



Lewis R. Mills, Jr.
Public Counsel

State of Missouri

Matt Blunt
Governor

Office of the Public Counsel
Governor Office Building
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, Missouri 65102

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1-800-735-2966 TDD
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December 4, 2007

Ms. Cully Dale
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
Governor Office Building
200 Madison Street
Jefferson City, MO 65102

Re: Complaint of the City of Louisiana, MO against AT&T concerning delay in completing and securing construction site

Dear Ms. Dale:

As a courtesy to the City of Louisiana, MO, I am forwarding the enclosed formal complaint letter that the City inadvertently misdirected to the Office of Public Counsel instead of the Public Service Commission.

Public Counsel is transmitting this to the Public Service Commission to accommodate the City and to avoid any further delay with the complaint process. However, OPC is not entering its appearance as the City's attorney or legal representative in this complaint, but rather Public Counsel will act in its statutory role under Section 386.710, RSMo as representative of the public and ratepayers as a whole.

Please deal directly with Ms. Kelly Henderson, City Superintendent of the City of Louisiana, MO at 573-754-4132.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mike Dandino".

Mike Dandino
Deputy Public Counsel

MFD:ks

Cc: Kelly Henderson, City of Louisiana
Leo Bub, AT&T
Lewis Mills

FILE COPY

"The Gateway To The West"



Donald E. Giltner, Mayor

CITY OF LOUISIANA

202 South 3rd
Louisiana, MO 63353

OFFICE PHONE: (573) 754-4132

FAX PHONE: (573) 754-5869

E mail address: cityhall@louisiana-mo.org

Lewis Mills, Public Counsel

Governor Office Bldg.

Suite 650

200 Madison Street

P.O. Box 2230

Jefferson City, MO

65102-7800

November 14, 2007

Re: Complaint for the Missouri public Service Commission (AT&T)

To Whom It May Concern:

I have been instructed by the Louisiana, Missouri City Council to file a formal complaint with the Missouri Public Commission concerning construction work performed by AT&T.

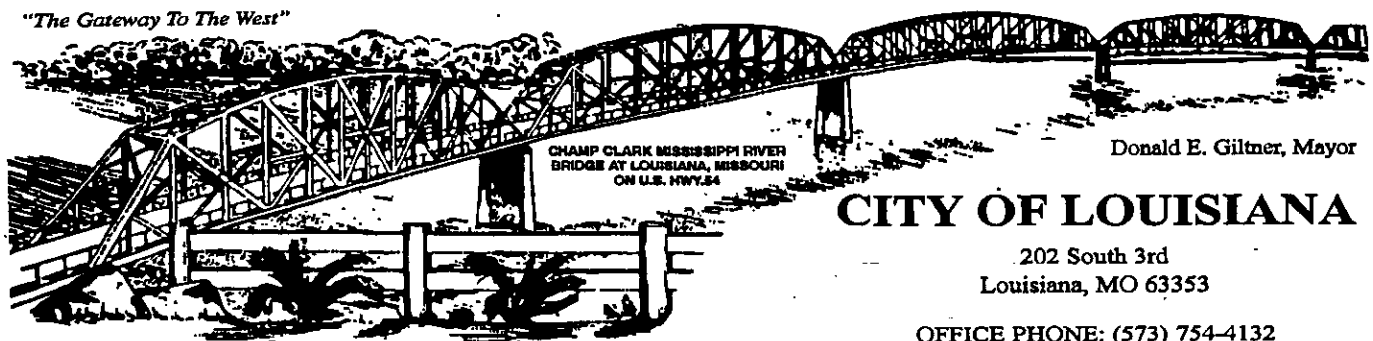
AT&T operates and maintains telephone lines which was formally operated by Southwester Bell, in Louisiana, Missouri. Construction crews authorized by AT&T excavated four pits in the spring of 2006 in Louisiana along Business 54. These holes are still open and are poorly maintained. AT&T is not diligently working on this project. I would estimate that AT&T has not had staff at these sites over two percent of the time period since opening these excavations.

Citizens have also raised concerns over the safety surrounding these areas. Of course you have the natural hazard normally associated with an open pit with a poorly maintained poly fence. In my estimate, an even greater danger exists because AT&T does not properly maintain the vegetation inside of the excavation areas, sight lines for motorists have been greatly impaired. Many "near misses" have been reported because of grass and weeds being rarely or never cut in a growing season.

We have had dialogue with AT&T but were presented with promises which were not fulfilled (please see attached). We understand that some issues can come up in the middle of construction projects but after twenty plus months for this small of a project, we have run out of understanding and patience.

Sincerely
Kelly Henderson
Kelly Henderson
City Superintendent

NOV 19 2007



KH/kh

Attc: copy email and pictures

Kelly Henderson

From: "Kelly Henderson" <cityhall@louisiana-mo.org>
To: "GLANCE, WENDELL W (SWBT)" <wg0684@sbc.com>
Sent: Monday, February 26, 2007 1:31 PM
Subject: splice holes on the west end of town

Wendell,

I have had numerous citizens and now council people asking when the open excavations on the west end of town are going to be closed up. They seem to think that these have been open for 9 or 10 months (I know it was sometime last summer, but can't recall exactly when).

Can you either inform me on this matter or guide me to someone who can?

Thanks for your help on this matter and on previous issues as well.

Kelly Henderson
City Superintendent
Louisiana, Missouri.

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11/14/2007

Kelly Henderson

From: "GLANCE, WENDELL W (SWBT)" <wg0664@att.com>
To: "Kelly Henderson" <cityhall@louisiana-mo.org>
Sent: Tuesday, February 27, 2007 2:38 PM
Subject: RE: splice holes on the west end of town

I have asked Mr. Allen Hardin to call you with the information you need. He is busy but should he not call you before Friday, please call him at 573-392-9752.

Thank you,

Wendell W. Glance
Manager-OSP-Engineering
820 Broadway
Hannibal, MO 63401
573-221-9812-Office
1-800-468-5369-Pager
*--If you find a path with no obstacles,
it probably doesn't lead anywhere.
Frank A. Clark--*

-----Original Message-----
From: Kelly Henderson [mailto:cityhall@louisiana-mo.org]
Sent: Tuesday, February 27, 2007 9:13 AM
To: GLANCE, WENDELL W (SWBT)
Subject: Fw: splice holes on the west end of town

-----Original Message-----
From: Kelly Henderson
To: GLANCE, WENDELL W (SWBT)
Sent: Monday, February 26, 2007 1:31 PM
Subject: splice holes on the west end of town

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Kelly Henderson
City Superintendent
Louisiana, Missouri

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11/14/2007

Kelly Henderson

From: "HARDEN, ALLEN (SWBT)" <ah2321@att.com>
To: <cityhall@louisiana-mo.org>
Sent: Tuesday, February 27, 2007 2:47 PM
Subject: Pits on NN in Industrial area

Kelly:

We are planning on working on this job again starting in March. Due to weather and some other issues we were unable to work on this project. With any unforeseen delay's we should be done by the end of April with this project. If any other question please let us know and we will try to answer them.

THANKS HAVE A GOOD DAY

ALLEN HARDEN
MANAGER CONSTRUCTION
717 N LINDA LANE
ELDON, MO. 65026
573-392-9752
CELL 573-280-0082

11/14/2007

Kelly Henderson

From: "Kelly Henderson" <cityhall@louisiana-mo.org>
To: "HARDEN, ALLEN (SWBT)" <ah2321@att.com>
Cc: "Mayor Giltner" <mayor@louisiana-mo.org>; <twitte@socket.net>
Sent: Wednesday, July 11, 2007 10:38 AM
Subject: Re: Pits on NN in Industrial area

Allen,

These pits are still open, have large weeds growing out of them and look horrendous. How much longer is your company going to subject our citizens to these unsafe conditions?

Kelly Henderson
City Superintendent
Louisiana, Missouri

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

From: "HARDEN, ALLEN (SWBT)" <ah2321@att.com>
To: <cityhall@louisiana-mo.org>
Sent: Tuesday, February 27, 2007 3:47 PM
Subject: Pits on NN in Industrial area

Kelly:

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ALLEN HARDEN
MANAGER CONSTRUCTION
717 N LINDA LANE
ELDON, MO. 65026
573-392-9752
CELL 573-280-0082

11/14/2007

Kelly Henderson

From: "HARDEN, ALLEN (ATTSWBT)" <ah2321@att.com>
To: "Kelly Henderson" <cityhall@louisiana-mo.org>
Sent: Wednesday, July 11, 2007 1:03 PM
Subject: RE: Pits on NN in Industrial area

Kelly,

I apologize for not having this project finished, we have been working on this but had some unforeseen road blocks and had hoped to be able to finish this job by now. I will be able to work on this again by end of week or first of next week. Not sure when we can get finished but will keep someone on this for most part till we get it done. I will keep you updated with our progress. If any questions please let me know.

ALLEN HARDEN
MANAGER CONSTRUCTION
717 N LINDA LANE
ELDON, MO. 65026
573-392-9752
CELL 573-280-0082

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

From: Kelly Henderson [mailto:cityhall@louisiana-mo.org]
Sent: Wednesday, July 11, 2007 11:39 AM
To: HARDEN, ALLEN (ATTSWBT)
Cc: Mayor Giltner; twitte@socket.net
Subject: Re: Pits on NN in Industrial area

Allen,

These pits are still open, have large weeds growing out of them and look horrendous. How much longer is your company going to subject our citizens to these unsafe conditions?

Kelly Henderson
City Superintendent
Louisiana, Missouri

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

From: "HARDEN, ALLEN (SWBT)" <ah2321@att.com>
To: <cityhall@louisiana-mo.org>
Sent: Tuesday, February 27, 2007 3:47 PM
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11/14/2007

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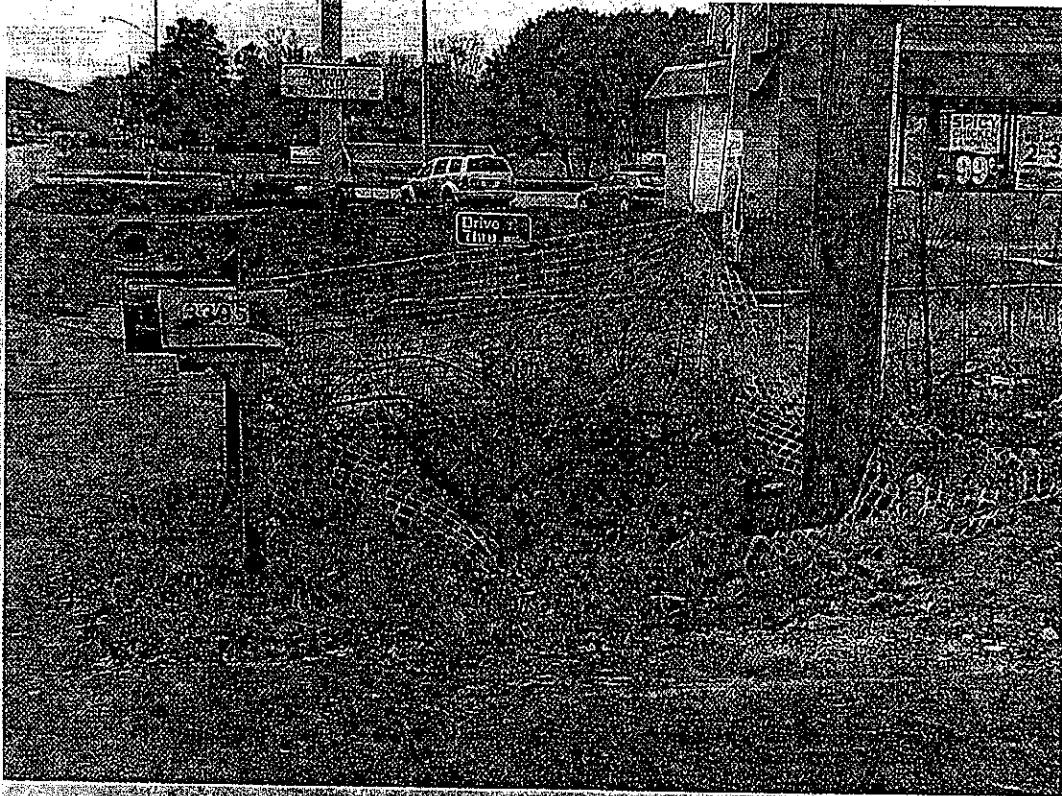
ALLEN HARDEN
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ELDON, MO. 65026
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CELL 573-280-0082

THANKS HAVE A GOOD DAY

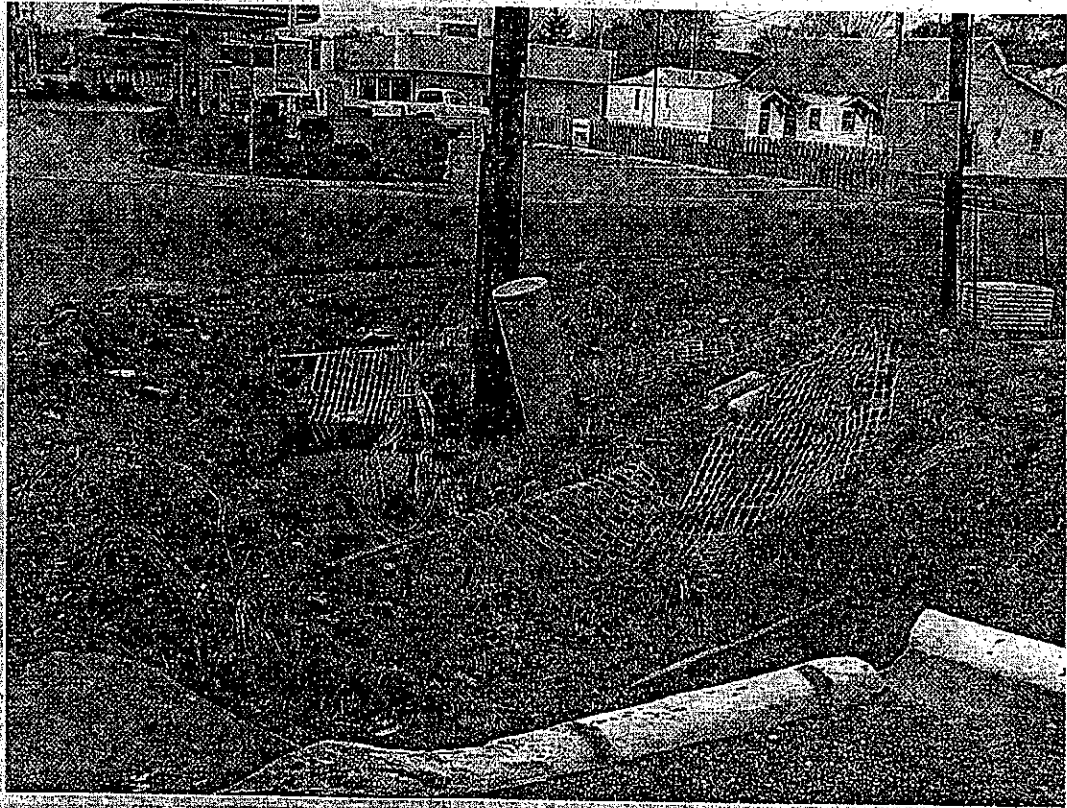
ALLEN HARDEN
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ELDON, MO. 65026

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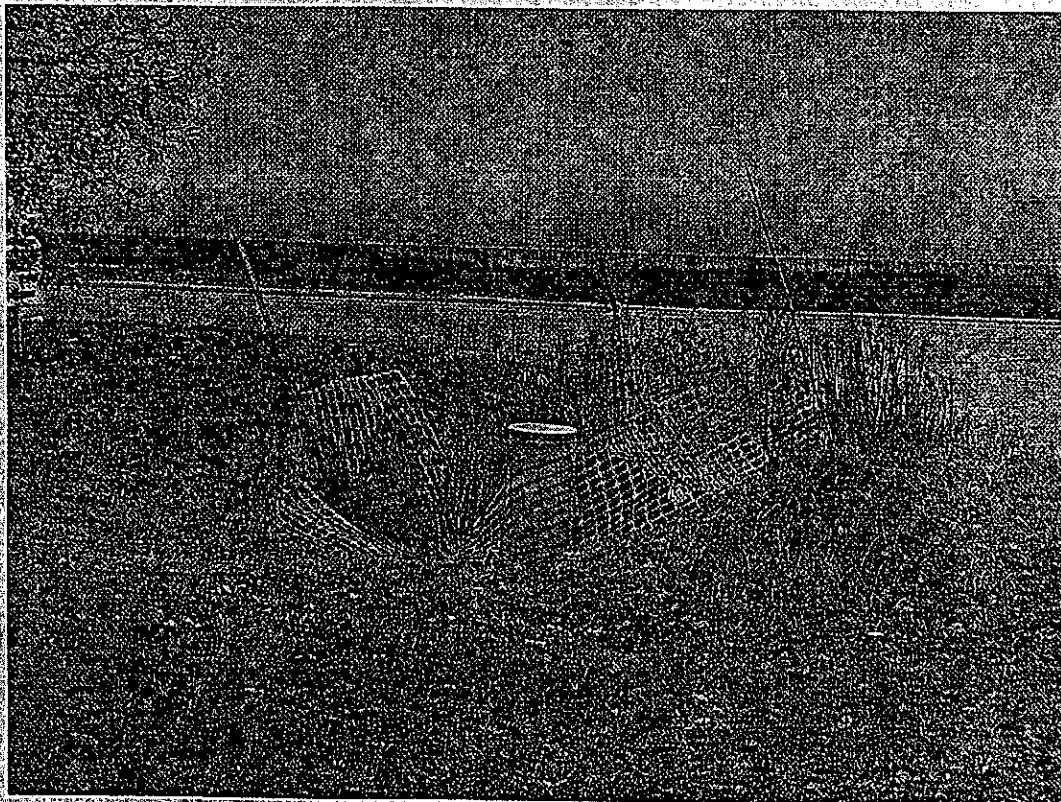
3305 GEORGE

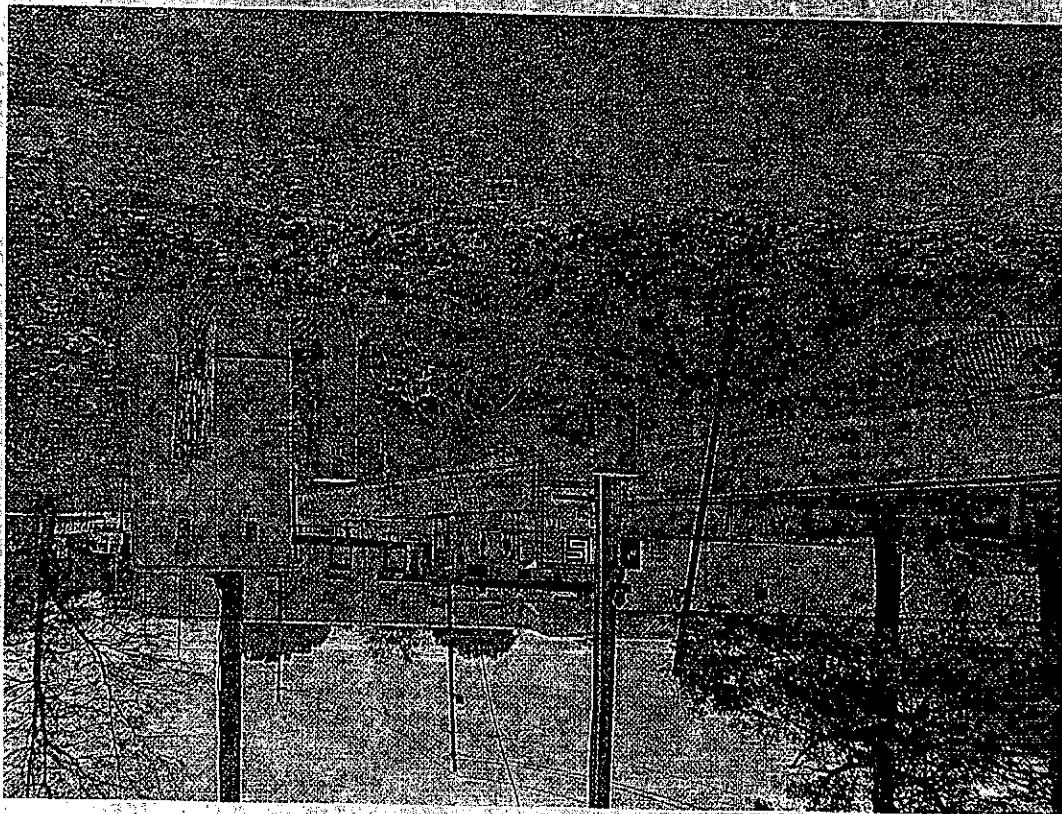


Tella Jane & Geosis



Kelly Ln. 8-6-00-81





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