



Waukesha Water Utility

SERVING WAUKESHA SINCE 1886

115 DELAFIELD STREET
WAUKESHA, WI 53188-3615

Telephone: (262) 521-5272 • Fax: (262) 521-5265 • E-mail: contactus@waukesha-water.com

MEMORANDUM

Date: August 9, 2019

To: Water Commission

From: Dan Duchniak, General Manager

Re: Disallowance of Claim – Jean Jantzen

The attached claim in the amount of \$275 was filed by Jean Jantzen of 1117 Lindbergh Avenue, for plumbing repairs incurred when sediment 'stirred up' in her internal plumbing causing a mixing valve to need replacement.

It appears that this resulted from the Joint Water and City Sewer Interceptor Project on Greenmeadow and Moreland Blvd.

After an investigation that included interviews with Utility staff and a review of applicable rules and regulations, it is my recommendation that this claim be denied. There was no negligence on behalf of the Utility of our contractors working on the project.

A copy of the claim and my response letter are attached. I will ask for your formal motion to disallow this claim at the Commission meeting. Ms. Jantzen is aware of the scheduled meeting and was invited to attend.

Recommended Motion: Move to formally disallow claim of Jean Jantzen of 1117 Lindbergh Avenue in the amount of \$275.

Enc.

6/10/19
Waukesha Water Utility
115 Delafield
Waukesha, WI 53188
ATT: Insurance

Due to Waukesha Water Utility
recently working on the
water line on Ireland Ave
near my home 1117 Lindbergh Ave,
I incurred serious plumbing
problems requiring repairs.

Please pay Total Home Enhancement
the amount ~~incurred~~ incurred to repair
my plumbing due to Waukesha
Water Utility work, as discussed
with Chris Walker

Thank you.

Deantzen

RECEIVED

1117 Lindbergh Ave
Waukesha, WI 53188
JUN 13 2019 (262) 446-0030

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August 6, 2019

Jean Jantzen
1117 Lindbergh Avenue
Waukesha, WI 53188-4953

Re: Claim for Plumbing Work

Dear Ms. Jantzen,

I have completed my investigation into the circumstances regarding the claim you submitted for plumbing services in the amount of \$275.00.

Per State Statute, the Waukesha Water Utility has an obligation to do what is necessary to maintain the quality of our infrastructure by improving the water system, performing routine maintenance, and responding to unforeseen water system disruptions.

Not far from your home, there is a major project underway to replace over 3,000 feet of 8" watermain, installed in 1958, with new 12" water main. During a large project like this, fluctuations in the water pressure can occur that can cause air and debris in your internal plumbing. The Rules and Regulations of the Water Utility by the Public Service Commission of Wisconsin specifically address this issue when they state that there can be 'no claim for damages' that results from water system operations, including the replacement of a water main.

I will be presenting your claim to the Water Utility Commission at their monthly meeting for their discussion and recommendation that they disallow this claim, based on our rules and regulations and our obligation to treat all customers equally.

You are invited to attend this public meeting scheduled for Thursday, August 15 at 6:00 PM in the Waukesha Water Utility Conference Room.

I regret that I could not have given you a more favorable response. We strive to provide high quality water to our customers at all times. Please contact me if you have questions or if you would like more information about attending the meeting. My phone number is (262) 409-4441.

Sincerely,

WAUKESHA WATER UTILITY

Lynn M. Gomez
Assistant Manager – HR/Admin.

Enc.

C: Water Utility Commission

RATE FILE

Sheet No. 5 of 22

Schedule No. X-1

Public Service Commission of Wisconsin

Amendment No. 74

City of Waukesha Water Utility

WATER UTILITY OPERATING RULES

In no case shall a meter be installed where the total clearance space provided is less than four (4) feet. All meter settings shall be as specified on the standard drawings and specifications of the Utility.

b. Multiple Meters

The Utility will consider multiple meters on new and existing laterals where complete separation of billing services is warranted by customer's use, and where Utility requirements for safety, security and access are met.

A customer may apply for a change in the meter location. The utility shall charge the customer for the labor required to move the meter to the new location provided by the customer.

c. Customer Owned Meter

If additional meters are desired by the customer, such meters must be installed, read and maintained by the property owner. The Utility shall not be responsible for any division of a bill resulting from readings of the privately owned meters by the parties involved.

1.12 Protective Devices

The owner or occupant of every premise receiving water supply shall apply and maintain suitable means of protection of the premise supply, and all appliances thereof, against damage arising in any manner from the use of the supply, variation of water pressure, or any interruption of water supply.

1.13 Cross Connections

Every person owning or occupying a property served by the Utility shall keep the utility water supply free from any contamination or cross-connection between Utility and non-utility system, according to City Ordinance 3.025.

1.14 No Claim for Damages

No person shall enter a claim for damage against the City of Waukesha as a Water Utility or any officer thereof, for damage to any pipe, fixture, appurtenance, or to laundry by reason of interrupted water supply, variation of pressure or temperature, discolored water, or for damage of any nature whatsoever caused by water system operation. Water system operation includes turning the water supply off, or on wholly or partially, for the extension, alteration, repair of water main or premises supply, or for the disconnection of the premises water supply for the violation of any rule or regulation of the Utility. No claims will be allowed against the Utility as a result of the interruption of the water supply caused by the breaking of pipes or machinery, by stoppage for repairs, or as a result of fire or any other emergency.

RATE FILE

Sheet No. 6 of 22

EFFECTIVE: July 11, 2012
PSCW AUTHORIZATION: 6240-WR-107