegetation Specialist" who stated this. In addition, the Director did not obtain an explanation or proof from Respondent that the extensive trimming was due to public safety issues, yet used that as an excuse in her Review. (170 IAC 4-9-6)
2. The Director failed to accurately acknowledge the complaint that the Respondent did not obtain legal authority to be on Petitioner's property. She stated that the Respondent must "provide a copy of the easement or public right away [sic] *if requested*, but that is not the complaint or issue; the issue is that the Respondent never sought such approval prior to being on private property. (170 IAC 4-9-3)
3. The Director did not acknowledge that Respondent failed to provide two forms of personal notice - in person or by phone AND written, in addition to the newspaper notice. (170 IAC 4-9-4)

E. RESPONDENT CLAIMED: Petitioner filed her Appeal of the Director's decision to the IURC ("Commission") on May 23, 2017, which was docketed as Cause No. 44952. This Appeal raised one new issue that Duke Energy's published notice did not correspond to the date of trimming. (Attachment 32.)

RESPONSE: The more the Petitioner learns about 170 IAC 4-9, the more she realizes the mistakes made by the Respondent and its contractors. Petitioner had already reported violations of 170 IAC 4-9-4, and the timing of the trimming falls under this rule for Notice Requirements.

II. RESPONSE TO ANSWER

1. **RESPONDENT CLAIMED: Notice. 170 IAC 4-9-4.** Duke Energy Indiana denies the allegations that it did not comply with 170 IAC 4-9-4 ("the Notice Rule"). In support of

its denial, Duke Energy Indiana states that it did provide both in person and published notice pursuant to the Notice Rule.

RESPONSE: Respondent has failed to provide detailed or accurate proof of in-person contact. Neither names nor statements of those who supposedly made the in-person contact have been provided. Respondent fails to understand or acknowledge that a utility company must provide two forms of communication (in addition to the published notice), per 170 IAC 4-9-4 Sec. 4(b).

- a. **RESPONDENT CLAIMED:** Duke Energy Indiana, through its contractor, Townsend Tree Service Company, made one attempt to contact Petitioner at her home address of 2763 Mount Tabor Road, New Albany, Indiana as required by the Notice Rule.

RESPONSE: Respondent failed to provide proof of in-person visit and confessed it never attempted notice via telephone. Respondent fails to understand or acknowledge 170 IAC 4-9-4 Sec.4 (b) (Exhibit A): A utility must provide notice to a customer in the following manner:

(1) At least one (1) attempt to contact must be:

(i) in person; or (ii) via telephone call

(2) At least one (1) attempt to contact must include written notice.

- b. **RESPONDENT CLAIMED:** Duke Energy Indiana's attempt to contact Petitioner is logged in the Vegetation Management Customer/Property Owner Notification Log with the date it attempted contact. (Attachment 21, line 161.) Duke Energy's procedure, to be followed by its vegetation contractor, is to knock on the property owner's door or ring the doorbell. If no answer, a "door hanger" is left. If the door is answered, any questions will be answered and the door hanger is given to the property owner. The contact is recorded in the Notification Log. (Attachment 28.) The door hanger has a pocket to insert a letter with notice information. (Id.)

RESPONSE: Respondent provided a generic spreadsheet that does not contain specific information or proof of such attempted contact.

1. The spreadsheet asks for the contractor to list the date and time of each visit, but no times were recorded.
2. The spreadsheet lists Mike Blackford as the notifier, but when the Petitioner called him and left a voicemail, Mr. Blackford did not return the call. Another customer did reach Mr. Blackford by phone and Mr. Blackford stated he “did not do the New Albany project, he was working in Corydon.”
3. Respondent has never provided the name of the contractor who supposedly went door to door, or a signed statement from this person.
4. Notification log lists door hangers left at 3601 Mount Tabor Rd and 1954 Mount Tabor Rd. This is a complete fabrication as there are no such addresses.

No in-person contact was made with Petitioner and the notification log holds no credibility. (Attachment 21)

- c. **RESPONDENT CLAIMED:** A review of Attachment 21, line 161 shows that Duke Energy Indiana’s attempt to contact Petitioner in person at “2763 Mt. Tabor Rd.” was made on July 15, 2016. “DH” designates that a door hanger was left. If the property owner had answered the door, “IP” (In Person) would have been logged for the contact instead.

RESPONSE: The Respondent has provided a generic spreadsheet that does not contain specific information or proof of such attempted contact. Respondent states in-person contact was attempted July, 15, 2016, yet, the log is dated July 5, 2016, and the letter is dated July 13, 2016. No in-person contact was made with Petitioner and the notification log holds no credibility.

- d. **RESPONDENT CLAIMED:** Duke Energy Indiana’s attempt to contact Petitioner in person included written notice as required by the Notice Rule. Petitioner admits to receiving a “letter”, but denies receiving contact in person or by phone.

RESPONSE: Respondent originally denied sending a letter to Petitioner and said a door hanger was left. Then Respondent stated a letter was provided as well when a copy was produced by Petitioner. Respondent has no proof of in-person notification

(no name or statement) and admitted to not having any phone records attempting to contact Petitioner. (Attachments 21, 28, 29 and Exhibit B)

- e. **RESPONDENT CLAIMED:** Receiving contact in person or by phone is not required by the Rule.

RESPONSE: Per 170 IAC 4-9-4 Sec. 4 (b), Respondent absolutely must contact every customer in person or by phone prior to vegetation management. (Exhibit A)

- f. **RESPONDENT CLAIMED:** Duke Energy Indiana does not provide written notice by a mailed letter. At the time Duke Energy Indiana attempts to provide in person notification it leaves a door hanger, which is a long card with a pocket to hold a letter with additional information. An exemplar of the door hanger and letter was provided to the Director. (Attachment 28.)

RESPONSE: Respondent claims not to provide written notice, yet when Petitioner submitted a letter on Duke's letterhead Respondent then admitted to providing a letter. Now Respondent is saying again it does not provide written notice. The Respondent does not know what is or is not being provided to customers prior to vegetation management, thus poor record keeping prevents Duke Energy from being able to track communication. (Attachment 22)

- g. **RESPONDENT CLAIMED:** The written material included on the door hanger and in the letter complies with the Notice Rule. A website address is included on the door hanger. A phone number is included in the letter provided with the door hanger.

RESPONSE: It may be true that you created a letter or door hanger to be distributed, but the letter and door hanger do not serve a purpose when they are not left with a homeowner prior to vegetation management. They do not serve a purpose when a blanket name and phone number are supplied, which are not the correct name and phone number for customers to contact. It does not serve a purpose to provide names and phone numbers if those contractors and Duke Energy employees refuse to return phone calls.

h. **RESPONDENT CLAIMED:** Petitioner admits in her Appeal to the Commission that published notice was made on June 22, 2016. (Attachment 32.) 170 IAC 4-9-4(f)(4) states that published notice must include “[t]he estimated date that vegetation management is scheduled to occur.” Notice was published by Duke Energy in the New Albany News and Tribune on June 22, 2016 which included the estimated date vegetation management was scheduled to occur along Mount Tabor Rd.: “within two (2) to six (6) weeks of the date of this notice, weather permitting.” (See attached Exhibit 1.) The published notice complied with the Notice Rule since it states the estimated date vegetation management is scheduled to occur.

RESPONSE: Respondent failed to conduct trimming within estimated timeframe of two to six weeks. The first trimming occurred seven weeks after the notice was published. Duke Energy and Townsend Tree Service then attempted additional trimming 12 weeks after the notice was published. If this utility company, or any other, believes it is ok to approximate the timeframe and trim at their leisure, then in addition to trimming one week outside of estimated date, and six weeks outside of the estimated date, then they may trim six months later as well.

Since the Respondent has introduced additional evidence, it should be addressed at this time. While in the midst of Dispute Resolution, Duke Energy and Townsend Tree Service did not honor 170 IAC 4-9-9 in which they are required to stay vegetation management. They attempted to continue tree trimming in September 2016, they left a door hanger on Petitioner’s door, they did not allow the two-weeks of implied consent and were planning on moving forward after one week notice without posting an additional newspaper ad for this trimming that was 12 weeks after the initial ad in June 2016. The original ad was for trimming done “in the next two to six weeks.” (Attachments 6, 10, 13, Exhibit 1)

2. **RESPONDENT CLAIMED: Vegetation Management Standards. 170 IAC 4-9-7.** Duke Energy Indiana denies the allegations that it did not comply with 170 IAC 4-9-7 (“the Standards Rule”). In support of its denial, Duke Energy Indiana states that all trimming adhered to the guidelines provided by American National Standards Institute

ANSI A300, the National Electrical Safety Code (“NESC”), the Shigo Guide and the International Society of Arboriculture Best Management Practices. Duke Energy Indiana denies that it “topped” trees and denies more than 25% of the canopies of the trees that were trimmed were removed. Duke Energy Indiana is authorized by statute to trim the trees on Petitioner’s property along Mount Tabor Road pursuant to IC §8-20-1-28, which states in pertinent part: “A utility may trim any tree along the road or highway” in order to operate and maintain its facilities along public roads. The trimming of trees along Mount Tabor Road on Petitioner’s property was necessary to provide safe and reliable electric service to its customers.

RESPONSE: Duke Energy Indiana does not acknowledge or respect the rules set in 170 IAC 4-9 and believes it can fall back on the old Indiana Code §8-20-1-28 to do as it wishes. Per 170 IAC 4-9-7 Sec. 7 (b) there is not a uniform clearance requirement and line clearances should take into consideration the characteristics of the locality, electrical facility and health of the tree. The Respondent DID remove the tops of two trees and removed excessive limbs unnecessarily from all trees.(Exhibit C) Respondent has failed to provide a written statement from an ISA Certified Arborist Utility Specialist, or any tree trimming specialist for that matter, supporting the claim that the tops of trees were not removed, that 25% of several trees was not cut or that the trees were interfering with electric service. In fact, the Contractor, Townsend Tree Service does not ask or require any of its Trimmers or Experienced Line Clearance Climbers/Trimmers be ISA Certified. (Exhibit D)

3. **RESPONDENT CLAIMED: Definitions. 170 IAC 4-9-2.** Duke Energy Indiana denies that the Definition Rules were not complied with. See also the Answers to Vegetation Management Standards, paragraph 2, above.

RESPONSE: Respondent failed to confirm how it followed the Definition Rules.

- a. It claimed PUBLIC SAFETY is the reason for trimming without providing proper notice, for excessive cutting, for not obtaining permission to be on private property, etc., yet, Respondent has failed to explain or prove its claim of a Public Safety issue. (Exhibit A),

- b. Respondent believes IMPLIED CONSENT means a customer is only allowed one week response time after receiving notice as was done for the second (attempted) trimming 9/7/16. (Attachments 6, 10)
- c. Respondent has not demonstrated it understands the term TELEPHONE CALL as there were many claims of phone calls to Petitioner, yet not a single call shows up on Petitioner's phone records and the Respondent has no record of its many calls either. (Attachment 10)

4. **RESPONDENT CLAIMED: Contact By The Customer. 170 IAC 4-9-10.** Duke Energy Indiana has no records to confirm receipt of Petitioner's call after tree trimming began and no records of a return call within three days of the date Petitioner allegedly called Duke Energy Indiana and therefore can neither admit or deny the allegations of Petitioner's Appeal.

RESPONSE: Respondent has failed to provide any credible records regarding this case and is not able to produce phone records for calls it didn't make. The Petitioner does have phone records showing dates, times, phone numbers and length of calls to and from her phone from July 2016 through October 2016. (Exhibit B)

- a. 8/11/16 – Petitioner called Mike Blackford with Townsend Tree Service at 812-406-3771 and spent two minutes on the line leaving a voicemail with her complaint. There is not a single incoming return phone call from this number.
- b. 8/11/16 – Petitioner called Duke Energy Vegetation Management at 866-385-3675 and spent two minutes on the line leaving a voicemail with her complaint. There is not a single incoming return phone call from this number.
- c. 9/5/16 through 9/11/16 – Petitioner was out of town (calls made in PA, CT, MA and OH) when a door hanger was left notifying of 2nd trimming and warning that she had only one week to respond or they would conduct additional tree trimming (IMPLIED CONSENT, Attachment 10).
- d. 9/14/16 – Petitioner emailed Raymond Goodwin with Townsend Tree Service in response to a door hanger left for additional trimming stating she did not want any further trimming done to her property. Mr. Goodwin responded via email, copying

Sarah Smith with Duke Energy, stating that a representative with Duke would be in touch with her. You won't see any incoming phone calls from Duke Energy.

- e. 9/20/16 – IURC Analyst Lisa Shoemake emails Petitioner stating she has called several times and left a voicemail. The only time you will see her number (317-232-2738) is when Petitioner calls Ms. Shoemake after receiving the email (Attachment 9).
- f. 3/14/2017 – Melissa Coffman, with Duke Energy, emailed IURC Director Kenya McMillin that FOUR people – a general foreman, a supervisor, work planner and Duke's Vegetation Management Specialist – all tried to contact Petitioner by calling or stopping by after she filed the complaint in August 2016. Again, you will see that the only incoming phone call from the 317 area code through the end of October 2016 is one from Lisa Shoemake on 9/20/16. All of the other numbers are from friends or family of the Petitioner, none from the people Ms. Coffman claimed.(Attachment 10, 25)

WHEREFORE, Kelly Feiock prays the Commission find that:

- A. Duke Energy Indiana did not comply with 170 IAC 4-9-4, regarding Notice Requirements for the vegetation management along Mount Tabor Road AND Klermer Lane, and therefore was in violation;
- B. Duke Energy Indiana did not comply with the Vegetation Management Standards in 170 IAC 4-9-7 and therefore was in violation
- C. Duke Energy Indiana is no longer allowed to use IC §8-20-1-28 as a guide to Vegetation Management as 170 IAC 4-9 is the standard guide to follow, and therefore was in violation of 170 IAC 4-9-3.
- D. Duke Energy Indiana did not comply with the definitions found in 170 IAC 4-9-2 regarding Implied Consent, Public Safety and Telephone Calls, and therefore was in violation;
- E. Duke Energy Indiana did not comply with 170 IAC 4-9-9 (a) when it ignored the required temporary stay during Dispute Resolution and attempted a second trimming, and therefore was in violation;
- F. Duke Energy Indiana did not comply with 170 IAC 4-9-10(b) when it failed to contact customer within three days of customer's dispute to second trimming scheduled for 9/14/16, and therefore was in violation.

Respectfully submitted,



By: _____

Kelly Feiock

Kelly Feiock
2763 Mount Tabor Rd.
New Albany, IN 47150
Telephone: (502) 291-9697
kellyfeiock@gmail.com

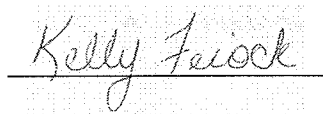
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing motion was

electronically delivered this 31st day of August, 2017, to:

Randall C. Helmen
Office of Utility Consumer Counselor
115 W. Washington Street
Suite 1500 South
Indianapolis, Indiana 46204
rhelmen@oucc.in.gov
infomgt@oucc.in.gov

Kelley A. Karn, Attorney No. 22417-29
Melanie Price, Attorney No. 21786-49
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Duke Energy Indiana, LLC
1000 East Main Street
Plainfield, IN 46168
317-838-6877 - telephone
317-838-1842 fax
kelley.karn@duke-energy.com
melanie.price@duke-energy.com
steven.moss@duke-energy.com



Kelly Feiock
2763 Mount Tabor Rd.
New Albany, IN 47150
502-291-9697 - telephone
kellyfeiock@gmail.com

Attachment 1

Miles, China

From: Web Form Poster <afssadmin@ai.org>
Sent: Saturday, August 13, 2016 3:35 AM
To: IURC Complaints

email address: kellyfeiock@gmail.com
customer first name: Kelly
customer last name: Feiock
customer business name:
customer address:
2763 Mount Tabor Rd.

New Albany, IN 47150

telephone Number: 502-291-9697
phone type: contact

contact email address:
contact first name:
contact last name:
contact phone: 502-291-9697 ext:

utility Class: home

name of utility: Duke Energy
utility account#: 0540-2924-01-4
utility type: electric

contact the utility?
yesYES
NO
contact utility on this date:8/11/16

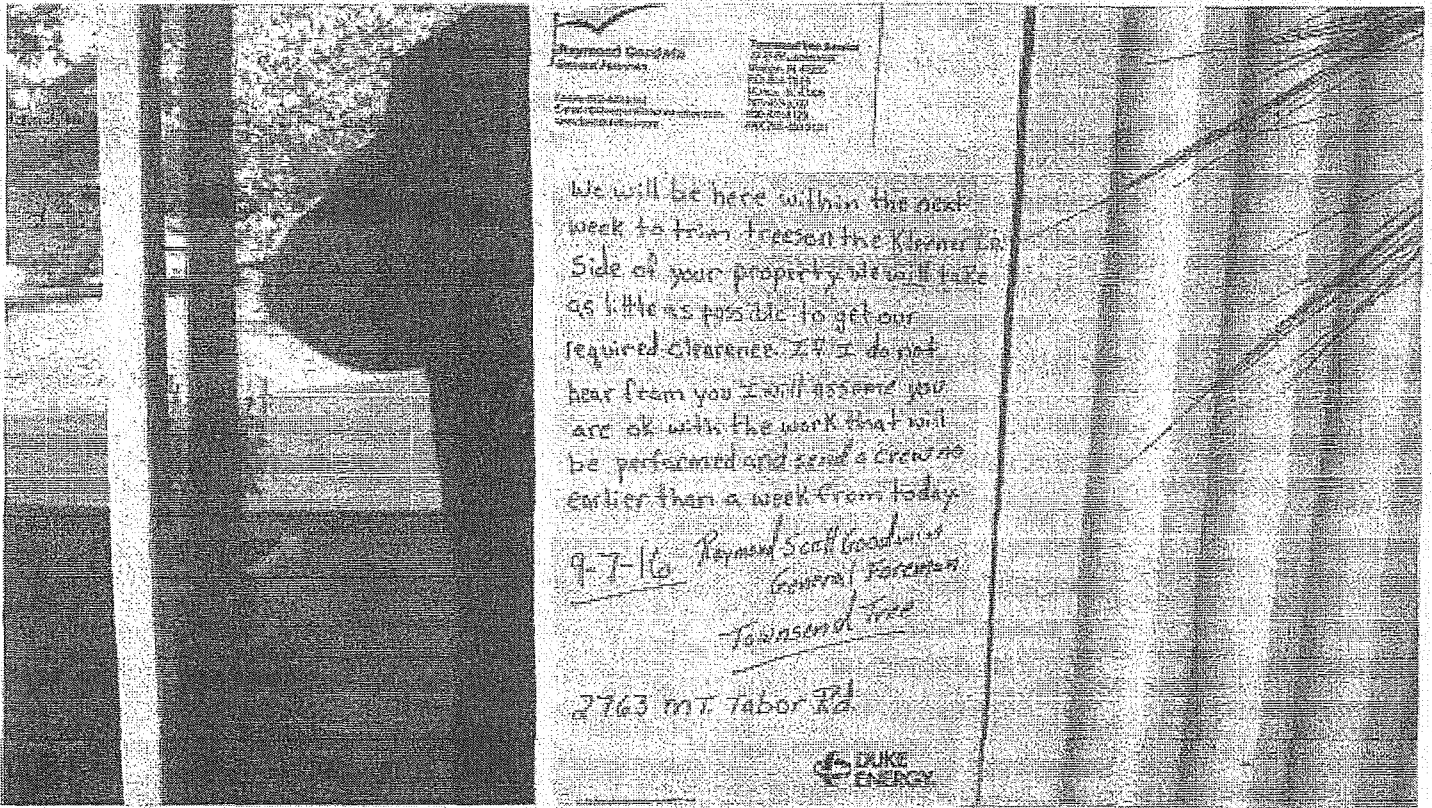
description of complaint:

The contractor for Duke Energy cut off the TOPS of two of my trees, that were nowhere near the power lines. The work they did was excessive and likely killed one of my trees, a persimmon, that produces fruit for my family. They removed more than 25% of the tree without contacting me.

I called both the Duke Energy Vegetation Management phone number at 866-385-3675, and the contractor Mike Blackford at Townsend Tree Service at 812-406-3771. Nobody answered at either number, so I left voicemail for both, and neither have called me back.

FIELDS NOT DEFINED IN THE TEMPLATE FOLLOW

Attachment 6



Attachment 9

Shoemake, Lisa A

From: Shoemake, Lisa A
Sent: Tuesday, September 20, 2016 11:05 AM
To: 'kellyfeiock@gmail.com'
Subject: Please Return My Call

Good morning Kelly,

I hope all is well with you. Could you please call and me so we can discuss your case. I have called you several times and left a message on your voicemail. I know you have reached out to Brad Pope, however I am your analyst who is handling your complaint. Please return my call when time permits.

Thanks,

Lisa
Lisa A. Shoemake
Sr. Consumer Affairs Analyst
Indiana Utility Regulatory Commission

101 W. Washington St. Ste. 1500 E.
Indianapolis, Indiana 46204-3407
Telephone 1-800-851-4268 ext. 2738
Fax 317-233-2410

She never called me prior
to this email.
I emailed Brad Barnum for help,
I don't know Brad Pope.

Attachment 10

Shoemake, Lisa A

From: Coffman, Melissa K <Melissa.Coffman@duke-energy.com>
Sent: Thursday, September 29, 2016 4:52 PM
To: Shoemake, Lisa A
Subject: FW: Case 118597 Dennis Feiock
Attachments: Case 118597 Email.pdf; Case 118597.pdf; photo.jpg

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Lisa,

Re: Dennis Feiock
3620 Klerner Lane
New Albany, IN 47150

Lisa – as we have previously discussed regarding Kelly Feiock, Duke Energy’s contractors did the routine trimming at her property, 2763 Mt. Tabor Rd and we still have work to do on this property on the side road, the Klerner Lane. Dennis Feiock lives near or right next door to Kelly Feiock.

As previously communicated, We placed a notice in the local newspaper regarding the tree trimming on 6/22/16, we started trimming 7/20/16. A door hanger was also left at Kelly Feiock’s property on 7/5/16. Then we left another door hanger on 9/7/16 and advised the customer to respond to Duke if they had questions or concerns, since the customer was not previously responding to voicemails left for them. We were needing to trim on Klerner Lane and we suspended the trimming work when the customer contacted us on 9/14/16.

The trees that we trimmed along Mr. Tabor Rd are approximately 7 feet from the primary and the trees that we have left to trim along Klerner Lane are cedar pines that are directly under the 3 phase and are between the neutral and primary. The trees are within 2 feet under the primary, the maple tree on the side is burning in the primary line.

I’ve attached a photo of the trees that are on Klerner Lane, that we still need to trim. Please let me know if you have any further questions.

Thank you,

Melissa Coffman
Consumer Affairs Specialist
Plainfield, IN
Phone# 317-838-4143
Fax# 317-838-1672



- many mistakes were made when my property was confused with my neighbor.
- A doorhanger should not have been left on 9/7/16 while resolving dispute from 1st trim.
- Melissa Coffman and Duke Never called me or left voicemails.

Attachment 14

Shoemake, Lisa A

From: Shoemake, Lisa A
Sent: Friday, October 28, 2016 9:58 AM
To: 'Coffman, Melissa K'
Subject: RE: Case 118290

Good morning Melissa,

Thanks for the information. I have given customer my determination on October 27th. I advised her that based on the rules and regulations the utility has to have clearance of the wires to possible prevent outages and public safety issues.

Closed case --no violation.

Thanks!

Lisa A. Shoemake
Sr. Consumer Affairs Analyst
Indiana Utility Regulatory Commission

101 W. Washington St. Ste. 1500 E.
Indianapolis, Indiana 46204-3407
Telephone 1-800-851-4268 ext. 2738
Fax 317-233-2410

Lisa Shoemake has absolutely no understanding or knowledge of 170 IAC 4-9 and has no business determining complaints.

From: Coffman, Melissa K [mailto:Melissa.Coffman@duke-energy.com]
Sent: Wednesday, September 14, 2016 3:56 PM
To: Shoemake, Lisa A <LShoemake@urc.IN.gov>
Subject: RE: Case 118290

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Lisa,

Duke was scheduled to trim today, however the customer contacted the foreman this morning and stated she did not want any trimming done. For the time being we are holding on the trimming until this is closed by your office. Do you need anything additional from me for this complaint?

Thank you,

Melissa Coffman
Consumer Affairs Specialist
Plainfield, IN
Phone# 317-838-4143
Fax# 317-838-1672

Violation of 170 IAC 49-4 (a) and (d) and (F) 4-5.

Violation of 170 IAC 4-9-9.

Thank you,

Melissa Coffman
Consumer Affairs Specialist
Plainfield, IN
Phone# 317-838-4143
Fax# 317-838-1672



CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient, and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Coffman, Melissa K
Sent: Friday, August 26, 2016 11:05 AM
To: LShoemaker@urc.IN.gov
Subject: FW: Case 118290

See exhibit C and
What she considers a 'snip.'

Lisa,

Re: Kelly Felock
2763 Mount Tabor Rd.
New Albany, IN 47150

Duke Energy's contractors did routine trimming here and we still have work to do on this property on the side road. The trimming that was done did make about 4 to 5 clips on the persimmon tree, but our Vegetation Specialist is advising me this was not excessive. We have attempted to make contact with the customer by stopping at the home to speak with the customer, but to no avail. I've asked our Vegetation Specialist to keep trying to contact the customer. The customer has a 3 phase line that runs in front of the house, which is what was trimmed. We placed a notice in the local newspaper regarding the tree trimming on 6/22/16, we started trimming 7/20/16. A door hanger was also left on this property 7/5/16.

I've attached two photos our Vegetation Specialist provided to me. Please let me know if you have any additional questions.

Thank you,

Melissa Coffman
Consumer Affairs Specialist
Plainfield, IN
Phone# 317-838-4143
Fax# 317-838-1672



Attachment 15

From: Mosley, Chetrice
To: McMillin, Kenya
Cc: Hadley, Ryan E
Subject: Fwd: Complaint with IN Attorney General
Date: Friday, October 28, 2016 1:20:16 PM

Let's discuss at 2

Chetrice Mosley
Executive Director of External Affairs
Indiana Utility Regulatory Commission
101 W. Washington St., Suite 1500 East
Indianapolis, IN 46204
Office: (317) 232-2297
Cell: (317) 607-3178
Email: CMosley@urc.in.gov

Sent from my iPhone

Begin forwarded message:

From: "Stephan, Carol" <CStephan@urc.IN.gov>
Date: October 28, 2016 at 9:34:56 AM EDT
To: "Mosley, Chetrice" <CMosley@urc.IN.gov>, "Roads, Beth Krogel" <BKRoads@urc.IN.gov>
Subject: Fwd: Complaint with IN Attorney General

Sent from my iPhone

Begin forwarded message:

From: Kelly Feiock <kellyfeiock@gmail.com>
Date: October 28, 2016 at 12:10:13 AM EDT
To: <cstephan@urc.in.gov>
Subject: Complaint with IN Attorney General

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Ms. Stephan,

I have had an unpleasant experience with your agency and have filed a complaint with the IN Attorney General. I have copied and pasted what I wrote to them, and thought you should be aware of this as well.

Sincerely,

Kelly Feiock

The Indiana Utility Regulatory Commission (IURC) oversees utility complaints, and I had one against Duke Energy and Townsend Tree Service regarding trimming my trees. On its web site, IURC provides a link to Rule #LSA # 12-42(F) (http://www.in.gov/iurc/files/RM10-04_08292012.pdf).

Indiana Utility Regulatory Commission's vegetation management standards for electric utilities Although the IURC replied to my complaint, the employee, Lisa Shoemake, said that Duke and its subcontractor did nothing wrong and there was nothing she could do about it.

Duke Energy's subcontractor disregarded the following rules:
Sec.3. (a) This rule does not modify properly rights. Utilities must have or obtain the following legal authority and must provide documentation in accordance with subsection (b): (1) easements; (2) rights of way; (3) statutory authority; (4) other legal authority; or (5) the express or implied consent of the property owner or customer; prior to trimming vegetation. The utility's ability to secure a prescriptive easement may be presented to the customer to obtain consent, but is not independent legal authority.

- **There is no easement on my property. My property line goes to the middle of the road.**

Sec. 4. (b) A utility must provide notice to a customer in the following manner: (1) At least one attempt to contact must be: (i) in person; or (ii) via telephone call. (2) At least one (1) attempt to contact must include written notice.

- **I received one letter in the mail, but nobody called me or came by in person. My neighbors didn't receive any communication at all.**

Sec. 7. (c) Except in situations of emergency or public safety, if a tree would have more than twenty-five percent (25%) of its canopy removed, the utility or its agent or contractor shall do one (1) of the following actions:

(1) Obtain consent from the property owner.

(2) If the property owner and utility or its agent or contractor cannot mutually agree on how the tree can be trimmed to provide sufficient clearance in order to maintain reliable electric service, the utility or its agent or contractor shall take one (1) of the following actions:

(A) Remove the tree, at the utility's expense, as long as the utility has secured the requisite easements to allow its personnel onto the owner's property.

(B) *Inform the customer that it will need to make non-ANSI standards cuts in order to provide clearance.*

- More than 25% was cut from several trees, that were not close to the power lines, but I was not asked for permission to make these excessive cuts.

Sec. 10. (b) A utility must respond within three (3) business days of receiving a customer's inquiry or dispute: (1) in person; (2) via telephone call; or (3) in writing.

- I called both the Duke Energy Vegetation Management phone number at 866-385-3675, and the contractor Mike Blackford at Townsend Tree Service at 812-406-3771. Nobody answered at either number, so I left voicemail for both, and neither has called me back.


Attachment 17


Email

Notification of Director Re...

Created On	Date Received	Date Sent	Status Reason
11/3/2016 12:38 PM	11/3/2016 12:56 PM	11/3/2016 12:56 PM	Sent

Email

From:  Kenya McMillin

To:  Melissa Coffman

Cc:

Bcc:

Subject: Notification of Director Review - Case 118290 CRM:0019005

File Name
No Attachment rec
0 - 0 of 0 (0 selected) Page 1

Ms. Coffman,

On 10/31/2016, Kelly Feiock filed a request for a Director Review for Case # 118290. The Director Review has been assigned to Kenya McMillin. You may reach Kenya McMillin directly at 317-234-0572 or via email at KMcMillin@urc.IN.gov

After the review of Complaint # 118290 is completed, the determination will be mailed to both parties of the case. If you disagree with the decision regarding the complaint, you will have 20 days to appeal it to the full Commission. If you would like more information about the appeals process, please see Article 16 at the following link:
www.in.gov/legislative/iac/title170.html

Sincerely,

Kenya McMillin
 Consumer Affairs Division
 Indiana Utility Regulatory Commission
 101 West Washington Street, Suite 1500 E.
 Indianapolis, IN 46204
 317-234-0572
KMcMillin@urc.IN.gov

Regarding  118290

Attachment 18



STATE OF INDIANA
OFFICE OF THE INDIANA ATTORNEY GENERAL

CONSUMER PROTECTION DIVISION

GREG ZOELLER
INDIANA ATTORNEY GENERAL

302 W. WASHINGTON STREET, 5TH FLOOR • INDIANAPOLIS, IN 46204-2770
www.IndianaConsumer.com

PHONE: 317.232.6330
FAX: 317.233.4393

November 4, 2016

Utility Regulatory Commission
PNC Center/Attn: Sarry McPherson
101 West Washington Street Suite 1500E
Indianapolis, IN 46204

RECEIVED

NOV 07 2016

INDIANA UTILITY
REGULATORY COMMISSION

Re: Kelly Felock AG File No. 16-CP-61195

Dear Utility Regulatory Commission:

Enclosed is a consumer complaint that our office received from the above-referenced consumer. Since it appears that your office may be in a better position to assist in this matter, we are referring it to your attention.

Please review this complaint and, if needed, investigate further. We request that you please let our office know the outcome of any investigation so we may update our records accordingly.

Thank you for your attention to this matter.

Sincerely,

Dustin Bond

The Indiana Utility Regulatory Commission (IURC) oversees utility complaints, and I had one against Duke Energy and Townsend Tree Service regarding trimming my trees. On its web site, IURC provides a link to Rule #LSA # 12-42(F) (http://www.in.gov/iurc/files/RM10-04_08292012.pdf), Indiana Utility Regulatory Commission's vegetation management standards for electric utilities. Although the IURC replied to my complaint, the employee, Lisa Shoemake, said that Duke and its subcontractor did nothing wrong and there was nothing she could do about it.

Duke Energy's subcontractor disregarded the following rules:

Sec. 3. (a) This rule does not modify properly rights. Utilities must have or obtain the following legal authority and must provide documentation in accordance with subsection (b): (1) easements; (2) rights of way; (3) statutory authority; (4) other legal authority; or (5) the express or implied consent of the property owner or customer; prior to trimming vegetation. The utility's ability to secure a prescriptive easement may be presented to the customer to obtain consent, but is not independent legal authority.

- There is no easement on my property. My property line goes to the middle of the road.

Sec. 4. (b) A utility must provide notice to a customer in the following manner: (1) At least one attempt to contact must be: (i) in person; or (ii) via telephone call. (2) At least one (1) attempt to contact must include written notice.

- I received one letter in the mail, but nobody called me or came by in person.

Sec. 7. (c) Except in situations of emergency or public safety, if a tree would have more than twenty-five percent (25%) of its canopy removed, the utility or its agent or contractor shall do one (1) of the following actions:

(1) Obtain consent from the property owner.

(2) If the property owner and utility or its agent or contractor cannot mutually agree on how the tree can be trimmed to provide sufficient clearance in order to maintain reliable electric service, the utility or its agent or contractor shall take one (1) of the following actions:

(A) Remove the tree, at the utility's expense, as long as the utility has secured the requisite easements to allow its personnel onto the owner's property.

(B) Inform the customer that it will need to make non-ANSI standards cuts in order to provide clearance.

- More than 25% was cut from several trees, that were not close to the power lines, but I was not asked for permission to make these excessive cuts.

Sec. 10. (b) A utility must respond within three (3) business days of receiving a customer's inquiry or dispute: (1) in person; (2) via telephone call; or (3) in writing.

- I called both the Duke Energy Vegetation Management phone number at 866-385-3675, and the contractor Mike Blackford at Townsend Tree Service at 812-406-3771. Nobody answered at either number, so I left voicemail for both, and neither has called me back.

How would you like complaint resolved?

I want management at Duke, the Indiana Utility Regulatory Commission and Indiana Office of Utility Consumer Counselor to be aware and informed of both what is going on regarding these rules being ignored, AND the lack of response when issues are reported.

10. HAVE YOU COMPLAINED TO THE BUSINESS? (Check box when applicable) Yes No
 When? 8/13/16 Action taken? None.

11. WITH WHAT OTHER AGENCY HAVE YOU FILED THIS COMPLAINT? No
 When? Action taken?

12. HAVE YOU CONTACTED A PRIVATE ATTORNEY? Yes No

13. HAVE YOU STARTED A COURT ACTION? IF YES, PLEASE ATTACH A COPY OF ALL COURT PAPERS. Yes No

14. HAVE YOU BEEN SUED OVER THIS ISSUE? IF YES, PLEASE ATTACH A COPY OF ALL COURT PAPERS. Yes No

15. DOLLAR AMOUNT ASSOCIATED WITH YOUR LOSS, IF ANY. \$ 0

16. PLEASE DESCRIBE YOUR COMPLAINT IN DETAIL (ATTACH ADDITIONAL PAGES IF NECESSARY)

Please attach a copy of all papers involved (order blank, warranty, credit card receipt and statement, invoice, contract or written agreement, advertisement, cancelled check, correspondence and all other related documents). Please print clearly or type. DO NOT INCLUDE YOUR SOCIAL SECURITY NUMBER.

The Indiana Utility Regulatory Commission (IURC) oversees utility complaints, and I had one against Duke Energy and Townsend Tree Service regarding trimming my trees. On its web site, IURC provides a link to Rule #LSA # 12-42(F) (http://www.in.gov/iurc/files/RM10-04_08292012.pdf), Indiana Utility Regulatory Commission's vegetation management standards for electric utilities. Although the IURC replied to my complaint, the employee, Lisa Shoemake, said that Duke and its subcontractor did nothing wrong and there was nothing she could do about it.

Duke Energy's subcontractor disregarded the following rules:
 Sec.3. (a) This rule does not modify property rights. Utilities must have or obtain the following legal authority and must provide documentation in accordance with subsection (b): (1) easements; (2) rights of way; (3) statutory authority; (4) other legal authority; or (5) the express or implied consent of the property owner or customer, prior to trimming vegetation. The utility's ability to secure a prescriptive easement may be presented to the customer to obtain consent, but is not independent legal authority.
 -There is no easement on my property. My property line goes to the middle of the road.

Sec. 4. (b) A utility must provide notice to a customer in the following manner: (1) At least one attempt to contact must be: (i) in person; or (ii) via telephone call. (2) At least one (1) attempt to contact must include written notice.
 -I received one letter in the mail, but nobody called me or came by in person.

17. HOW WOULD YOU LIKE YOUR COMPLAINT RESOLVED?

I want management at Duke, the Indiana Utility Regulatory Commission and Indiana Office of Utility Consumer Counselor to be aware and informed of both what is going on regarding these rules being ignored, AND the lack of response when issues are reported.

18. CONSENT AND VERIFICATION

I affirm, under the penalties for perjury, that the foregoing representations are true, I consent to the Consumer Protection Division obtaining or releasing any information in furtherance of the disposition of this complaint. I consent to the release of information included in this complaint to other public agencies attempting to discover ongoing fraudulent patterns or practices and for the purpose of law enforcement.

I understand that I should not include my Social Security Number in any information submitted to the Consumer Protection Division. If I do provide my Social Security Number, I expressly consent to the disclosure of my Social Security Number in accordance with Indiana Code § 4-1-10-5(2).

Kelly Felock
 Your Signature _____ Date _____
 October 28, 2016

WHAT WILL HAPPEN NOW? WHAT ELSE SHOULD YOU DO?

The Consumer Protection Division will send a copy of your complaint to the respondent firm or licensed professional. This office cannot disclose your complaint against a licensed professional to the public unless this office files a disciplinary action against the licensed professional. This office represents the State of Indiana and is limited in the remedies it can pursue. You may be entitled to compensation or other rights that we cannot pursue for you. In addition to filing this complaint, you may want to consider contacting a private attorney or your local small claims court.

MAIL COMPLETED FORMS TO:

Attorney General Greg Zoeller
 Consumer Protection Division
 Government Center South, 5th floor
 302 West Washington Street
 Indianapolis, IN 46204
 PH: 317-232-6330 • FAX: 317-233-4393
www.IndianaConsumer.com

Attachment 21

Email

RE: Emailing: Duke_7_13_16...

Created On	Date Received	Date Sent	Status Reason
3/10/2017 1:38 PM	3/10/2017 1:36 PM		Received

Email

From  Melissa Coffman

To  Kenya McMillin

Cc

Bcc

Subject RE: Emailing: Duke_7_13_16 (3).jpg CRM:0019005

File Name
Copy of NA Slate Run Rd 1402 Notification
1 - 1 of 1 (0 selected) Page 1

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Kenya,

Please see the attached document, which is the notification log from Vegetation Management. Ms. Feiock's notification is on line item 325 (I highlighted). I also confirmed with our Vegetation Management that the letter Ms. Feiock provided you is a letter that goes into the pocket of the door hanger that is left when we do the routine customer notification. This would not have been mailed to the customer.

Please let me know if you have any additional questions.

Thank you,

Melissa Coffman
Consumer Affairs Specialist
Plainfield, IN
Phone# 317-838-4143
Fax# 317-838-1672

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5/26/2017

Email: RE: Emailing: Duke_7_13_16 (3).jpg CRM:0019005

-----Original Message-----

From: McMillin, Kenya [mailto:KMcMillin@urc.IN.gov]
Sent: Thursday, March 09, 2017 12:42 PM
To: Coffman, Melissa K
Subject: Emailing: Duke_7_13_16 (3).jpg CRM:0019005

*** Exercise caution. This is an EXTERNAL email, DO NOT open attachments or click links from unknown senders or unexpected email. ***

Hi Melissa,

Here is the copy of the letter that the customer sent me. When we initially spoke you had stated Duke did not send her a letter. Please verify if this did come from Duke.

Thanks,


Kenya McMillin
Director, Consumer Affairs
Indiana Utility Regulatory Commission
101 W. Washington Street, Suite 1500 E
Indianapolis, IN 46204
1-800-851-4268 ext. 40572
kcmillin@urc.in.gov

Regarding  118290

Duration

IS it distribution
or transmission?

Attachment p. 1

Vegetation Management Customer/Property Owner Notification Log						
Distribution or Transmission (circle one)				NA Slate Run Rd 1402		
Supplier:	Townsend					
Notifier:	Mike Blackford					
<small>All Refusals are to be in red or highlighted on this Log and Map; include who you talked to and their phone number. Record all that apply: IP=In Person, DH=Door Hanger, P=Phone, M=Mail (ALL HOMES MUST BE DOOR HUNG)</small>						
Contact Date(s) & Time	Structure/ Tower# if app.	IP/DH/P/M	Phone # Called (if available)	House #	Street/Road	City
14. 6/27/16		DH		1319	Slate Run Rd	New Albany
Comments						
15. 6/27/16		DH		1656	Summit Ave	New Albany
Comments						
16. 6/27/16		DH		1658	Summit Ave	New Albany
Comments						
17. 6/27/16		DH		1247	Slate Run Rd	New Albany
Comments						
18. 6/27/16		DH		1245	Slate Run Rd	New Albany
Comments						

Mike Blackford told
a neighbor he did
not work this area,
he was working in
Corydon, IN.

→ Where's the time?

Comments						
148. 7/5/16		DH		1792	Elmview Dr	New Albany
Comments						
149. 7/5/16		DH		1787	Elmview Dr	New Albany
Comments						
150. 7/5/16		DH		1785	Elmview Dr	New Albany
Comments						
151. 7/5/16		DH		1781	Elmview Dr	New Albany
Comments						
Contact Date(s) & Time	Structure/ Tower# If app.	IP/DH/P/M	Phone # Called (if available)	House #	Street/Road	City
152. 7/5/16		DH		1779	Elmview Dr	New Albany
Comments						
153. 7/5/16		DH		1777	Elmview Dr	New Albany
Comments						
154. 7/5/16		DH		1775	Elmview Dr	New Albany
Comments						
155. 7/5/16		DH		1854	Mount Tabor Rd	New Albany
Comments						
156. 7/5/16		DH		2799	Mount Tabor Rd	New Albany
Comments						
157. 7/5/16		DH		2795	Mount Tabor Rd	New Albany
Comments						
158. 7/5/16		DH		2787	Mount Tabor Rd	New Albany

No such address,
How was a DH
left here?

Comments						
Contact Date(s) & Time	Structure/ Tower# If app.	IP/DH/P/M	Phone # Called (if available)	House #	Street/Road	City
159. 7/5/16		DH		2773	Mount Tabor Rd	New Albany
Comments						
160. 7/5/16		DH		2767	Mount Tabor Rd	New Albany
Comments						
161. 7/5/16		DH		2763	Mount Tabor Rd	New Albany
Comments						
152. 7/5/16		DH	NO SUCH ADDRESS	3601	Mount Tabor Rd	New Albany
Comments						
164. 7/5/16		DH		1013	Mount Tabor Rd	New Albany
Comments						
165. 7/7/16		DH		3610	Klerner Ln	New Albany
Comments						
Contact Date(s) & Time	Structure/ Tower# If app.	IP/DH/P/M	Phone # Called (if available)	House #	Street/Road	City
166. 7/7/16		DH		3607	Klerner Ln	New Albany
Comments						
167. 7/7/16		DH		3616	Klerner Ln	New Albany
Comments						
168. 7/7/16		DH		3706	Klerner Ln	New Albany
Comments						

Who left the door hanger? at what time? This is not considered proof.

How was a door hanger left at a house that doesn't exist?

Attachment 2 1 - p 60

Dated 9/7/16

No mention of
being on Mount Tabor
Road, or leaving a
door hanger at my
house:
2763 Mount Tabor Rd.

651. 9/5/16		DH		3414	Deerwood Dr	New Albany
Comments						
Contact Date(s) & Time	Structure/ Tower# If app.	IP/DH/P/M	Phone # Called (if available)	House #	Street/Road	City
652. 9/5/16		DH		931	Pennwood Dr	New Albany
Comments						
653. 9/5/16		DH		929	Pennwood Dr	New Albany
Comments						
654. 9/5/16		IP	Jean Maxwell 812-944-4977	1750	Klarner Ln	New Albany
Oak HT permitted for cut up & leave lay.						
655. 9/5/16		DH		2712	Hillview Dr	New Albany
Comments						
656. 9/7/16		DH		2714	Hillview Dr	New Albany
Comments						
657. 9/7/16		DH		2710	Hillview Dr	New Albany
Comments						
658. 9/7/16		DH		2716	Hillview Dr	New Albany
Comments						
Contact Date(s) & Time	Structure/ Tower# If app.	IP/DH/P/M	Phone # Called (if available)	House #	Street/Road	City
659. 9/7/16		DH		2718	Hillview Dr	New Albany
Comments						
660. 9/7/16		DH		2720	Hillview Dr	New Albany
Comments						
661. 9/7/16		DH		2722	Hillview Dr	New Albany

Attachment 21 p. 61

Dated 9/7/16

Comments							
662. 9/7/16		DH		2724	Hillview Dr	New Albany	
Comments							
663. 9/7/16		DH		2726	Hillview Dr	New Albany	
Comments							
664. 9/7/16		DH		2725	Hillview Dr	New Albany	
Comments							
665. 9/7/16		DH		2723	Hillview Dr	New Albany	
Comments							
Contact Date(s) & Time	Structure/ Tower#	If app.	IP/DH/P/M	Phone # Called (if available)	House #	Street/Road	City
666. 9/7/16			DH		2721	Hillview Dr	New Albany
Comments							
667. 9/7/16			DH		2719	Hillview Dr	New Albany
Comments							
668. 9/7/16			DH		2717	Hillview Dr	New Albany
Comments							
669. 9/7/16			DH		2715	Hillview Dr	New Albany
Comments							
670. 9/7/16			DH		2713	Hillview Dr	New Albany
Comments							
671. 9/7/16			DH		2716	Kierner Ct	New Albany
Comments							
672. 9/7/16			DH		2718	Kierner Ct	New Albany

attachment 21 p 62

Dated 9/7/16

Comments							
Contact Date(s) & Time	Structure/ Tower# If app.	IP/DH/P/M	Phone # Called (if available)	House #	Street/Road	City	
673. 9/7/16		DH		2714	Klerner Ct	New Albany	
Comments							
674. 9/7/16		DH		2712	Klerner Ct	New Albany	
Comments							
675. 9/7/16		DH		2710	Klerner Ct	New Albany	
Comments							
676. 9/7/16		DH		2708	Klerner Ct	New Albany	
Comments							
677. 9/7/16		DH		2706	Klerner Ct	New Albany	
Comments							
678. 9/7/16		DH		1814	Klerner Ln	New Albany	
Comments							
679. 9/7/16		DH		1106	Savannah Dr	New Albany	
Comments							
Contact Date(s) & Time	Structure/ Tower# If app.	IP/DH/P/M	Phone # Called (if available)	House #	Street/Road	City	
680. 9/7/16		DH		1108	Savannah Dr	New Albany	
Comments							
681. 9/7/16		DH		1110	Savannah Dr	New Albany	
Comments							
682. 9/7/16		IP	Chris Smith 502-550-4749	1112	Savannah Dr	New Albany	
Comments							

Dated 9/7/16

683. 9/7/16		DH		1114	Savannah Dr	New Albany
Comments						
684. 9/7/16		DH		1116	Savannah Dr	New Albany
Comments						
685. 9/7/16		DH		1118	Savannah Dr	New Albany
Comments						
686. 9/7/16		DH		1120	Savannah Dr	New Albany
Comments						
Contact Date(s) & Time	Structure/ Tower# If app.	IP/DH/P/M	Phone # Called (# available)	House #	Street/Road	City
687. 9/7/16		IP	Tim Charlton 502-548-0976	1122	Savannah Dr	New Albany
Comments						
688. 9/7/16		DH		1124	Savannah Dr	New Albany
Comments						
689. 9/7/16		DH		1126	Savannah Dr	New Albany
Comments						
690. 9/7/16		DH		1128	Savannah Dr	New Albany
Comments						
691. 9/7/16		DH		1121	Savannah Dr	New Albany
Comments						
692. 9/7/16		DH		1113	Savannah Dr	New Albany
Comments						
693. 9/7/16		DH		1115	Savannah Dr	New Albany
Comments						

Attachment 22

RE: Emailing: Duke_7_13_16...

22A

Created On
3/10/2017 1:48 PM

Date Received
3/10/2017 1:54 PM

Date Sent
3/10/2017 1:55 PM

Status Reason
Sent

Email

From Kenya McMillin
To Melissa Coffman
Cc
Bcc
Subject RE: Emailing: Duke_7_13_16 (3).jpg CRM:0019005

File Name
No Attachment rec
0 - 0 of 0 (0 selected) Page 1

Hi Melissa,

The letter was dated 7/13/16. Would the "routine customer notification" be in addition to the door hangers left on 7/5/16 and 9/7/16? Would this type of notification be logged? If so, I didn't see it on the log nor did I see the entry for the door hanger that was left on 9/7/16.

Thanks,

Kenya McMillin

----- Original Message -----

From: Melissa Coffman
Received: 3/10/2017 1:36 PM
To: Kenya McMillin
Subject: Emailing: Duke_7_13_16 (3).jpg CRM:0019005

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Kenya,

Please see the attached document, which is the notification log from Vegetation Management. Ms. Feiock's notification is on line item 325 (I highlighted). I also confirmed with our Vegetation Management that the letter Ms. Feiock provided you is a letter that goes into the pocket of the door hanger that is left when we do the routine customer notification. This would not have been mailed to the customer.

Please let me know if you have any additional questions.

Thank you,

22 B

5/26/2017

Email: RE: Emailing: Duke_7_13_16 (3).jpg CRM:0019005

Melissa Coffman
Consumer Affairs Specialist
Plainfield, IN
Phone# 317-838-4143
Fax# 317-838-1672

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-----Original Message-----

From: McMillin, Kenya [mailto:KMcmillin@urc.IN.gov]
Sent: Thursday, March 09, 2017 12:42 PM
To: Coffman, Melissa K
Subject: Emailing: Duke_7_13_16 (3).jpg CRM:0019005

ms. Coffman has no clue what is or is not left at customer homes

*** Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. ***

Hi Melissa,

Here is the copy of the letter that the customer sent me. When we initially spoke you had stated Duke did not send her a letter. Please verify if this did come from Duke.

Thanks,

Kenya McMillin
Director, Consumer Affairs
Indiana Utility Regulatory Commission
101 W. Washington Street, Suite 1500 E
Indianapolis, IN 46204
1-800-851-4268 ext. 40572
kmcmillin@urc.in.gov

Regarding  118290

Duration



Distribution Vegetation Management
Mike Blackford
812-406-3771

TOWNSEND tree SUCC

Date: 7/13/16

Subject: **Tree Trimming Notice** (Note: If no overhead power lines adjoin your property, please disregard this notice.)

Dear Duke Energy Customer:

Duke Energy is committed to providing you with safe, reliable electric service. One of the best ways to deliver on this commitment is to provide power line maintenance that will keep the lines that distribute electricity free from trees and overgrown shrubbery. Duke Energy hires contractors who employ qualified utility line clearance tree workers to inspect and clear the electrical lines of vegetation. The contractor's employees will carry identification and may also attempt in-person notice of scheduled vegetation management.

Our records indicate that you are in an area where one of our vegetation management contractors will soon be performing power line maintenance. This work is scheduled to occur within the next two to four weeks. If you are not the property owner, you are strongly encouraged to notify the property owner as soon as possible that vegetation management is scheduled.

Trees and vegetation near power lines can pose a serious threat to public safety and are responsible for a significant percentage of electrical outages and other power quality issues. Vegetation management involves cutting, removing or preventing vegetative growth in order to 1) maintain safe conditions around utility facilities, 2) ensure reliable electric service, 3) prevent hazards caused by the encroachment of vegetation on utility facilities and 4) provide ongoing access to the facilities. This can often be accomplished by trimming or pruning trees growing close to electric power lines.

For more information about our program and policies, including contact information for the contractor that will be conducting the vegetation management in your area, please visit duke-energy.com/trees. You may also visit the Indiana Utility Regulatory Commission website at in.gov/iurc. The Vegetation Management Standards Rule may be found at in.gov/iurc/2652.htm. A utility must have legal authority prior to vegetation management, which may include express or implied consent. To the extent necessary, receipt of this notice by the occupant initiates the two-week period for calculating implied consent by the customer.

Thank you for working with Duke Energy to help ensure a safe and reliable electric system for all. If you have additional questions, please contact Duke Energy Vegetation Management at **866.385.3675**.

Sincerely,

Duke Energy Vegetation Management Department

Visit the Arbor Day Foundation at arborday.org/treelineusa for information about planning and planting vegetation around electrical facilities.


Attachment 25


Email

RE: Complaint 118290 CRM...

Created On	Date Received	Date Sent	Status Reason
3/14/2017 3:46 PM	3/14/2017 3:42 PM		Received

Email

From  Melissa Coffman

To  Kenya McMillin

Cc

Bcc

Subject RE: Complaint 118290 CRM:0019078

File Name
image001.png
1 - 1 of 1 (0 selected) Page 1

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Kenya,

The general foreman, a supervisor & the work planner for Townsend Tree Service, also Duke's Vegetation Management Specialist all tried to contact by either calling or stopping at the address after she filed the complaint.

Thank you,

Melissa Coffman
 Consumer Affairs Specialist
 Plainfield, IN
 Phone# 317-838-4143
 Fax# 317-838-1672



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5/26/2017

Email: RE: Complaint 118290 CRM:0019078

From: McMillin, Kenya [mailto:KMcMillin@urc.IN.gov]

Sent: Tuesday, March 14, 2017 9:17 AM

To: Coffman, Melissa K

Subject: Complaint 118290 CRM:0019078

***** Exercise caution. This is an
EXTERNAL email. DO NOT open
attachments or click links from
unknown senders or unexpected email.**

Hi Melissa,

Who all tried to contact the customer after the complaint was filed
with CAD?

Regarding  118290

Duration

Attachment 28

5/26/2017


Email: RE: Complaint 118290 CRM:0019078


Email

RE: Complaint 118290 CRM...

Created On	Date Received	Date Sent	Status Reason
4/20/2017 4:40 PM	4/20/2017 4:38 PM		Received

Email

From  Melissa Coffman

To  Kenya McMillin

Cc

Bcc

Subject RE: Complaint 118290 CRM:0019078

File Name
image001.png
Vegetation door hanger.pdf
Vegetation Management letter for door ha

1 - 3 of 3 (0 selected) Page 1

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Kenya,

I apologize for the delay. Attached is a copy of a door hanger & the letter that is placed in the back pocket of the door hanger for the customer.

It is our policy to contact every property owner or customer who are impacted by us trimming trees on their property. Our vegetation contractor attempts this contact in person by knocking on their door or ringing the door bell and if they do not answer he/she leaves them a door hanger with a letter inside the door hanger with contact information if they have questions. If they answer the door, the contractor will give them a copy of the door hanger and letter and discuss any questions they might have. Our contractor records the contact in a contact log.

If you have any further questions, please let me know.

Thank you,

Melissa Coffman
 Consumer Affairs Specialist
 Plainfield, IN
 Phone# 317-838-4143
 Fax# 317-838-1672



5/26/2017


Email: RE: Complaint 118290 CRM:0019078

From: McMillin, Kenya [<mailto:KMcMillin@urc.IN.gov>]
Sent: Tuesday, March 14, 2017 9:17 AM
To: Coffman, Melissa K
Subject: Complaint 118290 CRM:0019078

***** Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email.**

Hi Melissa,

Who all tried to contact the customer after the complaint was filed with CAD?

Regarding  118290

Duration

- Distribution Transmission

Dear Customer and/or Property Owner:

At Duke Energy, we're committed to the proper maintenance of trees and vegetation to help provide safe and reliable electricity for you and your neighbors. We were here today to notify you of the following:

- See information letter enclosed.
- A Duke Energy contract tree crew will soon be performing power line vegetation management in your area.
- To prevent an electrical outage or hazardous situation, trees in the right of way on your property need to be pruned or taken down. Duke Energy will perform this work at no cost to you.
- The trees that you reported were inspected. Since no immediate danger is present, this work will be performed during our regularly scheduled vegetation management. Duke Energy will perform this work at no cost to you.
- Duke Energy does not need to perform the work you requested because the trees do not cause safety or reliability concerns.
- Hazard tree(s) marked with paint or ribbon should be taken down. Should any of these tree(s) fall and come in contact with the power line, a safety hazard could be created or your electric service interrupted.
- Duke Energy has performed emergency outage restoration work caused by an act of nature. This work required trees to be trimmed or cut down. Duke Energy is not responsible for cleanup of wood and debris when this occurs.
- Duke Energy has identified vegetation that needs to be controlled by herbicide. Duke Energy's contract crews will be in the area in the near future applying approved herbicides.
- To ensure safe and reliable electric and gas service for you and your neighbors, a Duke Energy contract mowing crew will soon be mowing right-of-way corridors in your area.
- Other: _____

Thank you.

If you have specific questions, your primary contact is the person identified on the attached business card. For additional questions please call Duke Energy Vegetation Management at 866.385.3675. For information about our Integrated Vegetation Management program please visit us online at duke-energy.com/safety/right-of-way-management.asp.

Job number: _____

Date: _____

Time: _____





Date: _____

Subject: Tree Trimming Notice (Note: If no overhead power lines adjoin your property, please disregard this notice.)

Dear Duke Energy Customer:

Trees and vegetation near power lines are responsible for a significant percentage of electrical outages and other power quality issues. Duke Energy is committed to providing you with safe, reliable electric service. One of the best ways to deliver on this commitment is to provide power line maintenance that will keep the lines that distribute electricity free from trees and overgrown shrubbery. We use contractors that employ qualified utility line clearance tree workers to inspect and clear the power lines of vegetation. The contractors' employees carry identification and may also attempt to contact you in person to notify you of scheduled vegetation management.

Our records indicate that you are in an area where one of our vegetation management contractors will soon be performing power line maintenance. This work is scheduled to occur within the next two to four weeks. If you are not the property owner, we strongly encourage you to notify the property owner as soon as possible that vegetation management is scheduled.

Vegetation management involves cutting, removing or preventing vegetative growth in order to: maintain safe conditions around utility facilities; help ensure reliable electric service; prevent hazards caused by the encroachment of vegetation on utility facilities; and provide ongoing access to the facilities. This can often be accomplished by trimming or pruning trees growing close to electric power lines.

For more information about our program and policies, including contact information for the contractor that will be conducting the vegetation management in your area, please visit duke-energy.com/trees. You may also review the Vegetation Management Standards Rule on the Indiana Utility Regulatory Commission's website at in.gov/iurc/2652.htm. A utility must have legal authority prior to vegetation management, which may include express or implied consent. To the extent necessary, receipt of this notice by the occupant initiates the two-week period for calculating implied consent by the customer.

Thank you for working with us to help ensure a safe, reliable electric system for all. If you have additional questions, please contact Duke Energy Vegetation Management at 866.385.3675.

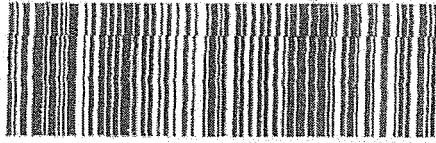
Sincerely,

Duke Energy Vegetation Management Department

Visit the Arbor Day Foundation at arborday.org/treesinusa for information about planning and planting vegetation around electrical facilities.

Attachment 29

INDIANA UTILITY REGULATORY COM
101 W WASHINGTON ST STE 1500
INDIANAPOLIS, IN 46204-2784



9214 8901 0661 5400 0099 6044 37

RETURN RECEIPT (ELECTRONIC)

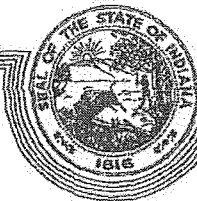
KELLY FEICCK
2763 MOUNT TABOR ROAD
NEW ALBANY, IN 47150

CUT / FOLD HERE

6" X 10" ENVELOPE
CUT / FOLD HERE

CUT / FOLD HERE

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
101 WEST WASHINGTON STREET, SUITE 1500 EAST
INDIANAPOLIS, INDIANA 46204-3419

<http://www.in.gov/iure>
Office: (317) 232-2701
Facsimile: (317) 232-6758

April 28, 2017

Kelly Feiock
2763 Mount Tabor Rd.
New Albany, IN 47150

Dear Mr. Feiock,

MS. Feiock

Thank you for contacting the Indiana Utility Regulatory Commission's (Commission), Consumer Affairs Division (CAD) regarding Duke Energy Indiana, LLC. As you requested an appeal to the CAD Director, I have reviewed Complaint # 118290 and have made a determination based on the facts presented in the complaint. A copy of my decision is included with this letter for your records.

If you do not agree with my decision, you may appeal in writing directly to the Indiana Utility Regulatory Commission within twenty (20) days of receipt of my decision. An Administrative Law Judge from the IURC will mail you the date and time of a hearing regarding the appeal. As the appealing party, you may attend and participate in this hearing. Any subsequent dates to appear will be discussed at the initial hearing. If you do not attend the hearing, the case may be dismissed, unless you have communicated to the Commission that you prefer to submit a written statement detailing your complaint.

If you have any questions about this process, please contact our General Counsel, Beth E. Heline, at 317-232-2092 or BEHeline@urc.in.gov.

Best Regards,

Kenya McMillin
Kenya McMillin

IN correct address

Director, Consumer Affairs
Indiana Utility Regulatory Commission
101 W. Washington Street, Suite 1500 E
Indianapolis, IN 46204
1-800-851-4268 ext. 291
kmcmillin@urc.in.gov

INDIANA UTILITY REGULATORY COMMISSION

DIRECTOR REVIEW OF CONSUMER AFFAIRS DIVISION ANALYST'S RESOLUTION

Director Review# 2016-14

To: Kelly Feiock
2763 Mount Tabor Road
New Albany, IN 47150

From: Kenya McMillin
Indiana Utility Regulatory Commission
101 West Washington St., Suite 1500 E.
Indianapolis, IN 46204

Copy: Duke Energy
Attn: Melissa Coffman
1000 E. Main St.
Plainfield, IN 46168

Complaint #: Kelly Feiock vs. Duke Energy

Pursuant to 170 IAC 16-1-5, the Director of the Consumer Affairs Division of the Indiana Utility Regulatory Commission has fully reviewed the Consumer Affairs Analyst's resolution regarding this complaint, and hereby reverses this resolution in part for the following reason:

- That the facts alleged in the complaint fail to state a violation under any statute, administrative rule or Commission Order governing the provision of utility services in the State of Indiana.
- That under the facts presented, the respondent utility appears to be in violation of 170 Indiana Administrative Code 4-9-10 (b) in that it did not contact Mrs. Feiock within three (3) business days of receiving the her dispute.
- Other _____

Background:

According to Duke Energy, the utility placed a door hanger at the customer's property on July 5, 2016. However, Ms. Feiock states she didn't not receive a door hanger in July 2016. Duke Energy provided the Director of CAD the log that dates the initial door hanger being provided on July 5, 2016 in accordance to 170 Indiana Administrative Code 4-9-2 (7) (B). A copy of the log is included in this letter. Duke Energy's notice of vegetation management to Ms. Feiock is in accordance with 170 Indiana Administrative Code 4-9-4 (b) 1-2.

creating a spreadsheet
is not proof

In addition to the door tag, Ms. Feiock stated she was mailed a letter from Duke Energy dated July 13, 2016. Initially Duke Energy informed the CAD Director that they didn't mail such letter. After a copy of the letter was provided to Duke Energy, the CAD Director was advised that the letter was not mailed, but included in the pocket of the door hanger. When questioned as to why the date of the letter and door hanger were two different dates, Duke Energy stated the letter may have been predated prior to delivering it to Ms. Feiock. Due to the conflicting evidence as to

when the door hanger and letter was left, CAD cannot affirmatively say the customer never received the door hanger. *She can't affirmatively say I did receive it!*

After notice was provided, vegetation management for Ms. Feiock's property started on July 20, 2016. According to 170 Indiana Administrative Code 4-9-7 (c) (1), the utility was not required to obtain customer consent, because the tree trimming was due to public safety. Ms. Feiock contacted Duke Energy on July 20, 2016 at the number provided on the letter to dispute the trimming. *What public safety?* She stated Duke Energy never returned her phone call. Duke Energy is required to contact the customer within three (3) business days of receiving the customer's dispute in pursuant to 170 Indiana Administrative Code 4-9-10 (b). Duke Energy does not have record of returning Ms. Feiock's telephone call. As a result, Duke Energy is in violation of 170 Indiana Administrative Code 4-9-10 (b).

The 170 Indiana Administrative Code 4-9-3 (a) and (b) states, the utility is required to provide the customer a copy of the easement or public right away document upon request of the customer within five (5) business days of the customer's receipt of the notice prior to vegetation management. Ms. Feiock contacted Duke Energy on July 20, 2016, which was fifteen (15) days after the door tag was left on her door, although Ms. Feiock maintains she did not receive a door hanger from Duke Energy in July 2016. Duke Energy attempted to contact Ms. Feiock as a result of her filing a complaint with CAD. After multiple unsuccessful attempts to reach her, Duke Energy left Ms. Feiock a second door hanger on September 7, 2016. Ms. Feiock confirmed that she received the second door hanger. The door hanger stated if Raymond Goodwin, Townsend Tree Service's General Foreman, didn't hear from her, he would assume Ms. Feiock is "ok with the work that will be performed." Vegetation management should not occur while a dispute is pending in CAD. As of now, Duke Energy has stayed further tree trimming until after the complaint is closed. Duke Energy has agreed to meet with Ms. Feiock before trimming the additional trees on her property. *No! It states utilities must obtain legal authority and provide documentation.* *When did they try to contact me? Where is the proof?* *They stayed because I told them to!* *Why did you think it was ok for them to resume trimming?*

Conclusion:

Based on the information provided, the analyst's decision that there was not a rule violation is reversed in part. Duke Energy did not contact Ms. Feiock after the trees were trimmed in accordance with 170 Indiana Administrative Code 4-9-10 (b). The CAD doesn't have authority to require Duke Energy to compensate Mrs. Feiock for such violation. Outside of this rule, Duke Energy did not violate the rules that Ms. Feiock cited in her complaint to the Attorney General's Office that was forward to CAD. The CAD does recognize there were opportunities for Duke Energy to better communicate with Ms. Feiock. The CAD recommends that Duke Energy revisit the execution of its internal process as it relates to communication, documentation, record keeping, and tracking of inbound and outbound customer calls relating to vegetation management. *Violation of 170 IAC 4-9-9*

Kenya McMillin
Kenya McMillin
Director, Consumer Affairs Division

Date: *7/28/17*

Attachment 32

Kelly Feiock
2763 Mount Tabor Rd., New Albany, IN 47150

Mr. James Atterholt
Indiana Utility Regulatory Commission
101 West Washington Street, Ste. 1500 East
Indianapolis, IN 46204-3419

RE: Appeal of Complaint #118290

May 23, 2017

Introduction: I, Kelly Feiock, am the owner and resident of the property located at 2763 Mount Tabor Road., New Albany, IN 47150. On August 11, 2016, I came home to find the trees on the Mount Tabor Road side of my property (I live on a corner lot) were severely cut. I immediately called Mike Blackford of Townsend Tree Service and Duke Energy Vegetation Management. Neither answered, so I left messages on both of their voicemails; I never received a response from either. I am upset that I wasn't properly notified of the trimmings, my trees were severely trimmed and nobody returned my calls to discuss what happened. As of this date, neither party has yet to contact me.

Neither Townsend Tree Service nor Duke Energy followed 170 IAC 4-9 regarding vegetation management standards for electric utilities.

Per 170 IAC 4-9-4 Notice requirements for routine vegetation management
Sec. 4.

(a) At least two (2) calendar weeks prior to engaging in routine vegetation management, the utility must provide notice to customers and property owners whose vegetation will be subject to the vegetation management except under the following circumstances:

(b) A utility must provide notice to a customer in the following manner:

(1) At least one (1) attempt to contact must be:

- (i) in person; or
- (ii) via telephone call.

(2) At least one (1) attempt to contact must include written notice.

NOTE: I received one letter, but I did not receive contact in person or by telephone.

(d) Written notice will also include the following:

(7) A website address and telephone number for customers to obtain the name of the contractor, if used by the utility, that will deliver the in person notice or conduct vegetation management.

NOTE: There was no website address on the letter.

(f) A utility must provide notice to a property owner by publishing notice in at least one (1) newspaper of general circulation in the county in which the property is located. The notice must include the following:

(5) The **estimated date** that vegetation management is scheduled to occur.

NOTE: Although Duke did publish legal notice in the local paper, it did not correspond with the date of trimming. The legal notice was posted June 22, 2016 stating that trimming would occur in the next two to six weeks. The trimming took place on August 11, 2016, seven weeks later.

Per 170 IAC 4-9-7 Vegetation management standards

Sec. 7. (b) There is not a uniform clearance requirement, but line clearances should take into consideration the:

- (1) characteristics of the locality;
- (2) electrical facility; and
- (3) health of the tree.

(c) Except in situations of emergency or public safety, if a tree would have more than twenty-five percent (25%) of its canopy removed, the utility or its agent or contractor shall do one (1) of the following actions:

- (1) Obtain consent from the property owner.
- (2) If the property owner and utility or its agent or contractor cannot mutually agree on how the tree can be trimmed to provide sufficient clearance in order to maintain reliable electric service, the utility or its agent or contractor shall take one (1) of the following actions:
 - (A) Remove the tree, at the utility's expense, as long as the utility has secured the requisite easements to allow its personnel onto the owner's property.
 - (B) Inform the customer that it will need to make non-ANSI standards cuts in order to provide clearance.

NOTE: More than 25% of canopy was removed from several trees without my permission. The trees were healthy, yet their tops were lopped off. Duke has claimed this was necessary for public safety, but I will remind them of the definition of public safety, which is posted below. None of these trees qualified as a public safety hazard.

170 IAC 4-9-2 Definitions

Sec. 2. The following definitions apply throughout this rule:

(9) "Public safety situation" means the following:

- (A) The existence of a vegetation condition that could reasonably be expected to cause imminent physical harm to electrical equipment necessary for the provision of electric service, including the following:
 - (i) Trees that are unstable to the point of representing a danger to utility equipment, facilities, or personnel in the course of repairs to said equipment or facilities due to disease, damage, or soil erosion. Personnel may include, but is not limited to safety workers such as fire, police, emergency medical personnel, utility line and repair crews.
 - (ii) Trees that lean to a degree that they can touch power lines.
 - (iii) Trees that have burn marks or other indicators that they have previously touched a power line.
- (B) A condition in vegetation unrelated to normal growth that would result in contact with power lines or high voltage equipment and cause imminent physical harm to the public if not immediately mitigated.

NOTE: None of these examples apply to my trees.

PER 170 IAC 4-9-10 Dispute resolution process after vegetation management

Sec. 10. (a) A customer may contact the utility regarding vegetation management on the customer's premises after the vegetation management occurred if one (1) of the following occurs:

- (1) The utility failed to provide the notice required under section 4 of this rule.
- (2) The utility engaged in vegetation management outside the scope of an agreement between the customer and the utility.
- (3) The utility did not have authority to enter the customer's property.
- (4) The utility failed to follow the vegetation management pruning standards required by the commission or by the utility's own vegetation management policy.
- (5) Another reason permitted by law.

NOTE: Duke did not provide notice in person or by telephone. The notice it provided in writing did not adhere to 170 Indiana Administrative Code 4-9-4. Duke allowed more than 25% of my tree canopy to be cut without my permission. Duke was on my property without my consent and without a prescriptive easement.

(b) A utility must respond within three (3) business days of receiving a customer's inquiry or dispute:

- (1) in person;
- (2) via telephone call; or
- (3) in writing.

NOTE: I contacted Duke Energy and Townsend Tree Service the same day the trees were cut, August 11, 2016. Neither company responded to my voice mails.

Unless the hearings will take place in Floyd County, I will not attend in person. I am willing to provide any additional documentation as needed.

Sincerely,

Kelly Feiock

ORIGINAL

PETITIONER'S EXHIBIT A

INDIANA UTILITY REGULATORY COMMISSION

Final Rulemaking

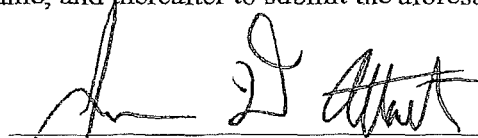
IURC RM #10-04

LSA #12-42(F)

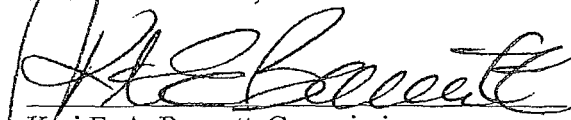
Adds 170 IAC 4-9 regarding vegetation management standards for electric utilities to implement the commission's order in cause number 43663, approved on November 30, 2010, and the commission's order on reconsideration in the cause, approved July 7, 2011.

Upon prior publication of notice, a public hearing was held on May 24, 2012, at 6:00 p.m. Eastern Daylight Time, at the PNC Center, 101 West Washington Street, IURC Conference Center, Judicial Courtroom 222, Indianapolis, Indiana, as required by the provisions of I.C. 4-22-2-1, *et seq.* On July 11, 2012, at 2:00 p.m. Eastern Daylight Time in Judicial Courtroom 222, PNC Center, Indianapolis, Indiana, a majority of members of the Indiana Utility Regulatory Commission was present and adopted the Final Rule. On August 24, 2012, the Commission recalled the rule and made changes to comply with form and legality. On August 29, 2012, at 2:00 p.m. Eastern Daylight Time in Judicial Courtroom 222, PNC Center, Indianapolis, Indiana, a majority of members of said Commission were present and adopted the foregoing Revised Rule.

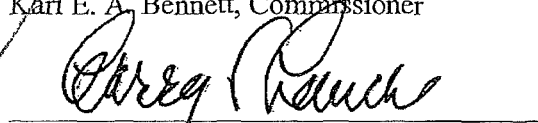
The Secretary is hereby directed to submit the aforesaid rule to the Attorney General and Governor of Indiana, for their approval of same, and thereafter to submit the aforesaid rule to the publisher, Indiana Register.



James D. Atterholt, Chairman



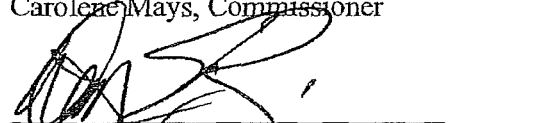
Kari E. A. Bennett, Commissioner



Larry S. Landis, Commissioner

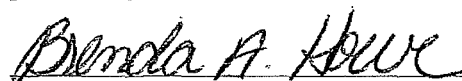
Not Participating

Carolene Mays, Commissioner



David E. Ziegner, Commissioner

ATTEST:



Brenda A. Howe, Secretary to the Commission

Date: AUG 29 2012

Rule Signature Page

Rule #: LSA #12-42(F)
Agency: Indiana Utility Regulatory Commission
Subject: Adds 170 IAC 4-9 regarding vegetation management standards for electric utilities to implement the commission's order in cause number 43663, approved on November 30, 2010, and the commission's order on reconsideration in the cause, approved July 7, 2011.

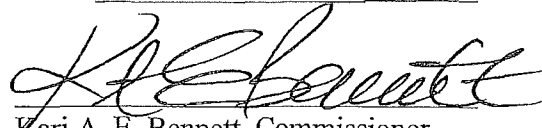
ADOPTED:

By the Indiana Utility Regulatory Commission

Date: _____

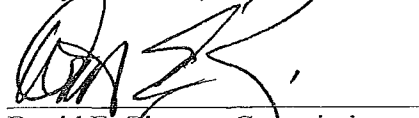
'AUG 29 2012


James D. Atterholt, Chairman


Kari A. E. Bennett, Commissioner


Larry S. Lands, Commissioner

Not Participating _____
Carolene Mays, Commissioner


David E. Ziegner, Commissioner

APPROVED AS TO FORM AND LEGALITY:

By: _____
Gregory F. Zoeller
Attorney General, State of Indiana

Date: _____

APPROVED:

By: _____
Mitchell E. Daniels, Jr.
Governor, State of Indiana

Date: _____

ACCEPTED FOR FILING:

By: _____
Indiana Register
Legislative Services Agency

Date: _____

TITLE 170 INDIANA UTILITY REGULATORY COMMISSION

Final Rule
LSA Document #12-42(f)

DIGEST

Adds 170 IAC 4-9 regarding vegetation management standards for electric utilities to implement the commission's order in cause number 43663, approved on November 30, 2010, and the commission's order on reconsideration in the cause, approved July 7, 2011. Effective 30 days after filing with the Publisher.

170 IAC 4-9

SECTION 1. 170 IAC 4-9 IS ADDED TO READ AS FOLLOWS:

Rule 9. Vegetation Management Standards

170 IAC 4-9-1 Applicability; incorporation by reference of commission order

Authority: IC 8-1-1-3; IC 8-1-2-4; IC 8-1.5-3-8

Affected: IC 8-1-2

Sec. 1. (a) This rule applies to an electrical public utility subject to the jurisdiction of the commission pursuant to the provisions of the Public Service Commission Act, IC 8-1-2, that is financed by the sale of securities and whose business operations are overseen by a board representing their shareholders. This rule does not apply to an electric public utility subject to the jurisdiction of the commission that is organized as a rural electric membership corporation under IC 8-1-13 or a nonprofit corporation organized under IC 23-1-17.

(b) The commission through this rule implements the commission's order in cause number 43663, approved on November 30, 2010, and the commission's order on reconsideration in the cause, approved July 7, 2011. Copies of the orders are available for review and copying at the Indiana Utility Regulatory Commission, 101 West Washington Street, Suite 1500E, Indianapolis, Indiana 46204. (*Indiana Utility Regulatory Commission; 170 IAC 4-9-1*)

170 IAC 4-9-2 Definitions

Authority: IC 8-1-1-3; IC 8-1-2-4; IC 8-1.5-3-8

Affected: IC 8-1-2

Sec. 2. The following definitions apply throughout this rule:

- (1) "Brush" means vegetation with stems less than six (6) inches diameter at breast height.
- (2) "Business days" means days other than:
 - (A) Saturday;

- (B) Sunday; or
- (C) a legal holiday observed by the state of Indiana.
- (3) "Commission" means the Indiana utility regulatory commission.
- (4) "Customer" means the following:
 - (A) For purposes of notice, "customer" has the meaning set forth in 170 IAC 16-1-2(3) or may include the occupant of the property.
 - (B) For purposes of the disputes, "customer" has the meaning set forth in 170 IAC 16-1-2(3) but also includes the property owner.
- (5) "Emergency or storm event":
 - (A) means:
 - (i) a condition dangerous or hazardous to:
 - (AA) health;
 - (BB) life;
 - (CC) physical safety; or
 - (DD) propertyexists or is imminent;
 - (ii) an interruption of utility service; or
 - (iii) the need to immediately repair or clear utility facilities; and
 - (B) includes:
 - (i) circumstances that exist that make it impractical or impossible for a utility to comply with the provisions of the rule, including, but not limited to:
 - (AA) floods;
 - (BB) ice;
 - (CC) snow;
 - (DD) storms;
 - (EE) tornadoes;
 - (FF) winds; and
 - (GG) other acts of God;
 - (ii) falling trees;
 - (iii) trees causing outages; and
 - (iv) trees showing evidence of:
 - (AA) burning; or
 - (BB) otherwise having been in direct contact with electric conductors.
- (6) "Implied consent" means the property owner or customer has not contacted the utility to deny consent within two (2) weeks after receiving notice that tree trimming will occur.
- (7) "In person" means:
 - (A) person to person delivery of verbal or written notice by an authorized utility representative to a customer, or
 - (B) hand delivery of a door hanger or similar document accompanied by an attempt by the authorized utility representative to speak with the resident through actions including knocking on the door or ringing the door bell, with delivery documented in writing or

computerized entry by the authorized utility representative making the hand delivery.

(8) "Power line compatible vegetation" means a plant that at maturity will not reach a height greater than twelve (12) feet.

(9) "Public safety situation" means the following:

(A) The existence of a vegetation condition that could reasonably be expected to cause imminent physical harm to electrical equipment necessary for the provision of electric service, including the following:

(i) Trees that are unstable to the point of representing a danger to utility equipment, facilities, or personnel in the course of repairs to said equipment or facilities due to disease, damage, or soil erosion. Personnel may include, but is not limited to safety workers such as fire, police, emergency medical personnel, utility line and repair crews.

(ii) Trees that lean to a degree that they can touch power lines.

(iii) Trees that have burn marks or other indicators that they have previously touched a power line.

(B) A condition in vegetation unrelated to normal growth that would result in contact with power lines or high voltage equipment and cause imminent physical harm to the public if not immediately mitigated.

(10) "Telephone call" means:

(A) making an attempt to contact the customer via the telephone number the utility has on file; and

(i) making verbal telephone contact; or

(ii) leaving a message on

(AA) voicemail;

(BB) an answering machine; or

(CC) an answering service,

if available.

(C) If an attempt is unsuccessful in either making verbal telephone contact with the customer or leaving a telephonic message as described in clause (A), a second attempt must be made.

(11) "Utility" means an electrical public utility subject to the jurisdiction of the commission pursuant to the provisions of the Public Service Commission Act, IC 8-1-2, that is financed by the sale of securities and whose business operations are overseen by a board representing their shareholders.

(12) "Vegetation management" means the cutting or removal of vegetation or the prevention of vegetative growth to accomplish one (1) of the following:

(A) The maintenance of safe conditions around utility facilities.

(B) Ensuring reliable electric service.

(C) Preventing hazards caused by the encroachment of vegetation on utility facilities and to provide utility access to facilities.

(13) "Written notice" means notice sent from the utility to the customer in one (1) of the following manners:

(A) By electronic mail.

(B) By U.S. mail or another mail delivery system, including inside utility bills.

(C) By in person delivery of written notice to the customer's premises, including, but not limited to, a door hanger. (*Indiana Utility Regulatory Commission; 170 IAC 4-9-2*)

170 IAC 4-9-3 Easements and right of way

Authority: IC 8-1-1-3; IC 8-1-2-4; IC 8-1.5-3-8

Affected: IC 8-1-2

Sec. 3. (a) This rule does not modify property rights. Utilities must have or obtain the following legal authority and must provide documentation in accordance with subsection (b):

(1) easements;

(2) rights of way;

(3) statutory authority;

(4) other legal authority; or

(5) the express or implied consent of the property owner or customer;

prior to trimming vegetation. The utility's ability to secure a prescriptive easement may be presented to the customer to obtain consent, but is not independent legal authority.

(b) Upon request by the customer within five (5) business days of the customer's receipt of the notice required under section 4 of this rule, the utility will provide one (1) of the following prior to vegetation management:

(1) A copy of the easement or public right of way document that gives the utility the legal right to enter the customer's property to perform vegetation management.

(2) If an easement or public right of way document is not reasonably available, a copy of the authority that gives the utility the legal right to enter the customer's property to perform vegetation management. (*Indiana Utility Regulatory Commission; 170 IAC 4-9-3*)

170 IAC 4-9-4 Notice requirements for routine vegetation management

Authority: IC 8-1-1-3; IC 8-1-2-4; IC 8-1.5-3-8

Affected: IC 8-1-2

Sec. 4.(a) At least two (2) calendar weeks prior to engaging in routine vegetation management, the utility must provide notice to customers and property owners whose vegetation will be subject to the vegetation management except under the following circumstances:

(1) The utility has:

(A) a written easement;

(B) government permit;

(C) contractual agreement; or

(D) court order;

that expressly gives the utility the right to conduct vegetation management activities.

(2) An emergency or storm event occurs.

(b) A utility must provide notice to a customer in the following manner:

(1) At least one (1) attempt to contact must be:

- (i) in person; or
- (ii) via telephone call.

(2) At least one (1) attempt to contact must include written notice.

(c) Written and in person notice shall include, at minimum, the following information:

(1) The fact that vegetation management is scheduled to occur.

(2) An explanation of

- (A) what vegetation management is; and
- (B) why it is necessary for safe and reliable electric service.

(3) The fact that nonproperty owners living or working on the property who receive the notice are strongly encouraged to notify the property owner as soon as possible that vegetation management is scheduled to occur.

(4) The fact that receipt of this notice by the occupant initiates the two (2) week window for calculating implied consent by the customer.

(5) The estimated date that vegetation management is scheduled to occur.

(6) Contact information, including, at a minimum, a telephone number for an authorized utility representative who is able to answer customer inquiries related to vegetation management.

(d) Written notice will also include the following:

(1) The heading, "TREE TRIMMING NOTICE".

(2) The date the written notice was hand delivered or mailed.

(3) The website address of the commission's vegetation management administrative rule, this rule.

(4) The commission's website at <http://www.in.gov/iurc>.

(5) The utility's vegetation management website address.

(6) A reference to an educational resource for planting around electrical facilities, like the Arbor Day Foundation's right tree, right place program and the website address, if available.

(7) A website address and telephone number for customers to obtain the name of the contractor, if used by the utility, that will deliver the in person notice or conduct vegetation management.

(8) A statement that the utility's representative shall carry identification when delivering the in person notice or conducting vegetation management.

(e) The customer may, within three (3) calendar days of receiving the notice in subsection (a), request the utility provide the estimated day that vegetation management is expected to occur. The utility will then provide the estimated day at least three (3) business days prior to engaging in vegetation management. If the customer requests a more specific time, the supervisor shall endeavor to work with the customer to give a precise time.

(f) A utility must provide notice to a property owner by publishing notice in at least one (1) newspaper of general circulation in the county in which the property is located. The notice must include the following:

- (1) The fact that vegetation management is scheduled to occur.
- (2) The area where vegetation management is scheduled to occur by listing at least one (1) of the following:
 - (i) The street name and block.
 - (ii) The name of the subdivision.
 - (iii) The intersecting roads bounding the area.
 - (iv) The specific address of each property.
- (4) The fact that publication of this notice initiates the two (2) week window for calculating implied consent by the property owner.
- (5) The estimated date that vegetation management is scheduled to occur.
- (6) Contact information, including, at a minimum, a telephone number for an authorized utility representative who is able to answer property owner inquiries related to vegetation management.

(g) The property owner who receives notice by publication may, within three (3) calendar days of the notice being published as outlined in subsection (f), request the utility provide the estimated day that vegetation management is expected to occur. The utility will then provide the estimated day at least three (3) business days prior to engaging in vegetation management. If the property owner requests a more specific time, the supervisor shall endeavor to work with the property owner to give a precise time. (*Indiana Utility Regulatory Commission; 170 IAC 4-9-4*)

170 IAC 4-9-5 Notice requirements for line upgrades

Authority: IC 8-1-1-3; IC 8-1-2-4; IC 8-1.5-3-8

Affected: IC 8-1-2

Sec. 5.(a) At least sixty (60) calendar days prior to a utility changing a distribution or transmission line to a higher voltage level, the utility must give notice to the affected customer if the change in the line will change the area in which vegetation management will be necessary as a result of safe clearance requirements.

(b) Notice shall be provided in the same manner as in section 4(b) of this rule.

(c) Notice shall include, at minimum, the following information:

- (1) The fact that line upgrades are scheduled to occur.
- (2) An explanation of what line upgrades are.
- (3) An explanation as to why line upgrades are necessary for safe and reliable electric service.
- (4) The fact that nonproperty owners living or working on the property and receiving the notice are strongly encouraged to notify the property owner as soon as possible that line upgrades are scheduled to occur.
- (5) The estimated date that line upgrades are scheduled to occur.
- (6) The estimated length of time construction will continue.
- (7) New vegetation restrictions on the property as a result of the line upgrades.

(8) Changes to the property owner's easement or right of way as a result of the line upgrades.

(9) Contact information, including, at a minimum, a telephone number for an authorized utility representative who is able to answer customer inquiries related to line upgrades. (*Indiana Utility Regulatory Commission; 170 IAC 4-9-5*)

170 IAC 4-9-6 Emergency or public safety trimming

Authority: IC 8-1-1-3; IC 8-1-2-4; IC 8-1.5-3-8

Affected: IC 8-1-2

Sec. 6. In cases of emergency or public safety, utilities may, without customer consent, remove more than twenty-five percent (25%) of a tree or trim beyond existing easement or right-of-way boundaries in order to remedy the emergency or public safety situation. (*Indiana Utility Regulatory Commission; 170 IAC 4-9-6*)

170 IAC 4-9-7 Vegetation management standards

Authority: IC 8-1-1-3; IC 8-1-2-4; IC 8-1.5-3-8

Affected: IC 8-1-2

Sec. 7. (a) Utilities, their agents, and contractors shall apply and adhere to the guidelines of:

- (1) American National Standards Institute ANSI A300;
- (2) the National Electric Safety Code;
- (3) the Shigo Guide; and
- (4) the International Society of Arboriculture Best Management Practices.

(b) There is not a uniform clearance requirement, but line clearances should take into consideration the:

- (1) characteristics of the locality;
- (2) electrical facility; and
- (3) health of the tree.

(c) Except in situations of emergency or public safety, if a tree would have more than twenty-five percent (25%) of its canopy removed, the utility or its agent or contractor shall do one (1) of the following actions:

- (1) Obtain consent from the property owner.
- (2) If the property owner and utility or its agent or contractor cannot mutually agree on how the tree can be trimmed to provide sufficient clearance in order to maintain reliable electric service, the utility or its agent or contractor shall take one (1) of the following actions:

(A) Remove the tree, at the utility's expense, as long as the utility has secured the requisite easements to allow its personnel onto the owner's property.

(B) Inform the customer that it will need to make non-ANSI standards cuts in order to provide clearance.

(d) Brush that is under or near a utility's electrical facilities may be removed by the utility without the consent of the customer only when its removal is necessary for safe and reliable service.

(e) Debris associated with routine maintenance, in a maintained area, absent intervening inclement weather that may pull crews from maintenance activities, shall be removed within three (3) calendar days or left on the property as agreed to in writing by the owner.

(f) Utilities and their agents and contractors are not required to clear debris caused by storms and other natural occurrences like tree failures.

(g) A utility shall file a separate report regarding tree-related outages by March 31 annually and whenever the utility makes a change to its vegetation management plan. The report shall include the following information:

- (1) The utility's vegetation management budget.
- (2) Actual expenditures for the prior calendar year.
- (3) The number of customer complaints related to tree trimming.
- (4) The manner in which complaints were addressed or resolved.
- (5) Tree-related outages as a percentage of total outages. (*Indiana Utility Regulatory Commission; 170 IAC 4-9-7*)

170 IAC 4-9-8 Dispute resolution process prior to vegetation management

Authority: IC 8-1-1-3; IC 8-1-2-4; IC 8-1.5-3-8

Affected: IC 8-1-2

Sec. 8. (a) To temporarily stay the proposed vegetation management on the customer's property or rental property, a customer must notify the utility of the customer's objection to the proposed vegetation management within five (5) business days of the customer's receipt of the notice required under section 4 of this rule. Questions or requests for information are not customer objections.

(b) A utility must respond to a customer's objection:

- (1) in person;**
- (2) via telephone call; or**
- (3) in writing;**

within three (3) business days.

(c) If the initial utility representative cannot resolve the customer's objection regarding proposed vegetation management, at least one (1) additional authorized utility representative must attempt to resolve the objection. If the utility is unsuccessful in resolving the objection, the customer shall be provided with the following:

- (1) The website location of the commission's vegetation management administrative rule, this rule.**
- (2) Contact information, including, at minimum, a telephone number, for the commission's consumer affairs division.**

(d) No temporary stay of vegetation management shall be available when one (1) of the following occurs:

- (1) An emergency, storm event, or public safety situation exists.**
- (2) The customer has withdrawn the objection or approved conditions under which cutting may resume, either in writing or during a recorded call.**

(3) More than seven (7) calendar days have passed since the utility provided the proposed resolution referenced in the complaint process under 170 IAC 16-1-4(c)(5) and the customer failed to file an informal complaint to the commission as required by 170 IAC 16-1-5(a).

(4) A final disposition on an informal complaint has been rendered by the commission. (*Indiana Utility Regulatory Commission; 170 IAC 4-9-8*)

170 IAC 4-9-9 Dispute resolution process during vegetation management

Authority: IC 8-1-1-3; IC 8-1-2-4; IC 8-1.5-3-8

Affected: IC 8-1-2

Sec. 9. (a) Upon request of the customer, the utility shall temporarily stay vegetation management on the customer's premises during the vegetation management only if one (1) of the following occurs or is disputed:

(1) The utility failed to provide the notice required under section 4 of this rule.

(2) The utility is engaging in vegetation management outside the scope of a written or recorded agreement between the customer and the utility.

(3) The utility did not have authority to enter the customer's property.

(4) The utility did not exercise due diligence to secure an easement or right of way document in accordance with section 3(b)(2).

(b) At least one (1) member of the work crew must have the authority from the utility to discuss and attempt to resolve customer objections and must respond to the customer's inquiry or complaint. If the work crew cannot resolve the customer's objection regarding vegetation management, at least one (1) additional authorized utility representative must attempt to resolve the objection. If the utility is unsuccessful in resolving the objection, the utility shall provide to the customer the information required in 170 IAC 16-1-4(c)(5).

(c) A utility may proceed with the vegetation management where:

(1) an emergency exists;

(2) the customer has withdrawn the objection or approved conditions under which cutting may resume, either in writing or during a recorded call;

(3) more than seven (7) calendar days have passed since the utility provided the proposed resolution referenced in the complaint process under 170 IAC 16-1-4(c)(5) and the customer failed to file an informal complaint to the commission as required by 170 IAC 16-1-5(a);

(4) the customer failed to take timely action to seek further review of a decision of the commission's consumer affairs division or its director under 170 IAC 16-1-5(d) or 170 IAC 16-1-6(a); or

(5) a final disposition on an informal complaint has been rendered by the commission. (*Indiana Utility Regulatory Commission; 170 IAC 4-9-9*)

170 IAC 4-9-10 Dispute resolution process after vegetation management

Authority: IC 8-1-1-3; IC 8-1-2-4; IC 8-1.5-3-8

Affected: IC 8-1-2

Sec. 10. (a) A customer may contact the utility regarding vegetation management on the customer's premises after the vegetation management occurred if one (1) of the following occurs:

- (1) The utility failed to provide the notice required under section 4 of this rule.
- (2) The utility engaged in vegetation management outside the scope of an agreement between the customer and the utility.
- (3) The utility did not have authority to enter the customer's property.
- (4) The utility failed to follow the vegetation management pruning standards required by the commission or by the utility's own vegetation management policy.
- (5) Another reason permitted by law.

(b) A utility must respond within three (3) business days of receiving a customer's inquiry or dispute:

- (1) in person;
- (2) via telephone call; or
- (3) in writing.

(c) If the initial utility representative cannot resolve the customer's dispute regarding vegetation management, at least one (1) additional authorized utility representative must attempt to resolve the dispute. If the utility is unsuccessful in resolving the dispute, the customer shall be provided the information required in 170 IAC 16-1-5 and will be informed that disputes over monetary damages can only be resolved by a civil court, not the commission. (*Indiana Utility Regulatory Commission; 170 IAC 4-9-10*)

170 IAC 4-9-11 Customer education process
Authority: IC 8-1-1-3; IC 8-1-2-4; IC 8-1.5-3-8
Affected: IC 8-1-2

Sec. 11. A utility shall develop and implement an education plan to inform and educate customers on the following:

- (1) Tree and vegetation selection and placement around electric facilities.
- (2) The public importance of vegetation management to avoid:
 - (A) electric interruptions;
 - (B) injuries; and
 - (C) fatalities.
- (3) The need for, and benefit of, preventing tree contact with power lines.
- (4) The importance of cooperation between customers and their utility in accomplishing the essential public task of power line maintenance.
- (5) The critical importance of the public service of vegetation management to:
 - (A) protect electric service reliability; and
 - (B) avoid injuries and fatalities from electrocution.
- (6) Trimming cycles a utility chooses to implement, including how the chosen trim cycle impacts clearance distance and the extent to which a tree's appearance will be impacted based upon that chosen cycle. (*Indiana Utility Regulatory Commission; 170 IAC 4-9-11*)

170 IAC 4-9-12 Tree replacement program
Authority: IC 8-1-1-3; IC 8-1-2-4; IC 8-1.5-3-8
Affected: IC 8-1-2

Sec. 12. Where a tree will be removed, a utility may offer to provide the customer with:

(1) a power line compatible vegetation;
(2) other replacement plant; or
(3) monetary compensation or credit at an amount agreed to by the parties;
provided that the customer agrees not to plant a tree that will encroach into the utility's facilities at a future date and consents to the removal by the utility if that kind of a tree is planted. (Indiana Utility Regulatory Commission; 170 IAC 4-9-12)

170 IAC 4-9-13 Utility representative identification
Authority: IC 8-1-1-3; IC 8-1-2-4; IC 8-1.5-3-8
Affected: IC 8-1-2

Sec. 13. Employees or contractors performing:
(1) vegetation management; or
(2) in person notification for vegetation management;
on behalf of the utility shall carry identification and provide it for inspection by the customer upon request. (Indiana Utility Regulatory Commission; 170 IAC 4-9-13)



Detail for Kelly Feiock: 502-291-9697

Voice, continued

Date	Time	Number	Rate	Usage Type	Origination	Destination	Min.	Airtime Charges	Long Dist/ Other Chgs	Total
6/21	8:46P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	15	---	---	---
6/21	9:02P	502-296-9060	Off-Peak	PlanAllow	New Albany IN	Louisville KY	5	---	---	---
6/21	9:14P	812-944-8253	Off-Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
6/24	9:36A	502-366-3355	Peak	PlanAllow	New Albany IN	Louisville KY	2	---	---	---
6/25	1:27P	502-523-4356	Off-Peak	PlanAllow,M2M	Louisville KY	Incoming CL	1	---	---	---
6/25	5:18P	502-523-4356	Off-Peak	PlanAllow,M2M	Louisville KY	Incoming CL	2	---	---	---
6/27	10:57A	502-817-4101	Peak	PlanAllow	New Albany IN	Louisville KY	3	---	---	---
6/27	5:28P	502-523-4356	Peak	PlanAllow,M2M	New Albany IN	Louisville KY	2	---	---	---
6/27	6:33P	502-817-4101	Peak	PlanAllow	New Albany IN	Louisville KY	1	---	---	---
6/28	9:20P	812-944-8253	Off-Peak	PlanAllow	New Albany IN	New Albany IN	11	---	---	---
6/28	9:31P	812-948-1060	Off-Peak	PlanAllow	Louisville KY	New Albany IN	3	---	---	---
6/29	6:56P	502-584-3266	Peak	PlanAllow	Jefferson IN	Louisville KY	1	---	---	---
6/29	8:55P	812-944-5468	Peak	PlanAllow,Span	Louisville KY	New Albany IN	10	---	---	---
6/30	8:13A	812-945-3636	Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
7/01	11:27A	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
7/01	11:28A	502-296-9060	Peak	PlanAllow	New Albany IN	Louisville KY	1	---	---	---
7/01	11:55A	812-948-1060	Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
7/01	1:36P	502-299-9670	Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
7/02	5:13P	812-944-8253	Off-Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
7/02	10:29P	812-948-1060	Off-Peak	PlanAllow	New Albany IN	New Albany IN	3	---	---	---
7/04	6:01P	812-280-1103	Peak	PlanAllow	New Albany IN	Jeffersvll IN	2	---	---	---
7/04	6:03P	812-280-1103	Peak	PlanAllow	New Albany IN	Jeffersvll IN	7	---	---	---
7/08	9:51A	800-227-1376	Peak	PlanAllow	New Albany IN	Toll-Free CL	10	---	---	---
7/08	11:05A	Unavailable	Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
7/09	3:32P	502-523-4356	Off-Peak	PlanAllow,M2M	Corydon IN	Incoming CL	1	---	---	---
7/09	6:02P	812-944-1945	Off-Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
7/09	6:03P	812-944-9808	Off-Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
7/09	6:04P	812-943-0444	Off-Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
7/10	7:54P	502-296-9060	Off-Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
7/11	12:48P	502-296-9060	Peak	PlanAllow	New Albany IN	Louisville KY	2	---	---	---
7/11	1:09P	812-283-2177	Peak	PlanAllow	New Albany IN	Jeffersvll IN	2	---	---	---
7/12	4:46P	515-267-7552	Peak	PlanAllow	New Albany IN	Des Moines IA	3	---	---	---
7/12	5:41P	502-296-9060	Peak	PlanAllow	New Albany IN	Louisville KY	1	---	---	---
7/12	5:42P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
7/13	8:03A	812-944-5839	Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
7/13	12:22P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
7/14	9:06A	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
7/14	9:32A	812-944-6147	Peak	PlanAllow	New Albany IN	New Albany IN	9	---	---	---
7/14	9:58A	502-767-0379	Peak	PlanAllow	New Albany IN	Louisville KY	1	---	---	---
7/14	4:25P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	8	---	---	---
7/14	4:37P	502-767-0379	Peak	PlanAllow	New Albany IN	Louisville KY	1	---	---	---
7/14	8:46P	847-432-4375	Peak	PlanAllow,Span	New Albany IN	Incoming CL	34	---	---	---
7/15	8:04P	812-944-8253	Peak	PlanAllow	New Albany IN	New Albany IN	6	---	---	---
7/15	8:25P	502-523-4356	Peak	PlanAllow,M2M	New Albany IN	Louisville KY	16	---	---	---
7/16	10:15A	812-944-6147	Off-Peak	PlanAllow	New Albany IN	New Albany IN	12	---	---	---



PETITIONER'S EXHIBIT B

Invoice Number Account Number Date Due Page

08/13/16 5 of 6

Detail for Kelly Feiock: 502-291-9697

Voice, continued

Date	Time	Number	Rate	Usage Type	Origination	Destination	Min.	Airtime Charges	Long Dist/ Other Chgs	Total
7/18	12:18P	812-944-6147	Peak	PlanAllow	New Albany IN	Incoming CL	3	---	---	---
7/18	12:20P	812-946-1060	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
7/18	6:12P	812-944-8253	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---



Summary for Kelly Feiock: 502-291-9697

Your Plan

Unlimited Talk & Text 1GB
\$60.00 monthly charge
Unlimited monthly minutes

UNL Text Messaging
Unlimited M2M Text
Unlimited Text Message

Data Pkg With NHS/1GB
1024 monthly megabyte allowance
\$15.00 per 500 MB after allowance

UNL Picture/Video MSG
Unlimited monthly Picture & Video

Have more questions about your charges?
Get details for usage charges at
www.vzw.com. Sign into My Verizon.

Monthly Charges

Table with 3 columns: Service, Period, Amount. Row: Unlimited Talk & Text 1GB, 08/19 - 09/18, 60.00. Total: \$60.00

Usage and Purchase Charges

Table with 6 columns: Category, Unit, Allowance, Used, Billable, Cost. Rows: Calling Plan, Total Voice (\$0.00)

Messaging

Table with 6 columns: Category, Unit, Allowance, Used, Billable, Cost. Rows: Text, Unlimited M2M Text, Picture & Video, Total Messaging (\$0.00)

Data

Table with 6 columns: Category, Unit, Allowance, Used, Billable, Cost. Row: Total Data (\$0.00)

Total Usage and Purchase Charges

\$0.00

Surcharges

Table with 2 columns: Charge Name, Amount. Rows: Fed Universal Service Charge (.98), Regulatory Charge (.21), Administrative Charge (1.23), Utility Receipts Surcharge (.58), IN Telecom Relay Surcharge (.03), IN Universal Service Fee (.23), IN State PUC Fee (.04). Total: \$3.30

Taxes, Governmental Surcharges and Fees

Table with 2 columns: Charge Name, Amount. Rows: IN State 911 Fee (1.00), IN State Sales Tax-Telec (2.96). Total: \$3.96

Total Current Charges for 502-291-9697

\$67.26

Detail for Kelly Feiock: 502-291-9697

Voice

Table with 11 columns: Date, Time, Number, Rate, Usage Type, Origination, Destination, Min., Airtime Charges, Long Dist/Other Chgs, Total. Rows: 7/19 5:04P 502-523-4356, 7/19 5:10P 502-523-4356, 7/21 9:02A 812-945-3636



Detail for Kelly Feiock: 502-291-9697

Voice, continued

Date	Time	Number	Rate	Usage Type	Origination	Destination	Min.	Airtime Charges	Long Dist/ Other Chgs	Total
7/21	9:27A	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	3	---	---	---
7/21	2:04P	515-267-7552	Peak	PlanAllow	New Albany IN	Des Moines IA	3	---	---	---
7/21	11:26P	Unavailable	Off-Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
7/22	3:53P	812-263-2536	Peak	PlanAllow	New Albany IN	Jeffersnvl IN	5	---	---	---
7/22	3:59P	812-263-2398	Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
7/25	7:05P	812-944-8253	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
7/27	12:13P	812-948-5904	Peak	PlanAllow	New Albany IN	New Albany IN	3	---	---	---
7/29	10:39A	812-944-8756	Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
7/29	10:54A	812-945-5135	Peak	PlanAllow	New Albany IN	New Albany IN	8	---	---	---
7/29	2:16P	502-523-4356	Peak	PlanAllow,M2M	New Albany IN	Louisville KY	2	---	---	---
7/29	2:20P	812-948-0826	Peak	PlanAllow	New Albany IN	New Albany IN	3	---	---	---
7/29	2:24P	812-941-9830	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
7/29	2:25P	812-542-1454	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
7/29	2:59P	812-284-3003	Peak	PlanAllow	New Albany IN	Jeffersnvl IN	5	---	---	---
7/29	5:49P	812-981-0188	Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
7/31	10:22A	812-944-1472	Off-Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
8/01	1:44P	502-523-4356	Peak	PlanAllow,M2M	New Albany IN	Louisville KY	1	---	---	---
8/01	5:25P	812-949-2846	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
8/01	5:25P	812-949-5245	Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
8/02	12:00P	812-944-8253	Peak	PlanAllow	New Albany IN	New Albany IN	8	---	---	---
8/02	1:01P	812-944-6147	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
8/02	1:07P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
8/02	3:29P	812-944-8756	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
8/02	3:58P	812-944-8253	Peak	PlanAllow	New Albany IN	Incoming CL	2	---	---	---
8/03	10:45A	515-267-7552	Peak	PlanAllow	New Albany IN	Des Moines IA	1	---	---	---
8/03	9:08P	410-352-7475	Off-Peak	PlanAllow	New Albany IN	Bishopvl MD	1	---	---	---
8/03	9:11P	330-655-7950	Off-Peak	PlanAllow	New Albany IN	Hudson OH	1	---	---	---
8/03	9:11P	800-290-6106	Off-Peak	PlanAllow	New Albany IN	Toll-Free CL	1	---	---	---
8/03	9:12P	502-653-3705	Off-Peak	PlanAllow	New Albany IN	Louisville KY	1	---	---	---
8/03	9:12P	812-590-3751	Off-Peak	PlanAllow	New Albany IN	Jeffersnvl IN	1	---	---	---
8/03	9:13P	502-996-4628	Off-Peak	PlanAllow	New Albany IN	Louisville KY	1	---	---	---
8/03	10:26P	502-523-4356	Off-Peak	PlanAllow,M2M	New Albany IN	Incoming CL	9	---	---	---
8/05	11:40A	502-523-4356	Peak	PlanAllow,M2M	Jefferson IN	Incoming CL	3	---	---	---
8/05	11:56A	502-523-4356	Peak	PlanAllow,M2M	Louisville KY	Incoming CL	2	---	---	---
8/05	12:25P	502-523-4356	Peak	PlanAllow,M2M	Louisville KY	Incoming CL	4	---	---	---
8/08	9:20P	502-614-8775	Off-Peak	PlanAllow	New Albany IN	Louisville KY	1	---	---	---
8/08	9:21P	502-292-0597	Off-Peak	PlanAllow	New Albany IN	Louisville KY	1	---	---	---
8/10	7:15P	812-944-6147	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
8/10	7:16P	812-944-6147	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
8/10	7:20P	812-944-6147	Peak	PlanAllow	New Albany IN	New Albany IN	12	---	---	---
8/10	7:43P	812-944-8253	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
8/10	8:45P	812-944-8253	Peak	PlanAllow	New Albany IN	Incoming CL	15	---	---	---
8/11	1:56P	812-590-3751	Peak	PlanAllow	New Albany IN	Incoming CL	2	---	---	---
8/11	6:45P	812-406-3771	Peak	PlanAllow	New Albany IN	Charlestin IN	2	---	---	---
8/11	6:47P	866-385-3675	Peak	PlanAllow	New Albany IN	Toll-Free CL	2	---	---	---

called Townsend
called DUKE



PETITIONER'S EXHIBIT B

Invoice Number Account Number Date Due Page

09/13/16 5 of 6

Detail for Kelly Feiock: 502-291-9697

Voice, continued

No return phone calls from
Townsend or Duke

Date	Time	Number	Rate	Usage Type	Origination	Destination	Min.	Airtime Charges	Long Dist/ Other Chgs	Total
8/12	11:50A	812-948-1399	Peak	PlanAllow	New Albany IN	New Albany IN	2	—	—	—
8/12	12:31P	812-948-1060	Peak	PlanAllow	Clarksвил IN	New Albany IN	3	—	—	—
8/12	12:33P	502-807-2414	Peak	PlanAllow	Clarksвил IN	Louisville KY	2	—	—	—
8/12	12:52P	812-948-0953	Peak	PlanAllow	Clarksвил IN	New Albany IN	2	—	—	—
8/12	6:23P	812-981-0188	Peak	PlanAllow	New Albany IN	New Albany IN	2	—	—	—
8/12	7:36P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	1	—	—	—
8/13	8:33A	502-238-1069	Off-Peak	PlanAllow	New Albany IN	Louisville KY	7	—	—	—
8/13	11:08A	812-948-1399	Off-Peak	PlanAllow	Louisville KY	New Albany IN	2	—	—	—
8/14	8:56P	502-523-4356	Off-Peak	PlanAllow,M2M	New Albany IN	Incoming CL	2	—	—	—
8/15	1:08P	812-246-0260	Peak	PlanAllow	New Albany IN	Sellersbg IN	1	—	—	—
8/16	9:09A	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	2	—	—	—
8/16	12:25P	812-948-1060	Peak	PlanAllow	New Albany IN	Incoming CL	4	—	—	—
8/16	10:16P	502-523-4356	Off-Peak	PlanAllow,M2M	New Albany IN	Louisville KY	35	—	—	—
8/17	10:40A	812-948-1060	Peak	PlanAllow	New Albany IN	Incoming CL	3	—	—	—
8/17	11:00A	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	4	—	—	—
8/18	1:25P	888-739-4120	Peak	PlanAllow	New Albany IN	Toll-Free CL	11	—	—	—
8/18	5:15P	812-284-2929	Peak	PlanAllow,M2M	New Albany IN	Jeffersvvl IN	1	—	—	—
8/18	9:19P	812-948-1060	Off-Peak	PlanAllow	New Albany IN	Incoming CL	11	—	—	—



Summary for Kelly Feiock: 502-291-9697

Your Plan

Unlimited Talk & Text 1GB

\$60.00 monthly charge

Unlimited monthly minutes

UNL Text Messaging

Unlimited M2M Text

Unlimited Text Message

Data Pkg With MHS/1GB

1024 monthly megabyte allowance

\$15.00 per 500 MB after allowance

UNL Picture/Video MSG

Unlimited monthly Picture & Video

Have more questions about your charges? Get details for usage charges at www.vzw.com. Sign into My Verizon.

Monthly Charges

Unlimited Talk & Text 1GB	09/19 - 10/18	60.00
		\$60.00

Usage and Purchase Charges

Voice	Allowance	Used	Billable	Cost
Calling Plan	minutes unlimited	259	---	---
Total Voice				\$0.00

Messaging

Text	messages unlimited	132	---	---
Unlimited M2M Text	messages unlimited	319	---	---
Picture & Video	messages unlimited	44	---	---
Total Messaging				\$0.00

Data

Megabyte Usage	megabytes	1024.000	826.526	---	---
Total Data					\$0.00

Total Usage and Purchase Charges

Total Usage and Purchase Charges	\$0.00
---	---------------

Service Charges

IN Universal Service Charge	.98
Regulatory Charge	.21
Administrative Charge	1.23
IN Utility Receipts Surcharge	.58
IN Telecom Relay Surcharge	.03
IN Universal Service Fee	.23
IN State PUC Fee	.04
Total Service Charges	\$3.30

Taxes, Governmental Surcharges and Fees

IN State 911 Fee	1.00
IN State Sales Tax-Telec	2.96
Total Taxes, Governmental Surcharges and Fees	\$3.96

Total Current Charges for 502-291-9697	\$67.26
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Detail for Kelly Feiock: 502-291-9697

Voice

Date	Time	Number	Rate	Usage Type	Origination	Destination	Min.	Airtime Charges	Long Dist/ Other Chgs	Total
8/19	9:09A	812-944-8253	Peak	PlanAllow	New Albany IN	New Albany IN	5	---	---	---
8/19	1:41P	800-282-1446	Peak	PlanAllow	New Albany IN	Toll-Free CL	17	---	---	---
8/19	6:07P	515-267-7552	Peak	PlanAllow	New Albany IN	Des Moines IA	3	---	---	---



Detail for Kelly Feilock: 502-291-9697

Voice, continued

Date	Time	Number	Rate	Usage Type	Origination	Destination	Min.	Airtime Charges	Long Dist/ Other Chgs	Total
8/19	6:16P	614-948-4386	Peak	PlanAllow	New Albany IN	Westervl OH	2	---	---	---
8/19	6:41P	614-948-4386	Peak	PlanAllow	New Albany IN	Westervl OH	14	---	---	---
8/19	6:56P	614-948-1646	Peak	PlanAllow	New Albany IN	Westervl OH	2	---	---	---
8/20	9:17A	502-523-4356	Off-Peak	PlanAllow,M2M	New Albany IN	Incoming CL	1	---	---	---
8/20	9:20A	502-523-4356	Off-Peak	PlanAllow,M2M	New Albany IN	Louisville KY	2	---	---	---
8/20	11:05A	812-944-8253	Off-Peak	PlanAllow	New Albany IN	New Albany IN	3	---	---	---
8/20	7:18P	812-590-3434	Off-Peak	PlanAllow	New Albany IN	Jeffersvnl IN	2	---	---	---
8/21	6:19P	812-948-1060	Off-Peak	PlanAllow	New Albany IN	New Albany IN	3	---	---	---
8/21	6:29P	502-298-9670	Off-Peak	PlanAllow	New Albany IN	Louisville KY	1	---	---	---
8/22	5:14P	812-944-8147	Peak	PlanAllow	New Albany IN	New Albany IN	3	---	---	---
8/22	10:33P	812-944-8147	Off-Peak	PlanAllow	New Albany IN	New Albany IN	8	---	---	---
8/23	11:27A	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
8/23	4:26P	812-945-5631	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
8/23	4:28P	614-948-1646	Peak	PlanAllow	New Albany IN	Westervl OH	16	---	---	---
8/23	8:17P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
8/24	11:56A	502-938-3651	Peak	PlanAllow,M2M	New Albany IN	Louisville KY	2	---	---	---
8/26	7:56A	502-523-4356	Peak	PlanAllow,M2M	New Albany IN	Louisville KY	7	---	---	---
8/26	6:01P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
8/27	8:01A	812-948-1060	Off-Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
8/27	10:07A	502-523-4356	Off-Peak	PlanAllow,M2M	New Albany IN	Louisville KY	2	---	---	---
8/27	10:28A	502-523-4356	Off-Peak	PlanAllow,M2M	New Albany IN	Incoming CL	1	---	---	---
8/27	4:45P	502-523-4356	Off-Peak	PlanAllow,M2M	New Albany IN	Louisville KY	2	---	---	---
8/28	9:41A	812-948-1060	Off-Peak	PlanAllow	New Albany IN	New Albany IN	4	---	---	---
8/28	7:25P	812-948-1060	Off-Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
8/29	9:05P	502-523-4356	Off-Peak	PlanAllow,M2M	New Albany IN	Incoming CL	7	---	---	---
8/30	7:55P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	5	---	---	---
8/30	10:38P	812-948-1060	Off-Peak	PlanAllow	New Albany IN	New Albany IN	8	---	---	---
8/31	7:55A	812-948-1060	Peak	PlanAllow	New Albany IN	Incoming CL	3	---	---	---
9/01	6:24P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	3	---	---	---
9/01	6:56P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
9/01	10:24P	502-523-4356	Off-Peak	PlanAllow,M2M	New Albany IN	Incoming CL	8	---	---	---
9/02	8:57P	812-944-8253	Peak	PlanAllow	New Albany IN	Incoming CL	2	---	---	---
9/03	9:59A	502-523-4356	Off-Peak	PlanAllow,M2M	New Albany IN	Louisville KY	1	---	---	---
9/03	11:37A	502-523-4356	Off-Peak	PlanAllow,M2M	New Albany IN	Incoming CL	2	---	---	---
9/03	3:36P	502-523-4356	Off-Peak	PlanAllow,M2M	New Albany IN	Incoming CL	3	---	---	---
9/05	2:43P	812-948-1060	Peak	PlanAllow	Everett PA	New Albany IN	8	---	---	---
9/06	10:31A	502-523-4356	Peak	PlanAllow,M2M	Pottsville PA	Louisville KY	2	---	---	---
9/06	5:42P	812-948-1060	Peak	PlanAllow	Mystic CT	New Albany IN	2	---	---	---
9/06	5:51P	812-944-8253	Peak	PlanAllow	Mystic CT	New Albany IN	1	---	---	---
9/06	5:52P	812-944-8253	Peak	PlanAllow	Mystic CT	New Albany IN	1	---	---	---
9/07	6:57P	812-948-1060	Peak	PlanAllow	Falmouth MA	New Albany IN	8	---	---	---
9/07	7:05P	812-948-1060	Peak	PlanAllow	Falmouth MA	Incoming CL	1	---	---	---
9/08	5:38P	502-640-8212	Peak	PlanAllow,M2M	Provinceto MA	Louisville KY	1	---	---	---
9/08	5:39P	502-298-9060	Peak	PlanAllow	Provinceto MA	Louisville KY	5	---	---	---
9/08	9:48P	508-566-7582	Off-Peak	PlanAllow	Falmouth MA	Cataumet MA	1	---	---	---

OUT
OF
TOWN



Detail for Kelly Feiock: 502-291-9697

Voice, continued

Date	Time	Number	Rate	Usage Type	Origination	Destination	Min.	Airtime Charges	Long Dist/ Other Chgs	Total
9/11	7:35P	502-294-5104	Off-Peak	PlanAllow <i>out of town</i>	Marango OH	Bardstown KY	2	---	---	---
9/12	10:12A	812-948-5904	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
9/12	10:16A	812-948-5904	Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
9/12	10:18A	812-598-3751	Peak	PlanAllow	New Albany IN	Jeffersvll IN	1	---	---	---
9/12	10:18A	812-948-5904	Peak	PlanAllow	New Albany IN	New Albany IN	4	---	---	---
9/12	10:22A	812-948-5904	Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
9/12	10:27A	508-566-7582	Peak	PlanAllow	New Albany IN	Cataumet MA	1	---	---	---
9/12	11:05A	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
9/12	12:26P	502-294-5104	Peak	PlanAllow	New Albany IN	Bardstown KY	3	---	---	---
9/12	12:42P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
9/12	1:00P	502-298-9060	Peak	PlanAllow	New Albany IN	Louisville KY	1	---	---	---
9/12	1:11P	502-817-1312	Peak	PlanAllow	New Albany IN	Incoming CL	5	---	---	---
9/12	1:35P	812-725-7463	Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
9/12	1:43P	502-299-9670	Peak	PlanAllow	New Albany IN	Incoming CL	2	---	---	---
9/12	5:13P	502-836-5608	Peak	PlanAllow	New Albany IN	Incoming CL	2	---	---	---
9/12	7:37P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
9/12	7:49P	502-817-1312	Peak	PlanAllow	New Albany IN	Louisville KY	2	---	---	---
9/12	7:58P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
9/13	1:20P	502-296-9060	Peak	PlanAllow	New Albany IN	Louisville KY	1	---	---	---
9/13	1:21P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	9	---	---	---
9/13	5:03P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	3	---	---	---
9/13	11:19P	Unavailable	Off-Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
9/15	8:16A	812-948-1399	Peak	PlanAllow	New Albany IN	New Albany IN	4	---	---	---
9/15	9:19A	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
9/15	9:21A	502-296-9060	Peak	PlanAllow	New Albany IN	Louisville KY	2	---	---	---
9/15	9:22A	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	3	---	---	---
9/15	9:46A	812-948-5904	Peak	PlanAllow	New Albany IN	New Albany IN	3	---	---	---
9/15	11:03A	812-948-5904	Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
9/15	12:07P	812-590-3751	Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
9/15	5:32P	800-273-0144	Peak	PlanAllow	New Albany IN	Toll-Free CL	8	---	---	---
9/15	7:45P	812-948-1399	Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
9/16	7:13P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
9/17	9:20A	812-948-1060	Off-Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
9/17	10:06A	812-948-1060	Off-Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---



Summary for Kelly Feiock: 502-291-9697

Your Plan

Unlimited Talk & Text 1GB

\$60.00 monthly charge
Unlimited monthly minutes

UNL Text Messaging

Unlimited M2M Text
Unlimited Text Message

Data Pkg With MHS/1GB

1024 monthly megabyte allowance
\$15.00 per 500 MB after allowance

UNL Picture/Video MSG

Unlimited monthly Picture & Video

Have more questions about your charges?
Get details for usage charges at
www.vzw.com. Sign into My Verizon.

Monthly Charges

Unlimited Talk & Text 1GB	10/19 - 11/18	60.00
		\$60.00

Usage and Purchase Charges

Voice	Allowance	Used	Billable	Cost
Calling Plan	minutes unlimited	132	---	---
Total Voice				\$0.00

Messaging

Text	messages unlimited	141	---	---
Unlimited M2M Text	messages unlimited	399	---	---
Picture & Video	messages unlimited	86	---	---
Total Messaging				\$0.00

Data

Megabyte Allowance	megabytes	1024.000	731.818	---	---
Total Data					\$0.00

Total Usage and Purchase Charges

\$0.00

Surcharges

Fed Universal Service Charge	.95
Regulatory Charge	.21
Administrative Charge	1.23
IN Utility Receipts Surcharge	.58
IN Telecom Relay Surcharge	.03
IN Universal Service Fee	.23
IN State PUC Fee	.04
	\$3.27

Taxes, Governmental Surcharges and Fees

IN State 911 Fee	1.00
IN State Sales Tax-Telec	2.96
	\$3.96

Total Current Charges for 502-291-9697

\$67.23

Detail for Kelly Feiock: 502-291-9697

Voice

Date	Time	Number	Rate	Usage Type	Origination	Destination	Min.	Airtime Charges	Long Dist/ Other Chgs	Total
9/20	12:54P	502-523-4356	Peak	PlanAllow,M2M	New Albany IN	Louisville KY	2	---	---	---
9/20	12:56P	502-523-4356	Peak	PlanAllow,M2M	New Albany IN	Incoming CL	4	---	---	---
9/20	1:42P	502-523-4356	Peak	PlanAllow,M2M	New Albany IN	Louisville KY	3	---	---	---



PETITIONER'S EXHIBIT B

Invoice Number Account Number Date Due Page

11/13/16 4 of 5

Detail for Kelly Feiock: 502-291-9697

Voice, continued

Date	Time	Number	Rate	Usage Type	Origination	Destination	Min.	Airtime Charges	Long Dist/ Other Chgs	Total
9/20	2:13P	317-232-2738	Peak	PlanAllow	<i>called Lisa Shemko</i> New Albany IN	Indianapls IN	1	---	---	---
9/20	2:21P	317-232-2738	Peak	PlanAllow	<i>Lisa called me</i> New Albany IN	Incoming CL	8	---	---	---
9/20	3:49P	502-727-3967	Peak	PlanAllow,M2M	New Albany IN	Louisville KY	1	---	---	---
9/20	6:43P	502-523-4356	Peak	PlanAllow,M2M	New Albany IN	Louisville KY	2	---	---	---
9/23	9:25P	502-523-4356	Off-Peak	PlanAllow,M2M	New Albany IN	Incoming CL	11	---	---	---
9/27	1:07P	812-948-5352	Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
9/27	6:51P	502-523-4356	Peak	PlanAllow,M2M	New Albany IN	Incoming CL	4	---	---	---
9/28	8:42A	812-948-1060	Peak	PlanAllow	New Albany IN	Incoming CL	2	---	---	---
9/30	2:11P	Unavailable	Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
10/01	10:08A	812-948-1060	Off-Peak	PlanAllow	New Albany IN	New Albany IN	4	---	---	---
10/01	10:13A	812-948-1060	Off-Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
10/01	10:21A	Unavailable	Off-Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
10/05	10:16P	866-633-5293	Off-Peak	PlanAllow	New Albany IN	Toll-Free CL	2	---	---	---
10/06	4:51P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
10/06	6:42P	502-299-9670	Peak	PlanAllow	New Albany IN	Incoming CL	2	---	---	---
10/06	6:57P	502-299-9670	Peak	PlanAllow	New Albany IN	Louisville KY	4	---	---	---
10/08	9:48A	812-948-1060	Off-Peak	PlanAllow	New Albany IN	Incoming CL	2	---	---	---
10/09	6:17P	812-948-1060	Off-Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
10/09	9:14P	812-948-5904	Off-Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
10/10	1:04P	502-721-9383	Peak	PlanAllow	New Albany IN	Louisville KY	3	---	---	---
10/10	9:16P	502-523-4356	Off-Peak	PlanAllow,M2M	Jefferson IN	Louisville KY	7	---	---	---
10/11	5:03P	812-923-7648	Peak	PlanAllow	New Albany IN	Galena IN	2	---	---	---
10/11	10:39P	812-972-2568	Off-Peak	PlanAllow,M2M	New Albany IN	Corydon IN	15	---	---	---
10/12	8:10P	812-914-1593	Peak	PlanAllow,M2M	New Albany IN	New Albany IN	3	---	---	---
10/13	9:06A	812-948-5904	Peak	PlanAllow	New Albany IN	New Albany IN	3	---	---	---
10/13	9:14A	800-273-0144	Peak	PlanAllow	New Albany IN	Toll-Free CL	5	---	---	---
10/13	12:19P	812-948-5904	Peak	PlanAllow	New Albany IN	New Albany IN	3	---	---	---
10/13	1:58P	812-944-8756	Peak	PlanAllow	New Albany IN	New Albany IN	3	---	---	---
10/13	10:10P	502-523-4356	Off-Peak	PlanAllow,M2M	New Albany IN	Louisville KY	4	---	---	---
10/14	8:35A	812-944-3801	Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
10/14	11:34A	812-590-3751	Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
10/14	12:20P	812-941-6134	Peak	PlanAllow	New Albany IN	New Albany IN	3	---	---	---
10/14	12:23P	812-590-4025	Peak	PlanAllow	New Albany IN	Jefferswn IN	2	---	---	---
10/14	12:25P	812-923-7648	Peak	PlanAllow	New Albany IN	Galena IN	2	---	---	---
10/14	12:28P	812-590-3751	Peak	PlanAllow	New Albany IN	Jefferswn IN	1	---	---	---
10/14	12:29P	812-948-5904	Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
10/14	1:42P	812-590-3751	Peak	PlanAllow	New Albany IN	Incoming CL	2	---	---	---
10/14	3:28P	502-523-4356	Peak	PlanAllow,M2M	Louisville KY	Incoming CL	1	---	---	---
10/15	9:15A	812-945-9792	Off-Peak	PlanAllow	New Albany IN	Incoming CL	2	---	---	---
10/17	6:03P	502-721-9383	Peak	PlanAllow	New Albany IN	Incoming CL	2	---	---	---
10/18	10:49A	502-721-9383	Peak	PlanAllow	New Albany IN	Louisville KY	1	---	---	---
10/18	2:59P	812-944-8756	Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---



Summary for Kelly Feiock: 502-291-9697

Your Plan

Unlimited Talk & Text 1GB
\$60.00 monthly charge
Unlimited monthly minutes

UNL Text Messaging
Unlimited M2M Text
Unlimited Text Message

Data Pkg With MHS/1GB
1024 monthly megabyte allowance
\$15.00 per 500 MB after allowance

UNL Picture/Video MSG
Unlimited monthly Picture & Video

Have more questions about your charges?
Get details for usage charges at
www.vzw.com. Sign into My Verizon.

Monthly Charges

Unlimited Talk & Text 1GB 11/19 - 12/18 60.00

\$60.00

Usage and Purchase Charges

Voice	Allowed	Used	Billable	Cost
Calling Plan	minutes unlimited	359	---	---
Total Voice				\$0.00

Messaging

	Allowed	Used	Billable	Cost
Text	messages unlimited	319	---	---
Unlimited M2M Text	messages unlimited	348	---	---
Picture & Video	messages unlimited	23	---	---
Total Messaging				\$0.00

Data

Megabyte Usage	Allowed	Used	Billable	Cost
Total Data	megabytes 1024.000	406.894	---	---
Total Data				\$0.00

Total Usage and Purchase Charges

\$0.00

Surcharge

Fed Universal Service Charge	.95
Regulatory Charge	.21
Administrative Charge	1.23
IN Utility Receipts Surcharge	.58
IN Telecom Relay Surcharge	.03
IN Universal Service Fee	.23
IN State PUC Fee	.04
Total	\$3.27

Taxes, Governmental Surcharges and Fees

IN State 911 Fee	1.00
IN State Sales Tax-Telec	2.96
Total	\$3.96

Total Current Charges for 502-291-9697

\$67.23

Detail for Kelly Feiock: 502-291-9697

Voice

Date	Time	Number	Rate	Usage Type	Origination	Destination	Min.	Airtime Charges	Long Dist/ Other Chgs	Total
10/19	7:19A	Unavailable	Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
10/19	2:30P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
10/19	6:07P	502-523-4356	Peak	PlanAllow,M2M	New Albany IN	Louisville KY	5	---	---	---



PETITIONER'S EXHIBIT B

Invoice Number Account Number Date Due Page

12/13/16 4 of 7

Detail for Kelly Feiock: 502-291-9697

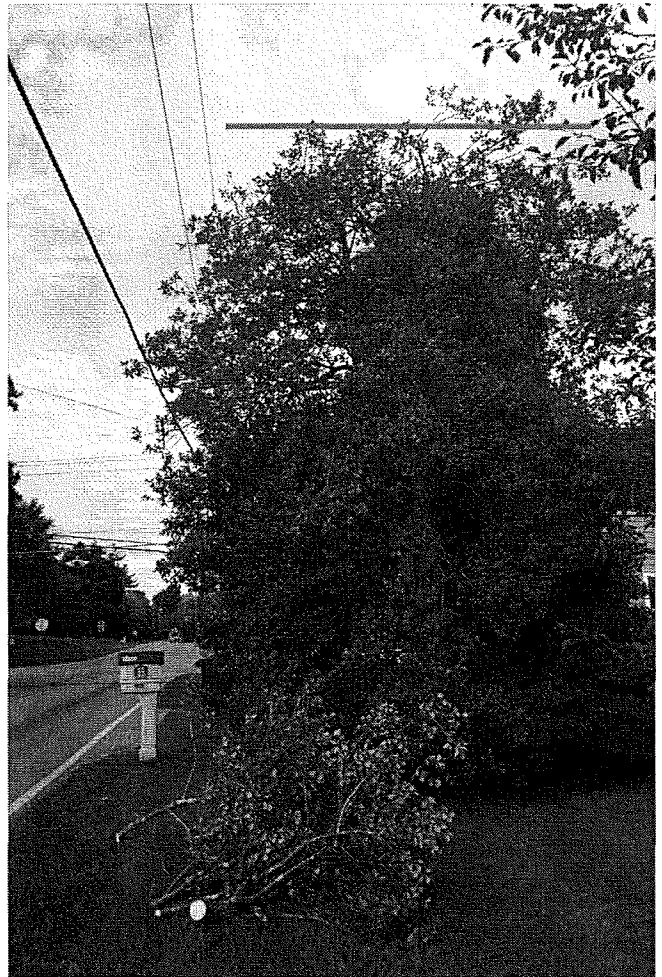
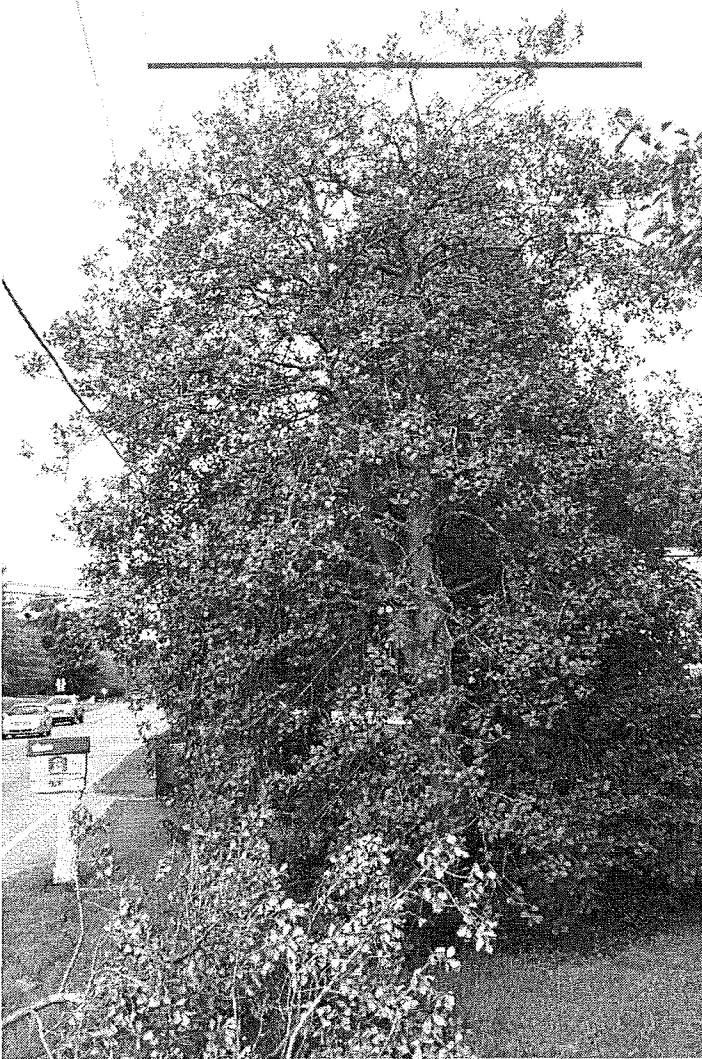
Voice, continued

Date	Time	Number	Rate	Usage Type	Origination	Destination	Min.	Airtime Charges	Long Dist/ Other Chgs	Total
10/19	6:34P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
10/19	6:43P	812-948-1060	Peak	PlanAllow	New Albany IN	Incoming CL	3	---	---	---
10/19	6:59P	812-948-1399	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
10/19	7:11P	502-523-4356	Peak	PlanAllow,M2M	New Albany IN	Louisville KY	2	---	---	---
10/20	2:25P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	3	---	---	---
10/20	7:37P	812-944-8253	Peak	PlanAllow	New Albany IN	New Albany IN	7	---	---	---
10/22	9:26A	812-948-1060	Off-Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
10/23	7:51P	812-948-1060	Off-Peak	PlanAllow	New Albany IN	New Albany IN	11	---	---	---
10/24	7:30P	812-944-2984	Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
10/25	1:07P	469-200-7068	Peak	PlanAllow	New Albany IN	Frisco TX	2	---	---	---
10/25	1:10P	469-200-7068	Peak	PlanAllow	New Albany IN	Frisco TX	6	---	---	---
10/25	6:42P	812-948-1060	Peak	PlanAllow	Charlestown IN	New Albany IN	2	---	---	---
10/26	1:50P	812-989-6566	Peak	PlanAllow,M2M	New Albany IN	New Albany IN	2	---	---	---
10/26	1:53P	515-267-7552	Peak	PlanAllow	New Albany IN	Des Moines IA	1	---	---	---
10/26	1:55P	614-948-1646	Peak	PlanAllow	New Albany IN	Westervl OH	4	---	---	---
10/26	7:50P	812-944-2984	Peak	PlanAllow	New Albany IN	Incoming CL	4	---	---	---
10/27	8:59A	515-267-7552	Peak	PlanAllow	New Albany IN	Des Moines IA	2	---	---	---
10/27	9:02A	515-267-7552	Peak	PlanAllow	New Albany IN	Incoming CL	5	---	---	---
10/28	9:03A	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
10/28	11:58A	844-636-3553	Peak	PlanAllow	New Albany IN	Incoming CL	5	---	---	---
10/28	8:47P	812-948-1060	Peak	PlanAllow	New Albany IN	Incoming CL	6	---	---	---
10/29	10:24A	812-948-1060	Off-Peak	PlanAllow	New Albany IN	New Albany IN	4	---	---	---
10/31	5:15P	317-234-0572	Peak	PlanAllow	<i>called Kenya</i>	New Albany IN	Indianapolis IN	3	---	---
10/31	5:17P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	4	---	---	---
10/31	5:29P	812-944-8756	Peak	PlanAllow	New Albany IN	New Albany IN	2	---	---	---
11/01	9:51A	812-944-8756	Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
11/01	12:03P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	5	---	---	---
11/01	1:59P	919-666-1999	Peak	PlanAllow	New Albany IN	Incoming CL	8	---	---	---
11/01	4:29P	812-945-3636	Peak	PlanAllow	New Albany IN	New Albany IN	4	---	---	---
11/01	6:34P	502-298-9670	Peak	PlanAllow	New Albany IN	Louisville KY	1	---	---	---
11/01	6:35P	502-296-9060	Peak	PlanAllow	New Albany IN	Louisville KY	1	---	---	---
11/01	6:35P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
11/01	6:54P	812-944-8253	Peak	PlanAllow	New Albany IN	Incoming CL	1	---	---	---
11/01	8:00P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
11/01	9:55P	812-948-1060	Off-Peak	PlanAllow	New Albany IN	New Albany IN	1	---	---	---
11/01	9:55P	502-298-9670	Off-Peak	PlanAllow	New Albany IN	Louisville KY	1	---	---	---
11/01	10:25P	502-523-4356	Off-Peak	PlanAllow,M2M	New Albany IN	Incoming CL	1	---	---	---
11/01	10:48P	812-948-1060	Off-Peak	PlanAllow	New Albany IN	Incoming CL	3	---	---	---
11/01	11:07P	502-523-4356	Off-Peak	PlanAllow,M2M	New Albany IN	Louisville KY	7	---	---	---
11/02	6:29P	469-506-8836	Peak	PlanAllow,M2M	New Albany IN	Grandprari TX	2	---	---	---
11/02	9:42P	812-948-1060	Off-Peak	PlanAllow	New Albany IN	New Albany IN	16	---	---	---
11/03	12:59P	469-506-8836	Peak	PlanAllow,M2M	New Albany IN	Grandprari TX	4	---	---	---
11/03	8:26P	812-948-1060	Peak	PlanAllow	New Albany IN	New Albany IN	11	---	---	---
11/04	3:15P	469-506-8836	Peak	PlanAllow,M2M	New Albany IN	Grandprari TX	3	---	---	---
11/04	3:37P	469-506-8836	Peak	PlanAllow,M2M	New Albany IN	Grandprari TX	1	---	---	---

PETITIONER'S EXHIBIT C - 1
IURC CAUSE NO. 44952

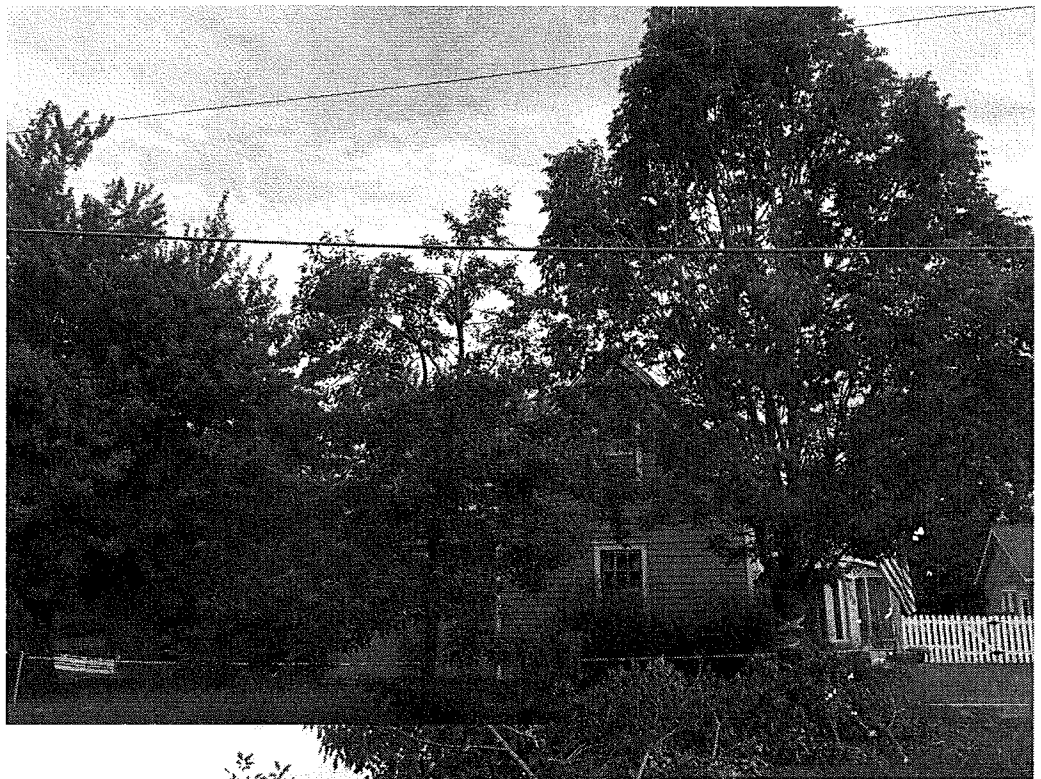
2763 Mount Tabor Rd., New Albany, IN
47150

Holly Tree – This tree is more than 40 years old and came to a perfect point, which was cut off by Townsend Tree Service. It was nowhere near the power lines and never would be. Duke claims no tops were removed, but you can see that is not the truth.



PETITIONER'S
EXHIBIT C-2

Persimmon Tree –
The top was completely cut off the tree and more than 25% of the canopy was removed. A neighbor saw what was happening and actually came outside and told the trimmers they were ruining the tree. The limbs were nowhere near the power lines.



PETITIONER'S
EXHIBIT C - 3



Walnut Tree – This tree is more than 50 years old and WAS beautiful before it was severely cut. You can see the side of the tree is bare, and a LARGE pile of limbs lay at the edge of the street, and again, the branches were nowhere near the power lines and never have been.



Careers

Trimmer A

Areas / Towns: Clarksville, IN; Connersville, IN; Madison, IN; Greensburg, IN; Aurora, IN

Type: Full-time

General Duties include but may not be limited to:

- Clean, sharpen, and lubricate tools and equipment.
- Clear sites, streets, and grounds of woody and herbaceous materials, such as tree stumps and fallen trees and limbs.
- Climb trees, using climbing hooks and belts, or climb ladders to gain access to work areas.
- Collect debris and refuse from tree trimming and removal operations into piles, using shovels, rakes or other tools.
- Cut away dead and excess branches from trees, or clear branches around power lines, using climbing equipment or buckets of extended truck booms, and/or chainsaws, hooks, handsaws, shears, and clippers.
- Inspect trees to determine if they have diseases or pest problems.
- Load debris and refuse onto trucks and haul it away for disposal.
- Operate shredding and chipping equipment, and feed limbs and brush into the machines.
- Trim jagged stumps, using saws or pruning shears.
- Trim, top, and reshape trees to achieve attractive shapes or to remove low-hanging branches.
- Hoist tools and equipment to tree trimmers, and lower branches with ropes or block and tackle.
- Split logs or wooden blocks into bolts, pickets, posts, or stakes, using hand tools such as ax wedges, sledgehammers, and mallets.

- Supervise others engaged in tree trimming work and train lower-level employees.
- Transplant and remove trees and shrubs, and prepare trees for moving.
- Operate boom trucks, loaders, stump chippers, brush chippers, tractors, power saws, trucks, sprayers, and other equipment and tools.
- Provide training to other Trimmers, serve as lead Trimmer in the absence of Foreman or General Foreman.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES:

- Must be at least 18 years of age.
- Must be 21 years of age if position requires interstate driving.
- Must have legal authorization to work in the United States of America.
- Must pass a drug/alcohol screen upon offer of employment.
- Proven knowledge of occupational hazards and safety precautions
- Proven ability to properly prune various tree species
- Proven knowledge and ability to tie basic knots including but not limited to: bowline, Blake's hitch, taut line hitch, and clove hitch.
- Proven knowledge and ability to use lowering techniques, knot tying, saw maintenance and devices as related to tree work in the field.
- Proven knowledge of and/or the ability to learn about the care and proper use of tools and equipment used in the development and maintenance of trees.
- Must have sufficient physical strength and ability to independently and repeatedly lift, move and carry objects weighing up to 60 pounds and to repeatedly lift, move and carry objects weighing more than 60 pounds with assistance.
- Must successfully complete a proficiency test consisting

of: climbing a ladder, knot tying, chain saw maintenance, the safe and proper handing and operation of chain saws, chipper and stump grinder and demonstrate proper tree groundwork abilities using a variety of equipment including but not limited to ropes, pole pruner etc.

- Must be semi-skilled in mechanics.
- Must be proficient in proper tree groundwork including but not limited to: basic tree pruning and tree removal.
- Must be able to report for work on time and to perform the duties of the job for an entire workday.
- Ability to work flexible hours with some weekend and holiday work required.
- Ability to perform frequent overtime work, which may involve late night or early morning hours.
- Ability to establish and maintain an effective working relationship with other employees and the public.
- Must be able to pass physical abilities test/post offer screen for employment.
- Experience with a tree care / maintenance program preferred, including but not limited to: operation of stump grinder, chipper, chipper truck, bucket truck, and other tree-related equipment.
- This classification may require the use of personal or company vehicles on company business. Individuals must be physically capable of operating the vehicles safely, possess a valid driver's license and have an acceptable driving record. In addition, individuals may be required to pass a Department of Transportation physical exam and possess the appropriate commercial driver's license.

Job Title:

Name:

Address:

PETITIONER'S EXHIBIT D

City:

State:

**U.S. Phone
Number:**

U.S. Zip Code:

Email:

Availability:

**Willing to
Travel:**

 Yes No

**Do you have a
Commercial
Drivers License
(CDL)?:**

 Yes No

**I am eligible
to work in the
United States:**

**Is there
anything else
we need to
know about
you:**

**Enter security
code:**

476173

Submit

About Townsend

Townsend Corporation is headquartered near Indianapolis, in Muncie, Indiana. With a workforce in over 30 states, we continue to safely deliver results and solutions that serve many industries.

Latest News

New Regional Manager

8/1/2017

Mike Baynum has accepted a new role as Regional Manager.

[Read More \(/about-us/news/2017/august/new-regional-manager\)](/about-us/news/2017/august/new-regional-manager)

Contact Us

1015 W. Jackson Street, Muncie, IN 47305

Phone: 800-428-8128



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[\(https://www.linkedin.com/company-beta/1133059\)](https://www.linkedin.com/company-beta/1133059)

Arborwear Portal (<https://www.arborwear.com/portal/townsend/>) | Employee Portal

(<http://estub.thetownsendcorp.com/employeeportal>) | Sitemap (</sitemap>)

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Web Design and Development

by Bitwise Solutions (<http://www.bitwisesolutions.com>)

Careers

EXPERIENCED line Clearance Climbers, Trimmers

Areas / Towns: Terre Haute & Clinton

Type: Full-time

General Duties include but may not be limited to:

- Clean, sharpen, and lubricate tools and equipment.
- Clear sites, streets, and grounds of woody and herbaceous materials, such as tree stumps and fallen trees and limbs.
- Climb trees, using climbing hooks and belts, or climb ladders to gain access to work areas.
- Collect debris and refuse from tree trimming and removal operations into piles, using shovels, rakes or other tools.
- Cut away dead and excess branches from trees, or clear branches around power lines, using climbing equipment or buckets of extended truck booms, and/or chainsaws, hooks, handsaws, shears, and clippers.
- Inspect trees to determine if they have diseases or pest problems.
- Load debris and refuse onto trucks and haul it away for disposal.
- Operate shredding and chipping equipment, and feed limbs and brush into the machines.
- Trim jagged stumps, using saws or pruning shears.
- Trim, top, and reshape trees to achieve attractive shapes or to remove low-hanging branches.
- Hoist tools and equipment to tree trimmers, and lower branches with ropes or block and tackle.
- Split logs or wooden blocks into bolts, pickets, posts, or stakes, using hand tools such as ax wedges,

sledgehammers, and mallets.

- Supervise others engaged in tree trimming work and train lower-level employees.
- Transplant and remove trees and shrubs, and prepare trees for moving.
- Operate boom trucks, loaders, stump chippers, brush chippers, tractors, power saws, trucks, sprayers, and other equipment and tools.
- Provide training to other Trimmers, serve as lead Trimmer in the absence of Foreman or General Foreman.

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- Must be at least 18 years of age.
- Must be 21 years of age if position requires interstate driving.
- Must have legal authorization to work in the United States of America.
- Must pass a drug/alcohol screen upon offer of employment.
- Proven knowledge of occupational hazards and safety precautions
- Proven ability to properly prune various tree species
- Proven knowledge and ability to tie basic knots including but not limited to: bowline, Blake's hitch, taut line hitch, and clove hitch.
- Proven knowledge and ability to use lowering techniques, knot tying, saw maintenance and devices as related to tree work in the field.
- Proven knowledge of and/or the ability to learn about the care and proper use of tools and equipment used in the development and maintenance of trees.
- Must have sufficient physical strength and ability to independently and repeatedly lift, move and carry objects weighing up to 60 pounds and to repeatedly lift, move and carry objects weighing more than 60 pounds with assistance.

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- Must be semi-skilled in mechanics.
- Must be proficient in proper tree groundwork including but not limited to: basic tree pruning and tree removal.
- Must be able to report for work on time and to perform the duties of the job for an entire workday.
- Ability to work flexible hours with some weekend and holiday work required.
- Ability to perform frequent overtime work, which may involve late night or early morning hours.
- Ability to establish and maintain an effective working relationship with other employees and the public.
- Must be able to pass physical abilities test/post offer screen for employment.
- Experience with a tree care / maintenance program preferred, including but not limited to: operation of stump grinder, chipper, chipper truck, bucket truck, and other tree-related equipment.
- This classification may require the use of personal or company vehicles on company business. Individuals must be physically capable of operating the vehicles safely, possess a valid driver's license and have an acceptable driving record. In addition, individuals may be required to pass a Department of Transportation physical exam and possess the appropriate commercial driver's license.

Job Title:

Name:

Address:

City:

State:

U.S. Phone Number: () -

U.S. Zip Code:

Email:

Availability:

Willing to Travel: Yes No

Do you have a Commercial Drivers License (CDL)?: Yes No

I am eligible to work in the United States:

Is there anything else we need to know about you:

Enter security code: 509192

About Townsend

Townsend Corporation is headquartered near Indianapolis, in Muncie, Indiana. With a workforce in over 30 states, we continue to safely deliver results and solutions that serve many industries.

Latest News

New Regional Manager

8/1/2017

Mike Baynum has accepted a new role as Regional Manager.

[Read More \(/about-us/news/2017/august/new-regional-manager\)](/about-us/news/2017/august/new-regional-manager)

Contact Us

1015 W. Jackson Street, Muncie, IN 47305

Phone: 800-428-8128



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(<http://estub.thetownsendcorp.com/employeeportal>) | Sitemap (</sitemap>)

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