# STATE OF CONNECTICUT
## PUBLIC UTILITIES REGULATORY AUTHORITY
## OFFICE OF EDUCATION, OUTREACH, & ENFORCEMENT

September 25, 2026
In reply, please refer to:
Docket No. 26-08-16

Chairman Tom Wiehl
Public Utilities Regulatory Authority
10 Franklin Square
New Britain, Connecticut 06051

Re: Request for Hearing - Appeal of Tree Warden Decision Pursuant to General Statutes §§ 16-234 and 4-176e *et., seq*.

Dear Chairman Wiehl:

The Public Utilities Regulatory Authority (Authority) Office of Education, Outreach, and Enforcement (EOE) respectfully submits the attached Request for Hearing for the Authority's review.

Sincerely,

Public Utilities Regulatory Authority
Office of Education, Outreach, and Enforcement

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Re: Request for Hearing - Appeal of Tree Warden Decision Pursuant to General Statutes §§ 16-234 and 4-176e *et., seq*.

Dear Chairman Wiehl:

Pursuant to General Statutes §§ 16-234 and 4-176e *et., seq*., the Office of Education, Outreach, and Enforcement (EOE) of the Public Utilities Regulatory Authority (PURA or Authority) respectfully requests that the Authority schedule a hearing regarding the appeal of a Tree Warden's Decision for tree pruning by the United Illuminating Authority (UI or Company) located at 452 Lockwood Road, Fairfield, CT pursuant to General Statutes §16-234(c)(6).

On August 24, 2026, abutting property owner (Applicant) Dariusz Zumbrzycki submitted an appeal of the Town of Fairfield's Tree Warden's (Tree Warden) determination to the Authority. Specifically, the Applicant is opposed to the determination that United Illuminating Company (UI or Company) *trim* rather than remove the subject tree.[1] The Applicant contests proposed targeted pruning of branches and limbs obstructing UI electrical wires. Categorizing trimming as a "temporary solution," the Applicant would like the tree removed, alleging safety concerns stemming from the tree's overall health and condition. In response, the Authority initiated this proceeding to address the issues raised in the appeal. See General Statutes §§ 23-65(f) and16-234.

The Authority is statutorily required to conduct a mediation session not later than thirty (30) days following the receipt of an APO's appeal, unless the Applicant waives this right or mediation fails. General Statutes § 16-234(c)(6). If mediation is waived or unsuccessful, the Authority must conduct a hearing not later than sixty (60) calendar days from the receipt of the appeal. *Id.*[2]

EOE finds that the parties failed to respond to repeated, documented outreach efforts. As a result, the record is incomplete and the Applicant's appeal remains unresolved. Absent from the record are the date of UI's Customer Notification of Proposed Tree Work and the species, size and condition of the tree at issue. As described below, EOE reached out several times to the Applicant, the Company, and the Tree Warden but such efforts were ignored. Specific unsuccessful EOE efforts to communicate with the parties and engage in mediation include the following:

[1] Initially, Applicant consented to UI's Customer Notification of Proposed Tree Work (Notice) to *remove* a tree from Applicant's property at 452 Lockwood Road, Fairfield, CT. Subsequently, the Tree Warden's decision (Final Decision) to trim is not available and EOE was unable to communicate with the parties.
[2] The statutory deadline to conduct a hearing is October 23, 2026.

- **August 26, 2026:** At approximately 4:05 p.m., EOE transmitted an electronic notification of the appeal to the Applicant, Mark Levine (UI tree contractor), and Jeff Minder (Tree Warden / State Department of Transportation). This notification included a formal request for information and outlined available mediation options. EOE received no response.

- **September 8, 2026:** Darian Zdunek (UI tree contractor) contacted EOE via telephone and indicated that he would request that Mr. Minder contact EOE. Mr. Minder failed to do so. EOE transmitted an electronic follow-up reminder of the August 26 Notice to all parties. EOE received an automated out-of-office reply from Mr. Minder indicating he would return on September 9, 2026. Mr. Minder did not contact EOE.

- **September 14, 2026:** EOE emailed Mr. Zdunek, requesting that he instruct Mr. Minder to contact EOE by the end of the business day. Mr. Zdunek replied via email stating, "I will forward this email to the UI arborist Phil Warrenger to continue the process." Neither Mr. Warrenger nor Minder have contacted EOE.

- **September 14, 2026 (Telephonic Outreach):** EOE placed consecutive telephone calls to the parties. At 2:30 p.m., EOE left a voicemail message for Mr. Minder. At 2:45 p.m., EOE left a voicemail message for the Applicant. At 3:00 p.m., EOE left a voicemail message for Mr. Levine. None of these calls were returned.

Because the parties disregarded EOE's outreach efforts the record is incomplete and the appeal remains unresolved. As a result, EOE respectfully requests that the Authority conduct a hearing pursuant to General Statutes § 16-234.

Sincerely,
PUBLIC UTILITIES REGULATORY AUTHORITY
Office of Education, Outreach, and Enforcement

cc: Service List